

AN
ACCURATE AND AUTHENTIC
NARRATIVE
OF THE
ORIGIN AND PROGRESS
OF THE
DISSENTIONS
AT THE
PRESIDENCY OF MADRAS:
FOUNDED ON
ORIGINAL PAPERS AND CORRESPONDENCE.

LONDON:

PRINTED FOR EDMUND LLOYD, HARLEY STREET,
CAVENDISH SQUARE.

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ERRATA

- | Line. | Page. |
|-------|--|
| 1 | 6, <i>in</i> omitted. |
| 1 | 9, <i>in the field</i> omitted. |
| 5 | <i>ib.</i> <i>This</i> for <i>The</i> . |
| 1 | 24, <i>Card</i> for <i>Copy</i> . |
| 14 | (Note) 48, <i>be</i> to be omitted. |
| 17 | (ditto) <i>ib.</i> <i>appear</i> for <i>appeared</i> . |
| 21 | 85, read—form a small part, (<i>but</i> to be omitted.) |
| 7 | 50, <i>temperate</i> for <i>temporary</i> . |
| 20 | 94, <i>the</i> for <i>this</i> , (twice in that line.) |
| 15 | 103, <i>subscribed</i> for <i>submitted</i> . |
- Under letter E of the Appendix, the Letter from Lieutenant Colonel Munro, of the 23d January, 1809, should precede the Letter of the 22d January.

• ADVERTISEMENT.

THE late occurrences under the Presidency of Madras having naturally excited a great degree of interest in the public mind, it has been the endeavour of the Author of the following Narrative to afford a distinct explanation of events which have been apparently much misunderstood. Such an explanation has been rendered more immediately essential, by some late publications which are calculated to convey impressions of a very erroneous nature, and very injurious to the fame of persons who have ably distinguished themselves in the service of their country. The Author having accordingly employed every means to obtain the most authentic information, and having been enabled to refer to many of the material papers connected with the late occurrences, he thinks it proper that the result to which this investigation has led, should be made known.

There are obvious considerations which would have made the Author solicitous to draw a veil over many parts of the conduct of the late Commander in Chief at Madras; but the nature of the publications in question has rendered the accomplishment of

this wise in a great degree impracticable, as the tendency of such publications can only be counter-acted by a distinct statement of facts. The materials which the Author has seen might have afforded the means of extending generally many of the observations, contained in the Narrative; but all comments have been avoided, that the nature of the statement did not indispensably require.

Several material papers have been inserted in the Narrative, and in the Appendix; and as it has been the object of the Author to state no facts that are not founded on documentary evidence, or on information of unquestionable authenticity, it is hoped that the reader will have no difficulty in drawing his own conclusions on the subject.

The Narrative has for the present been confined to transactions which preceded the commencement of the rebellion, in order that the public may be as early as possible put in possession of the events which took place previously to that period. It is, however, the intention of the Author, so soon as he can obtain the materials for that purpose, to give an accurate account of the sequel of those proceedings.

INTRODUCTION.

IN laying before the Public a Narrative of the interesting events which have lately occurred at the Presidency at Madras, it has appeared proper that it should be preceded by a concise view of the progress of our establishments in India, particularly of the settlement of Madras, previously to the period at which the late discussions took their origin. A sketch of this nature is in some degree necessary to the correct understanding of the subject of those discussions; but it can be at best imperfect, as it would require a long volume to convey a full detail of the transactions of a Presidency which has largely shared in that variety of occurrence which has marked the progress of our Indian Empire, from its first stages, to that pitch of unrivalled ascendancy at which it has now arrived.

In the early wars in India which commenced in 1746, and with little intermission continued until the termination of hostilities in Europe at the peace of 1763, the territories of Madras were the chief scene of that memorable struggle. At that proud

era of the British History, every part of the world in which our arms were engaged, witnessed their triumph. In Bengal our power was established by the acquisition of the valuable territories obtained by our achievements in that quarter; and the total overthrow of the French arms established our influence on the Coast of Coromandel. This bright aspect of affairs was before long clouded by the reverses which followed, in the war of 1767, with Hyder Ally, and in the still more disastrous war of 1780, during which the territories of India suffered in more than an ordinary degree under the disasters which marked that gloomy period. The British interests in the East were more than once brought to the brink of ruin, and they were alone, under Providence, saved from the destruction with which they were menaced, by the unequalled exertions of the distinguished Commander Sir Eyre Coote, aided at that crisis of danger by the energy of the Governor-General, Mr. Hastings. But for the resources derived from their genius, it is probable that the Eastern would have shared the fate of the Western Hemisphere, and that the dominion of India, as that of America, would have been lost to Britain.

The affairs of the East India Company having been in the progress of these difficulties involved in extreme embarrassment, the attention of the legislature was, from the year 1781, closely directed to the whole question of the Indian administration, in

which it was acknowledged by all parties that many defects existed. The nature of the discussions which ensued have been already so amply detailed, that it would be superfluous here to recur to them. Suffice it to say, that the long and violent debates that arose on the consideration of the question, terminated in the adoption of the India bill, which was brought into parliament by Mr. Pitt in 1784; which bill became the foundation of that system of Indian government which was then established, and which has been since continued under different modifications, particularly those contained in the bill passed for the renewal of the East India Company's Charter in 1793. Previously to the period of the reform effected by the bill of 1784, the power of the executive government of this country had been frequently interposed in the management of the affairs of the Company; but such interposition had been desultory in its principle, and appeared to be more directed to the extension of ministerial influence, and to purposes of temporary expediency, than to objects of permanent national advantage. Under the provisions of Mr. Pitt's bill the government of India assumed a new character. The power of control on the part of the executive government was defined, and permanently vested in a Board of Commissioners; the powers of the Court of Directors, and of the governments abroad, were also defined and strengthened; and a degree of unity

and efficiency, before unknown, was given to the whole system of the Indian administration.

In 1786 the appointment of Lord Cornwallis to the important station of Governor-General, and of Commander-in-Chief of the forces in India, took place. The most extensive powers were vested in his Lordship, and every part of his wise and energetic government proved that they could not have been confided to abler or to better hands. It is from the period of Lord Cornwallis's administration that we may date a radical change in the conduct of affairs in India. The History of India had, before that period, afforded examples of wise statesmen, and of able generals; but their exertions in the cause of their country were impeded by the defects inherent in the system under which they acted. Those defects it had been the object of the bill of 1784 to remedy; and Lord Cornwallis, in assuming the government of India, on the foundation established by that bill, entered on a field that was open for the exertion of a great and benevolent mind.

It would be unnecessary to recur, in this place, to the decisive success that attended our army under his Lordship's direction, or to the important consequences to the national security in India which followed from achievements that obtained the highest testimonies of public approbation and gratitude. Our attention should not be less directed to the salutary arrangements which Lord Corn-

wallis carried into effect for the internal government of the British territories in Bengal--arrangements, which fixed on immutable principles the general rights of property, and which secured to our native subjects the impartial administration of justice, under laws grafted on the native institutions, and tempered by the wisdom and mildness of British jurisprudence. This was a work which rendered his Lordship the benefactor of mankind, and of which, as observed by an enlightened writer, an Antoninus Pius might have had reason to boast.

Lord Cornwallis resigned the office of Governor-general in 1793, at which time India enjoyed a state of profound tranquillity and encreasing prosperity. But at this period the revolutionary war of France had commenced, and the consequences of that sanguinary contest were quickly extended to our eastern dominions. It became necessary for the government of India to undertake the equipment of different armaments, connected with the general operations of the war; and though such expeditions were generally attended with success, the expences which they necessarily involved led to the progressive accumulation of that load of debt which presses now on the finances of the Company.

In 1798 the charge of the supreme government devolved on Lord Wellesley, who undertook the duties of that arduous office at a moment big with

difficulty, and when our interests in India were surrounded with imminent dangers. It would be unsuitable, in a sketch of this nature, to enter on the subject of the achievements of Lord Wellesley's administration. It is sufficient to observe, that after a long course of vigorous measures, and of exploits of signal valor and enterprise, the British empire in India has acquired a degree of stability and security unknown at any former period; and we may with confidence hope that a few years of internal tranquillity will suffice to restore our Indian finances, and to reduce what has been emphatically called the greatest enemy of the Company, the Indian Debt.

The two great measures which marked the commencement of Lord Wellesley's administration were particularly connected with the interests of the Presidency of Madras, namely, the subjugation of the French force in the Decan, and the war of Mysore, which terminated in the conquest of Seringapatam, and the overthrow of the house of Hyder Ally.

Lord Wellesley proceeded to Madras for the purpose of superintending personally the arrangements connected with the war in Mysore; but after the termination of that memorable campaign, the affairs of that Presidency again devolved on the local government, in which Lord Clive then presided. The territory of Madras had been considerably enlarged by the cession of country which

took place under the treaty concluded by Lord Cornwallis with Tippoo Sultan in 1792, and was again farther encreased by the share of territory which was acquired on the conquest of Mysore in 1799. From that period the limits of this part of the Company's dominions were rapidly extended. In 1799 Tanjore was ceded by the Rajah on the terms of the treaty then concluded. In 1800 the districts south of the Kistnah were ceded by the Nizam; and in 1801 the authority of the British government was established throughout the Carnatic, in conformity to the treaty concluded with the present Nabob. Within the period of three years an entire change took place in the political circumstances and relations of the Presidency of Madras. During the existence of the house of Hyder Ally that part of the Company's dominions had always been most vulnerable, and most exposed to the attack of open, and to the machinations of secret enemies. Our power in that quarter had existed by the most precarious tenure, and had been more than once in imminent hazard of annihilation. By the overthrow of Tippoo Sultan the most pressing of our dangers had ceased to exist, and the territories of that inveterate foe of the British name became, under the existing treaty with the Rajah of Mysore, a source of strength and of additional security to our interests. By the other treaties which have been mentioned, the British dominion was es-

established on a firm basis throughout that part of the Peninsula which is south of the Kistnah, which river affords a strong and defined barrier for the protection of our frontier.

From the relaxed nature of the government which had prevailed in a considerable part of the territories ceded to the Company, while those territories were subject to the native Princes, their subjection to our authority became a task of no ordinary difficulty. The feudal tenure had generally existed in its worst shape; and as the power of the ostensible Sovereigns was in general little more than nominal, the country swarmed with predatory chieftains, who with their followers bid defiance to lawful authority, and by acts of continued warfare and rapine had reduced to nearly a desert state lands that had been destined by nature to be the seat of population and abundance. In that disturbed state of society, the introduction of laws, or the establishment of a regular government, must be impracticable. It accordingly became a first duty to apply a remedy to this evil, on the same principle as the measure of annulling the feudal tenures, and of disarming the inhabitants of the Highlands of Scotland, was a preparatory and an indispensable step towards placing them in the rank of obedient subjects of the government of the country. After a long course of vigorous exertions and of active military operations, during the administration of Lord Clive, and subsequently of

Lord William Bentinck, and after the subjugation of different formidable rebellions, this object was happily effected under the government of Fort St. George. Lord Clive was enabled, previously to his embarkation for England in 1803, to introduce in a considerable part of those territories the system of law and of established property which Lord Cornwallis had introduced in Bengal, and under which our territories in that quarter had attained a high degree of prosperity. Previously to the extension of that system to Madras, the rights of property had been in a great measure undefined; and criminal justice having ceased to be administered in a large portion of that country, crimes escaped undetected or unpunished. The establishment of the civil and criminal courts was subsequently, on the same enlightened principle, rendered by Lord William Bentinck general throughout the territories under Fort St. George; and their effects have been visible in the improvement they have produced in the character and circumstances of our native subjects*.

* This is no exaggerated description. The effect here stated has been visible in the internal tranquillity which has now for several years existed in this part of the Company's possessions. At former periods, not very distant, a war in India, or any untoward public occurrence, was the signal for universal commotion; and the territories of some of the native powers not unfrequently suffered more from the rebellion of their own subjects than from the attack of foreign enemies. The reverse is now the case; and though opportunities for the renewal of dis-

It will be readily supposed, that in the course of this rapid progression in the limits of our eastern empire, changes of a material nature have taken place in the constitution of the civil and military branches of the public service. Both branches have been accordingly greatly enlarged and improved; but as it is to the latter that it will be proper that our attention should be at present particularly drawn, the following brief view has been taken of its progress.

✓ At the early period of our commercial establishments in India, our military force was confined to the number of men, not exceeding a few hundred, chiefly Europeans, who were required for the security of our trading factories. On the coast of Coromandel the French gave the first example of training sepoy's after the European mode of discipline; and it was not until the war which commenced in 1746, that troops of this description were employed on that coast, in the British service. The number of our troops was increased, as the sphere of our operations became enlarged; but in that early state of our military

turbance have not been wanting, the mass of our Indian subjects has evinced the most perfect attachment to the government that protects them. Of this fact some late forcible examples could be afforded. History cannot, perhaps, produce a more striking instance of the advantages of a mild, combined with a firm and consistent mode of government, than may be found in the present state of British India when contrasted with the former condition of that country.

history, the fate of a battle, or of a campaign, not unfrequently depended on the exertions of a party that would scarcely now be employed on the most ordinary detail of duty. The memorable victory of Plassey was obtained with a force not exceeding 900 Europeans, and about 2200 native troops. ✓ After the peace of 1763 the regulation of the military establishment in India engaged the particular attention of the Court of Directors, and of the Indian governments; and, after a lengthened correspondence, it was placed on a footing which corresponded with the extent of our possessions at that period. The establishment afterwards varied according to the exigencies of war, and the circumstances of the times. In 1788, the whole number of officers in the service of the Company (exclusive of those of his Majesty's service) amounted to about one thousand three hundred. In 1795, the number was somewhat diminished. In 1796, the army of India was modelled according to a new and an improved system; and the regulations passed at that period introduced a very beneficial reform in its constitution. The army had, for a length of time, laboured under considerable grievances, which were brought particularly to notice in different memorials which were addressed to the Court of Directors. According to the former constitution of the Company's army, the officers could not rise beyond the rank of Colonel; the native battalions were

commanded by officers of the rank of captain; and the number of officers attached to both the European and native corps in the Company's service was very disproportioned to the nature of their duty. One of the consequences arising from this circumstance was, that the officers of the Company's army were subjected to great supersession by the officers of his Majesty's service. It had also been the practice, that officers, when required by sickness, or other causes, to return to their native country, were considered as removed from the service, and received no pay during their absence from India. These grievances were stated in some of the memorials in language of ability and moderation; and they were unquestionably such as called for redress.

✓ Accordingly, after a full consideration of the subject in this country, the improved regulations of 1796 were adopted, being founded on a principle of acknowledged liberality. The restriction, with regard to the promotion of the Company's officers to the rank of general officers, was removed, and a certain number of those officers, were made eligible for the general staff. The number of officers attached to the European and native corps in the service of the Company was generally increased, and the command of the corps was given to officers of the rank of colonel, with the usual share of off-reckonings. Officers were permitted to return to England on furlough for three years, on

full pay; and after 22 years service in India, the option of retiring on the pay of their rank was allowed. Hitherto half batta* had not been generally granted as a fixed allowance at Madras and Bombay; but by the new regulations, it was extended to the officers of those Presidencies in peace, with the allowance of full batta in war. Additional regulations were subsequently framed, tending to the further improvement of the circumstances of the army; particularly in the point of facilitating the retirement of the junior officers, in case of ill health.

The regulations of 1796 occasioned a very extensive promotion in the army of India, which has been further increased by the great augmentation which has since taken place in the strength of the military establishment. According to the latest information, the number of officers on the Madras establishment has been stated, it is believed correctly, to be near 1300; being about equal to the whole number of officers at all the Indian presidencies, previously to the regulations of 1796 †.

It was observed in one of the ablest of the me-

* The amount of the allowance called Batta, is shewn in Appendix D.

† According to the rules in the Company's service, the officers are promoted by seniority, without purchase. The officers in the Indian army have therefore had the entire benefit of the late extensive promotion.

morials which have been alluded to, that "The
 " military profession has, in all ages, and among
 " all nations, been considered the road to honour-
 " able distinction. The revenues of no state have
 " been sufficient to admit of its bestowing ade-
 " quate pecuniary compensation on those who
 " had sacrificed the invaluable season of youth
 " to the toils and hardships of the field, and de-
 " voted to their country's glory and safety the
 " time employed by others in the acquisition of
 " a provision to support a decent dignity in the
 " wane of life. Honours, therefore, and distinc-
 " tions, have always been the effectual substitute
 " ---the unbought defence of nations."

It will have been seen, from the above general
 view of the regulations established for the Indian
 army, that it was the object of those regulations
 to place it on a footing both honourable and lu-
 crative; and it is believed that no army in any
 service has ever enjoyed that advantage in a more
 eminent degree.

A NARRATIVE,

&c. &c. &c.

It has been our endeavour in the preceding Introduction, to give a general view of the progress of affairs at the Presidency of Madras. The Governments of India having been during a long period engaged in almost uninterrupted warfare, a great degree of derangement ensued in the public finances, and the charges of war, combined with the accumulation of debt, led to a deficit in the Indian resources, that presented a very unfavorable aspect. A deficit existed at all the Presidencies. At Madras it had amounted for several years to a sum of great magnitude, and occasioned a heavy drain on the resources of Bengal, from whence the deficiency was chiefly supplied.

This subject naturally excited the serious attention of the authorities in England, and as a reduction in the expenditure had become indispensable to the preservation of the public interests, peremptory and repeated orders to that effect were dispatched to the Governments of India. Those orders were in a special manner addressed to the Supreme Government, who in 1807, issued particular instructions on the important subject, to the Government of Madras; and in conformity to those instructions, Lord William Bentinck, then Governor of Madras, deemed it his duty to institute a minute revision of all the establishments of that Presidency.

This enquiry led to a considerable reduction in both the civil and military charges of the service, the principle being at the same time, as far as possible, observed, of reducing only the expences attending unnecessary establishments, without making any change in the established pay and allowances of the civil or military officers. The duty of revising the military charges devolved to Sir John Cradock, at that time in command of the coast army, who discharged the trust confided to him with ability and success. But as some of the reductions recommended on that occasion have become in a great degree the alleged causes of the disaffection which has lately broke

forth in the army of Madras, it will be proper that their nature should be understood.

The reductions alluded to are, the discontinuance of subordinate commands, and the abolition of the tent contract; both which measures, but particularly the latter, have been stated as the ground of grievance.

The power of the British Government in the peninsula of India existed until within these few years in a great degree by military tenure. It has been already shewn, that the establishment of the civil authority in the part of the country now subject to the Company, was followed by the institution of courts of judicature, and by the general extension of the controul of the civil officers of the government; but, anterior to that period, a large portion of the duties properly belonging to the civil power were exercised by military officers. During the unsettled state of the public authority in India, and in particular previously to the transfer of the Carnatic to the British Government, the tranquillity of the country required the establishment of numerous subordinate commands, which were held by officers appointed to that charge, with such parties of troops as the nature and circumstances of the commands might require.—On those officers devolved a considerable share of the civil and political, as well as of the military

duties of the country ; and in the absence of other controul, it was frequently beneficial and essential that such authority should be exercised. From the entire change which has been effected in our internal relations in India, the civil administration in that country now partakes of the nature of the institutions with which we are familiarized in England ; and in these circumstances the exercise of military authority in the manner which has been stated, could be no longer required ; and was found not unfrequently detrimental, from the collision, which opposite authorities must generally produce.

In a military view the continuance of the subordinate commands to their former extent, was opposed by objections not less forcible. It was injurious to the discipline of the troops, by their separation in detached parties ; and it was injurious by withdrawing from their regimental duties the most experienced officers, as various causes combined to render such commands objects of particular ambition, which were sought by officers of the first pretensions. The change which had taken place in our internal relations, had also led to a total alteration in the lines of military defence, and stations formerly essential to the security of the country had ceased to be of importance.

These appear to have been the considerations which chiefly led to the recommendation which has been stated. The number of commands had been, for some time, progressively diminished; but at the period of the revision, made by Sir John Cradock, they amounted to between forty and fifty; and it was recommended, that the number should, in future, not exceed five or six, to be held under the special appointment of the Government.

The abolition of the tent contract having been a further fertile source of discontent, we shall proceed to explain the in which that measure appears to have originated. The establishment of tent allowance to the officers of the coast army took place in 1802: under that arrangement a certain monthly allowance, proportioned to the respective ranks, was given to each officer, to enable him to provide himself with camp equipage; and a monthly allowance was given to the commanding officers of the native corps, for the provision of the camp equipage of their corps*. The intention of the arrangement was to combine facility of movement in military operations, with views of economy.

* The contract allowance amounted for a battalion of native infantry to 272 pagodas monthly; and to 187 pagodas monthly for a regiment of native cavalry.

In all the wars which the British army in India had been engaged, the most serious difficulty had been experienced in providing for the movement of the various equipments of the army. In the actions of Sir Eyre Coote, he was repeatedly disabled from following up his success, in the pursuit of the enemy, by the want of cattle to move the guns. In the war of Mysore, under Lord Cornwallis, the same difficulty existed; and, on the retreat of the army from Seringapatam, in 1791, it was found necessary to destroy the ordnance from the want of cattle to withdraw it. In the preparation for the attack of Seringapatam, under the orders of Lord Wellesley, in 1799, the difficulty continued, in even an increased degree. The army was not prepared, chiefly from the want of cattle, to move from the point of rendezvous at Vellore, for more than eight months after the determination to prepare for war had been adopted. The progress of the army was then greatly retarded by the defect in this essential part of its equipment, and the mortality which prevailed among the cattle more than once exposed the whole operations of the campaign to imminent hazard.

In proportion as the movements of the British army had been slow and difficult, those of the armies of Hyder Ally, and Tippoo Sultan, had

been remarkable for their celerity, an advantage which arose from the establishment of public cattle, which formed a part of the military equipment of the former government of Mysore. This establishment was on the conquest of that country transferred to the British service, on an improved and increased plan*, and its utility was, in a striking degree, evinced in the arduous operations in which the army, under the command of Sir Arthur Wellesley, was engaged, during the war which commenced in 1803 with the Mahratta Powers.

In the course of the laborious marches performed by that army, at a season of the year the most unfavorable, and through a country which the devastation committed by the troops of Holkar and Scindeah, had rendered nearly a desert, the public cattle were found equal to all the fatiguing duty on which they were employed; and in the longest and most rapid marches, the heavy artillery kept pace with the movement of the troops, in a manner that was until then, from the experience of former wars, conceived to be

* The establishment of cattle under the former Government of Mysore, amounted to between three and four thousand; and was increased by the British Government to about six thousand.

impracticable *. The public cattle were, during the whole war, in a high state of efficiency; and it was supposed that the number of casualties did not materially exceed what might have been expected during a period of peace.

This decisive proof of the efficiency in military operations, which is attainable by care, in the management of the cattle required for the purposes of an Indian army, apparently gave rise to the idea of employing the same description of cattle as had been used in the movement of the artillery of the army, in the conveyance of its camp equipage. It has been stated, that tent allowance was established in 1802; but several defects were found to exist in that part of the system which was connected with the contract for the supply of tents to the native corps; and it was, in particular, ascertained to be attended with an unnecessary degree of expence. As the internal security of the country must at all times render it necessary that a considerable part of the native army should remain in garrison, it is improbable that the proportion of the army to be

* The army in the march to Poonah, marched sixty miles in thirty hours: successive marches of from fifteen to twenty miles a day, under the most adverse circumstances, from the state of the country, were frequent.

employed can, on the most extensive calculation, exceed two-thirds of its strength; but under the operation of the tent contract, the whole of the army was placed in a constant state of preparation for field service. The subject accordingly, on the revision of the establishments, attracted the attention of the Commander-in-Chief, who, in a letter addressed to the Quarter-Master General, required his opinion on a question particularly connected with the duties of his department. In conformity to those orders, the Quarter-Master General laid before the Commander-in-Chief a detailed and very able report, in which, after an accurate examination of the system of contracting with commanding officers for the supply of tents for their corps, and of that of providing and carrying the camp equipage at the public expense, that officer expressed an opinion decidedly favorable to the latter system, on the grounds of economy and of efficiency, in an important branch of the public service.

As the report of the Quarter-Master General has been exposed to great misconception, an extract from that paper has been inserted in the appendix*, in order that the nature of it may be distinctly understood. Sir John Cradock, in

* Appendix A.

laying the report before the Government, expressed his entire concurrence in the sentiments which it contained, observing, "That they were the result of their joint reflection on the subject, and were the issue of that experience which arose from their respective situations."

Before we proceed to state the farther measures which were adopted, on the recommendation of the Commander-in-Chief, it is proper to advert to the subject of the bazar allowance, which, though discontinued in consequence of orders from England, at a period anterior to that under consideration, became a matter of subsequent attention. This allowance originated in a tax which was levied on articles sold in the bazar, or markets, of military stations, and in most-cases proved a source of great emolument to commanding officers, who generally regulated the amount of the duties, and, with few exceptions, appropriated the proceeds to their own benefit. This practice continued during the unsettled period of the Company's Government in the Carnatic; but being illegal, and liable to obvious abuse, it was placed under due limitation so soon as the affairs of the Government took a more regular form. In 1802 a general order * was

* Appendix B.

published, explaining that the unauthorised collection of bazar duties in the manner practised, was a breach of the articles of war, and as such it was prohibited. As an act of indulgence, however, it was decided that a fund should be formed from certain duties to be collected under the civil authority, which fund was ordered to be divided annually, in prescribed portions, among officers holding commands of divisions or military stations. ✓ At the period of passing the military regulations of 1796, it had been expressly ordered by the Court of Directors, ~~that the bazar allowance~~ which had been enjoyed by officers commanding corps in Bengal, should be abolished, and the circumstance of the same order not being extended to Madras, probably arose from the unauthorized and unknown nature of that emolument. At any rate the arrangement adopted by the Government of Madras, in 1802, was disapproved, and ordered to be discontinued.

It is evident from the terms of the regulations passed in 1796 *, that it was not intended that

* Extract of a letter to the Supreme Government from the Court of Directors, containing the regulations of 1796.

“ The allowances to colonels on your establishment from
“ the bazar duties are also to be abolished, together with every
“ other extra allowance, not specified in the tables.”

allowances should be granted beyond the liberal scale on which the fixed pay and allowances of the army were then settled. As matter of right, therefore, the army could not be considered to have a claim to compensation for the discontinuance of contingent advantages, which had not been sanctioned. Of this nature was the bazar allowance ; and in a still more essential degree the advantage derived from the tent contract, of which the establishment was entirely founded on public and economical considerations, and was not intended to be rendered a source of individual emolument*. In taking, however, an extended view of the interests of the army, the Commander-in-Chief recommended that certain compensation should be granted, for the reductions which had taken, or which were about to take place, and that it should be so regulated as to combine liberality with the object of affording an excitement to officers in the discharge of their regimental duties, and of encreasing the scale of allowances in war, beyond their amount in peace. As we shall have occasion to recur to this subject, we

* What the extent of the advantage derived by commanding officers of corps from the tent contract may have been, there are not the means of correctly ascertaining ; it may be, however, inferred that it was considerable, and the tendency of such a source of emolument must be obvious.

shall only at present observe, that the suggestions of the Commander-in-Chief on the various points of military reduction and arrangement, received the entire concurrence of the Governor Lord William Bentinck.

At this time a change in the Government of Madras took place, by the embarkation of Lord William Bentinck, and shortly after of Sir John Cradock, for England. On the departure of Lord William Bentinck, in September, 1807, the temporary charge of the Government devolved to Mr. Petrie, who ~~his~~ concurrence in the grounds on which the different recommendations had been founded, particularly that for the abolition of the tent contract. The result was, that it was unanimously recommended to the Supreme Government in Bengal, that the measures in question should be carried into effect.

The command of the coast army having become vacant by the departure of Sir John Cradock, Lieutenant-General Macdowall succeeded to that station by the appointment of the Court of Directors. It is proper to observe, that considerable disagreement had for some time existed in the Council of Madras, in the course of the preceding administration; and that discussions of a very inconvenient length had ensued on

various public topics. Such discussions must be at all times, embarrassing, and injurious to the interests of the public service; and this consideration apparently led to the temporary interruption of the system under which the Commander-in-Chief at Fort St. George had usually held a seat in the Council of that Presidency. Regarding the competency of the Court of Directors to exercise their discretion on this point, the Act of Parliament, passed in 1793, can leave no doubt; and there were examples, to shew that a seat in Council was not essential to render the command of the army highly efficient. The Court of Directors, in consequence, adopted a resolution, that the Commander-in-Chief at the subordinate Presidencies should not hold a seat in Council; which equally extended to Bombay as to Madras. The nomination of General Macdowall to Council, accordingly did not accompany his appointment to the command of the army of Fort St. George.

General Macdowall did not disguise the feelings which he entertained on this subject, and the dissatisfaction which he felt was sufficiently expressed, though it was evident that the measure in question was founded on considerations which could have been in no shape personal to him. The proper course apparently would have been, that General Macdowall, entertaining the im-

pressions he professed to feel, should have declined the command of the army; or if he accepted it, he should have waited the result of a reference to the authority which was alone competent to remove the cause of complaint. In entering on an important and confidential trust, it must be clearly the bounden duty of every officer not to suffer his private feelings, or the expression of those feelings, to obstruct the fulfilment of the obligations which he owes to the state.

We have now briefly described the situation of affairs at Madras to the period when Sir George Barlow assumed charge of that Government, about the end of December, 1807.

In February or March, 1808, a letter was received from the Supreme Government, conveying their sentiments on the reference which had been made, during the government of Mr. Petrie, regarding the proposed military arrangements. Those arrangements were, in general, approved; and orders were, in particular, given for the abolition of the tent contract; and for the discontinuance of subordinate commands in the manner recommended; it being at the same time suggested, that the number of those commands might be further limited, or that they might be entirely discontinued.

On the receipt of the above letter, it became the duty of the Government of Madras to carry into effect the orders of the Supreme Government. So soon accordingly as the preparatory arrangements were completed, a general order was published, dated in May, 1808, ordering the tent contract to be abolished; and in June following, the abolition of the inferior commands took place. We have stated, that Sir John Cradock, in recommending different reductions in the military allowances, at the same time recommended that a certain compensation should be given under a different form of allowance. The outline of that compensation was, that commanding officers of corps should receive the full batta of their rank in peace, and the full batta of the next superior rank, in the field: that officers holding Government commands should draw the batta of the next superior rank; and that officers exercising the command of bodies of troops, consisting of two or more corps, should in camp or garrison, receive brigadiers' allowance.

The Supreme Government, in sanctioning generally the measures proposed by Sir John Cradock, did not sanction that part of the arrangement which related to the payment of brigadiers allowance, during peace. But in carrying the different measures into effect, the

Government of Madras on the particular recommendation of Sir George Barlow, decided to grant, without limitation, the whole allowances which Sir John Cradock had recommended, subject to the confirmation of the Court of Directors. The Government farther extended, on the same recommendation, those allowances, by encreasing the number of Government commands, and by augmenting the stations where brigadiers' allowance was made payable, considerably beyond the scale originally proposed. General Macdowall, in a letter which was received from him, on the subject of this arrangement, expressed his satisfaction at the liberality of the Government, and his opinion that the army had cause to be satisfied*.

About this time the following private letter was received from a most respectable officer of his Majesty's service at Hyderabad, stating that an attempt had been made to agitate the question of placing the coast army on the same allowances as the army of Bengal, and explaining the means which he had, with spirit and judgment, used for the purpose of checking its progress.

* Appendix C, D.

Hydrabad, May 4th, 1808.

MY DEAR ———,

I told you in my last that a letter was in circulation for public signature, Mr. ———, ———, here put it into my hands to read. I told him I totally disapproved of it, and begged that he would not set it about in this cantonment. I thought he might have been deputed to circulate it, and that I had put a stop to it: but, about two hours after, I got a note from Captain ———, ———, who commands a battalion here, with another edition of the same letter, and the names of all his officers as approving. It was addressed in circulation to the officers of the cantonment; and he “ begged I would oblige “ him by giving a perusal to the officers of the “ ——— regiment.” I was certainly angry at his sending it in this manner to me; and I sent him the reply, which I enclose, together with a copy of the letter that is in circulation.

In the evening the tappal brought me a short letter from Major ———, at ———, enclosing what he called a card (and which I here enclose,) proposing that such a thing should be done, so that it does not appear to be absolutely determined on, but only seeking for support. I shall

be extremely sorry to find that any King's officers enter into the business. In reply to Major ———, I have sent him a copy of my letter to Captain ———; and as I know it will be talked of, perhaps with exaggeration, I have requested ——— to shew it, and to make it known to every assembly or correspondent on the subject. I shall be abused, but I don't care. I have been told; that one of our other commanding officers has got such a letter, but did not communicate it to the officers of his corps. Our officers, at least those here, will not listen to it; and I have written to ———, to give him my ideas. You may, or you may not, have seen the letter. Pray tell ——— what I have done.

Your's,

(Signed) _____

To the Right Honorable Lord Minto,
Governor General in Council, &c. &c. &c.

MY LORD,

The public declarations of the Honorable the Court of Directors, regarding the placing the army on the establishment of Fort St. George, on a similar footing with respect to

pay and allowances as our fellow soldiers in Bengal, impressed the officers of his Majesty's and the Honorable Company's service, with confident hopes that an arrangement to that effect would long prior to this period have been carried into execution.

Having patiently waited in anxious and respectful silence, hoping that a claim founded on impartiality and justice would have attracted the favorable notice of our superiors, we trust our long forbearance will appear to your Lordship to give additional weight to a cause where the interests, future prospects, and welfare of so many are deeply concerned.

It is almost superfluous to press upon your Lordship's attention the advanced prices of every European article of consumption; the enhanced value of the common necessities of life, and increase in the wages of every description of domestics.

It seldom happens, that with the most rigid economy, the present pay and allowances can meet every reasonable demand, in the different ranks of the army.

Independent of those urgent and pressing considerations, we humbly conceive that our services in the field entitle us to an equal participation of rights, with the most favored troops in India.



For these reasons, and with these impressions, we respectfully and warmly solicit your Lordship to take this our earnest request into your serious consideration, that the same pay, full batta, gratuity, and tent allowance, and also for the payment of companies, which is granted to the Bengal army, may be given to his Majesty's and the Honorable Company's army serving under the Presidency of Fort St. George.

Justice gives us confident hopes of your Lordship's support; and impartiality leads us to expect the favorable decision of the Supreme Government.

Secunderabad, May 2d, 1808.

SIR,

I have received the papers addressed "In circulation to the officers of the cantonment," and which, by a private note, you request me to circulate to the officers of the ——— regiment.

You do not seem to be aware that such proceeding carries with it a degree of opposition to the will of Government, nearly approaching to mutiny.

In no instance can circular letters requiring redress be countenanced by military authority;

but in this letter some expressions, and the general tenor are of that description, as must appear to Government extremely disrespectful, and totally inconsistent with military subordination.

As such I can, on no account, think of circulating it in the ——— regiment, or even give my sanction to its being circulated in the cantonment.

Were the letter couched in terms less exceptionable, I know not on what grounds, either I myself, or perhaps any one officer in your corps, who have thought proper to put their signature to the letter, could do so. Is there any one of you who has seen the orders of the Court of Directors alluded to? I have always understood their orders to be of a contrary tendency; that the officers of the establishment of Fort St. George must never presume to draw comparisons between their situations; and what the Supreme Government think proper to adopt for Bengal. Neither am I able to state, or do I think any officer of your corps can state, the particular difference between the pay of the Bengal and coast army.

Let me call your attention to the second paragraph of the letter, and request you to consider, whether the words “forbearance, impartiality, and justice,” are expressions to be made use of in addressing a superior authority?

Recollect also, that the letter has not the signature of any other officers to it. How do you know but you may be the only officer or corps in the service, that has approved of the letter and measure? As no signature appears to the letter, it may be possible, and is highly probable, that many officers, to whom it may have been presented, have refused to give their sanction. Thus you will appear to be at the head of remonstrance to Government, nearly approaching to mutiny; and thus I must look upon you, as the head of a system of insubordination in this cantonment.

Under this idea, therefore, it is my order, that you immediately assemble the officers who have put their signature as approving the measure, and read to them these my sentiments: acquainting them, that as I see no authority for supposing that the measure originated elsewhere, I must, unless you immediately withhold from circulating the letter farther in this cantonment, consider you as the first promoter of insubordination among the troops under my command, and report your conduct in that light to the Commander-in-Chief.

(Signed)

_____,
_____.

To Captain _____,
_____.

(Copy) From Major ———

The officers of His Majesty's and the Honorable Company's service at this station, propose sending to the Governor-General, a respectful address, soliciting to be placed on the same footing with respect to pay, full batta, &c. &c. which is drawn by the Bengal army, agreeably to the Court of Directors' orders on that head. They therefore request to know, if the officers of His Majesty's and the Honorable Company's troops, serving with the Hyderabad subsidiary force, will support the same. Similar communications have been made to other stations; and, in the event of its becoming a general cause, it is also requested, that the mode and time of sending in the address be considered; and an officer or two mentioned, with whom the gentlemen of this station may hereafter correspond.

_____,
25th April, 1808.

General Macdowall was at this period absent from the Presidency on a military tour; but nearly at the time of the receipt of the above letter, a letter addressed to Sir George Barlow, of which the following is an extract, was received from General Macdowall.

The Honorable Sir GEORGE BARLOW, Bart.
and K. B.

It has just been privately notified to me, that the army have recently agitated the question of the comparative state of the Bengal and the coast allowances, and I find, that an address has been circulated, praying that the Governor-General will place the military establishment of Fort St. George on a similar footing to that of Bengal, in conformity to the declarations of the Court of Directors.

Having no recollection of any such intention being entertained by the Court, or of any promise being made upon this subject, I presume that the officers who have stepped forward have acted under a mistaken notion; in any event however, it will demand the most serious deliberation to effectually check the spirit of remonstrance which perhaps extends further than we are aware of.

If the Honorable Court have held out any prospect of the nature alluded to, the army, having formerly gained so many points by representation, will naturally expect relief; but, until the fact is established, it is in vain to argue upon it.

Many people are likely to view the present application as a futile and puerile attempt, and unworthy of further notice ; but my judgment and experience leads me to believe that the seeds of discontent are very widely disseminated ; and almost every individual in the service is more or less dissatisfied. Every man must be sensible of the causes which have led to this position. The abolition of the bazar fund, first ; and lastly, the degradation of the military character, from the Commander-in-Chief to the youngest ensign : the late reductions, and especially the abrogation of the tent contract, are, among others, prominent features ; and I must lament the expediency which occasioned these disgusting measures.

The question at present seems to be in what stage of the business it ought to be opposed, and the manner.

Nothing can be more simple than publishing an order, highly disapproving of the nature and tendency of the memorial to Lord Minto ; and stating that any officer, who shall encourage similar remonstrances, shall incur the severest displeasure of Government : will this have the desired effect ? And should the G. O. be promulgated now, or when the letter shall be forwarded to the Governor in Council ?

It will be very easy for me to decline trans-

mitting the address, and to express my own sentiments; but will this mode be correct?

I trouble you with these few suggestions, and shall be glad to be informed of your opinion: you were in Bengal during the convulsions in the army, and the subject must be familiar to you.

I am extremely desirous to see the paragraph of the letter from the Court of Directors which is alluded to, and beg you will send me a copy of it.

May 16th.

(Signed) **HAY MACDOWALL.**

The tenor of the above letter might be liable to considerable observation; but it is sufficient to say, that it was replied to in terms of temper and firmness. It was pointed out, that the orders of the Court of Directors were in direct opposition to any claim such as that which had been agitated; and that the circulation of addresses in the army, without previous sanction, was a breach of the repeated orders of the Government. General Macdowall was requested to use his own discretion in taking such means as he might think best for checking farther proceed-

ings of this nature. In consequence of this communication, a circular letter, of which the following is an extract, was addressed under the orders of General Macdowall, to the officers commanding the principal divisions of the army.

To the OFFICERS commanding the principal Divisions of the Army.

SIR,

I am directed by his Excellency the Commander-in-Chief to acquaint you, that he has been informed, there is an address to the Governor-General in Council, in circulation at certain stations of the army, on the subject of the allowances of the army on this establishment being equalized with those under the Presidency of Bengal.

The information communicated to his Excellency induces him to believe, that the address which is said to have been circulated to the army, has not derived its origin from a quarter to which particular weight should be attached; but no doubt can be entertained of the propriety of adopting the earliest measures for checking

proceedings of so reprehensible a nature, from whatever quarter they may have arisen.

His Excellency is not aware of any order or declaration of the Court of Directors, of the nature of that to which the memorial alludes. On the contrary, the Honorable Court has, in numerous instances, rejected claims both in the civil and military branches of the service, founded on a comparison of the allowances at the different Presidencies. And they have repeatedly prohibited the agitation of questions calculated to establish the principle on which the claim in the memorial is founded.

The memorial, however, is liable to other serious objections. It is, in its tendency, a direct breach of the orders of the Government, published under the direction of the Governor-General in Council, 'on the occasion of the discussion respecting the distribution of the prize money captured at Seringapatam.'

Those orders prohibit, under the strongest injunctions, the publishing of any address to the army, or to any division of it, without previous sanction. Similar orders have been issued, on other occasions, which will probably occur to your recollection.

It is therefore incumbent on his Excellency the Commander-in-Chief, to exert his authority for

the suppression of the memorial supposed to be in circulation, and for bringing to punishment those who may have been most active in supporting it, if unhappily it should be brought before him, in such a form as may render it necessary for him to take the subject into public deliberation.

His Excellency is satisfied that you will agree with him, that it will, on every account, be desirable to avoid the necessity for so painful a course of proceeding, and consequently that it is of importance, that your authority and influence should be exerted for that purpose as soon as possible. Your own judgment and experience will best determine the proper course to be pursued.

It appears to his Excellency, however, that an early declaration of your sentiments on the subject may be sufficient to recal any officers who may have been induced to give support to the memorial, to a proper sense of their duty, and to put an end to such reprehensible conduct as that of circulating correspondence calculated to excite a spirit of discontent and insubordination in the army.

His Excellency desires that this letter may be confidentially communicated to every European officer under your command, and that you will report to him any other steps you find it

necessary to take, to put a final stop to such unmilitary proceedings.

Head Quarters,

26th May, 1808.

(Signed.)

We have been thus particular in detailing the above correspondence, as the sequel will evince its near connection with that which afterwards occurred ; and, as this was the forerunner of the extensive demands which were afterwards pressed on the public attention. To all appearance the circular letter of General Macdowall was judicious and proper ; but the sequel unhappily did not accord with the expectations which that letter might have given encouragement to entertain.

A communication was subsequently received from the Secretary of the Commander-in-Chief, stating, that the replies to the letter which had been circulated, were entirely satisfactory. Information, however, which reached Sir George Barlow, from other quarters, led to a different conclusion, in so far at least, as related to the efficacy of the Commander-in-Chief's orders ; and there appeared strong reason for the belief, that the agitation of the question of allowances had not been abandoned. The further enquiry

which was in consequence made, confirmed this belief; though it also appeared, that there were not then the means of more distinctly establishing the fact. These occurrences took place in the months of May, June, and July, 1808; and in September or October, General Macdowall returned to the Presidency, where means, it is understood, were again without success used, to obtain from him some precise information as to the truth, or otherwise, of the rumour in question.

Matters remained nearly in this state until the beginning of the following year, at which time General Macdowall announced his intention of embarking for England by the fleet then about to be dispatched. As it was at this period that the circumstances occurred, which led to the removal of General Macdowall from the command of the army, we shall explain those circumstances in the order in which they took place.

It has been seen that the abolition of the tent-contract was carried into effect in May 1808.— This measure was far from being satisfactory to a considerable part of the army, and active means were used to impress the belief, that it was a measure of wanton injury to their interests, and was not founded in any public necessity or expediency. All those who were understood to be concerned in the reduction of the contract became

in a high degree unpopular; and above all, this feeling was directed against the Quarter-Master General, whose report had formed the basis of the proceeding. The combination gradually became general, and a direct charge, signed by twenty-four officers, commanding corps, was at length preferred against the Quarter-Master General, on the ground of his having used, in the report, certain observations, tending to the injury of their reputation and characters. This charge, it afterwards appeared, was forwarded to General Macdowall, about the end of September, 1808, but its existence was only understood as matter of rumour, until the period approached for the General's embarkation; and the course which General Macdowall might propose to pursue, was, until then, entirely unknown.

The first intimation which the Government received on this subject, was conveyed in a letter from General Macdowall, dated 20th January, 1809, concisely stating, that he had placed the Quarter-Master General in arrest, without, however, explaining the motives of that measure. This was soon after followed by an appeal from the Quarter-Master General, who represented, that as General Macdowall had refused to lay his appeal before the Government, he had felt it his duty to forward it by a direct communi-

cation. The letter of the Quarter-Master General, with the other correspondence connected with this subject, has been inserted in the appendix *, and affords an account equally true and clear, of the unexampled difficulty in which he had been placed.

In proceeding to consider the course of measures which the Government pursued, under these circumstances, it is proper to recur to the situation of affairs at that time. We have seen that the abolition of the tent contract originated in the view which the late Commander-in-Chief, Sir John Cradock, had formed of that subject; that, under the Commander-in-Chief's express orders, the Quarter-Master General had submitted his sentiments on the question; that the report of that officer had received the warmest approbation of the Commander-in-Chief, and of two successive Governors at Fort St. George; and that, under the sanction of those authorities, it had been submitted to the Supreme Government, who entirely adopted the sentiments which it conveyed, and who, strongly concurring in the expediency of abolishing the tent contract, ordered the measure to be carried into immediate effect. In what the Quarter-Master General did,

* Appendix from E to R.

he had in no shape or degree exceeded the duty which it was indispensable for him to perform. He had executed that duty ably, and he had an undoubted right to look for that protection to which public officers have a just and legal claim.

To suppose the existence of an opposite principle would be to shut the door against every species of reform ; to perpetuate abuses, and to expose to the worst of oppression every officer placed in a situation of public confidence and trust, by subjecting his conduct to the judgment, not of his superiors, but of the persons who might suppose their interests to be affected by his opinions.—

In referring to the report of the Quarter-Master General, it appears difficult to imagine that the officers who preferred the charge in question could under the most tortured construction, have seriously believed, that any part of it was meant to convey a reflection personally injurious to them.

To every unbiassed judgment, the report can appear in no other light, than as an able paper, founded on a comprehensive view of facts, and containing inferences derived from the clear immutable principles of human nature. This paper was prepared and delivered to the Commander-in-Chief, under that seal of confidence which must be understood to attend the preparation of all official papers of that nature.—It

was not intended to be exposed to public inspection and comment; but one can scarcely suppose any record of the kind, to be so perfectly unexceptionable, and so little an object of cavil. In taking a connected view of all the circumstances, the impression must be strong, that it was in the diminution of pecuniary advantages, and in that source only, that the charge against the Quarter-Master General derived its origin.

It was understood that General Macdowall had, at an early stage of the correspondence which took place in the army, concerning the abolition of the tent contract, professed his intention of abstaining from any interference regarding it, as it was not a measure in the adoption of which he considered himself to be concerned. This passive line of conduct could apparently be scarcely reconciled to the duties which General Macdowall owed to his station as Commander-in-Chief, to whose immediate province it undoubtedly belongs to repress all acts tending to the excitement of combinations, and of insubordination, in the army.—It would, however, have been happy, if a line merely passive had been observed; but, by the course which General Macdowall took, he not only departed from that line, but warmly espoused the cause of the persons who were most active in promoting the

reprehensible proceedings, and became an active prosecutor of the officer who had unjustly been rendered the object of their violence.

. The charge against the Quarter-Master General appears to have been referred by General Macdowall to the Judge Advocate General for his opinion, on the 1st of November, 1808, and on the 7th of that month the Judge Advocate General submitted, in consequence, a detailed and very able report, in which he stated his decided opinion that the charge was of an illegal nature; and that it was, on every ground of legality and of justice, essential that protection should be given to the Quarter-Master General in the execution of his duty. The reasoning of the Judge Advocate General was supported by facts and authorities which were apparently incontrovertible; and it might have been expected, that coming, as it did, from the constitutional legal adviser of the Commander-in-Chief, it would have been received with attention. The subject, however, remained in suspense for upwards of two months, and the opinion which the Commander-in-Chief ultimately followed, was not the opinion of his legal adviser, but one which is stated to have originated in a source of a very different description. After this delay, and after the Commander-in-Chief had about an hour before, informed the Quarter-

Master General that he meant to leave the question to the consideration of his successor, the arrest of that officer was ordered *.

Such was the state in which this question was brought before the Government. On receiving the appeal of the Quarter-Master General it became necessary to ascertain, under official authority, the legal right of interference which the Government might possess in a case so entirely novel. The subject was accordingly referred to the Advocate General † at Madras, who was also directed to communicate regarding it, with the Judge Advocate General, in order that the Government might have the benefit of their joint opinions. The reply of the Advocate General was decided as to the right of interference. That law officer submitted at the same time, the report ‡ that had been laid by the Judge Advocate General before the Commander-in-Chief, and which was then

* This measure excited great surprise and regret in the minds of some of the Commander-in-Chief's most confidential staff; a feeling, of which they made no secret.

† It may be proper to explain, that the duty of the Advocate General at Madras is nearly similar to that of the Attorney General in this country. The Judge Advocate General is a military officer, and is the legal adviser of the Commander-in-Chief.

‡ Appendix E.

for the first time brought under the notice of the Government. From these papers it appeared that both those law authorities concurred in the view which they took of the proceeding relative to the Quarter-Master General; both considering it to be a measure full of injustice towards the individual, and full of danger to the public interests.

It is not irrelevant in this place to observe, that the civil and military control at the different Presidencies in India, is, by Act of Parliament, vested in the Governors in Council at those Presidencies*. This is not a new arrangement, but has been the gradual operation of different Acts of Parliament passed since the establishment of the British power in India; the object of which has been to give that degree of strength and

* "And that the whole civil and military Government of the
 " Presidency of Fort St. George, on the coast of Coromandel,
 " and the ordering, management, and government of all the
 " territorial acquisitions and revenues on the said coast, and
 " also so much and such parts of the territories and possessions
 " on the coast of Orissa, with the revenues of the same, as have
 " been and now are under the administration of the Govern-
 " ment or Presidency of Fort Saint George, shall be and are
 " hereby vested in a Governor and three Counsellors of and for
 " the said Presidency of Fort Saint George, subject to such
 " rules, regulations, and restrictions as aforesaid." Act of
 1793, 24th clause.

unity to the civil and executive authority, which is essential to the maintenance of our Indian empire. The dangers of a divided power in that empire were, at an early period, foreseen by the person who may be considered as its founder, and whose fame and honors grew with the formation of our eastern army. The following extract of a letter addressed by the late Lord Clive to the Court of Directors, in September, 1765, conveys his Lordship's sentiments on this subject.

“ I proceed to recommend to your consideration, that the regimenting of the troops has introduced a much larger number of officers of rank, than has hitherto been admitted upon your establishment, and that this regulation, beneficial and necessary as it is, will, notwithstanding, be productive of one dangerous evil, if not constantly guarded against by the authority of the Governor and Council, supported and enforced by the higher powers at home. The evil I mean to apprise you of, is the encroachment of the military upon the civil jurisdiction, and an attempt to be independent of their authority. A spirit of this kind has always been visible; our utmost vigilance therefore is requisite to suppress it, or at least to take care that it shall not actually prevail. I have been at some pains to inculcate a total

" subjection of the army to the Government, and
 " I doubt not you will ever maintain that prin-
 " ciple. In the field, in the time of actual service,
 " I could wish to see the commander of your
 " forces implicitly relied on for his plan of ope-
 " rations. Orders from ~~the~~ Presidency may
 " frequently embarrass him, and prejudice the
 " service. At such a time he is certainly the
 " best judge of what measures should be pursued,
 " and ought therefore to be trusted with discre-
 " tionary power. But he should, by no means,
 " be permitted to vary from the fixed general
 " plan of a campaign, nor from his own idea of
 " the Company's interest, to prosecute operations
 " of importance, when they are not also of great
 " utility and emergency.—I dwell not, however,
 " entirely upon the conduct of a commander of
 " the forces as such in the field: he is to under-
 " stand that, upon all occasions, a gentleman in
 " council is his superior, unless he also has a
 " seat at the Board; and then he will, of course,
 " rank as he stands in that appointment. The
 " whole army should, in like manner, be subor-
 " dinate to the civil power, and it is the indis-
 " pensable duty of the Governor and Council
 " to keep them so.—If at any time they should
 " struggle for superiority, the Governor and
 " Council must strenuously exert themselves,

“ ever mindful that they are the trustees for the
 “ Company in this settlement, and the guardians
 “ of public property under a civil institution.”

The powers vested by Act of Parliament, in the Governor in Council, do not suppose an habitual interference with the exercise of the military authority vested in virtue of his warrant in the Commander-in-Chief; but they suppose, and they convey, an absolute right of control, for the prevention of any abuse of that authority that may be essentially detrimental to the public welfare.

Regarding the right of the Government to interfere in the case which formed the ground of the appeal made by the Quarter-Master General, there could in the stated circumstances be no question. A question, however, might have, perhaps, still remained, how far Sir George Barlow might, consistently with his own convenience, and with prudential considerations, be disposed to exert the power which, as Governor in Council, he legally possessed. The abolition of the tent contract had been a measure discussed and decided upon by authorities independent of his control, and Sir George Barlow had done no more on that point than carry into effect the instructions received from the Supreme Govern-

ment. Reasons sufficiently plausible might not, in consequence, have been wanting to justify a neutral line of proceeding, and for leaving to the disposal of the Commander-in-Chief a question, on which he, and a large portion of the army, had expressed sentiments sufficiently decided.— Such an act could not have failed to be in a high degree popular, and to have relieved the Government of a considerable share of that responsibility, which it was then impossible to incur without the certainty of its being attended with heavy odium. The example of abandoning the acts of his predecessors, had been set by the Commander-in-Chief; and it might have been said, perhaps with plausibility, that whatever the consequence might be, it was to him, and him only, that blame could be attached.

• Fortunately for the interests of his country the conduct of Sir George Barlow was regulated on a more elevated principle of public action. The Government felt that it was impossible that the prosecution of the Quarter-Master General could be permitted to proceed, without involving the discussion before a Military Court of the acts of a preceding administration, and without referring for trial the conduct of the high authorities by whom the measures had been sanctioned and adopted. The Government also felt that the

prosecution could not fail to terminate in the sacrifice of a meritorious public officer, who, it was sufficiently evident, from the information then possessed, was already pre-judged, and for whom the semblance of justice, in any public trial, would have been in vain expected. It was obvious, that consequences of that nature, independently of their individual injustice, must ultimately weaken, to a great extent, the public authority, and destroy the foundations of public confidence. Under these considerations, the Government decided to pursue a line of proceeding suitable to the difficulty. A letter was addressed to General Macdowall, conveying, in forcible, but mild terms, the expression of those feelings, which the arrest of the Quarter-Master General had excited. It was suggested, in the most earnest manner, for General Macdowall's consideration, that "the act on which it appeared
 " that the charge preferred against Lieutenant
 " Colonel Munro had been founded, was then
 " the act of the Government, having been ap-
 " proved and adopted in the most public and
 " formal manner, both by the Government of
 " Fort St. George, and by the Supreme Go-
 " vernment. The Governor in Council was
 " called upon, therefore, to state that he could
 " never give his concurrence to the exposure of

“ a public officer to obloquy and degradation,
 “ for opinions which he might have expressed in
 “ the fulfilment of his public duty, approved
 “ and confirmed as those opinions had been by
 “ every competent authority.”—It was stated,
 “ That the Governor in Council had looked in
 “ vain for any just cause of complaint, that
 “ it might be possible, by any construction, to
 “ attach to the opinions of the Quarter-Master
 “ General, and that such a consideration must
 “ add to the weight of public obligation imposed
 “ on the Government, to give its firmest support
 “ to an officer, against whom no other charge was
 “ apparently imputable, than that arising from
 “ the faithful and conscientious performance of
 “ his public trust.”

It will be observed, that a measure so materially
 involving the interests of the Government, and
 which might have been eventually fatal to all
 public authority, was not only adopted by the
 Commander-in-Chief, without any communica-
 tion of his intentions; but this proceeding was
 aggravated by reasons in the greatest degree
 offensive and injurious to the Government, having
 been assigned by the Commander-in-Chief, in
 justification of the act*.—It was however stated,

* Appendix E.

that the Governor in Council was “willing to
 “wave all considerations of that nature, his
 “views being solely directed to the means best
 “calculated to preserve the foundations of public
 “confidence, and of public authority;” and the
 communication was confined to an earnest request,
 that the arrest of the Quarter-Master General
 should be removed.

A letter was received from General Macdowall
 in reply to the above communication, stating that
 (for reasons which will no doubt appear of the
 most insufficient nature) he was under the neces-
 sity of declining to comply with the recommend-
 ation of the Government; which had been so
 earnestly urged. General Macdowall withheld
 all acknowledgment for the offensive expressions
 which he had used; and further stated his inten-
 tion of preferring an additional charge against
 the Quarter-Master General, for disrespect to
 his authority, in “presuming to address Govern-
 “ment *.”

* It may be proper to observe, that the regular channel of
 appeal to the Government in India, by any military officer, is
 through the Commander-in-Chief. Cases, however, may arise,
 and have occurred, to justify a departure from that rule. In
 those cases it rests with the Government to decide whether
 the reasons are, or are not, sufficient to justify the deviation.
 In the instance in question, the Quarter-Master General was

The reply of General Macdowall compelled the Government to take a decided line, for the preservation of order and justice, and of its own authority. A letter was accordingly transmitted to General Macdowall, explaining that the Governor in Council considered the communication which had been addressed to him as equivalent to an order, and he was called upon to state whether, under that explanation, it was his intention to decline a compliance. The further reply received from General Macdowall was to the effect, that "if the Government persisted in sending him an order for the release of Lieutenant-Colonel Munro from arrest, he must submit;" but he protested against the measure for reasons which he stated. The Government did not, on the receipt of that communication, hesitate to dispatch an order, directing that the removal of the arrest should immediately take place.

We have endeavoured to give a concise out-
 perfectly in the regular course. He first addressed himself to the Commander-in-Chief, who refused to forward his appeal; and, on that refusal, he submitted it direct, conceiving, with perfect truth, that it was a question deeply interesting to the Government itself. Without that reference, the Government could have had no correct knowledge of the events which had occurred, or of those which were likely to follow.

line of the above correspondence between the Government and the Commander-in-Chief. In that correspondence it was the apparent object of the Government to temper firmness with moderation, and it was hoped that, in the adoption of the resolution which has been stated, the discussion had for ever terminated *.

* The Commander-in-Chief, on the day after receiving the final orders of the Government, forwarded a memorial, addressed to the Court of Directors, and signed by almost the whole of the commanding officers of native corps, on the subject of the charge preferred against the Quarter-Master General, from which it appeared that it was the wish of these officers that the prosecution of the Quarter-Master General should not take place, in consequence of the declared opinion of the Judge Advocate General, as to the illegality of the charge. The Commander-in-Chief stated, that he had not "seen" that memorial at the time when he ordered the Quarter-Master General to be placed in arrest.

The Commander-in-Chief may not have *seen* the memorial; but that he should not have *known* of it, must be, in any view, either from the knowledge which, as Commander-in-Chief, he was bound to possess, or, as connected with the part he had taken in the recent proceedings, appeared in a high degree improbable. Still more improbable is it, that General Macdowall should not have known of the memorial, when, on the 25th of January, (three days before the transmission of that paper,) he refused to release the Quarter-Master General from arrest, on the earnest request of the Government; and that it was not until the precise moment of the

The attention of the reader has been directed in a preceding part of the narrative, to the correspondence which occurred in the question of allowances; and to the sentiments which were expressed by General Macdowall on that question. In the progress of the discussion relative to the arrest of the Quarter-Master General, this subject was again revived in a shape very little expected. On the 23d of January, a letter was received from General Macdowall, enclosing a memorial, which was signed by a large portion of the officers of the Company's army, and which contained demands of a very extensive nature.— The prominent grievances stated in that memorial was the reduction of the bazar allowance, and of the allowances attached to subordinate commands; the abolition of the tent contract; supposed partiality shewn to King's officers; the circumstance of the coast army not having the same allowance as that of Bengal; and the circumstance of the Commander-in-Chief not having a seat in council. These supposed grievances are expressed in a

attempt to bring the Quarter-Master General to trial being frustrated, that the memorial was brought to his knowledge.

The Government thought it proper to return the memorial, as the transmission of it was an evident attempt to revive a subject already decided.

tone of disrespect and of violence, reprehensible under any circumstances, but rendered more especially so by the groundless nature of the complaints*.

The following is a copy of the Commander-in-Chief's letter, which accompanied the memorial, to which he refers as a temporary statement of grievances.

GEORGE BUCHAN, Esq., Chief Secretary to
Government.

SIR,

Placed at the head of an army of near seventy thousand men, commanded by as brave and patriotic a body of officers as ever did honor to the profession of arms, it is a duty I owe to them, and to the high situation I hold, to do every thing in my power to protect their rights, and to redress their grievances.

The accompanying memorial from the officers composing the Madras army, and addressed to the Honorable the Court of Directors, is so fully expressive of their feelings, and states so temperately their several complaints, that it cannot fail

* The memorial is inserted in the Appendix, together with the observations arising from the consideration of that paper.

to make a deep impression on the minds of the representatives of the East India Company.

While cheerfully performing their duty amidst the alarm and peril incident to a soldier's life, they have gradually witnessed the annihilation of every emolument that could have afforded present comfort, or have held out, though at a remote period, a prospect of future competency, and a hope of revisiting their native land; they are now reduced to a bare subsistence, and are doomed to pass their lives in this remote and unwholesome climate, without a chance ~~their~~ families or connexions.

Such a situation must warmly interest the mind of the humane and liberal; and should their appeal acquire the additional aid of the recommendation of the Honorable the President in Council, joy will be diffused in every countenance, and success must follow if their cause is espoused by a just and generous Government.

I have the honor to be, Sir,

Your very obedient,

humble servant,

Madras, January 23,
1809.

(Signed)

HAY MACDOWALL,

Lieut. Gen.

The progress of this question cannot fail to draw particular attention. When the combination was first formed, every means were tried in vain by the officers of the Company's army to induce the officers of his Majesty's service to engage in their factious and insubordinate proceedings. Having failed in this attempt, the officers of his Majesty's service are rendered an object of attack, and the well-earned advantages in the public service, which they enjoy on grounds of indisputable claim, are held forth as a source of grievance and of clamour. The combination proceeded in consequence amongst the Company's officers only, and as has been seen, rapidly extended through a large portion of the army. The representations quickly rose from the demand of Bengal allowances, to a long detail of grievances, of which redress is demanded, in a tone not to be misunderstood.

The course taken by General Macdowall, on this occasion, must strike the mind with surprise and with pain, and the attention is apt to be bewildered in the inconsistencies which it exhibits. In the early stage of the subject, we find General Macdowall expressing satisfaction at the liberality shewn by the Government in regulating the military allowances; we find him, with seeming earnestness, consulting the opinion of Sir George Barlow, as to the most effectual means of stop-

ping any further application on that subject, and issuing very strong orders, by which officers are held responsible for the consequences of engaging in such attempts. On the other hand, it is found that the orders of General Macdowall are not only disobeyed by a large portion of the army under his command, and to an extent far exceeding that to which the prohibitory orders were applicable; but we find him become the advocate of their disobedience, and supporting their unqualified demands, in a style of pompous eulogium.

It was the study of the Government throughout the embarrassing matters of discussion, which were pressed on its attention about the period of General Macdowall's departure, to preserve every degree of temper and moderation. In reply to his letter, General Macdowall was concisely informed, that it was impossible that the Governor in Council should not view, with extreme disapprobation, the sentiments expressed in the memorial which he had submitted; but that it would be considered proper to postpone any final orders regarding the disposal of that paper, until it could be submitted to the consideration of the Supreme Government.

It may be easily imagined, that the discussions which had occurred, involving the views and in-

terests of nearly the whole of the military establishment, did not fail to excite a great degree of ferment in the public mind. But the extent of the difficulty would be very imperfectly understood, unless it should be at the same time known that the agitation was very far from being confined to the military, but extended, in nearly an equal degree, to the civil branches of the service, and that the factious parties, in both departments of the service, became closely connected in their criminal views. This is a subject which might present a wide field of observation ; but it is our intention to confine, as much as possible, those observations which we shall make, to the extent that will be required, to preserve a connected and distinct view of the narrative of events.

On the revision of establishments which took place towards the close of Lord William Bentinck's administration, considerable reductions were recommended in the civil as well as in the military expences ; and many of those reductions were afterwards carried into effect in the same manner, and under the same authority, as has been stated with regard to the military reductions. A reform of this nature must be at all times unpopular, and tend to the excitement of dissatisfaction. Some events had also previously occurred which, though remote, and involving conse-

quences at the time imperceptible, sowed the seeds of turbulence and insubordination. The soil was fully prepared for those noxious weeds which, under a combination of events, were produced at the period now under view.

✓ The question connected with the civil department, which most powerfully contributed to interest and agitate, at this period, the mind of the community, was that belonging to the adjustment of the claims in the Carnatic debt.

The debts of the Nabobs of the Carnatic have, for a period of nearly half a century, excited the keenest discussions, and have been alternately the consequence and the occasion of every species of intrigue and corruption. For a long period this had been an unceasing cause of danger and weakness in the Government of Fort St. George, and, on one occasion, the European faction, acting under the influence of the intrigues of the Durbar, was enabled to effect the entire subversion of the Government. In consequence of the Act of Parliament, passed in 1784, an investigation took place with regard to the debts of the Nabob; for, though a large portion of those debts were of the most usurious and objectionable nature, many were of an opposite description, and had a claim to the public protection. This investigation led to the arrangement and consolidation of a considerable

part of the debts; but a great part remained unsettled, and farther debts were contracted during the life of Mahomed Ally, and of his successor Omdut Ul Omrah. Since the change in the Government of the Carnatic, which took place on the death of the latter Prince, it has been judged proper to resume the enquiry, on the general ground that the Company, being now in possession of the Carnatic, there is an equitable claim that they should make provision for the debts of a just nature, with which the country was encumbered at the period of its transfer to their authority; and in order, as the causes in which this perplexing subject originated, have now ceased, it may be for ever set at rest. For the purpose of effecting this investigation, with all the care and accuracy which the nature of it will render essential, commissioners have been appointed in England, under the sanction of Parliament, to examine the extensive claims which have been preferred; and commissioners have been also appointed to conduct the local enquiry at Madras. As it was of the first importance, that the commissioners appointed in India should be free from the possibility of bias in the execution of their trust, it was, with propriety and wisdom decided, that, the commissioners should be selected from the civil establish-

ment of Bengal, and three gentlemen, of great respectability, were accordingly chosen by the Supreme Government, for this duty. The commissioners arrived at Madras, and soon after commenced their enquiry early in 1808.

Of the magnitude and intricacy of the duty entrusted to the commissioners, some idea may be formed by adverting to the fact that, according to concurring opinion, the valid portion of the debt of the Carnatic does not exceed five or six millions sterling, while claims to the supposed extent of more than thirty millions have been preferred. By far the greatest part of the claims must be therefore forgeries; and being in general preferred by persons of desperate characters, and capable of every degree of fraud and intrigue, it will be a task of no easy nature to effect the separation of the just from the unjust demands, and to clear away the mass of rubbish that has been long accumulating*.

The species of native intrigue, known by the name of dubash influence, which had for years

* It was observed by Mr. Burke, on the subject of the Carnatic debts, that "Persons without property upon which any one would lend to themselves a single shilling, were enabled at once to take provinces in mortgage, to make princes their debtors, and to become creditors for millions."

been the scourge of the Indian territories, had been in the last twelve or fifteen years gradually disappearing, and had nearly yielded to a more energetic and honorable system of administration. It required some great question, involving in a complicated connection, various European and Native interests, to raise again that flame from its embers; and no question could be more adapted for this purpose, than the approaching arrangement of the Carnatic claims.

The commissioners accordingly experienced, at an early stage of their proceedings, the obstruction which, in this state of things, there was reason to expect. For the purpose of facilitating their frequent occasion of reference to the records of the Durbar, they found it necessary to employ some of the native officers attached to the Durbar establishment, and in particular they employed for this purpose, a person of the name of Reddy Row, principal accountant in the service of the Nabob, who enjoyed a highly respectable character. It was understood that this person had the means of giving material information regarding the authenticity of most of the demands which had been preferred, and he was, in consequence, in a great degree formidable to those who were conscious that their claims rested on untenable grounds.

This native servant accordingly became an early object of attack, and he was charged before the commissioners with having preferred a forged claim, to a considerable amount. The principal promoter of this charge was Paupiah, a Bramin, of notorious character, who had taken an active part in the transactions of the most corrupt times of the history of Madras*. In consequence of the accusation against Reddy Row, the commissioners deemed it their first duty to examine the grounds on which it was founded, in order that it might be ascertained, whether he was or was not deserving of farther countenance. They accordingly proceeded to an investigation of the claim to which objection had been made, and the result was, that they established, by evidence, which the commissioners considered unquestionable, that the claim was correct, and that the pretended objection had originated in the most depraved motives. It was also established, that Paupiah did not state his charge against Reddy Row, until he had exhausted every art worthy of the blackest periods of oriental intrigue, to intimidate Reddy Row, or to induce him to betray his trust.

* This person was, about twenty years before the period under consideration, rendered infamous by being convicted in the Court of Justice, at Madras, of a conspiracy to defame the character of an European gentleman of great respectability.

Paupiah, together with the European and native claimants, with whom he was associated, having in the attempt which was made to deceive the commissioners, changed the mode of attack, and boldly renewed, before the Supreme Court, the charge of forgery against Reddy Row, and another native of the name of Anunda Row, under all the forms of legal prosecution*. The persons thus associated amounted to the number of five or six, and the claims which they preferred are stated to have been upwards of sixty lacs of pagodas, or about two millions and a half sterling, being nearly one half of what was posed to be the whole amount of the valid debt of the Carnatic.

From the nature of the power under which the commissioners act, their enquiry is conducted in a great measure independently of the Government

- * This proceeding took place in July and August, 1808.— At the time when the above prosecution was instituted, the commissioners had recommended to the Government that Paupiah, and some of the witnesses who had appeared in the examination before the commissioners, should be prosecuted in the Supreme Court for forgery and perjury. Paupiah, aware of the recommendation, anticipated it, in the manner which has been stated, and through the aid of the officiating magistrate, who was one of the claimants associated with him, was enabled to appear as a prosecutor, instead of being himself prosecuted for heinous offences.

of Fort St. George, to whom, however, general instructions had been furnished from England, for affording to the commissioners all necessary assistance. The commissioners accordingly applied to the Government for the assistance of the Company's law officers, to defend the native servants against the charge which had been preferred, on the clear ground of its being just and essential that those persons who had been useful in their stations, should not be abandoned to the persecution with which they were threatened.

We shall not attempt to describe the scenes which ensued in the Supreme Court, where a series of intrigue and perjury* was exhibited that

* It is perhaps proper to state, for the information of the reader, that the natives of India are far from holding the crime of perjury in the same abhorrence that it excites in Europe. The crime and disgrace, in their estimation, consists much more in the detection than in the offence.

This fact is remarkably exemplified by the practice which is stated to prevail in the administration of justice under the Hindoo Government of Mysore. Lieutenant Colonel Wilkes, in his very intelligent report regarding that country, observes as follows:

"It appears to be, in the spirit of English jurisprudence, to receive, as true, the testimony of a competent witness, until his credibility is impeached.

"It is a fixed rule of evidence in Mysore, to suspect as false the testimony of every witness, until its truth is otherwise supported."

must have been before unexampled in any Court of Justice. The trial of Reddy Row and Anunda Row continued nearly three weeks, and was closed with a charge from the Chief Justice, of which the delivery took nearly eight hours, and in which the Chief Justice, after commenting on the evidence on both sides of the question with great ability, recommended to the jury, in a forcible manner, the acquittal of the prisoners. Within half an hour the jury decided the question, which had occupied the attention of the Court for the above unusual length of time, by returning a verdict of guilty, in direct opposition to the charge from the bench, founded on what was conceived to be undeniable evidence.

This trial was immediately followed by an indictment against Mr. Batley, English Secretary of the Nabob, who had resided at Madras for upwards of thirty years, in the enjoyment of an irreproachable character, and was held in universal estimation. The indictment was founded on a charge of perjury in the evidence which Mr. Batley had given in the preceding trial. The commissioners, who had narrowly observed the whole progress of the late proceedings, being satisfied that the accusation against Mr. Batley was without foundation, renewed their recommendation, that the law officers of the Govern-

ment should have directions to give him ~~their~~ support.

The petty jury which had been impanelled for the trial of Reddy Row and Anunda Row, was composed, in general, of the lowest description of European population ; some of them appeared in Court, more than once, in a degrading state of drunkenness ; and such persons must have been little capable of resisting the arts which are understood to have been almost avowedly practised to influence their decision. On the trial of Mr. Batley, (which commenced in the Sessions of January, 1809,) a special jury was formed, which, to all appearance, consisted of persons of respectability. The trial lasted about a week, and the evidence was said to be so clear in favor of the prisoner, as to leave no doubt regarding the result. A short charge was delivered by the Chief Justice, who was apparently under the impression that the case did not require a more detailed explanation ; but the jury, after having retired about three hours, to the astonishment, we believe, of all present, returned a verdict, finding Mr. Batley guilty*.

* It became matter of publicity, that a part of the jury were adverse to the verdict returned in this trial ; but, by some unaccountable infatuation, allowed themselves to be carried away

The agitation and ferment which the progress of those different trials occasioned, cannot be adequately described. In the largest societies the discussion of questions of that nature, which affect various interests, is always attended with considerable warmth and animosity; but in a society, such as that of the settlement of Madras, the effects were of a much more forcible nature. The legal questions which had been brought before the Supreme Court, became, in fact, only a branch of the more extended questions relative to the affairs of the Government, which were then agitating the public mind, and which, being artfully blended with the legal discussions, the Supreme Court degenerated, in a great degree, into a place chosen for the exhibition of indecent violence, and for a struggle of faction in opposition to lawful authority. By inflammatory addresses, and by all the artifices which the ingenuity of factious men can devise, the public mind was worked up nearly to a state of frenzy, and there can be little doubt that many deluded, but well-intentioned persons, were impressed

by the voice of the majority, apparently reconciling the act to their own consciences, by the sufficiently absurd expedient of recommending the prisoner, who was accused of "wilful and corrupt perjury," to mercy!

with belief that justice had deserted the Supreme Court, and that protection was no longer to be expected from the Government.

In the greatest part of these scenes, General Macdowall took avowedly a near interest, and the influence attached to his station, combined with the declared circumstance of his being in active hostility to the Government, did not fail to operate with powerful effect in augmenting the mischiefs which had ensued.

On the 25th of January General Macdowall took leave of the army in the following General Order, which, under ordinary circumstances, might call for reprehension, but which has been unhappily obscured by proceedings so much more inflammatory and dangerous, as to render it comparatively unimportant.

GENERAL ORDERS.

BY THE COMMANDER-IN-CHIEF.

Head-Quarters, Choultry Plain,

Jan. 25, 1809.

The moment is now arrived, when Lieutenant General Macdowall is to take leave of the Company's army, whose ardent courage, consummate discipline, and persevering firmness, have been displayed in the achievements of those

brilliant exploits, which have secured its own glory, and added to the British empire extensive fertile regions of incalculable value and importance. May your patriotism, valour, and worth, be acknowledged and rewarded by your King and the East India Company, in proportion as they are known and appreciated by your Commander-in-Chief.

Had Lieutenant General Macdowall succeeded to the high and enviable office, with all the advantages enjoyed by his predecessors, he would, upon first assuming the command, have promulgated his sentiments on so flattering an event; but the circumstances of his appointment were so humiliating and unpropitious, that he declined addressing the army, in the anxious hope that the Court of Directors might, on further deliberation, be induced to restore him to his right, by altering the new and extraordinary forms of Government; and have enabled him to exercise the functions of his station, as the representative of the army, with honor to the service, and credit to himself; no prospect of such an occurrence being at all probable, in justice to the army, and to his own character, he has determined to retire.

On quitting a country where he has passed the greatest part of his life, and where he pos-

sesses many dear and respectable friends; Lieutenant General Macdowall cannot view his separation from a body of men he is sincerely attached to, without suffering the most painful sensations. From the nature of the service he can have little chance of ever meeting with them again; but he is bound to declare, that the whole of their conduct meets with his entire approbation, and he will boldly affirm, without danger of contradiction, that his Majesty has not, in any part of his dominions, a more loyal, patriotic, and valiant class of soldiers and ~~subjects~~ ~~the officers~~ composing the army at Fort St. George. That success may continue to attend their steps, that their dearly-bought laurels may never decay, and that their bravery and discipline may gather additional wreaths in the field of honour, is the sincere prayer of a man who will never forget them!

(Signed)

F. CAPPER,
Adj. Gen. of the Army.

✓ On the 29th of January, General Macdowall embarked for England, and the fleet put to sea on the following day. On the forenoon of that day, after the ships had proceeded a considerable way from land, the following General Order,

published by General Macdowall previously to his embarkation, was officially delivered to Sir George Barlow.

GENERAL ORDERS.

Head-Quarters, Choultry Plain,

28th January, 1809.

G. O. By the Commander-in-Chief.

The immediate departure of Lieutenant General Macdowall from Madras, will prevent his pursuing the design of bringing Lieutenant Colonel Munro, Quarter-Master General, to trial, for disrespect to the Commander-in-Chief, for disobedience of orders, and for contempt of military authority, in having resorted to the power of the Civil Government, in defiance of the judgment of the officer at the head of the army, who had placed him under arrest, on charges preferred against him by a number of officers commanding native corps, in consequence of which appeal *direct* to the Honorable the President in Council, Lieutenant General Macdowall has received positive orders from the Chief Secretary, to liberate Lieutenant Colonel Munro from arrest.

Such conduct, on the part of Lieutenant Colonel Munro, being destructive of subordination, subversive of military discipline, a violation of the

sacred rights of the Commander-in-Chief, and holding out a most dangerous example to the service, Lieutenant General Macdowall, in support of the dignity of the profession, and his own station and character, feels it incumbent on him to express his strong disapprobation of Lieutenant Colonel Munro's unexampled proceedings, and considers it a solemn duty imposed upon him to reprimand Lieutenant Colonel Munro in general orders; and he is hereby reprimanded accordingly.

(Signed.) T. BOLES,
D. A. G.

It may be necessary to explain, that in virtue of his commission, and according to long established usage, the Governor of Fort St. George exercises the duty of commander of the troops in that garrison. All orders that may be published by the Commander-in-Chief to the army, are accordingly sent to the Governor for publication to the troops stationed in the garrison of Fort St. George. The above order is dated, and was circulated to the army on the day preceding the embarkation of the Commander-in-Chief; but it was not communicated to the Governor, and all knowledge of it was withheld, until the day after that period.

General Macdowall had, for some time, previously to his departure, pressed on the attention of the Government a multiplicity of correspondence, all tending to embarrass its operations, and injure its authority. This could not fail to be sufficiently felt; but the Government had, with great forbearance, used every means to palliate that offensive course of proceeding, earnestly endeavouring to avert the necessity of resorting to extreme measures, while at the same time all improper attempts were repelled, and as far as possible repressed with a firm hand.

The General Order of the 28th of January was of a nature at once to bar the possibility of longer observing this course of forbearance, and to call for a signal vindication of the public authority.—That order, under the semblance of passing a censure on a public officer, on whose case a formal decision had been already pronounced, conveys a censure of the most inflammatory nature on the Government, for having exercised a duty which it was legally bound and called upon by an imperious sense of public obligation to discharge. It appeals from the acts of that Government, not to superior authority, but to the passions of the army, which had been already inflamed in a high degree by the preceding discussions. The Commander-in-Chief must have been aware that, in

the temper of the community at that time, the publication of such an order could not fail to spread far and near the brand of sedition, and to kindle a flame almost beyond the power of the Government to extinguish. The mode in which this was effected, was scarcely less criminal than the act itself; and General Macdowall was apparently impressed with the belief, that when a knowledge should be received of the last seal which he had put to his offences, he would be no longer within the reach of that power which he had thus wantonly insulted and outraged.

General Macdowall had not, at the period of embarking, resigned the command of the army; and it was understood to be his intention to forward his resignation either from Negapatam, where the ships were destined to touch, or from Ceylon, from whence they were to be finally dispatched to England. On the publication of the last General Order being made known to Sir George Barlow, it was decided that the removal of General Macdowall from the command of the army should immediately take place, and the usual signal was made for the recal of the ships, in order that the resolution might be publicly announced to him. The signal made for this purpose, was either not understood, from the distance to which the ships had proceeded, or it

was not obeyed.—The following General Order was however issued by the Government, for the purpose of affording a memorable vindication of the public authority, and a lasting example, that a violation of public order could not be sheltered under the abused privileges of a high station.

Fort St. George,
31st January, 1809.

G.O. By Government.

It has recently come to the knowledge of the Honorable the Governor in Council, that Lieutenant General Hay Macdowall did, previously to his embarkation from this Presidency, leave to be published to the army, a General Order, dated the 28th instant, in the highest degree disrespectful to the authority of the Government, in which that officer has presumed to found a public censure on an act adopted under the immediate authority of the Governor in Council, and to convey insinuations grossly derogatory to the character of the Government, and subversive of military discipline, and of the foundations of public authority.

The resignation of Lieutenant General Macdowall, of the command of the army of Fort St. George, not having been yet received, it becomes

the duty of the Governor in Council, in consideration of the violent and inflammatory proceedings of that officer, on the present, and on other recent occasions, and for the purpose of preventing the possible repetition of farther acts of outrage, to anticipate the period of his expected resignation, and to annul the appointment of Lieutenant General Macdowall to the command of the army of this Presidency; Lieutenant General Macdowall is accordingly hereby removed from the station of Commander-in-Chief of the Forces of Fort St. George.

The Governor in Council must lament, with the deepest regret, the necessity of resorting to an extreme measure of this nature; but where a manifest endeavour has been used to bring into degradation the Supreme Public Authority, it is essential that the vindication should not be less signal than the offence, and that a memorable example should be given, that proceedings, subversive of established order can find no security, under the sanction of rank, however high, or of station, however exalted.

The General Order in question having been circulated under the signature of the Deputy Adjutant General of the army, it must have been known to that officer, that in giving currency to a paper of this offensive description, he was acting

in direct violation of his duty to the Government, as no authority can justify the execution of an illegal act, connected, as that act obviously in the present case has been, with views of the most reprehensible nature. The Governor in Council thinks it proper to mark his highest displeasure at the conduct of Major Boles, by directing that he shall be suspended from the service of the Honorable Company.

The General Order left by the Commander-in-Chief for publication, under date the 28th instant, is directed to be expunged from every public record; and the Adjutant General of the army will immediately circulate the necessary orders for this purpose.

By order of the Honorable the Governor in Council*.

(Signed)

GEORGE BUCHAN,

Chief Sec. to Government.

* In the above order, it is stated, that General Macdowall did "leave to be published," &c. It is understood, that at the period of the Order of the Government being published, the exact time of General Macdowall's order being issued, had not been ascertained. It was not then known to the Government that the order had been circulated nearly two days to the army before it was transmitted to the Governor.

The copy of the Commander-in-Chief's General Order, of the 28th of January, which was first communicated to the Governor, was subscribed by the Deputy Adjutant General of the army, and it was accordingly to that officer that responsibility was, in the first instance attached. The same share of responsibility was afterwards extended to the Adjutant General, and his suspension from the service took place in consequence of his direct and exulting avowal of participation in the offence.

We shall refrain from going into any explanation regarding the circumstances which led to those measures, as it is a subject which has been already ably discussed in other public papers*.

It is impossible that the officers of the Adjutant General's Department, should not have been aware of the pernicious tendency of the order of the 28th of January, and should not have been conscious that the circulation of that paper was a measure, of all others, most likely to add to the ferment, which had been notoriously excited in the army. It must be contrary to law, and to

* Vide Letter from the Governor General in Council, already published; and extract of a Report from the Judge Advocate General, Appendix S.

the common understanding of mankind, that the plea of implicit obedience to military power, should be urged as an excuse for the execution of acts known to be criminal ; and a more criminal act cannot easily be imagined than that of wantonly exciting a spirit of mutiny and sedition, that might (as has been in the sequel of these events unhappily evinced,) involve the safety of the country, and the existence of all constituted authority.

From the nature of the order published by the Commander-in-Chief, on the 28th of January, the Government felt strongly and justly the necessity of marking its sense of that proceeding with a determined hand. It had been, however, throughout the discussions, the principle and wish of the Government to avoid all measures of severity that might not be imposed by indispensable necessity. It is accordingly understood to have been the intention to have re-established the Deputy Adjutant General in his situation, on any acknowledgment, however slight, that might be sufficient to preserve the public authority *. The line of conduct pursued by Major Boles being

* In cases of suspension, it is in general stated to be, " until the pleasure of the Court of Directors is known : " but this extension was not included in the General Order relative to Major Boles.

remote from that of acknowledgment, the accomplishment of the intention was rendered impossible.

With regard to the Adjutant General, so soon as the order for the suspension of Major Boles had been published, he waited on one of the Governor's principal staff, and in a tone wide of regret, requested that it might be stated to Sir George Barlow, "that the circumstance of the General Order having been signed by the Deputy Adjutant General, had proceeded from his (Colonel Capper) having been engaged in accompanying the late Commander-in-Chief on board of ship; that ~~he~~ was the responsible person; that it would not rest with Sir George Barlow but with his Sovereign, to decide on his case, and if he should be dismissed, he would glory in dismissal on such an occasion." The order for the suspension of Colonel Capper became, in consequence, an unavoidable measure; and as both the staff officers pursued a course of defiance of the public authority, and by impressing the belief of their being unjustly martyrs in the cause of their late superior, the alleged champion of the army, farther excited those passions which already inflamed the public mind, it became essential to the public honor and safety, that the

resolution of the Government should remain unchanged *.

We have had occasion to advert to the great degree of disorder which had attended the proceedings in the Supreme Court. It was apparent that the factious confederacy, which had at that time become very extensive, had acquired material strength from the recent verdicts; and, flushed with almost unlooked-for success, they seemed prepared to proceed to any extremity. It is understood, that a distinct declaration had been made of an intention to bring the commissioners to the bar of justice; and that the same intention had been intimated with regard to the law officers of the Government, who had, (particularly the Advocate General,) ably exerted themselves in the execution of their public duties; and heated and deluded as the public mind then was, condemnation, whatever the charge might

* What has been stated on the above subject, is founded on the supposition that the staff officers had no share in withholding the General Order of the Commander-in-Chief from the knowledge of the Governor, till the second day after its publication to the army, and until General Macdowall had embarked, and had proceeded to sea. If these officers had any hand in keeping back an order of that nature, one hour after it was in their power to deliver it, heavy indeed would be their responsibility.

be, was next to infallible, as the formation of an impartial jury was no longer to be attained.

The immediate tendency of this state of things, was to place the persons and characters of every public servant at the disposal of a pernicious faction, of the worst description. And in regard to the enquiry of the commissioners, it at once opened the widest door for the exercise of all the passions and intrigues which in the arrangement, connected with the Carnatic claims, means had been wisely and carefully taken by the Legislature and by the Court of Directors, to exclude.

It has been already stated, that in all points connected with the duties entrusted to the commissioners, they had exercised their own discretion without any interference on the part of the Government of Fort St. George, beyond the circumstance of affording to them the assistance which they might require. The circumstances, however, which had occurred, were of so new and urgent a nature, as to call for the most decided measures. Sir George Barlow accordingly judged it proper to go into a minute examination of every part of the proceedings of the commissioners, connected with the trials of the Supreme Court; and the result having afforded the fullest satisfaction, as to the correctness of their conduct, and the accuracy of their opinions, it was determined to adopt decisive means to free the com-

missioners, as far as possible, from the difficulties which opposed their enquiry, and to strike a farther blow at the root of the factious disposition which had occasioned a great degree of general disorder.

This determination led to several changes in different departments at the Presidency, not necessary to be here recapitulated; particularly to the removal of the persons who were known to have taken an active part in fomenting the late violent proceedings in the Supreme Court*.

At this time it was doubtful what course the Chief Justice might take in the disposal of the verdicts then under his consideration. Sir Thomas Strange was placed in the singular predicament of being called upon to pronounce sentence on prisoners whose cases were intimately connected, and who had been found guilty by successive juries, of the crimes with which they were charged, though contrary to evidence, and to his declared opinion.—The last jury was, on the whole, to all appearance, respectably formed, and its verdict was at least ostensibly deserving of weight. A loud and incessant clamour was raised, and spread with great industry, regarding the sacred rights of juries, and the bounden obliga-

* These measures took place a few days after the removal of the late Commander-in-Chief, and of the staff officers.

tion of all parties to submit with humility and deference to the opinion of that constitutional and revered authority. Every means were used that might deter the Chief Justice from interrupting the course of the verdicts, and steps were even avowedly taken to convey the menace of an impeachment.—It was fortunate for the interests of the country, that the firmness and talents of the Chief Justice were found equal to the emergency of that most trying occasion. Sir Thomas Strange sat alone and unsupported on the bench; but he did not shrink from the responsibility imposed upon him. Taking his stand on the firm rock of public duty, he evinced himself to be unassailable by the storms of calumny; and having fixed his decided line, he pursued it with a degree of resolution worthy of his high station and character. After long and violent discussions, a final decision was passed, that the verdicts which had been given should not have effect; that the prisoners should remain at large in their recognizances; and that the whole should be referred to the King; thereby laying the question before a tribunal, which the voice of clamour, and the efforts of faction, would be unable to reach*.

* The decision of the Chief Justice was not necessarily connected with the course which the Government had decided to

Before we proceed in the narrative of events, we feel called upon to consider the very unusual situation in which the public affairs at Madras were at this time placed.—In the preceding pages we have had an opportunity of observing the progress of dissatisfaction, from its early stages until it burst into acts of open and mutinous violence. We have seen the Government compelled, for the preservation of its authority, to adopt measures of the most decided nature ; and from the total perversion of the course of justice, the Chief Judge is compelled to seek in England that protection for individual rights and safety, which the administration of the laws in the Court, over which he presides, was unequal to afford. The mind is naturally disposed to examine the causes which have led to consequences of such magnitude.

We have had occasion to remark, that the spirit of faction had taken root in the settlement of Madras, at a period somewhat distant ; and

adopt ; but the solemn determination of the Supreme Court of Justice, was, no doubt, opportunely and fortunately calculated to add strength and weight to the authoritative measures on the part of the Government which had become indispensable. The course of proceeding adopted at that moment, by the Chief Justice, was accordingly of great public importance.

the leading events that have been above explained, were powerfully aided in their operation by others of a collateral, but very efficacious nature. The chief of those was unquestionably the feeling arising from the considerable reductions, which the exigency of public affairs imperiously called for. In the progress of those reductions, persons, both in the civil and military lines of the service, had been deprived of their offices, or had experienced a diminution of their allowances. It was impossible that such measures should not be productive of dissatisfaction, and should not unite, in hostility to the Government, most persons who had suffered under their operation, with many of the friends of such persons, and that the circle should not be infinitely enlarged by the junction of others, who in prospect probably looked forward to the operation of a similar plan of public economy.

It has been seen, that most of the reductions in both the civil and military establishments were recommended towards the conclusion of Lord William Bentinck's administration; further reductions (comparatively small in their amount), were, under the same urgent necessity, adopted by the existing Government, to whose lot it fell to carry the whole into effect; both those which originated with the Government of Sir George

Barlow, and those which were bequeathed by that which preceded.

The effect was, that the odium of those measures operated with undivided force; and the impression became general, that it was to the existing Government that the whole of the invidious measures were imputable. Of all tasks, the most unpopular is that of reform, and such an impression, in times the most peaceable and best disposed, would have been a heavy burthen to bear; but in times of a very opposite nature, and when many persons were unceasingly on the watch to misrepresent, and exaggerate every occurrence of the most ordinary description, the effects of successive measures, injurious to the interests of a numerous body of individuals, and less or more unpopular to all, may be well imagined. On this ground was therefore united, in close interest, a very extensive party, belonging to the civil and military branches of the service, who had, from occurrences at a former period, been taught the lesson, that opposition, and even insult to the Government, was not always followed by punishment. This dissatisfaction was nothing more than was to be expected, and would have been momentary in its effect if it had not obtained the countenance and support of persons whose bounden duty it was to have aided in its sup-

pression ; but under whose influence, it became extended and emboldened, until it at length attained a height where it could only be opposed by measures of the most decided nature.

The late Commander-in-Chief was undoubtedly the main-spring that gave action to this discontented party, and encouraged it to assume a degree of boldness, which it would not otherwise have hazarded. Some of the inflammatory acts of General Macdowall have been already stated ; but they form but a small part of the means which were unceasingly practised, on all occasions, to spread far and near the spirit of discontent, and to impress the belief that all the reductions that had been made were unnecessary, and the wanton acts of an unjust Government.

General Macdowall, in consequence of his not having a seat in Council, pretended to receive the command of the army, not as a mark of distinguished honor and favor, but of deep disgrace ; and all his language and actions were true to that feeling. A person of proper mind, seeing the injurious effects of the dissensions which took place under the former Government, would have taken an opposite course, and would have endeavoured to heal the wounds which the collision of authorities must always produce. If he really felt aggrieved, he would have suppressed

the feelings of discontent which could not possibly be uttered without public injury; he would have performed all the important duties of Commander-in-Chief, with zeal and fidelity; he would have acted in unanimity with the Government, and he would have patiently, and with manly firmness, waited the reward which conduct of this nature could not have failed to obtain *. This is the line which General Macdowall ought to have taken, if he had possessed a correct understanding, or had entertained a proper regard for his public character, or his own interests; but that which he pursued was in all respects the reverse. For a considerable time, previously to his departure for England, the conduct of General Macdowall evinced a degree of frivolity in every way unworthy of his high station, and his conversation, in all companies, was of the most

* It is understood, that the appointment of General Macdowall to Council was about to have taken place at the very time when accounts reached England of the events in India.

From the line of conduct which General Macdowall had long observed, it seems more than questionable whether such an appointment would have made any change in his mode of proceeding. General Macdowall was, previously to his appointment to be Commander-in-Chief, while in command of Mysore, during the Government of Lord William Bentinck, in declared enmity to the Government, though his power of opposition was then more limited.

disrespectful nature to public authority. Possessing an imposing plausibility of manners, he was enabled to conciliate, to a great degree, the partiality of many who strongly condemned his public conduct, and still more was he enabled to conciliate among persons, both in the civil and military lines, of the public service; who rejoiced in the opportunity of obtaining the support of such a powerful and avowed champion of opposition to the Government, which it was his declared object and study to 'decry' on every occasion. Even in a place where there might have been no previous disposition to faction, the example of a person filling General Macdowall's high station, might well be supposed likely to obtain many zealous partizans, and many imitators; but in a place where a factious spirit had already risen to a great height, the example operated with fatal influence. There is every reason to believe that General Macdowall, in his military tours* was in no way less active in disseminating, at the principal military stations, the same inflammatory sentiments

* Some specimen of this may be found in an address from General Macdowall to the commanding officers of the Madras European regiment, delivered at Masulipatam, in presence of that corps. Masulipatam is the principal station in the northern division of the army, and it was at that place that the first overt act of rebellion broke out. Appendix T.

as had been spread at the Presidency. His object appears to have been to gain popularity on any terms ; and to impress the belief that the affairs of the army and affairs generally could not prosper, if the Commander-in-Chief should be excluded from Council.

The cry raised against the reductions in the military department was loudest in proportion as the voices were stronger and more numerous. A liberal compensation had been allowed, under a different shape, and by a description of allowance more suitable to military principles, in lieu of the reductions which took place. But, agreeably to the usual course of human nature, the reductions continued to be loudly exclaimed against, and the compensation passed unnoticed. The effect of this clamour would have been transitory and immaterial, if there had been at the head of the army a Commander-in-Chief, firm, able, and well-disposed ; but when the Commander-in-Chief, instead of suppressing improper discontent, took part with it, and exclaimed more loudly than any against all reform, encouraging demands far exceeding in magnitude the extent of any reductions that had taken place, it was impossible that the prejudice which had been excited should not become universal. A more uncandid conduct than that pursued by the late

Commander-in-Chief, cannot be conceived. He knew that the demands which he supported, on the part of the army, were such as the state of the public finances made it impossible to grant. He knew that all the reductions were matter of unavoidable necessity, and that the Government was placed in circumstances which left no alternative: but, instead of using his endeavours to reconcile the public mind, to measures in their nature, disagreeable, he represented those measures in the most odious light, as if they had been unnecessarily adopted, for the mere purpose of depressing the army, and of depriving it of its just rewards.—This was the language General Macdowall held in all writings, and on all occasions; and it had the effect of exciting the greatest discontent. The effect of the application of a match to gunpowder could not be more certain, than the consequence attending the dissemination of such doctrines.

The late Commander-in-Chief by no means confined himself to mere military avocations, such as they have been described; but actively joined in all the supposed civil grievances, and particularly shared in the proceedings that were at the period of the warmest discussions, exhibited in the Supreme Court.

It has been shewn, that the party immediately

connected with those proceedings knew well how to avail themselves of the prevailing temper.— They were aware that they had nothing to expect under a Government conducted on principles, such as those that regulate the Government of Sir George Barlow, and they encouraged hopes from a defiance of public authority, which they could not entertain from obedience, as they concluded that any change must be favorable to their views. Considering the extent of interests combined in the fictitious and doubtful claims of the Carnatic debt; the numerous body of persons in the different branches of the service of the Company*, who were actuated by congenial views

* The fact of a close union of interests having existed between the discontented persons in the civil and military branches of the service, is sufficiently established by the nature of all the late proceedings at Madras. At a more advanced stage of those proceedings, when the Company's army had engaged in open rebellion, and the force at Jaulnah (on the Mahratta frontier) was preparing to march for the purpose of dictating laws to the Government, at the point of the bayonet, one of the reasons assigned was, the intended restoration of the civil servants, whom the Government had seen cause to remove from their situations.

“ Thirdly and lastly. We march for the purpose of obtaining from the Honorable the Governor in Council his consent to a general amnesty, and the restoration to the service of all the officers, both civil and military, who, under the

and feelings with creditors of this description; the powerful and zealous support which they derived from the late Commander-in-Chief, and from others of equal station; the effect which those, and other circumstances, had produced on the public mind, and the industry and avidity with which the most calumnious representations were circulated and received; in adverting to these facts, we must cease to entertain surprise at the dangers with which the Government was surrounded, and conviction must be felt, that nothing but the wisdom and energy, which distinguished all the arrangements of the Government, throughout the arduous struggle, preserved the barriers of the public authority, and averted the surrender of that authority, to the demands of a clamorous and powerful faction *.

“ present grievous system, have been suspended, until the
 “ pleasure of the Court of Directors concerning them can be
 “ known.”

* At the period of the departure of General Macdowall, the mischief was already done, and piles of combustion were heaped and kindled. It is however a fact, deserving of being stated, which we are enabled to do on unquestionable authority, that, after General Macdowall had quitted the scene of contention, and was left to the moments of calm reflection, he viewed his past conduct with deep regret. He expressed this

It being understood that much of the clamour which had been spread in the army arose from an imperfect knowledge of the circumstances attending the removal of the arrest of the Quarter-Master General, the Government deemed it proper to publish the following explanatory General Order.

Fort St. George,
6th February, 1809.

G. O. By Government.

The Honorable the Governor in Council having lately adopted the measure of ordering the release of the Quarter-Master General of the army from arrest; and it being desirable that the circumstances connected with that measure should be distinctly and publicly understood, there being reason to believe that a great degree of misapprehension has hitherto existed, the Governor in Council thinks it proper to state that the Quarter-Master General was placed under arrest by the late Commander-in-Chief, on charges founded on a report which was submitted by the Quarter-Master General in conformity to express orders; which report having been approved and adopted

feeling to an officer of high rank, at the time of his leaving Ceylon, and said, that he "would have given the world that it had not happened."

by the Commander-in-Chief, Lieutenant-General Sir John Cradock, was by him communicated to the late Right Honorable the Governor in Council of Fort St. George, and finally laid before the Supreme Government, under whose approbation and orders, it became the foundation of measures already known to the army.

In these circumstances the Quarter-Master General could be considered no longer responsible for proceedings so sanctioned; and it would have been inconsistent with the evident principles of justice, that a public officer should have been liable to the obloquy of a trial for an act not his, but that of his superiors. The question which in such case would have been submitted to the cognizance of a military tribunal, would not have involved only a discussion of the conduct of the Quarter-Master General, but would have extended to the measures of the principal civil and military authorities in this country; measures which had undergone the maturest consideration, and which had been carried into effect under the most formal sanction. It must be apparent that a discussion involving consequences of this nature would have been contrary to law; contrary to reason; ruinous of public confidence; and subversive of the foundations of military discipline, and of public authority.

Impressed with these sentiments, it became the solemn, the bounden duty of the Governor in Council, on the facts being made known by a communication from the Quarter-Master General (which, from the nature of the question, it became the right and duty of that officer, to submit by direct reference, on the communication having been refused by the late Commander-in-Chief,) to interpose the authority of the Government for the prevention of the most fatal evils. It was the wish, it was the earnest endeavour of the Governor in Council to effect this object by every means of conciliation and explanation, but such means having been used in vain, and having been even repelled under circumstances highly offensive, no alternative remained, but that of conveying a specific order for the removal of the arrest.

The Governor in Council desires that the officers of this army will be assured, that this Government would not be less solicitous to vindicate their honor and reputation, by rejecting all injurious imputations, if such could have been supposed, than the officers of the army could have been solicitous in their own vindication. The Governor in Council has accordingly under this impression, been led to an attentive consideration of the expressions which are understood

to have been deemed objectionable, and he has no hesitation in declaring that it appears in his judgment impossible, under any correct construction, to attach an offensive meaning to words where injury was not meant, and where the intention of offence assuredly did not exist.

Having stated this explanation, the Honorable the Governor in Council deems it his farther duty to observe, that the question which has been under deliberation must be now considered as concluded. The farther agitation of a subject of this nature could be availing for no purpose but that of disturbing the established course of public affairs, and for the excitement of feelings injurious to order and authority; and it will be accordingly of importance to the public welfare that the circumstances connected with it should be consigned to oblivion.

By order of the Honorable the Governor in Council.

(Signed) GEORGE BUCHAN,
Chief Sec. to Government

The tenor of the above order was strongly calculated to allay all feeling of irritation, if the expression of the most conciliatory language could have sufficed for that end. But, during times of

sedition, to use the words of our great historian*,
 "Reason can no more be heard, than a whisper
 "in the midst of the most violent hurricane."—
 The order of the Government does not appear to
 have been attended with any general effect, and
 the army proceeded step by step in its course of
 bold opposition to the civil power, until it at
 length hurried into all the guilt of open rebellion.

In the progress of these discussions, it may be
 readily supposed that several minor acts of insub-
 ordination occurred; but being trivial in their
 nature, and being immediately checked by the
 vigilance of the Government, it would be super-
 fluous here to describe them. In cases of public
 commotion, an unnoticed or unpunished example
 of disobedience and disrespect, cannot fail to
 encourage the repetition, and the wide extension
 of similar offences; and every energetic Govern-
 ment that is prepared to uphold its authority,
 will not overlook instances of disobedience from
 their being apparently unimportant, but will seize
 the first moment as the most opportune, for their
 suppression †.

* Hume.

† We are led to observe, that it is chiefly to minor incidents
 and detached circumstances of the nature above described,
 that the publications which have appeared on the commotions
 of the Madras army, are in a great degree confined. These

We shall proceed to notice events of more material consequence. It is understood that on

are stated in a manner much more calculated to confuse than to inform the mind, while that chain of events which only can enable the reader to carry his view from Causes to their Effects, has been with apparent care, kept from the sight.

It is no part of the intention of this narrative to comment on all the stories that have been circulated on the subject of the occurrences at Madras, nor on the calumnies that have been unsparingly spread with regard to persons who signalized themselves by their loyalty and ability in the support of the public cause, at a time of great difficulty and danger. Such statements may be left to that refutation, which a little time will be sufficient to produce.—There is, however, one point to which our attention has been particularly drawn. In a late publication it is gravely stated, that a remonstrance from the Hon. Colonel Sentleger gave the “first intimation to the Commander-in-Chief public or private, that a force was assembling for field service in Travancore.”—As this fact appeared very extraordinary, we were led to investigate it with care, and we believe that we are correct in giving the following as a true statement of the case.

There were two equipments against Travancore: One took place in December, 1808, at which time General Macdowall was in the northern division of the army, about four or five hundred miles from Madras, and no reply could in consequence have been received from him in less than ten or twelve days; the delay of a reference was therefore impossible, and it became necessary for the Government to issue, under its own authority, the orders for the preparations which were required, but copies of all those orders were sent without delay for General Macdowall's information. The first equipment against Travancore

the removal of General Macdowall, some persons professing to be his friends, deliberated on the

was suspended, and the renewal of the expedition did not take place till about the middle of January, 1809, at which time General Macdowall had returned to the Presidency.—At that period accounts were received of the atrocious proceedings of the Dewan of Travancore, and it was found necessary to adopt effectual means for subduing the power of that dangerous Minister. General Macdowall was apprized without an instant's delay of the recent accounts, and his opinion consulted as to the intended measures, in which he expressed his entire concurrence.

The above statement will afford some means of judging of the accuracy of the "indisputable fact," referred to in the publication in question.—The observation can only be meant to apply to the period of the first equipment. Colonel Sentleger, it is understood, was then at Trichinopoly, about two hundred miles to the southward of Madras; General Macdowall was about four or five hundred miles to the northward. Before information of the intended equipment could have reached Col. Sentleger, it must have been conveyed from the Presidency; and before it could have been transmitted by that officer to General Macdowall, it must have perambulated a space of not less than eight or nine hundred miles, all which was to be done before the intelligence and papers sent direct by the Government to General Macdowall in the most expeditious manner, could be received.

It was, we have reason to believe, a very general and favorite topic of assertion, that the movement of troops frequently took place without the knowledge of the Commander-in-Chief. We have, however, also reason to believe that this, as many other bold assertions have been, was absolutely un-

course of measures which it might be expedient for them to adopt ; and the result was the preparation of a memorial*, addressed to the Governor General, exhibiting a detail of grievances, and demanding, in explicit terms, the removal of Sir George Barlow. The memorial expressed “their
 “ sanguine hope and entreaty, That the Supreme
 “ Government may, in its wisdom, be induced to
 “ appease their just claims, and to anticipate the
 “ extreme crisis of their agitation, by releasing
 “ them from the control of a ruler whose measures, guided by the Council of their implacable
 “ enemies, are equally detrimental to the interests
 “ of the State, as they are repulsive to the feelings

founded ; and that it formed a part of the means which were systematically used to decry, and bring into discredit, the measures of the Government on all occasions. We think that the information which we have obtained, enables us to state, that all the military details at Madras were conducted, when General Macdowall was at the head of the army, in precisely the same mode as had been formerly observed, with the exception of the modifications introduced under the orders transmitted from England on that point, in 1806.—We will further state our conviction, that scarcely an example occurred of the most ordinary appointment having taken place of a military officer to any situation, however unconnected with the duties of the army, without a previous communication of the circumstance to General Macdowall, and without his concurrence being obtained.

* Appendix U.

“of a loyal and patriotic army.” This memorial is understood to have been circulated with great industry to the different military stations, and to have obtained a considerable list of signatures. The grievances which it describes are chiefly those held forth in the orders of General Macdowall; and the circumstance of so seditious a paper having obtained support with any number of British officers, is a forcible proof of the relaxed condition to which the discipline of the army had been reduced*.

The Government had been for some time apprized of the circulation of this paper, but from the secrecy with which the proceeding was conducted, some weeks elapsed before the fact could be distinctly established. So soon as it was established, the Government proceeded to take that notice of the subject which was called for, by so manifest an attempt to effect its overthrow. This led to the General Order which was published on the 1st of May, 1809†, and to the measures described in that Order.

* It has been said, that the intention of laying the memorial before the Governor General was suspended, and ultimately abandoned, in consequence of the Supreme Government having expressed unqualified approbation of the proceedings of the Government of Madras.

† Appendix W.

In the same General Order, reference is made to a letter which was addressed to the late Deputy Adjutant General, and generally circulated in the army, conveying sentiments of the most insubordinate nature. The following is a copy of that letter.

TO MAJOR BOLES.

SIR,

The officers of the Madras army, whose names are hereunto annexed, can no longer abstain from expressing to you their surprise and concern at the severe and unmerited punishment inflicted on you, by an act of the Civil Government of Fort St. George, for no other reason that is stated, but that you obeyed the orders of their Commander-in-Chief, in a case purely military.

Feeling the question to involve circumstances essential to their best interests, and fundamental to the character and respectability of the army, no less than to the principles of martial law, they consider themselves called upon to signify to you their marked approbation of your conduct, as an officer on the General staff, on that occasion.

Whilst your brother officers seize this opportunity to express their sense of the propriety of your conduct, they fully appreciate the personal

inconvenience to which you are exposed by suspension from office, and the service; with these feelings, they request the honor of repairing your injuries in the mean time, as far as lays within their power, by subscribing and paying to your order, monthly, the full amount of that pay and staff allowance, of which you have, in this extraordinary manner, been deprived.

As your conduct on the occasion alluded to, is exactly conformable to what the undersigned, if placed in your situation, would have pursued, they cannot avoid making your cause their own; and, under existing circumstances, such mutual support must be expected, and accepted, by all, who, like yourself, have, or may, become sufferers through any such exceptionable measures on the part of Civil Government of Fort Saint George, as have rendered necessary, the painful step we have now taken.

No comment can be necessary on the above paper, in which the officers of the army at once establish themselves in the character of judges of the acts of the Government, which are arraigned in unqualified terms; and the power of military control legally vested in the Government, avowedly disputed. The paper farther proceeds to

establish a fund, of which the direct effect is to create the means of future resistance, by indemnifying all officers who might incur the penalty of disobeying the orders of the civil power. As if this proceeding had not been in itself sufficiently insubordinate, it was rendered more conspicuous by being pressed on the attention of Sir George Barlow, by the commanding officer of his body guard, who was then employed in Travancore.— This communication was made by the commanding officer, in the form of a private letter, to the Governor's Military Secretary, forwarding a copy of the letter addressed to the late Deputy Adjutant General. In his letter Captain Grant states his reasons for having submitted the paper in question, and he desires that the circumstance may be communicated to Sir George Barlow, who was thus placed in a situation that left no longer an option as to those measures which the maintenance of discipline and order imperiously required.

The preceding facts will be sufficient to evince the distempered state of the public mind at this period of time ; and that, from the ferment prevailing in the army, it was then fully matured for the scenes of open mutiny, which shortly afterwards ensued.

In the midst of the difficulties which the Go-

vernment had experienced, and was yet destined in an aggravated degree to encounter, the firm and steady support which was derived from the officer in the temporary command of the army was of essential importance. That command, on the removal of General Macdowall, devolved on Major General Gowdie, the senior officer at Madras, who had been, during a long course of service, distinguished by great zeal in the execution of his duty.

General Gowdie, on assuming the command of the army, issued the following order.

Head-Quarters of the Army, Choultry Plain
17th February, 1089.

G. O. By Major General Gowdie.

Major General Gowdie embraces the earliest moment to express the sense of satisfaction which he entertains, in being called to the command of an army, with which he has passed the greatest portion of his life ; which he has accompanied in every vicissitude of misfortune and success ; and which he has seen finally to subdue all the enemies by whom it has been opposed. Major-General Gowdie encourages a confident assurance, that the army will be distinguished, while he shall have the honor of commanding it, by the same

zeal, public spirit, discipline, and respect for authority, which produced the eminent successes that have signalized it, and which are essential to the prosperity of the British interests in India. It is the duty of the officer commanding the army in chief, to state, in the actual situation of affairs, that, while his conduct shall be uniformly actuated by an earnest desire to afford the most honorable and decided support to the constituted authorities of his country, to maintain discipline and subordination, and to distinguish merit, services, and claims, he expects, from the officers composing his Majesty's and the Honorable Company's services, and particularly from those who hold the command of divisions, stations, and corps, that cordial and zealous co-operation, which is dictated by the most powerful motives of duty to their Sovereign and their country.

The tenor of General Gowdie's conduct corresponded with the principles stated in the above order, and he uniformly acted with cordial zeal, in conjunction with the Government, in checking, or in repelling, the bold encroachments which were then rapidly making on its authority.

We shall conclude this part of the subject by calling the attention of the reader to the progress

of affairs which it has been our endeavour to trace in this narrative. The advantages enjoyed by the army of Madras, have been generally explained. We believe that we are warranted in stating, that the benefits possessed by that army, in respect to promotion, and in respect to allowances, far surpass what has been known to exist in any other army in modern times. The reductions which took effect, under the system of reform, which the exigency of public affairs had required, were in the most trivial proportion to the aggregate expenses of the military establishment, of which all the fixed and regular allowances remained without diminution, and were even considerably enlarged under the special orders of the Government. The allowances of the staff establishment continued to be of the most liberal and extensive nature. In these circumstances we have seen a combination gradually formed, and without a just ground of grievance, widely spreading, until it enveloped, in its course, a large portion of the community in India, in an united and extended system of disaffection and opposition to the State. The causes which contributed to produce this effect, have been generally explained; and history cannot, perhaps, exhibit a more striking example of the fatal influence of the heated passions of men, and of the extreme

lengths to which persons, impelled by such passions, are capable of being hurried.

In the course of these discussions, we have seen every means tried in vain by the Government of Fort St. George, to avert the necessity of resorting to measures of an extreme nature; and we have seen that Government compelled, under an accumulation of injury, to adopt the only means that remained to avert the entire degradation of its power. The perusal of the papers to which reference has been made, will be sufficient to evince, that the sentiments which they convey, are radically incompatible with due subordination, and that their direct tendency was to lead to the subversion of all order.

The danger of such sentiments prevailing in an army, or in any body of men under any Government, must come home to the mind of every well-informed reader; but in India, where the existence of our power depends on the vigorous exercise of the duties of the Executive Administration, relaxation in those duties must lead to consequences irretrievably ruinous to the public interests and safety*.

* The authority of the late Lord Clive must ever be looked to with certain reverence on matters connected with Indian Government:—The following Extract of a Letter which his Lordship addressed to the Select Committee at Calcutta, at the

At the period when Sir George Barlow assumed charge of the Government of Madras, there were

close of that brilliant career, which gave to Britain a large portion of the Empire of India, may be accordingly read with interest.

Extract of LORD CLIVE'S Letter, dated 16th Jan. 1767.

“ The reformation proposed by the Committee of Inspection,
 “ will, I hope, be duly attended to. It has been too much the
 “ custom in this Government to make orders and regulations,
 “ and thence to suppose the business done. To what end and
 “ purpose are they made, if they be not promulgated and en-
 “ forced? No regulation can be carried into execution, no
 “ order obeyed, if you do not make rigorous examples of the
 “ disobedient. Upon this point I rest the welfare of the Com-
 “ pany in Bengal. The servants are now brought to a proper
 “ sense of their duty: if you slacken the ~~of Govern-~~
 “ ment, affairs will soon revert to their former channel; anarchy
 “ and corruption will again prevail; and, clad with a new
 “ victory, be too head-strong for any future efforts of Govern-
 “ ment.—Recall to your memories the many attempts that
 “ have been made in the civil and military departments, to
 “ overcome our authority, and to set up a kind of indepen-
 “ dency against the Court of Directors.—Reflect also on the
 “ resolute measures we have pursued, and their wholesome
 “ effects. Disobedience to legal power is the first step of se-
 “ dition; and palliative remedies effect no cure. Every tender
 “ compliance, every condescension on your parts, will only
 “ encourage more flagrant attacks, which will daily increase in
 “ strength, and be at last in vain resisted. Much of our
 “ time has been employed in correcting abuses. The im-
 “ portant work has been prosecuted with zeal, diligence, and

two ways of proceeding open before him ; the one strewn with flowers, and in its nature easy and pleasant ; the other thorny, and beset with numerous difficulties. If Sir George Barlow had complied with the demands of the army by placing it on Bengal allowances, and by restoring those allowances which preceding Governments had resolved to discontinue ; if, in short every plan of reform had been pronounced unwise, and as such abandoned, great indeed would have been the popularity of such a proceeding ; as observed in a letter from General Macdowall, already quoted, " joy would have been diffused in every countenance." Such measures would have no doubt entailed a burthen on

" disinterestedness, and we have had the happiness to see our
 " labours crowned with success. I leave the country in peace ;
 " I leave the civil and military departments under discipline
 " and subordination : it is incumbent upon you to keep them
 " so. You have power, you have abilities, you have integrity : let it not be said, that you are deficient in resolution.
 " I repeat that you must not fail to exact the most implicit
 " obedience to your orders. Dismiss or suspend from the service any man who shall dare to dispute your authority. If
 " you deviate from the principles upon which we have hitherto acted, and upon which you are conscious you ought
 " to proceed ; or if you do not make a proper use of that
 " power with which you are invested, I shall hold myself acquitted, as I do now protest against the consequences."

the finances of the Company, which they would probably have been unable to support, and the example of such concessions would have been likely to render the task of future reduction an undertaking too arduous to be attempted. Still the Government of Fort St. George would for the time have remained tranquil, and, to external appearance, all would have been calm and prosperous. We may reasonably suppose that no feeling of personal gratification could have induced Sir George Barlow to forego advantages so obvious, and so facile of attainment; and imperious must have been the call, that could have prompted the adoption of a course opposite to one so congenial to every view of personal ease and interest. Of the nature of that call, the Reader will have had no difficulty in forming a judgment from the facts which have been stated. The disordered condition of the finances in India rendered a reform in the public expenditure, a measure indispensable to the welfare of the national interests. It would be trifling with the understanding of mankind, to suppose that reforms of that nature can ever be rendered agreeable, or that they should not meet with strenuous resistance. Sir George Barlow, therefore, in proceeding on that plan of reform which his duty prescribed, and in carrying into effect those

measures on which his predecessors had previously resolved, could not fail to be aware of the difficulties with which he would have to contend, and of the clamorous opposition which would be excited. This opposition was powerfully aided by various concurring circumstances, and it has rarely fallen to the lot of any public man to have such a combination of difficulties to contend with, as those which Sir George Barlow was called upon to encounter. They were such as must have overwhelmed any ordinary mind, and which could only be subdued by vigour and energy of the highest order. It was impossible for one, possessing the enlightened mind of Sir George Barlow, not to see, that if the clamorous demands which had been preferred were conceded, and the acts of the preceding administration abandoned, the power of the Government must have been irreparably injured, and all hope of retrieving the finances of the Company by any economical arrangement, must have been at an end. The progress of this example would not have been arrested at the Presidency of Madras, but, in the natural course of things, must have extended to the other Presidencies of India; and the mischief could have found no limits but those of anarchy, and the general contempt and confusion of all authority. Looking to such conse-

quences, it became a duty which Sir George Barlow owed to his country, to exercise the power which was vested in his hands, to avert them; and this object has been accomplished with talents and energy which must, in every impartial mind, give him the highest claims to his country's gratitude. It has been seen, that the unavoidable measures of reduction were tempered by every liberal, every possible, consideration, for the claims of the army; but as demands of the most extensive nature continued to be pressed on the Government, it became necessary that limits should be prescribed to such proceedings. Every means were accordingly used to fix those limits, both by forbearance and conciliation, and by examples of severity; but all such means having failed, and the evil continuing to assume an aspect more extensive and formidable, the Government was called upon to prepare for a contest of the most arduous nature, or at once to surrender all the public functions into the hands of its powerful adversaries. This was a state of affairs sufficient to appal the stoutest mind, but happily for the public honor and welfare, Sir George Barlow did not shrink from the danger and responsibility of his station. He wisely judged that, in the circumstances of the times, no consequence could be so fatal to the state as

that of concession, and that any extremity would be preferable to so abject a proceeding. In former years we have seen the Government of Bengal placed in great danger, by a mutiny of the civil and military officers under its authority. At a subsequent period, the Government of Madras was overturned, and the person of the Governor imprisoned by a usurping faction ; and at earlier periods of our Indian history, examples of a similar nature are not wanting. That the settlement of Madras was lately exposed to the imminent hazard of experiencing a renewal of those scenes, no one can doubt ; and it will, probably, be difficult to view with impartial attention the events which occurred at that Presidency, without the conviction that nothing but the ability and firmness displayed by the distinguished person who directs the ~~affairs~~ of that Government, could have guided the vessel ~~in the midst of~~ the storms with which it was assailed ; could have preserved the public rights, unimpaired ; or have saved the national interests from the overthrow with which they were threatened.

We have, in the preceding observations, ventured to anticipate, in some measure, the course of those events which we propose to explain in another early publication. It may be at present

only added, that every part of the proceedings of the Government of Fort St. George received the strongest approbation of the Supreme Government*.

* It is proper to observe, that, according to the established constitution of the Indian Government, the Supreme Government in Bengal exercises a general control over the affairs of the other Presidencies; and in proceedings such as those which lately occurred at Madras, every circumstance is distinctly reported for the information and decision of the Supreme Government; and every paper connected with the subject is submitted to that authority. This is the course prescribed by Act of Parliament, and by the usage invariably observed in the Indian administration.

The Government of Fort St. George observed that course in every stage of the late proceedings, as referable both to the military and civil branches of service. The Supreme Government therefore, in deciding on those proceedings, did not do so on any loose or imperfect view of the subject; but the decision of that authority was founded on an accurate examination of all the facts and evidence exhibited in the several stages of the question. The sentiments of the Governor General in Council were such as the temperate, but decided and able line of conduct pursued by the Government of Fort St. George was calculated to excite; and those sentiments were repeatedly conveyed to that Government in terms of the highest approbation.

APPENDIX.

(A.)

Extract from a Report of the Quarter-Master
General.

THE measure of maintaining the army in a state of constant equipment for field movement, has long been considered essential to the efficiency of the military system, under the Presidency of Fort St. George. It has been suggested, by an experience of the disasters that have resulted from defective equipments, and by a sense of the necessity of possessing, in a country maintained by the sword, the ability to commence military operations with the utmost promptitude. That measure is founded upon just grounds, but the means adopted for carrying it into execution, are, in some respects, unnecessarily extensive, and in others, entirely defective.

The whole Native army, in what regards camp equipage and regimental stores, has been placed

in a state of complete and constant preparation for field service, while a considerable part of the Native army must be at all times in garrison, precluded from taking the field. The reasons for placing the army in a state of preparation for immediate movement, must refer exclusively to the prosecution of operations against an enemy in the field : those reasons cannot apply to the ordinary movements of troops in time of peace, for it is of little consequence whether a corps proceeding from one station to another in time of peace, commence its march at two or at ten days notice. But in order to accomplish the object of putting the army into a state fit for the immediate commencement of operations against an enemy in the field, it is requisite that it should be provided with other establishments, besides those which relate to camp equipage ; it must be supplied with ~~carriage~~ for its sick, with the means of subsistence, and with an ordinary equipment. But none of those establishments are attached to Native corps ; the camp equipage equipment of those corps is not alone sufficient to enable them to commence operations against an enemy, and the object for which that equipment is maintained is not therefore fulfilled.

Six years experience of the practical effects of the existing system of the camp equipage equip-

ment of the Native army, has afforded means of forming a judgment relative to its advantages and efficiency, which were not possessed by the persons who proposed its introduction; and an attentive examination of its operation during that period of time, has suggested the following observations regarding it.

The existing system appears to be liable to the following objections:

First. It incurs the expense of placing the whole army in a state of complete preparation for field movement, in respect to camp equipage, and regimental stores; while a great part of the Native army must, from inevitable circumstances, be at all times in garrison, in a situation where those equipments are entirely unnecessary.

Secondly. That system incurs an immense expense, without accomplishing the purpose for which it was established; it provides for the constant maintenance of certain equipments with the whole Native army, with a view to the prompt commencement of operations against an enemy in the field, while other equipments, equally essential to the attainment of that object, are not maintained.

Thirdly. By granting the same allowances in peace and war, for the equipment of Native corps, while the expenses incidental to that charge

are unavoidably much greater in war than in peace, it places the interest and duty of officers commanding Native corps in direct opposition to one another. It makes it their interest that their corps should not be in a state of efficiency fit for field service, and therefore furnishes strong inducements to neglect their most important duties*.

Fourthly. By charging commanding officers of corps with extensive concerns immediately affecting their private interests, it is calculated, particularly in the field, to divert their attention and their pursuits from the discipline and management of their corps, objects that should furnish them with sufficient employment for the whole of their time.

Fifthly. It frustrates the principle of its adoption, that of maintaining, at all times, efficient carriage for the camp equipage and regimental stores of the Native army, for it permits commanding officers to keep hired bullocks for that service, and the experience of all our wars has proved, that common hired bullocks are entirely unfit for long continued labour.

* It has been the leading object in all the late arrangements of military allowances, to encrease the advantages of officers in war, comparatively with those enjoyed during peace, according to the principle stated in the above report.

Sixthly. In time of war, individuals commanding corps, cannot command the resources necessary for the re-equipment of their corps with camp equipage and carriage; the measures necessary for that purpose must be pursued by Government, on the general principles which regulate the supply and re-equipment of all the departments of the army.

An examination of the military state of affairs, under the Government, will shew that a limited portion only of the Native army could take the field in the event of a general war, and that a considerable number of Native battalions must remain at all times in our fixed garrisons, or in certain stations necessary to be always occupied by troops, for the purpose of maintaining the authority of Government in the provinces.

The following statement exhibits the number of battalions that must be constantly stationed in our garrisons and provinces, part of those troops will necessarily be employed, occasionally, upon internal service, and provision will be made for this description of service in the sequel.

[The remainder of the report comprises various details not necessary to be here inserted; in stating which, the Quarter-Master General ably illustrates the question under consideration.]

(B.)

Fort St. George,
22d September, 1802.

G. O. By Government.

The inconveniences arising from the existing mode of controlling the bazars attached to military stations, under this Presidency, have long afforded a source of anxious consideration to the mind of the Right Honorable the Governor in Council, both in respect to the operation of those evils, on the principles of military subordination, and as affecting the administration of the Civil Government. The means which facilitated the introduction of this salutary reform, under the Government of Fort William, were absolutely unattainable ~~while~~ a divided authority in the Carnatic continued to distract the measures of the ~~executive~~ Government; the Governor in Council has therefore been compelled to postpone the regulation of the bazars, on the principles established in Bengal, which have long been recommended to his Lordship's attention, as well by the high authority from which they proceeded, as by the salutary effects which they have produced. Among the abundant advantages obtained from the consolidation of the British power in the

Deccan, it is satisfactory to the mind of the Right Honorable the Governor in Council, that the treaties of the Carnatic and of Tanjore have removed the impediments which have opposed the adoption of this useful measure, while the progress already made under the operation of the same favorable causes in the improvement of the Civil Government of these territories, demands the abolition of a system, not less incompatible with the preservation of military order, than with the rights conferred on the Native subjects of the empire, under the protection of the civil tribunals.

Impelled by these considerations, the Right Honorable the Governor in Council has deemed it to be his duty, at this time, to revive the consideration of the mode in which the military bazars appear to have been conducted under this Presidency. The result of that consideration has satisfied his Lordship in Council, that the interference of officers commanding forts or stations, with the regulation and control of bazar duties, and the appropriation to themselves of the perquisites of command, have a direct tendency to loosen the principles of subordination, to vitiate the due exercise of military authority, and to impede the regular supply of provisions for the troops. His Lordship in Council has therefore

been pleased to abolish the present means of such indefinite emolument, and to substitute the following system for the regulation of military bazars, and for the disposal of the produce of such taxes as may be levied on them by the authority of Government.

[Here follow the detailed rules.]

(C.)

Fort St. George, 10th June, 1808.

G. O. By Government.

The Honorable the Governor in Council, deeming it proper, that the number of Government commands, under this Presidency, should be ~~diminished~~, and the Governor in Council being at the same time desirous of placing the officers, who may be charged with the duties of regimental command, and with the charge of those military stations which are of sufficient importance to be continued as Government commands, on a footing of adequate advantage, has been pleased to adopt the following regulations.

That officers commanding regiments of cavalry, and battalions of artillery, infantry, and pioneers,

together with the officers commanding the squadron of horse artillery, and the Governor's body guard, shall draw the full batta of their rank in garrison, and the full batta of their next superior rank, when marching, or in the field.

That officers appointed to Government commands shall draw the batta of their next superior rank.

That officers, under the rank of a general officer, exercising the command in camp or garrison of bodies of troops, consisting of the headquarters of two corps, and officers commanding brigades in the line on field service, shall draw brigadier's allowance, where table allowance is not drawn.

That, with the foregoing exceptions, no officers commanding stations or parties of troops, shall draw full batta, unless the troops under their command receive that allowance, and that exclusive of the officers holding the under-mentioned Government commands, the title of officers commanding corps to draw the full batta of their rank, shall be determined by the circumstance of the troops under their command, receiving full batta, according to the rules and practice of the service.

That, exclusive of the established divisions of

the army, the following stations only shall be considered as Government commands:

Malabar and Canara, with Cananore.

Tinnevelly district, with Palamcotta.

Bengalore.

Wallajahbad.

Arcot.

Vellore.

The Hyderabad subsidiary force, and

The subsidiary force at Travancore.

That the senior officers of the troops at Seringapatam, Bellary, and Trichinopoly, shall be entitled to draw brigadiers' allowance, while the force, at those stations, may consist of the headquarters of two corps, although the officers commanding the divisions may be present at them, and that the senior officer of the troops, doing duty at Fort St. George, shall also receive that allowance.

The Governor in Council is pleased to direct, that the above arrangements shall take place from the first of July next, subject to the final confirmation of the Honorable Court of Directors.

The Governor in Council is also pleased to direct, that no change shall at present take place with regard to the command of the detachment in Berar, or the fortress of Poonamallee; and that

the allowances of the officers, holding those commands, shall continue on their present footing.

By order of the Honorable the Governor in Council.

(Signed) G. BUCHAN,
Chief Secretary to Government.

(D.)

The following statement, it is believed, will afford a sufficiently correct general view of the military allowances at Madras, under the present regulations: and of the amount of King's pay, in England.

INFANTRY.	In Garrison or Cantonment, per Annum.			In the Field, per Annum.			King's Pay in England, per Annum.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
Colonel	1596	17	6	1596	17	6	410	12	6
Lieutenant Colonel ..	821	5	0	1277	10	0	310	5	0
Major	615	18	9	958	2	6	292	0	0
Captain	374	2	6	511	0	0	191	12	6
Lieutenant	219	0	0	310	5	0	118	12	6
Ensign	159	13	9	228	2	6	95	16	8

* N.B. Officers commanding battalions in England, have an additional allowance of £54. 15s. annually.

Colonels on the Madras establishment, in addition to the above fixed allowances, share the

off-reckonings of their corps, payable in India or in England.

Officers, of whatever rank, who command corps, receive the field (or full) batta of their rank, in peace; and in field service, the field (or full) batta of the next superior rank; *i. e.* a Lieutenant Colonel, commanding a corps in the field, draws the full batta of Colonel; a Major, the batta of Lieutenant Colonel; and so with the other ranks.

Officers, holding the command of stations under the appointment of Government, draw the full batta of the next superior rank.

Officers, commanding bodies of troops consisting of two corps, in peace; and officers commanding brigades in the field, draw, in addition to their other allowances, Brigadier's allowance, being three pagodas, or 1*l.* 4*s.* per diem.

There is a monthly allowance granted to all officers, for the purpose of enabling them to provide quarters in peace, and camp equipage in the field; proportioned to their respective ranks.

The above allowances are exclusive of the allowances of the staff establishment, which are, at Madras, extensive.

The following statement shews the rates of batta in India, which allowance forms a part of the aggregate allowances, above stated.

INFANTRY. *	Half Batta, per Annum.			Full Batta, per Annum.		
	£.	s.	d.	£.	s.	d.
Colonel*	1140	12	6	1140	12	6
Lieutenant Colonel	456	5	0	912	10	0
Major	342	3	9	684	7	6
Captain	136	17	6	273	15	0
Lieutenant	91	5	0	182	10	0
Ensign	68	8	9	136	17	6

* N. B. Colonels always receive the same batta, in peace, and in the field.

(E.)

To the CHIEF SECRETARY of Government.

SIR,

HAVING been directed by the late Commander-in-Chief to prepare a report on the system for the provision and carriage of the camp equipage of the Native troops by contract, I entered into an examination of that subject, and submitted to Sir John Cradock a paper, containing the result of the consideration which I bestowed on it. That report received the unqualified approbation of the late Commander-in-Chief; who, in laying it before the Government, stated, that it was written in obedience to his

orders, and might be considered as the combined result of his own and my reflection. The report having been referred by the Governor, Lord William Bentinck, to the examination of some officers of talents and experience, met with their concurrence; and although his Lordship was disposed to entertain a favorable opinion of the contract system, he was convinced, by the reasonings stated in the report, of the erroneous nature of that system, and the expediency of repealing it. At the period of time when the report was approved by Lord William Bentinck, the removal of his Lordship from India left it on the hands of his successor, and as it corresponded with Mr. Petrie's sentiments, it was forwarded to Bengal; it received the approbation of the Supreme Government, and was finally carried into execution under the present Government.

It appears that soon after the publication of the orders for the abolition of the tent contract, a plan was formed by some Native corps, of preferring charges against me on the foundation of my report; and these charges actually arrived at head-quarters about three months ago. They were sent by the Commander-in-Chief to the Judge Advocate General; and that officer having entered into an extensive consideration of the subject, stated in decided terms

the illegality of the charges, and the absence of all grounds of proceeding upon them. The Commander-in-Chief was pleased to shew me the charges and the report of the Judge Advocate General; and I pressed upon his Excellency's attention the expediency of bringing the question to an early decision. and of submitting it to the Honorable the Governor in Council, as it was essentially connected with the arrangement and the authority of the Government. The Commander-in-Chief did not express a decided intention; the tendency of his opinions appeared to be, that I should be tried by a general court martial; but after repeated observations he stated, that as the Judge Advocate General had exhibited only one side of the question, he judged it expedient to refer it to the opinion of Mr. Marsh. Having renewed my application for a decision of the question, I was informed the day before yesterday by the Commander-in-Chief, that it was his intention to leave the whole matter to the consideration of his successor; and in about an hour after I received this assurance, the Deputy Adjutant General delivered to me a letter and a message from the Commander-in-Chief, directing me to consider myself as placed under an arrest, upon the charges which I have mentioned. I forward to you a copy of these

charges, of the letter delivered to me by the Deputy Adjutant General, of my reply, and of an answer which I have received from the Commander-in-Chief, and in which his Excellency has been pleased to state some of the reasons by which his conduct has been actuated.

The want of time disables me from stating the considerations connected with this subject, which it is my earnest desire to submit to the judgment of the Honorable the Governor in Council. The report, upon which the Commander-in-Chief, at the instance of some officers of the army, has placed me in arrest, was written by the special orders of the late Commander-in-Chief, was approved of by him, and declared in his minute which accompanied it, to be the result of his own reflection and mind, and it has been acted upon by the Supreme and Civil Governments; it is superfluous for me to state the deep injury which will inevitably be sustained by the discipline of the service, if a public staff officer shall be made responsible to a party of officers, for an official report written in the strict execution of his duty, and approved by all the authorities under which he acts. If such a course of proceeding shall be followed, no staff officer can ever venture to execute his duty with integrity and zeal; to point out abuses, or discover frauds, for the cir-

cumstance of being liable to the disgrace of an arrest and trial, for the discharge of public duty will deter many men from performing it. That proceeding will have the effect of making the army the judges of the propriety of continuing or repealing military regulations; the disadvantage, or the tendency to abuse of a system, can seldom be pointed out without insinuations being either stated, or understood, of a nature unfavorable to the conduct of the persons by whom the system is managed; and if the public officer who points out that disadvantage shall be liable to be tried by the persons whose interests are affected by his conduct, it is evident that the army, and not the Government, will be the judges of military arrangements; that no staff officer will submit to the Government a plan unpopular to the army, and that the greatest obstacles will be opposed to the reform of abuses, or the improvement of the service; a staff officer must embrace the alternative of either neglecting his duty, or exposing himself to the disgrace of a public trial, at the instance of officers who may expect impunity for their conduct, from their numbers, or from the uncertainty to which the event of all trials is subject. If any illustration of these observations should be necessary, the following case may be stated. It may be supposed that I had received

the most ample and authentic information of the abuses of the tent contract system, that this information was sufficient to convince my judgment, and that of the Commander-in-Chief, and the Government, of the necessity of annulling that system, although from the information being of a confidential nature, it could not be produced as evidence before a general court martial. It would have been my positive duty to state, that the tent contract system was replete with abuses; that statement would involve insinuations hostile to the integrity of the officers by whom the system was managed; and I may ask if I should be liable to the disgrace of a public arrest and trial for having declared what every obligation of my public duty demanded, and what circumstances must have prevented me from proving before a court martial.

But the report contains nothing of a nature injurious to the characters of the officers of the army; it is founded upon the general and immutable principles of human nature, and was not intended to apply to the actual conduct of any class of persons. The object of that report was to expose, on the general principles which constitute the great foundations of public regulation, the fundamental errors of a system which was calculated to disunite the interest from the duty

of the officers of the army, and not in any respect to advert to the mode in which that system has been executed. The justness of the general grounds which I adopted was sufficiently confirmed by experience; which had shewn that the contract system produced considerable advantages to officers commanding corps in garrison, and immense expenses in the field. That this system produced unfavorable effects on the military ardour of any part of the army, has never been stated; but it was an indispensable obligation of my duty, in officially reporting on the subject, to point out its tendency, under the operation of motives that too often influence human conduct, to produce such effects; and its disadvantage, therefore, as a permanent regulation. In preparing the report upon the tent contract, nothing was more remote from my mind than to state a sentiment in any respect adverse to the honor, integrity, and military virtue of any portion of the officers of the army; the report was entirely dictated by motives of public duty, and founded upon general grounds; and they who view it in a different light, mistake a course of reasoning from cause to effect, from principles to their probable consequences, for arguments founded upon statements of a description dishonorable to the army. I do not mean by these

explanations to disavow any part of the report, as I am still impressed with the strongest conviction of its justness and truth. If the report had never been submitted to the Government, it might have rested with the Commander-in-Chief to decide on the charges that are founded on it; but, as it now forms a part of the records and acts of the Government, any proceedings relative to it must necessarily be referred to their authority and decision. Considering myself responsible to my superiors only for the official opinion which I may be called upon to state in the execution of my duty, and the opinions which I stated relative to the tent contract system having been acted upon by the Government, I judge it to be a duty which I owe to myself, to the station which I hold, to the public service, and to the interests of my country, to submit my situation to the consideration of the Government, and to appeal to their justice for the support of my public conduct, and the vindication of my character.

I have the honor to be, Sir,

Your most humble

Fort St. George,
22d January, 1809.

And obedient servant,

(Signed)

J. MUNRO,

Quarter-Master General.

Lieutenant Colonel John Munro, Quarter-Master General of the army, placed in arrest by order of the Commander-in-Chief, on the 20th January, 1809, charged as follows, *viz.*

CHARGE.—We, the undersigned officers, do hereby charge Lieutenant Colonel John Munro, Quarter-Master General of the army, and Captain in the Madras European regiment, with conduct unbecoming the character of an officer and a gentleman, in the following instance, *viz.*

For having, in his proposed plan for the abolition of the tent contract, lately held by officers commanding Native corps, made use of false and infamous insinuations, thereby tending to injure our characters as officers, and injurious to our reputations as gentleman.

(Signed)

C. Rumley, Lieut. Col. Com. 5th Reg. Cav.

A. Sentleger, Lieut. Col. Com. 6th Reg. Cav.

P. K. Vesey, Lieut. Col. Com. 2d Bat. 6th Reg.

J. Knowles, Capt. Com. 1st. Bat. 3d. Reg.

Rt. Munro, Major 2d. Bat. 20th Reg.

Andrew Mac Dowall, Major 15th Reg.

H. F. Smith, Capt. Com. 2d Bat. 14th Reg.

P. Richardson, Major Com. 2d Bat. 2d Reg.

G. Lang, Major Com. 1st Bat. 13th Reg.
 Charles Lucas, Capt. Com. 2d Bat. 3d Reg.
 J. Durand, Lieut. Col. Com. 2d Bat. 8th Reg.
 G. Martin, Lieut. Col. Com. 1st Bat. 15th Reg.
 W. Orrock, Lieut. Col. Com. 1st Bat. 8th Reg.
 John De Morgan, Major 2d Bat. 22d Reg.
 J. P. Keasberry, Capt. Com. 2d Bat. 9th Reg.
 J. Lindsay, Capt. Com. 2d Bat. 22d Reg.
 J. M. Vernon, Major Com. 2d Bat. 12th Reg.
 J. Whitlie, Major Com. 3d Bat. 19th Reg.
 Alex. Muirhead, Major Com. 2d Bat. 18th Reg.
 G. Neal, Major Com. 1st Reg. Native Cav.
 H. Fraser, Major Com. 2d Bat. 5th Reg.
 M. Stuart, Major Com. 2d Bat. 17th Reg.
 C. Deacon, Major Com. 1st Bat. 16th Reg.
 C. Farran, Capt. Com. 2d Bat. 21st Reg.
 R. Fletcher, Lieut. Col. Com. 1st Bat. 12th Reg.
 G. M. Gibson, Capt. Com. 1st Bat. 10th Reg.
 J. Dunn, Lieut. Col. Com. 8th Reg. Cav.
 A. Floyer, Lieut. Col. Com. 3d Reg. Cav.

A true Copy of Signatures,

(Signed)

F. CAPPER,
Adj. General.

Countersigned by order of Lieutenant General
Macdowall, Commander-in-Chief.

(Signed)

F. CAPPER,
Adj. General.

Lieutenant Colonel MUNRO, Quarter-Master
General.

SIR,

Upon a re-perusal of the papers connected with the charges given in against you by a respectable body of the officers of the army, I have, in addition to what I informed you of this morning, found it necessary to order you to be placed under an arrest, and I shall recommend it to my successor to bring you to trial upon the charges preferred against you, as I find that, in the opinion of the Judge Advocate General, any court martial ordered to be assembled by me could only be confirmed by my own signature. I regret that this subject has not been sooner decided upon, but being desirous of obtaining every opinion, and a recent one of some importance having only been forwarded to me a few days ago, it was impossible to avoid delay.

I am, Sir,

Your very obedient servant,

(Signed)

HAY MACDOWALL.

Madras, Jan. 20th.

To His Excellency Lieutenant General
MACDOWALL, &c. &c. &c.

SIR,

I have received the letter and message which your Excellency has been pleased to convey to me through the channel of the Deputy Adjutant General; and I beg leave to inform you, that, in obedience to your commands, I consider myself to be placed under an arrest from this date. Having this morning expressed your intention to leave the whole subject of the charges preferred against me to the consideration of your successor; I cannot refrain from stating the sentiments of surprise that have been excited in my mind, at your adopting a step which is, in some measure, decisive of the question, and must contribute to embarrass the exercise of your successor's discretion, relative to the most advisable means of finally arranging a point upon which a diversity of opinion has existed. It is far from my wish to express an opinion regarding the nature of the proceedings which you have been pleased to follow; but a sense of public duty induces me to notice the extraordinary spectacle of an officer, holding one of the first situations under the Government, being placed in arrest

by a Commander-in-Chief, for a report prepared under the special orders of the preceding Commander-in-Chief, which the latter declared, upon record, to be the combined result of his own and that officer's reflection, and which has received the entire approbation of this and the Supreme Government.

Holding an appointment of importance under the Government, I have the honor to express a request that your Excellency will be pleased to communicate information to the Honorable the Governor in Council, of the measure which you have adopted, in order that arrangements may be made for the conduct of the departments which the Government have entrusted to my care.

I am, Sir,

Your obedient servant,

(Signed)

J. MUNRO

Quarter-Master General.

Fort St. George, 20th Jan. 1809.

Lieutenant Colonel Munro, Quarter-Master
General.

SIR,

Actuated but by one motive, an earnest desire to do justice to every individual under my

command, I had long deliberated on the uncommon and interesting case of the principal officers of an army, having given in charges against one of the general staff. I had endeavoured to obtain every information that might guide me in deciding, and if I have erred in the judgment, I cannot well be accused of rashness. In place of embarrassing my successor by the step I have pursued, I have so cleared the path that he cannot go astray. I think you should be tried; and if I had left the papers containing the charge, the several opinions, and the explanation, to General Gowdie, without putting you under an arrest, I should have left the door open to the possible introduction of undue influence and arbitrary power. The General has only now to assemble a court martial, which he will be enabled to do in a few days, and he is expected immediately here, and if you are acquitted, you will then have an opportunity of bringing forward those who have endeavoured to traduce your character.

I am, Sir,

Your very obedient servant,

(Signed)

HAY MACDOWALL.

Madras, Jan. 21, 1809.

To the CHIEF SECRETARY of Government.

SIR,

Conceiving that every officer holding a situation under the Government, has a right to appeal to their authority on points connected with his public conduct, and involving considerations connected with the authority and the measures of the Government, I judged it to be my duty to address a letter to the Secretary of Government through the channel of the Commander-in-Chief, on the subject of proceedings which have been instituted against me, in consequence of an official report, which forms a part of the acts and records of the Honorable the Governor in Council. The Commander-in-Chief having returned that letter, it has become my duty to transmit it to you direct; and in having recourse to this unavoidable measure, I beg leave to declare that I have no intention whatever of manifesting disrespect to the authority of the Commander-in-Chief. I also transmit a copy of a letter which I have received from the Commander-in-Chief. If the subject which I now submit to the decision of the Government had been purely of the military nature which the Commander-in-Chief is pleased to state, I

certainly should never have thought of appealing from his decision, but in the inseparable connection of that subject, with the arrangements, the authority, and the dignity of the Government, I trust that sufficient reasons will be found for the measure which I am now obliged to adopt.

I have the honor to be, Sir,

Your most obedient servant,

(Signed)

J. MUNRO,

Quarter-Master General.

Fort St. George,
23d January, 1809.

Lieutenant Colonel MUNRO, Quarter-Master
General.

SIR,

I have received your letter, and a packet, addressed to the Chief Secretary of Government, the contents of which I have perused.

As I cannot admit that the Honorable the Governor in Council can interfere in a question purely military, and which rests entirely on my own judgment, I cannot submit your remonstrance and appeal, as you are pleased to call it, to the Board, without compromising the high situation in which I am placed.

Had I conceived it at all necessary to have

resorted to the opinion of Government, I could myself have laid the papers before it ; but, after much reflection, I have, I believe, adopted a measure the least objectionable, and most likely to produce a perfect elucidation of the case.

I think it will be allowed, that your present attempt to make a reference to a Civil Government, is novel and unexampled, and striking a blow at the root of military authority, which cannot be sufficiently reprobated.

I trust that it will not be disputed, that I have the uncontrolled and unalienable right of judging of the conduct of every officer under my command, and I cannot but view your present application as extremely indelicate and disrespectful.

I am, Sir,

Your very obedient humble servant,

(Signed)

HAY MACDOWALL.

Madras, 23d Jan. 1809.

(F.)

To the ADVOCATE GENERAL.

SIR,

I am directed by the Honorable the Governor in Council, to transmit to you the enclosed papers, which have been submitted to

the Governor in Council by the Quarter-Master General of the army.

As it appears from the statement of that officer, that the charge preferred against him has been founded on proceedings which obtained the most formal sanction of the Government of Fort St. George, and of the Supreme Government, it is the desire of the Governor in Council, that you will state, with the least possible delay, your opinion respecting the degree of validity which a charge of that nature may be considered to possess, and the measures which it may be competent to the Government to adopt, under the circumstances of the case.

The several previous papers connected with the subject are transmitted for your perusal.

The Governor in Council, being desirous that a full consideration should be given to this question, it is his desire that you will communicate on the subject with the Judge Advocate General, to whom a copy of this letter has been forwarded.

I have the honor to be, Sir,

Your most obedient servant,

(Signed)

G. BUCHAN,

Chief Secretary to Government.

Fort St. George,
23d January, 1809.

(G.)

To the JUDGE ADVOCATE GENERAL.

SIR,

I am directed by the Honorable the Governor in Council, to transmit, for your information and guidance, the enclosed copy of a letter of this date to the Advocate General.

I have the honor to be, Sir,

Your most obedient servant,

(Signed)

G. STRACHEY,

Secretary to Government.

Fort St. George,
23d January, 1809.

(H.)

— To the CHIEF SECRETARY to Government.

Fort St. George.

SIR,

I have received your letter dated the 23d instant, referring to my consideration the papers submitted to Government by the Quarter-Master General, and desiring my opinion respecting the validity of the charges preferred against him, and respecting the measures competent to be adopted by Government upon the case. I have, according to the com-

mand of the Honorable the Governor in Council, communicated with the Judge Advocate General upon the subject to which your letter relates.

That officer, in addition to the papers furnished to me with your letter, has delivered to me his opinion, dated the 7th November last, upon the same subject, which I now inclose, and have no hesitation in declaring my perfect coincidence in the result of his very able and accurate investigation of the subject. He has furnished me with a copy of Sir John Cradock's minute upon the subject of the paper, against which the charges preferred against Colonel Munro are aimed. I am clearly of opinion that the paper in question does not contain any matter which can be the proper subject of the charge now preferred against him.

Where an individual thinks proper to come forward as the adviser and informer of the public authorities, he is bound, at his peril, to know, and to be able to prove, that he is well founded in his statements, where other individuals may be hurt by his suggestions. But Colonel Munro was placed in a situation in which he was bound to advise the Commander-in-Chief as to the state of the army, and to deliver his sentiments, such as they were, and from such sources as he might have opportunity of forming them,

liable, like all men, to be misinformed, or to err in his conclusions ; if he had been called upon to state his opinion, as to the conduct or character of any individual of the army, he was bound freely, fully, and conscientiously, to do so, and was entitled to protection in it, however hard that opinion might bear upon the individual. The regular and authorized adviser of the public authorities, becomes identified with the authorities which consult him. He is answerable to them, and to those superiors to whom they are answerable, but not to the persons whom these authorities have to control ; and against whom it may have been his duty to advise. I perfectly accede to the proposition of Colonel Minnro, that if the adviser of any public authority were to be amenable to the individuals affected by the advice given, no man could do his public duty with safety. But the paper complained of appears, and has already been shewn, from the report of the Judge Advocate General, not to contain even a charge against any individual officer or body of officers, but is merely a general statement of the situation of the army, with general reasoning upon it, in which the Commander-in-Chief and the Government fully acquiesce. Indeed, by the extract furnished me of the minute of the late Commander-in-Chief, it is

evident that the statements and arguments used in that paper are the result of the joint experience, as well as of the joint reflection of the Commander-in-Chief, and Colonel Munro. Those suggestions having been adopted in practice by the highest authority, are now its acts.

I am clearly of opinion that the charges founded upon that paper of Colonel Munro, at the instance of the officers affected by it, ought not to be sustained; and that Colonel Munro is entitled to the decided support and protection of the authorities under which he acted, to prevent his being brought to trial upon those charges; or perhaps it would be more correct to say, that the superior authorities are entitled to vindicate their acts from being questioned by those under their control, in the shape of a trial, of the advice under which those acts have proceeded.

The report of the Judge Advocate General, shews, in a very strong manner, the effect which such a trial might be expected to produce upon the discipline and subordination of the army.

From his information I am confirmed in supposing, that in ordinary cases the more regular course of correcting an embarrassment would be through the intervention of the Commander-in-Chief, by signifying to him the opinion and intentions of Government; but he agrees with me

in opinion, that if in any particular case a necessity should arise (of which Government are the only judges) to exert their indisputable supreme authority, directly and immediately, it is perfectly competent for them so to do, by discharging any officer from arrest, or such other measures as the exigency of the occasion may require.

I have the honor to be, Sir,

Your most obedient servant,

(Signed)

A. ANSTRUTHER,
Advocate General.

Madras,
24th January, 1809.

To the ADJUTANT GENERAL of the Army.

Sir,

I had the honor on the 1st instant to receive your letter, covering a charge against the Quarter-Master General of the army, Lieutenant Colonel Munro; and desiring, by orders of his Excellency the Commander-in-Chief, my opinion, whether the charges could be legally brought forward in their present form.

As, in the construction of law, the legal form is intimately connected with the substance, it became material to look into the whole circumstances of the case; and I was therefore induced, by my letter to you of the same date, to request to be

furnished with a copy of the paper alluded to in the charges; your letter, in reply, acquaints me, that you had sent the whole of the papers, as transmitted to head-quarters.

Having had occasion to see the Commander-in-Chief the same day, I was furnished by his Excellency with a copy of the paper in question.

As the case is altogether new and unprecedented, and involves in it questions of the greatest importance to military discipline. I have taken time to consider it with some attention; and in stating my opinion, I beg to be allowed the liberty of also submitting the grounds on which it is supported; and for the more clear apprehension of the whole, I shall observe the following order:

- 1st. To state the fact, or subject of the charge.
- 2d. To state the clear and established principles of law.
- 3d. To apply the law to the fact.
- 4th. To subjoin such general observations as may appear to arise out of the collateral considerations of the case.

1st. *As to the fact, or subject of the present question,*

It rests on the following charge:

“We the undersigned officers do hereby charge
Lieutenant Colonel John Munro, Quarter-

“ Master General of the army, and Captain in
“ the Madras European regiment, with conduct
“ unbecoming the character of an officer, and a
“ gentleman, in the following instance, *viz.*

“ For having in his proposed plan for the
“ abolition of the tent contract, lately held by
“ officers commanding Native corps, made use of
“ false and infamous insinuations, thereby tend-
“ ing to injure our characters as officers, and
“ otherwise injurious to our reputations as
“ gentlemen.”

This charge is signed by twenty-four officers commanding corps, and forwarded in a letter, dated from Bangalore, 25th of September last, addressed to Captain Macpherson, the Secretary to his Excellency the Commander-in-Chief, Lieutenant General Macdowall, and signed by the Honorable Lieutenant Colonel Sentleger, and Lieutenant Colonels Rumley and Martin.

The letter, after stating the injury they conceived they had suffered upon accusations which the Quarter-Master General has insinuated against them in his public report, adds, that a copy of the charge has been forwarded to the other divisions of the army, which in due course, they trust, will be transmitted to head-quarters.

As the charge is too generally stated to be

clearly understood, it became necessary to refer to the paper on which it was grounded, being the Quarter-Master General's report on the abolition of the tent contract.

The following is understood to be the offensive passage in that report—Thirdly, “ By granting
“ the same allowances in peace and war for the
“ equipment of Native corps, while the expenses
“ incidental to that charge, are unavoidably much
“ greater in war than in peace, it places the duty
“ and interests of officers commanding Native
“ corps, in direct opposition to one another ; it
“ makes it their interest that the corps should not
“ be in a state of efficiency fit for field service,
“ and therefore furnishes strong inducements to
“ neglect their most important duties.”

It appears that the late Commander-in-Chief, Sir John Cradock, addressed a letter on the 7th—of February, 1807, to Lieutenant Colonel Munro, as Quarter-Master General of the army, stating that the subject of the camp equipage had for a long time engaged his attention, and that the snbsisting arrangements were found erroneous.

He therefore requested, that he would, without loss of time, take this subject into his special consideration, and give him (the Commander-in-Chief) every assistance that might enable him to form a just judgment.

This letter is marked private and confidential.

The Quarter-Master General, in obedience to the above directions, enters into an examination of the existing system of camp equipage and carriage of the Native troops of the army, which he submits to his consideration in the form of a report, and forwards to him in a letter under an official address, on the 30th of June, 1807.

This report would appear to have been favorably received and approved of by the Commander-in-Chief, as the plan it suggested was afterwards in part, if not altogether, adopted.

The papers before me do not furnish means of tracing the further progress of the Quarter-Master General's report; but it seems known to have gone both before the Madras Government, and also that of Bengal; and will no doubt come in the regular course before the Honorable Court of Directors.

The duties of the office of Quarter-Master General, come naturally to be considered in this part of the case, for they are circumstances of fact.

As Quarter-Master General, the department of the camp equipage is peculiarly under his charge; and accordingly he is the proper person to advise the Commander-in-Chief on that head.

It was proposed in the second place to state the clear and established principles of law.

It may be assumed as a principle, that a Commander-in-Chief of an army, has a right to call for the advice and opinion of any officer under his command, on a subject of military arrangement under that officer's peculiar department; and the opinion so called for, is bound to be given, *bond fide*, according to his best abilities.

Wherever the law enjoins a duty, it protects the agent in the legal discharge of it. The legal discharge I take to be, where the act is done according to the usual and common course of things. On the other hand the law will not allow any one, under the pretence of duty, to do a wanton and malicious act. If it is necessary that men should be protected in the due discharge of their powers, it is equally so that they should not be allowed to pervert those powers to a bad end. But a regard to public conveniency has established certain bars to the hasty accusation of public officers; in order that they may not be intimidated from doing their duty. No action accordingly will be against a judge for any act done in his judicial capacity; nor against a grand jurymen; for presenting or finding a bill of indictment; nor

against a *petit* juryman, for his verdict; though the act done should be charged to be wrongful and malicious. This rule must have been adopted on the principle stated by Lord Coke, namely, that it would deter jurors from the public service, if they were liable to such an action in every case, where, in the opinion of the parties against whom they had decided, their decision proceeded from malicious motives. If such actions could be maintained, the multiplicity of them would render it impossible for a judge or juror to discharge the duties of his office. The exemption is therefore established on behalf of the public, and results from principles of policy and convenience. A private prosecutor, of a malicious prosecution, is liable to an action on the case, for a malicious prosecution in preferring such an indictment before a grand jury. Yet, if the same person, serving on the grand jury, were maliciously to present, or to find such an indictment, no action would lie. Thus, it is clear, that the same act done by the same person, and proceeding from the same evil motive, is or is not actionable, according to his acting in a private, or a public capacity. In Hawkins, (Pleas of the Crown) it is laid down, "That no one is liable to any prosecution whatever, in respect of any verdict given by him in criminal matters, either upon the grand or petit

"jury;" and he states the reason to be, "That they may not be biassed with the fear of being harassed with vexatious suits, for acting according to their consciences."

The following may be stated as clear law, *viz.*

No act done under the direction, and with the sanction of one authority, can be converted into a matter of crime, by any succeeding authority of similar and co-extensive powers, unless the act was, of itself, originally a crime by the general law of the land. The above are the more general principles of law; subordinate ones will come to be brought forward in the further course of the examination.

And now to apply the law to the fact or circumstances of the case.

It was observed, that wherever the law enjoins a duty, it protects the agent in the legal discharge of it. This principle applies to every state of society, but is peculiarly recognized in regard to words or writings, necessarily used to the disadvantage of others.

The essence of the present charge seems to be, that the report was a libel, or defamation. But, in order to judge how far it can be regarded as a culpable, or justifiable act, it may be proper to consider the general rules of law, as to that

species of offence, as they will furnish principles applicable to the present case.

“ Nothing shall be construed a libel which is
“ necessary in the course of legal proceedings, and
“ is relevant to the matter which is before the
“ Court. So no matter which is stated in any memorial or petition for the redress of grievances, and addressed in the proper channel, by which such redress may be had, that is, to the persons only who have power to give such redress, shall be deemed libellous. As where the defendant, being Deputy Governor of Greenwich Hospital, wrote a large volume, of which he also printed several copies, containing an account of the abuses of the Hospital, and treating the character of many of the officers of the Hospital, (and Lord Sandwich in particular, who was then First Lord of the Admiralty) with much asperity. He distributed the copies to the Governors of the Hospital only; but it did not appear that he had given a copy to any other person. On a rule for information for this as a libel, Lord Mansfield held, that this distribution of the copies to the persons only who were, from their situation, called on to redress the grievances, and had, from their situation, power to do it, was not a publication sufficient to make that a libel; and he seemed to think, that, whether the paper was

“ printed, or in manuscript, under these circumstances, made no difference.” (*Espinas's Nisi Prius*, p. 505, 6.)

This principle obtains, not only in regard to judicial proceedings in Courts of Law, but in respect to memorials presented to Parliament, or to other public bodies. Where a memorial or petition is presented to a Court of Justice, or to persons holding cognizance over the case, they are held to be the only judges whether the expressions it contains are proper or not; and such as they deem irrelevant, or too offensive, they will direct to be struck out, or censure the memorialist for having used.

The same principles apply to the present case. The observations of the Quarter-Master General arose out of the nature of the subject, and were made in the discharge of an official duty: neither were they made public, further than the necessity of the case required. The letter of the Commander-in-Chief is headed *private and confidential*. At the bottom of the copy, which I have received, there is subjoined: “ This letter was “ afterwards recorded on the proceedings of Government, as a public document.” But surely it did not become a public document, from the circumstance of being so recorded; for the proceedings of Government are not open to public

or general inspection, and access can only be had to them on an official application for some purpose of duty. An application to Government from any of the officers who signed the charge, for the purpose of examining how far they were personally injured by the report, would not, it is believed, have procured access to the records; at least during the period of former Governments, stronger personal grounds for inspection of papers have been refused. A Court of Justice will refuse a copy of their proceedings, in order to ground a criminal prosecution on, where they disapprove of the measure. In like manner a Government, it may be supposed, will refuse a paper from their records, where they conceive it as to be used to the detriment of an individual, whose conduct they have sanctioned; or if they should grant it at all, it will only be on a legal notice from a Court of Justice. But be this as it may, if the original letter from the Commander-in-Chief was private, the letter in reply to it must be considered equally so, as being a mere accessory or contingency to the first, and therefore following the nature of its principle. And the inferior officer could not well enjoin secrecy to the Commander-in-Chief, on the face of this letter, as he had done. There is, therefore, no ground for considering the letter as a paper open to the

public uses that has been made of it; and if the paper is not published, and acted upon by official authority, it must be considered as a surreptitious document from one of the public offices, which that office can interdict the further use of; the same as the Court of Parliament, or other Court, may interdict the publication of their records, until their permission in that respect is first obtained.

Government have, therefore, a clear right to stop all further proceeding, by their servants, as to that paper, it being part of one of their records in the secret and political department. Any servant refusing to obey their orders, in this respect, might be liable to forfeit their service: we give this as the extent of their legal powers; how far they may judge it proper to act on these, is entirely within their own discretion.

No act, it was observed, done under the direction, and with the sanction of one authority, can be converted into matter of crime, by any succeeding authority of similar and co-extensive powers, unless the act itself was originally a crime by the general law of the land.

A political measure being often only fit, or unfit, in reference to particular junctures or times, is always examinable by a succeeding Government, and adhered to or reversed on their

discretion. But a legal or moral question being at all times equally certain, is never drawn in question before a succeeding Government, where the former had sanctioned the act, unless the thing complained of was distinctly a crime, and had not been tried. Lieutenant Darke, of the Artillery, laid some complaint before General Clarke, as Commander-in-Chief, respecting a Court of Enquiry, that he conceived he had suffered by, during the period of Colonel Braithwaite's command of the army, his (General Clarke's,) answer was, that he supposed the former Commander knew his powers, and he was not come out to examine into the acts of his predecessors. I take this from memory, having no note of the transaction.

The principle in these cases is, first, that there is a certain period at which jurisdiction naturally commences; and secondly, that equals have no authority over equals. Thus a decree passed by one or two judges, cannot, in case of an appeal, be reversed but by a greater number, or by a higher authority. Error in Parliament can only be reversed there, because there is no higher authority.

That a positive crime, when committed during the period of a former Commander-in-Chief's command, and not then proceeded against, may

be prosecuted during the period of his successor's authority, is clear; unless proscribed by the King's articles of war. But where the matter is not of itself a declared crime by positive law, but only becomes so by inferences and constructive reasoning, and has arisen out of the act of the former Commander, it would appear to me very doubtful how far it could, on this new sense of things, become punishable. "Every member of society," (says *Baccaria*) "should know when he is criminal and when innocent," ch. XI. But it is impossible to know this, if an act is to be sanctioned by one Commander-in-Chief, and then regarded as a crime by his successors: for it is necessary that the thing should be regarded as a crime, before a criminal charge can be admitted in regard to it.

The great principle of military law, as handed down from the most ancient times, is, "Let there be no appeal in military cases. Let the order of the General who commanded be taken for just, and ratified." Such was the rule of the Romans, who best understood military discipline; and this principle we see adopted in courts of common law, who seldom or never admit of any military case being brought before them.

But to go more minutely into the actual merits of the present case. The Quarter-Master Ge-

general's crime consists, in having said, that the same allowances, in peace and in war, places the interest and duty of officers in direct opposition. It makes it their interest that their corps should not be in a state of efficiency fit for field service, and therefore furnishes strong inducements to neglect their most important duties.

It is to be observed in what capacity these words were spoken. They were given as a general principle for establishing certain laws for the government of a community; but is this a new observation that men's duties and interest should not be placed in opposition? "Those that have written upon Civil Government, (says an eminent author,) lay it down as a first principle, and all historians demonstrate the same, that whoever would found a State, and make proper laws for the government of it, must pre-suppose that all men are bad by nature, and that they will not fail to shew that natural depravity of heart, whenever they have a fair opportunity; and though it may possibly be concealed, for a while, on account of some secret reason, which does not then appear to men of small experience, yet time, (which is therefore justly called the father of truth,) commonly brings it to light in the end."

And the same principle is to be found in every

writer on Government; laws, we are told, are made to guard against what men may do, and not to trust to what they will do. Nor is the sentiment confined to barren generalities or speculative authors; it is adopted into vulgar daily practice, and the same principles delivered in nearly the same words, and applied to the same body of men, is to be found in a report delivered into the same Commander-in-Chief, only a few months previous to the date in question. It had been the practice for Government to allow officers commanding stations, a certain percentage on spirituous liquors, sold by the public agent, for that commodity. The consequence was, that the more liquor that was drunk by the men, the more fanams come to be shared by the commanding officers, on the yearly division of the profit. The head surgeon of the centre division conceived that this circumstance might, in some instances, encourage drunkenness, by inducing officers to wink at abuses; and he therefore, in one of his reports, suggests the expediency of this source of gain being done away, "because, (he says,) it can never be proper for a wise Government to place mens' duties in opposition to their interest." I quote from memory; but the above, I believe, will be found to be nearly the words used by Mr. Head

Surgeon Berry, in one of his reports on the centre division, for 1806.

The impression struck me the more forcibly, as a not incurious illustration of the various changes that the principles of our thinking undergo in a few years.

If the remarks of the Quarter-Master General are founded on principle, they cannot be regarded as criminal. The law of England (which is founded on good sense, and on inferences drawn from common life) never allows duty and interest to come in competition, because it believes that the latter will always prove too strong for the former. A man shall not be judge in his own cause; a juryman shall not sit where he has an interest; a witness shall not be heard where he would gain an advantage one way or other by the decision of a cause. Nay, he shall not be heard where he even supposed himself interested, or where his honor may be affected by the testimony he gives. These exceptions are urged every day against the individuals. The judge is objected to, the juryman is challenged, the witness is set aside; yet none of these thinks his credit affected. How then can those officers pretend to say that their characters is affected by a principle established by all political writers, and adopted by our laws as one of the safeguards of society.

Let us reverse the case: it has been given as a good rule for the examination of the justness of any proposition to reverse its principle, and then to view the amount. Supposing then, that the Quarter-Master General had used the converse of the proposition, and had expressed himself thus—"It is very true that this allowance puts mens' duties in opposition to their interest, but it is not to be supposed that they will allow the consideration of the one to affect the discharge of the other." Would such proposition have been held discreet and prudent in a public man? Would it have been considered as a proper principle in an officer, whose duty it was to control the of public money, and to check the sources of corruption? Has not the whole system of our service, and of every service in the world, proceeded upon this very principle, he is charged with using? Why were Muster-Masters formerly established? And why was the payment of the corps taken away from the Commanding Officer, and given to the officer commanding troops and companies; or why are so many forms and checks established for the cloathing, supplies, and management of an army, but upon the principle, that duty is but a feeble guard against interest and self-gain? Was it ever objected to the officers who proposed those

checks against corruption and abuses, that their plans were injurious to the character of the army. It may be true, that these checks are not perhaps necessary in many instances. The great body of an English army (and of this army in particular) will always be found to be men of honor and integrity; yet as exceptions are sometimes to be found in the characters of particular individuals, and as laws always speak a general language, and prescribe alike against all, the common arrangements must every where proceed, as if the whole community required the same check. How then can it be criminal in an officer to have acted and advised on this principle? A crime implies the violation of some law, the neglect of some duty, or the infringement of some moral principle; but he acted in conformity to the spirit of our law, in obedience to his duty, and in support of the moral principle, which will always be best supported by removing men from the temptation to do wrong.

Fourthly. It was proposed to subjoin such general observations as may appear to arise out of the collateral considerations of the case.

The liberty of discussing public measures has been always regarded as one of the first rights of society, but it is very immaterial whether that right

is to be controlled by the hand of power, or the combination of party.

In either case the effect is the same ; the present is an attempt to control the discussion of public questions in the councils of Government, and the Commander-in-Chief, by a combination of officers. It is impossible not to see the consequences of such an attempt: if they have a right to come forward in this instance, they have a right to do so equally in every similar one, where they find their interests or their feelings affected. What security then can any public officer have for doing his duty ? In the discharge of my own office, as public prosecutor, I have every day to contend against the vices and passions of society. Every other office that is intended as a check on these, has the same duty to perform; but what security can I, or any other officer, have against a criminal charge, if this one is tolerated? Under such circumstances, men in public stations will be afraid to act. Those, whom their office is intended to control, will insult and threaten them.

It may be said, that the number of names affixed to the charge calls more particularly for its being enquired into ; but the number of persons engaged in any act, does not therefore legalize it ; two or more imperfect things do not make one perfect. The number of signatures only shows

the spirit of combination, and the necessity of resisting it. Our laws expressly forbid tumultuous petitions; and the principle is still more applicable to a military society.

Wherever a trial has been irregularly demanded Commanders-in-Chief have always resisted granting it; unless on charges preferred by the immediate Commanding Officer against his inferior, whom he can order in arrest by his own act. The instances indeed of these refusals, are not so numerous as might perhaps be expected; because the case is not always submitted to the previous inspection of a Judge Advocate, which might prevent a number of irregular complaints being examined into; and which only occasion a needless expense, and interruption of the public service.

It may be thought, perhaps, that the Quarter-Master General's character can only be cleared up by a public enquiry. But every man's character is sufficiently cleared, when the law does not raise that presumption against him which is necessary to put him on his trial. All trial is an investigation of something that is doubtful; but here the fact speaks for itself; the legality of an official act, being proved by the act itself, where the superior authorities have ratified and confirmed it.

And there could be no honor in defending a charge which the accusers' had no right whatever to agitate or prefer.

(Signed)

J. LEITH,

Judge Advocate General.

Fort St. George,
7th November, 1808.

(I.)

To Lieutenant General MACDOWALL, Com-
mander-in-Chief.

SIR,

I have the honor to acquaint your Excellency, by desire of the Honorable the Governor in Council, that the Quarter-Master General of the army has laid before the Governor in Council a representation of the circumstances under which your Excellency has adopted the determination of placing that officer in arrest.

The Governor in Council directs me to state to your Excellency, that this event has excited in his mind the most painful feelings. It is impossible, at the moment of the dispatch of the fleet for England, to go into a minute explanation of all the considerations connected with it; but I am directed to suggest, in the most earnest manner, for your Excellency's consideration, that

the act on which it appears that the charge preferred against Lieutenant Colonel Munro has been founded, is now the act of the Government, having been approved and adopted in the most public and formal manner, both by the Government of Fort St. George, and by the Supreme Government. The Governor in Council is called upon, therefore, to state, that he can never give his concurrence to the exposure of a public officer to obloquy and degradation, for opinions which he may have expressed in the fulfilment of his public duty, approved and confirmed as those opinions have been by every competent authority.

The Governor in Council is at present unable to discuss the particular grounds of the opinions in question; but he thinks it proper to observe, that he has looked in vain for any just cause of complaint, that it might be possible, by any construction, to attach to them; and this consideration must add to the weight of public obligation imposed on the Government, to give its firmest support to an officer, against whom no other charge is apparently imputable than that arising from the faithful and conscientious performance of his public trust.

As it is impossible that the conduct of Lieutenant Colonel Munro can be submitted to the

cognizance of a court martial, on the charge now preferred, without involving a discussion and trial of the public measures of the late Commander-in-Chief, and of the Government, the Governor in Council might have been led to expect a previous communication from your Excellency on this important question; and the Governor in Council cannot but deeply feel the sentiments which have been expressed by your Excellency in some part of the papers now before the Government. The Governor in Council, however, under the pressure of the occasion, waves all considerations of this nature, and his views being solely directed to the means best calculated to preserve the foundations of public confidence, and of public authority, I have been commanded most earnestly to recommend to your Excellency the release of Lieutenant Colonel Munro from his present arrest.

I have the honor to be, Sir,

Your most obedient humble servant,

(Signed)

G. BUCHAN,

Chief Secretary to Government.

Fort St. George,
24th January, 1809.

(K.)

GEORGE BUCHAN, Esq. Chief Secretary of
Government.

SIR,

I am favored with your letter of this date, and have the honor to request that I may be favored with a copy of Lieutenant Colonel Munro's appeal to Government, which I only cursorily inspected when transmitted to me by that officer, and until I have perused it, I shall take the liberty to defer replying to the dispatch from you, written by the command of the Honorable the Governor in Council.

I am, Sir,

Your very faithful servant,

(Signed)

HAY MACDOWALL.

Madras, Jan. 25, 1809.

(L.)

To Lieutenant General MACDOWALL, Com-
mander-in-Chief.

SIR,

I am directed by the Honorable the Governor in Council, to acknowledge the receipt

of your letter of this date, and have the honor to transmit to your Excellency, by the desire of the Governor in Council, the original letter received from Lieutenant Colonel Munro.

It being an original paper, it is the request of the Governor in Council, that your Excellency will give directions for its being returned, when not further required.

I have the honor to be, Sir,

Your most obedient humble servant,

(Signed)

G. BUCHAN,
Chief Sec. to Government.

Fort St. George,
25th January, 1809.

(M.)

GEORGE BUCHAN, Esq. Chief Secretary to
Government.

Madras, Jan. 25th, 1809.

SIR,

It is not without a mixture of surprise and regret, I have perused your letter of yesterday's date, on the subject of the arrest of the Quarter-Master General: I was totally unprepared to receive from the Honorable the Governor in Council an implied censure on my

conduct as Commander-in-Chief of this army, and a direct interference from the Civil Authority with the only prerogative almost remaining in his hands, the power of judging of the propriety of bringing to trial every officer, who may be accused of crimes or misdemeanors; such interference, I presume to think, is unprecedented; and strikes me as encouraging a very dangerous example, by holding out to the army protection and support, in defiance of the judgment and authority of the person appointed by the Legislature to direct and control the department placed under his immediate charge: it reduces the articles of war to a dead letter, and is destructive of every military principle.

The charges preferred against Lieutenant Colonel Munro, by a body of respectable officers, after much reflection, I saw no correct method of disposing of, but by the measure I have adopted; it is the only legitimate method of affording him an opportunity of vindicating his character, and in that event, being the result of the deliberations of a court martial, he will then be enabled to bring his accusers to trial. They are answerable for their acts, and the perseverance with which they adhere to their purpose, has led me to imagine that they consider their proceedings as the best

adapted to relieve them from injurious aspersions.

Under this view of the matter, the observations of the Honorable the Governor in Council, in regard to the plans of the Quarter-Master General having been approved by Government, cannot occasion, on my part, any deviation from the line to be pursued, which is strictly military; nor can I evade bringing the question to issue, without compromising the honor of the whole army. I therefore very sincerely have to lament that I cannot comply with a recommendation so earnestly urged by the Honorable the Governor in Council.

I have farther to state, for the information of the Honorable the President in Council, that I shall direct a charge to be exhibited against Lieutenant Colonel Munro, for disrespect to the Commander-in-Chief, in presuming to address Government; it being contrary to established orders, subversive of military discipline, and in opposition to the customs of the service. To elucidate this subject, I have the honor to request you will submit to the Honorable the Governor in Council the accompanying extract of a letter from the late revered and lamented Marquis Cornwallis.

The warrant which I possess from his Majesty, and the commission I hold from the East India Company, guide me in the discharge of the important duties attached to my situation, and which vest in me certain rights and powers, which I cannot without danger, abandon.

Had any other process appeared to me practicable for lessening the difficulties of this disagreeable case, I should have been most happy in having had recourse to the mildest means for bringing it to a conclusion; but perhaps the Honorable the Governor in Council is not aware that, if Lieutenant Colonel Munro was released from arrest to-day, he would to-morrow, of himself, demand a trial, and, while his character suffers from the strong imputations against it, a court martial would be granted to him; it seems to be impossible to avoid a series of courts martial, and my judgment has led me to declare, that the Quarter-Master General shall be first tried. This officer endeavours to screen himself, by stating, that he holds a situation under Government, and presumes to deny the authority of the Commander-in-Chief; but the case is absolutely the reverse, as he is one of the principal staff of the person at the head of the army, and I deny that he can hold any communication but through the channel of his superior.

I have, at the desire of the Honorable the President in Council, returned Lieutenant Colonel Munro's original papers.

I have the honor to be, Sir,

Your very obedient, humble servant,

(Signed)

HAY MACDOWALL.

Extract of a Letter from EARL CORNWALLIS.
dated Fort William, 14th March, 1789.—
Recorded in the Office of the Adjutant General
of the Army.

“ I trust if it has not been already
“ done, that the Government of Fort St. George
“ will, upon mature deliberation, see the neces-
“ sity of recalling so indefensible a resolution ;
“ and before I conclude this letter, I must ex-
“ press my wish, that it would be recollected by
“ the civil and military department at Madras,
“ that the * Adjutant General of the Com-
“ pany's troops, on that establishment, cannot,
“ without the greatest irregularity, unless, as I
“ have already mentioned, the functions of the
“ Commander-in-Chief should be exercised by the
“ Board, have any direct communication with

* The Quarter-Master General is in the same predicament.

“ the Civil Government. He has no independent
“ authority of his own, but is only an executive
“ instrument in the hands of the Commander-in-
“ Chief, or of the senior officer of the troops, when
“ discharging, as at present, the duties of that
“ office, for circulating his orders to the army,
“ in the manner that he may think proper to
“ direct. All Minutes of Council, or Orders of
“ Government, that relate to the troops, ought
“ to be addressed directly to the Commander-in-
“ Chief, or senior officer ; and he alone should be
“ held responsible to Government for the purpose
“ of distribution, and effectual execution of them.

A true Extract.

(Signed)

F. CAPPER,
Adjutant General.

(N.)

To Lieutenant General MACDOWALL, Com-
mander-in-Chief.

SIR,

I am directed by the Honorable the
Governor in Council, to acknowledge the receipt
of your Excellency's letter, of the instant ; and
to express the request of the Governor in Council

to be informed, whether he is to understand from that communication, that it is your intention to decline a compliance with the orders of the Governor in Council, on the subject of the release of the Quarter-Master General from arrest; as under the explanation conveyed in the letter which I had the honor of addressing to your Excellency, by desire of the Governor in Council, on the 24th instant, the Governor in Council considered that communication to be equivalent to the expression of his orders on the subject.

The Governor in Council will be solicitous to receive your Excellency's early reply on this point.

I have the honor to be, Sir,

Your most obedient humble servant,

(Signed)

G. BUCHAN,

Chief Secretary to Government.

Fort St. George,
27th January, 1809.

(O.)

GEORGE BUCHAN, Esq. Chief Secretary to
Government.

SIR,

I am favored with your letter of this date, and lose not a moment to reply to it.

In my commission from the East India Company, it is stated that I am appointed Commander-in-Chief, at the Presidency of Fort St. George; subject however to the orders of the Governor-in-Council, but as in my humble judgment, this is meant to imply that such orders should be legal and constitutional, I do not see how I can yield up my military authority, without protesting against what I conceive to be an undue interference; this I am compelled to do in my own vindication, and to defend me from the displeasure of my Sovereign.

If under this protest, the Honorable the Governor in Council is pleased to persist in conveying to me a positive order that Lieutenant Colonel Munro shall be released, I must of course submit; by this act, the degradation of the Commander-in-Chief will be completed; and I shall most seriously lament that the Honorable the Governor in Council should have had recourse to so unexampled a measure.

I have the honor to be, Sir,

Your most obedient servant,

(Signed)

HAY MACDOWALL.

Madras,

27th January, 1809.

(P.)

To Lieutenant General MACDOWALL, Com-
mander-in-Chief.

SIR,

I am directed by the Honorable the Governor in Council, to acknowledge the receipt of your Excellency's letter, of this date; and to convey to you the orders of the Governor in Council, that you do forthwith release Lieutenant Colonel Munro from his arrest.

I have the honor to be, Sir,

Your most obedient humble servant,

(Signed)

G. BUCHAN,

Chief Secretary to Government.

Fort.St. George,
27th January, 1810.

(Q.)

GEORGE BUCHAN, Esq. Chief Secretary.

SIR,

I have the honor to forward to you for the purpose of being laid before the Honorable the President in Council, a memorial from almost the whole of the officers in command of the Native

corps under this establishment, which they request -
may be transmitted to the Honorable the Court
of Directors.

I beg leave to state, that I had not seen this
memorial at the time I directed Lieutenant Co-
lonel Munro to be placed under an arrest, upon
charges preferred against him by these officers.

I have the honor to be, Sir,

Your very obedient humble servant,

(Signed) HAY MACDOWALL,
Lieut. Gen.

Madras, Jan. 28, 1809.

(R.)

To Lieutenant General MACDOWALL, Com-
mander-in-Chief.

SIR,

I am directed by the Honorable the
Governor in Council, to acknowledge the receipt
of your Excellency's letter of this date, and to
acquaint you that, under the orders recently
passed on the subject of the charge preferred
against the Quarter-Master General of the army,
the Governor in Council considers the tenor of
the memorial transmitted with your Excellency's
letter to be objectionable, and improper to be

submitted to the Honorable Court of Directors ;
I have accordingly the honor to return the memorial, by desire of the Governor in Council.

I have the honor to be, Sir,

Your most obedient humble servant,

(Signed)

G. BUCHAN,

Chief Sec. to Government.

Fort St. George,
28th January, 1809.

(S.)

Extract from a Report addressed by the JUDGE
ADVOCATE GENERAL, to the Government of
Madras, dated 20th February, 1809.

THE General Order of the 28th of January, which the Commander-in-Chief issued, but which was not known to Government until his departure, was unhappily calculated (with whatever intentions it may have been issued) to set the army at variance with the Supreme authority.— It sets at defiance the orders of Government, by expressly declaring, that he would have brought Lieutenant Colonel Munro to trial, for having brought his case before them. By ascribing to that officer “ a conduct destructive of subordination, subversive of military discipline, and in

“ violation of the sacred rights of the Commander-in-Chief, &c.” it, in effect, imputes the operation of all those mischiefs to the Governor and Council, by their act of sanctioning and receiving Colonel Munro’s reference. This direct counter-action, on the part of the Commander-in-Chief, was flying in the face of Government: setting their authority at defiance in every orderly-book in the army; and rousing its feelings by every impulse to indignation and resentment, at what they had done.

After the Quarter-Master General had made his reference to Government, and they had admitted and approved of it, the Commander-in-Chief ceased to have any further cognizance of the question. The case had passed away from his jurisdiction to an higher authority; he could not therefore longer act in reference to it. Supposing for instance, that a party having a cause in an inferior Court, should appeal to a superior tribunal; after the higher Judge had admitted the appeal would it be competent for the inferior to threaten him with a trial; and to reprimand and insult him for the very act of having made it. In civil life this would be regarded as an outrage against all law and good order; and a reflection on the superior tribunal, that would not be tolerated for a moment.

After the extreme irritation which the order has now occasioned in the army, it may be thought superfluous to have spoken so fully to the import of it, which is sufficiently proved by its effects.— But it seemed proper to estimate the nature of the order, both from the words itself, and from a reflection on the feelings and present temper of those it was addressed to. For it would be no alleviation to say, that the agitation it has occasioned has been greatly owing to the present temper of the army; as that very circumstance ought to have induced a more than ordinary precaution in issuing it.

It now remains to observe on the conduct of the Adjutant General's office in this case. The situation of Adjutant General has always been thought the most important of any in our army; and great care has accordingly been taken to fill it with officers of the first talents and prudence. Indeed from the circumstance of the Commander-in-Chief being so often an officer from his Majesty's service, and a stranger to the manners and local usages of the country, nothing but the circumstance of his being assisted with sound and prudent counsel, in the person of his immediate adviser (the Adjutant General), could so long have ensured that good order and discipline which has prevailed. Colonel Capper, and his

deputy, Major Boles, ought to have been fully aware, on the present occasion, that the above order was fraught with the most mischievous consequences. And it was therefore their clear duty to have demurred to the issue of it. For I do not conceive that the illegality of an order consists in its being specifically forbidden by express law. Whatever is subversive of military discipline and civil obedience, is always illegal; whether such particular thing may, or may not, have been forbidden by any express law. The order in question went to subvert the very fountain of discipline and good order. For if soldiers are to be taught counteraction and contempt of the civil power, the first principles of all government is cut up by the roots. By the warrant of the Commander-in-Chief, the officers, &c. of the army are required to pay him "*due obedience.*" A limitation, which must always be implied in every country governed by civil laws. He himself is rendered "subject to all such rules, orders, and instructions, as he shall receive from the Governor and Council of Fort St. George."

It were needless to observe, that, under an English Government, an officer is only justifiable in obeying a legal order—a distinction implied by the articles of war, and recognized in daily practice.—These officers accordingly

ought to have demurred to the order. The General, we may suppose, would not have been disposed to push things to extremity. For though men in power are sometimes glad to find apt instruments to anticipate their wishes, they will hesitate to give positive orders for violent acts, where they see they are unwillingly obeyed. On these occasions, it is sufficient to be understood; any hint of this sort is always enough: for it must be rare, indeed, that a commander, under an English Government, will both intend to violate the law, and force his officers to do so.

The President in Council, accordingly, on finding that the first copy of the order which he had occasion to see, was countersigned by the Deputy Adjutant General, immediately declared that officer suspended from the service. It is usual, on such occasions, to notice, that the suspension is made until the pleasure of the Court of Directors is known; but as it was the intention, as I understood, to have restored Major Boles to the service, the moment that any proper explanation or apology was made by him, and which was naturally expected, no period was fixed for the suspension. It had been easy for Major Boles to state, had such been the case, that he hesitated as to the issuing of the order, but was

compelled by positive orders ; or to have apologized, by saying that he had done it in the routine of duty, without adverting to the consequences, and without any intention of being guilty of disrespect to Government ; but not one word of explanation was offered.

The plea of Colonel Capper, the Adjutant General, that he must either have complied or been exposed to the penalties of military law, appears altogether groundless. I know of no penalties for the rejection of an illegal order ; to an officer, who used a similar plea before an English Court of Justice, by saying, " I am to obey all my superior officers, that is my commission ; or if I do not, I die by the laws of war." He was told by the Court, " You are to obey them in their just commands, all unjust commands are invalid." (*State Trials*, Vol. I. p. 901.)

And the principle is distinctly recognized by every legal authority, as to commands, that are on the face of them, illegal, or of a mischievous tendency.

" The constitutional maxim, that the King can do no wrong, is balanced by another maxim not less constitutional, that the illegal commands of the King do not justify those who assist, or concur, in carrying them into execution. All,

“ who either concur in an illegal order, by authenticating its publication, with their seal or subscription, or who in any manner assist in carrying it into execution, subject themselves to prosecution and punishment, for the part they have taken; and are not permitted to plead or produce the command of the King, in justification of their obedience.” (*Palcy's Principles of Political Philosophy*, Vol. II. p. 228 and 9.)

Obedience is, no doubt, the duty of a soldier; but his first obedience is due to the civil laws of his country, and his second to the military.

A departure from this principle is always dangerous. It was forgot in the revolution against a former Governor, (Lord Pigot,) which it chiefly occasioned; but adhered to, during the troubles of Lord Macartney's Government, and it accordingly prevented some destructive consequences, which otherwise might have ensued. It will rarely happen, that any violent measures are ordered by a regular Government. But an ill-advised Commander-in-Chief, being a single person, and generally of a temper more fervent and professional, might, at the head of a discontented and clamorous soldiery, be the occasion of the most pernicious consequences, if once it were admitted

that every dictate of his caprice was law, and that the Civil Government might be insulted with impunity and triumph.

(T.)

MADRAS GAZETTE, of the 24th January, 1809.

Extract of a letter from Masulipatam, dated the 1st January.

On the morning of the 24th December, the General reviewed the Madras European regiment, which, after passing in review, performed a variety of manœuvres, and at the conclusion, his Excellency was pleased to address Colonel Taylor, at the head of his regiment, nearly as follows :

“ Colonel Taylor, in performing a necessary
“ part of my duty, by reviewing the different corps
“ on this establishment, it was my particular wish
“ to see those in the Northern Circars, and particularly the Madras European regiment: from
“ many circumstances, this regiment has, in a
“ manner, been overlooked; indeed I may say,
“ neglected; placed in a corner of this extensive
“ country, it has seldom had its practice of duty
“ with the other corps of the army.

“ Notwithstanding these circumstances, from
“ my knowledge of your zeal and ability, Colonel

“ Taylor, I was confident I should find this corps
“ in the high state of discipline it has this morning
“ evinced ; and it shall be my business, as much
“ as lays in my power, to let the service benefit
“ from this state of discipline, by calling it into
“ more general notice, for I know that this state
“ of inactivity must be painful to the feelings of
“ honorable gentlemen and officers, and painful
“ to the feelings of brave soldiers. Indeed
“ I am at a loss to know the reason for this
“ neglect. This regiment has always been forward
“ for its courage and loyalty ; you are composed
“ of the same materials as the other European
“ corps in the service, and I am certain that the
“ same brave and generous spirit actuates you.”

(U.)

To the Right Honorable Lord Minto, Governor
General, &c. &c. &c.

The respectful Memorial of the Officers of the
Madras Army.

Humbly sheweth,

That your memorialists, deeply im-
pressed with the sense of the duty which they
owe to their country, earnestly implore your

gracious interference for the purpose of correcting a system which has occasioned the most serious alarm, lest the rules and ordinances which define their place in the community, be completely subverted.

Your memorialists are not influenced by extravagant notions of freedom, or by any ideas of independence, inconsistent with the rigid subordination, which characterizes their profession, and is essential to its existence. They do not expect, nor do they ask for, the relaxation of any tie, or the dissolution of any bond, by which the stupendous fabric of an extensive army is sustained in a state of subserviency to the Supreme Power of the constitution, of which it forms a part, being justly sensible that inconsiderate indulgence or immunity engender habits of licentiousness, necessarily tend to destroy the principle of military discipline, and to render that body, which was formed for the protection of the State subversive of its tranquillity. But your memorialists, the free children of that country, which, while the rest of Europe is enslaved, boasts a constitution, the basis of which is liberty; your humble memorialists, not the abject slaves of a country enthralled by despotism, respectfully assert a claim to certain rights and privileges, the enjoyment of which may be allowed to them,

without impairing or encroaching on the dignity of Government, or in any way interfering with the other departments of the State.

Your memorialists have to lament generally, that, although their body is now extremely numerous, and the question regarding their duties, their claims, and their privileges, so multifarious as to require the assistance of practical experience in discussing the merits of them, yet they have not a representative in the Council of Government, where alone the discussions can be agitated. To this cause may be ascribed the recent measures which makes it necessary for your memorialists to implore your gracious interposition, as they are directly subversive of those principles of honor and discipline, which harmonise and cement the constitution of a military body; and are, at the same time, grossly insulting to the general character of the military profession.

A succinct notice of these measures will amply develope the principle by which your memorialists estimate the injuries they have already received, and the further abuse of authority which they have reason to apprehend; unless the system so manifestly hostile to the honorable feelings of a military body, be seasonably checked. It may be already known to your Lordship, that Lieutenant Colonel Munro, a member of the body

to which your memorialists belong, having incurred the suspicions of having acted in a manner that was most generally considered to have been criminal, was openly and publicly impeached by a considerable number of respectable officers, who preferred military charges against him. This measure was adopted, in the hope that a candid examination, before the honorable tribunal of a court martial, might confirm the supposed guilt, and lead to adequate punishment; or, if guilt really did not exist, that, purified by that ordeal, he might return to a place in that society, in which, as must be well known to your Lordship, suspicion is considered equivalent to infamy. In consequence of the charges, and by virtue of the warrant which gave to the Commander-in-Chief, and to him only, the judicature over the Madras army, and vested in him alone the jurisdiction of it for the time being; Lieutenant General Macdowall placed Lieutenant Colonel Munro under arrest, from which arrest he has since reluctantly released that officer, in consequence of the interferences of the Civil Government, who have thus disunited the chain, upon the integrity of which the principles of military subordination depend; for if the source from whence authority and subordination flow to all the members of the military body be violated, the subordinate

branches, which derive their existence from it, must lose their virtue.

Viewing the interference of the Civil Government to check the prescribed laws of military dependence, as a dangerous innovation and infringement of the solemn laws of the army, your memorialists perceive in it the seeds of unlicensed confusion and anarchy.

No desultory exercise of arbitrary power, however severe, can be expected to restrain the passions or feelings of enlightened men, although it may distress and mortify individuals. The doubt regarding its legality, and the pernicious principles, by which it must ever be regulated, deprive it of that authority and respect, which, attached to an established system of jurisprudence, sanctioned by the Legislature, by prescription, by habit, and by the feelings of those actuated under its influence.

In order to vindicate the character of his profession, and to maintain ~~the integrity of the~~ military authority over those under his command, Lieutenant General Macdowall directed the publication of a General Order, conveying a reprimand to Lieutenant Colonel Munro, for disrespect to his Commander-in-Chief, in not abiding by the regular course of enquiry laid down for similar cases.

As the former act of Government had proclaimed to the army that Lieutenant Colonel Munro was not amenable to military law, on this occasion; that officer was declared to be superior to the control of the Commander-in-Chief, by the publication of an order, in which Lieutenant General Macdowall is stigmatized with the reproach of having acted in a manner, derogatory to the character of Government; and subversive to military discipline and the foundations of public authority; although the order of General Macdowall refers merely to the disrespect, the disobedience of orders, and contempt of military authority, manifested by an officer, who was not only under his general control, as belonging to the army which he commanded; but who, attached to his immediate staff, owed him particular respect and obedience.

Your memorialists, accustomed to judge of the acts of military men, as referable to the standard of right and wrong, which has been established by the Legislature, for the control of their body; cannot discover any relation between those orders of Government, and the rules and discipline of subordination. Equally subversive of the foundation of authority is that resolution of Government, by which the Adjutant General, and his deputy, are ignominiously suspended from the service, for

having obeyed the orders of their Commander-in-Chief; which obedience is stated to be a direct violation of the duty of those officers towards the Government.

It must be painful to your Lordship, as it is to your memorialists, to contemplate the possible consequences of a proceeding, equally unprecedented ~~as it is~~, unaccountable by any other rules but those of blind prejudice, or deluded infatuation.

Your memorialists perceive a **Commander-in-Chief**, who has long lived among them, who was personally beloved by many, and was known by all to have manifested great forbearance; under circumstances extremely mortifying, from the conduct which the Government observed towards him.

They perceive the character of such a man grossly calumniated, while their regret for his departure was yet fresh. They see two officers of high rank, character, and respectability, publicly degraded; deprived of their particular rank; and suspended from the service; for having obeyed their Commander-in-Chief, in signing and publishing an order, written by himself, for the purpose of vindicating the dignity of his military authority, which had been flagrantly violated by one of his own staff, who

openly defied and disregarded the Supreme Military Commission. They perceive this officer, who had been publicly impeached, under charges of a serious nature, and who had insulted his Commander-in-Chief, shielded from the natural effects of such misconduct, by the interference of Government. Your memorialists cannot avoid declaring, that they perceive, in this inversion of the fundamental laws of discipline, a most dangerous infringement of the military code; that bulwark which preserves a State from the licentiousness of an armed rabble, and protects a disciplined army from the insults of an arbitrary power; a power subject to no control, except the caprice or prejudice of an individual, and your memorialists feel a just alarm, lest the repetition of acts which are not guided by any rule, may tend to wean their affections, and dispose them to consider as enemies, those whose situations should make them their friends.

Your memorialists have learned with indignant regret, that their enemies, and the enemies of their country, have represented as public disaffection, the discontent produced by local and partial injuries arising from the present system; but they confidently appeal to the zeal and ardour with which a large proportion of them are now discharging the most arduous duties in the service

of the State. They appeal to the moderation with which they have stifled those feelings which the recent conduct of the Madras Government was calculated to inspire; and while they declare their inviolable attachment to the Constitution under which they serve, and to the profession, as regulated by its own laws, they cannot suppress the expression of their concern at the manner in which the exclusive rights of the army have recently been violated; and of their sanguine hope and earnest entreaty, that the Supreme Government may, in its wisdom, be induced to appease their just claims, and to anticipate the extreme crisis of their agitation, by releasing them from the control of a ruler, whose measures, guided by the council of their implacable enemies, are equally detrimental to the interest of the State, as they are repulsive to the feelings of a loyal and patriotic army.

January, 1809.

(W.)

GENERAL ORDERS,

Head-Quarters of the Army, Choultry Plain,
1st May, 1809.

The Honorable the Governor in Council
having addressed the subjoined Orders to Major

General Gowdie, commanding the army, to be published to the army; they are accordingly published in Military Orders.

Fort St. George, the 1st of May, 1809.

G. O. By the Honorable the Governor in Council.

The zeal and discipline by which the military establishment of Fort St. George had long been distinguished, induced the Governor in Council to expect that the measures which the violent and intemperate acts of the late Commander-in-Chief had imposed on the Government, would be received by all the officers of the army with the sentiments of respect and obedience prescribed by the principles of military subordination, and due to the Government by which those measures were adopted, as well as to the authorities to which they were ultimately referred. The Governor in Council has however learned with a degree of surprise proportionate to the confidence which he reposed in the discipline of the army, that soon after the departure of the late Commander-in-Chief, proceedings of the most unjustifiable nature, and correspondent to the example which he had afforded, were pursued by certain officers of the army.

The most reprehensible of those proceedings

consisted in the preparation of a paper addressed to the Right Honorable the Governor General, purporting to be a remonstrance in the name of the army against the acts of the Government under which it serves. That paper is not more hostile to the authority of this Government than to the first principles of all Government.

It maintains opinions directly adverse to the constitution of the British service, and is calculated to destroy every foundation of discipline, obedience, and fidelity. The secrecy observed in preparing this seditious paper, prevented for some time the discovery of the persons engaged in that proceeding. But it has now been ascertained that Captain Josiah Marshall, late Secretary to the Military Board, and Lieutenant Colonel George Martin, lately permitted to proceed to England, were principally concerned in preparing and circulating the memorial in question; and that Lieutenant Colonel the Honorable Arthur Sentleger was active in promoting its circulation; employing the influence which he derived from the important command confided to him by the Government, for the purpose of attempting the subversion of its authority; and spreading disaffection among the troops which it had entrusted to his charge.

It has also been ascertained, that Major John

De Morgan has been active in the circulation of the memorial.

The Governor in Council is also under the necessity of noticing another paper of a most dangerous tendency, lately in circulation at some of the military stations, purporting to be an address from the officers of the army to Major Boles, the late Deputy Adjutant General. In this address a right is assumed to decide on the acts of the Government, by condemning, in unqualified terms, the sentence of suspension passed on Major Boles; and an encouragement is held out to other officers to violate their duty to the Government, by affording a pecuniary indemnification not only to Major Boles, but to all such officers as shall suffer by any act of the Government, which the subscribers to the address may deem exceptionable. This paper, so incompatible with the military character, and so repugnant to the first principles of military discipline and government, was forced on the attention of the Governor by Captain James Grant, Commandant of his Body Guard; who, while holding that confidential situation, and employed by order of the Governor in Council, under the Resident at Travancore, transmitted a copy of the paper to be laid before the Governor, with an avowal that he had affixed his signature to it, and a defence

of the grounds on which he adopted that proceeding.

It has also been ascertained, that a paper of a similar tendency has been circulated among the officers of the corps of artillery at the Mount; and that its circulation has been promoted by Lieutenant Colonel Robert Bell, the officer commanding that corps.

The Governor in Council regrets that he is obliged to notice also the conduct of Lieutenant Colonel Chalmers, (commanding in Travancore) and Lieutenant Colonel Cuppage, (lately commanding in Malabar, and employed with the troops, under his orders, in Travancore); who appear to have taken no steps whatever, either to repress, or report to the Government, the improper proceedings pursued by part of the troops under their orders. It is not sufficient for officers holding commands, to avoid a participation in such proceedings; it is their positive and indispensable duty to adopt the most decided measures for their suppression, and to report them to their superior authorities.

It has further been ascertained that Captain J. M. Coombs, Assistant Quarter Master General in Mysore, has been concerned in these reprehensible proceedings.

It becomes the painful duty of the Governor in

Council, to mark with the displeasure of the Government, the conduct of the above-mentioned officers; who have been engaged in a course of measures, equally dangerous to the existence of discipline, to the foundations of legal government, and to the interests of their country.

The under-mentioned officers are accordingly declared to be suspended from the service of the Honorable Company, until the pleasure of the Honorable the Court of Directors shall be known.

Lieutenant Colonel the Honorable Arthur Sentleger.

Major John De Morgan,
Captain Josiah Marshall, and
Captain James Grant.

Lieutenant Colonel Commandant Robert Bell, is removed from all military charge and command, until the pleasure of the Honorable the Court of Directors shall be known; but he is permitted to draw his regimental pay and allowances.

Lieutenant Colonel Commandant Chalmers, is removed from the command of the subsidiary force in Travancore.

The under-mentioned officers are removed from their staff appointments, and ordered to join the corps to which they stand attached.

Lieutenant Colonel Cuppage, Adjutant General; and Captain J. M. Coombs.

• The Governor in Council considers it to be proper to avail himself of this occasion, to correct a misapprehension highly dangerous in its tendency, which has arisen in the minds of some of the officers of the army, with regard to the nature of the authority of the Governor in Council. This misapprehension appears to have originated in the General Order, published by the late Commander-in-Chief, on the 28th. of January last, from which it might be inferred that the authority of the Governor in Council is only of a civil nature, whereas, by the express enactment of the Legislature, the entire Civil and Military Government of the Presidency of Fort St. George, and its dependencies, is vested in the Governor in Council. It is therefore to be distinctly understood, that no officer, of whatever rank, while serving under the Presidency of Fort St. George, can, without incurring the penalties of disobedience to the Legislature of his country, issue any order in violation, or to the derogation, of the authority of the Government; and that every officer, complying with an order of that description, under any pretence whatever, renders himself liable to the forfeiture of the service, and to such legal penalties as the nature of the case may demand.

While the Governor in Council deems it to be

proper to afford the foregoing explanation, he feels himself, at the same time, bound to acknowledge, that the principles to which he has adverted had never been called in question until the publication of the above-mentioned order of the late Commader-in-Chief: on the contrary, these principles have been invariably acted upon by the Government, and by the officers of the army of this Presidency, who have been no less distinguished for their obedience and discipline, than for their achievements in the field.

The Governor in Council also experiences the most sincere satisfaction in publishing his conviction that the majority of the army have resisted all participation in the improper and dangerous proceedings described in this order; and it is an act of justice to the troops of his Majesty's service, to declare his entire approbation of the order, discipline, and steady adherence to duty, which they have invariably manifested. The information before the Government does not enable the Governor in Council to distinguish by the expression of his approbation, all the troops of the Company's service that have manifested the same dispositions: but he deems it to be proper to notice, on this occasion, the satisfactory and exemplary conduct of the part of the army composing the Hyderabad subsidiary force. The

Honorable the Governor in Council is also confident that such officers as have inadvertently yielded to the misrepresentations of individuals who have been engaged in the prosecution of designs equally fatal to the honor and to the interests of the army, will in future manifest in the service of the Government the obedience, fidelity, and zeal, which constitute the first principles of their profession; which have hitherto distinguished the army; and which are indispensable to the prosperity of the British empire in India.

By order of the Honorable the Governor in Council,

(Signed)

A. FALCONAR,

Chief Secretary to Government.

By order of Major General Gowdie, commanding the army.

A concise Account of the Events of the Rebellion at Madras.

THE Author of the preceding Publication having recently seen different late papers connected with the mutiny in the army of Madras, he has been induced to state, for the information of the reader, a general outline of the circumstances of the rebellion, preparatory to a more detailed account of that event.

In the general order published by the Government of Fort St. George, on the 1st of May, 1809, particular approbation was expressed of the "order, discipline, and steady adherence to duty," which had been manifested by his Majesty's troops. The conduct of the subsidiary force at Hyderabad, in not having signed some of the inflammatory papers which had been circulated in the army, was also mentioned in terms of approbation. This circumstance, however, produced an effect very opposite from that intended, and which might have been reasonably expected. Instead of being gratifying to the feelings of the officers serving with that force, it was resented by them in a way that evinced they were very far from meriting the flat-

tering testimony, and which plainly shewed that the spirit of disloyalty and disobedience had spread wider than the Government then apprehended.

The following letter, subscribed by the officers of the subsidiary force, was addressed and circulated by them to the other officers of the Company's army, for the purpose of resenting the supposed insult which they had received from the Government :

“ Gentlemen,

“ In the late Government orders, dated May
“ the 1st, the conduct of the officers of this force,
“ with respect to the late occurrences, is particularly mentioned in terms of approbation.

“ This unexpected compliment may, probably,
“ have impressed our brother officers throughout
“ the army with the idea that we have approved
“ of those acts of Government to which the orders refer, and that we are divested of those sentiments and feelings which have been excited throughout the army.

“ Under these impressions, we feel it a duty incumbent on us to declare, that we have perceived,
“ with the most lively emotions of concern, those
“ extreme acts of power and extension of authority by which so many valuable and respectable
“ officers have been displaced from their com-

“mands, and suspended the service; and while
 “we assure you of our resolution to contribute to
 “the support of those officers who have incurred
 “the displeasure of Government for their exertions
 “in a cause which we must pronounce to be just,
 “we shall be ready to contribute in any legal
 “measures of temperance, dignity, and firmness,
 “which may be thought effectual to remove the
 “cause of the present discontent, and to restore
 “our brother officers to the honourable situations
 “from which they have been removed.”

In the same spirit as dictated the above letter,
 the officers of the subsidiary force addressed, by a
 direct communication, the following letter to the
 Government, in which distinct intimation is given,
 in a very high tone, of the probability of a sepa-
 ration of the military from the civil authority.

“To the Honourable Sir George Barlow, K. B.
 Governor in Council, Fort St. George.

“Honourable Sir,

“The undersigned officers of the Hyderabad
 “subsidiary force, viewing with the most poignant
 “sensations of grief and concern the present un-
 “exampled and alarming crisis, conceive it a duty
 “incumbent upon them, as forming a consider-
 “able and respectable part of the coast army, and

“ consistent with that anxiety they feel for the public interest and welfare, to come forward at this period with a proffer of their sentiments to Government.

“ The late acts of government, and particularly the order of the 1st of May, have excited such a serious degree of alarm and apprehension throughout the minds of the officers of the army, that they fear nothing but some act of conciliation on your part can tend to lessen or remove it. This order, Sir, removing from their situations, and involving in disgrace, so many valuable and respectable officers, for their zeal and exertions in a cause which their acts have rendered sacred to the army, has excited such great and general irritation, that we have strong reasons to fear the most fatal and disastrous consequences. Under these impressions we feel compelled to make some efforts to avert the evils we see impending, or what may be the possible and probable consequences---the separation of the civil and military authorities; the destruction of all discipline and subordination amongst the native troops; the ultimate loss of so large portion of the British possessions in India; and the dreadful blow it will inflict on the mother country---These, Sir, are the fatal prospects we foresee with the most painful emotions of grief and concern.

“ We are anxious, Sir, that Government should be undeceived as to this irritation and discontent

“ being but partially diffused throughout the army.
 “ We are well assured, that with the exception of
 “ a few individuals holding confidential staff situa-
 “ tions, or dependent upon government favor and
 “ interest, the whole of the officers of the army pos-
 “ sess but one sentiment and opinion relative to
 “ the late acts of government ; they are actuated
 “ by one common feeling, and consider themselves
 “ solemnly pledged to support each other in ob-
 “ taining redress.

“ Such, Sir, we are confident is the general senti-
 “ ment ; and under this conviction we cannot but
 “ apprehend the fatal effects that may ensue, by a
 “ perseverance on the part of government in using
 “ coercive measures. If the irritation and discon-
 “ tent, as they conceive, were but partially ex-
 “ cited, such steps might tend to effect the desired
 “ object ; but in the present case, where all are
 “ united in a cause which they consider themselves
 “ solemnly bound to support, it can only widen the
 “ breach and aggravate the evil.

“ We trust, Sir, that Government will justly ap-
 “ preciate our motives for coming forward at this
 “ period. We are actuated solely by our anxiety
 “ for the public good and welfare ; by a serious
 “ contemplation of the evils we have so much rea-
 “ son to dread, and an ardent desire to avert them.
 “ It is by no means our wish or intention to dic-
 “ tate to government, or comment upon their acts ;
 “ our only object is to exhort them to a serious

“ consideration of the present crisis, and to induce
 “ them to adopt some measures conducive to
 “ public tranquillity.

“ We have no doubt within our own minds, that
 “ this much-desired object would be effected by
 “ rescinding the order of the 1st of May, and
 “ restoring to the service and their situations all
 “ those officers who have been suspended. Such
 “ an act we feel confident would effectually ap-
 “ pease that spirit of alarm and irritation which
 “ now exists, and the officers of the army would
 “ patiently await the decision of their superiors at
 “ home.

“ We have the honor to be,

“ Honorable Sir,

“ Your obedient and very humble Servants.”

[Signed by one hundred and fifty-eight offi-
 ‘cers of the Jaulnah and Hyderabad forces.]

These proceedings at Hyderabad are understood
 to have been the signal for the appointment of
 Committees of correspondence at the principal
 military stations, which proceeded with great acti-
 vity in organising the means of further resistance,
 and the measures of the government became again
 the subject of violent discussion in the army.

The address of the officers at Hyderabad was
 transmitted to the government in the month of
 June ; and about the same time an open mutiny
 broke out in the garrison of Masulipatam. The

government of Fort St. George received an urgent application from the naval Commander in Chief for a party of European troops to serve on-board of His Majesty's ships as marines. This was a duty on which it had been the practise to detach, when necessary, the men of His Majesty's regiments; but as particular orders had been received from England for discontinuing that practise, it became necessary to employ on the occasion which had occurred, some of the men of the Company's European regiment. At this period every measure that the government could adopt became a source of new clamor. The officers of the regiment affected to believe that the measure which had been ordered was a preparatory step to disbanding the regiment, and to transferring the men to the service of the navy. This belief was impressed on the minds of the men, and the result was a refusal on the part of the officers and men to embark; they seized the garrison, and placed the commanding officer in close arrest*.

While these transactions were passing at Masulipatam, the officers ~~at Hyderabad~~ proceeded also to open resistance. Orders were given by the Commander in Chief for one of the native battalions of that force to march to Poonah; but the execution of the orders was not permitted, on the avowed ground that the officers of the Hydera-

* The information that has been obtained, leaves no doubt that the proceedings at Masulipatam were arranged in close concert with the officers at the other military stations.

bad force considered any attempt to weaken that force to be inconsistent with the resolution which they had formed of insisting on the redress of their alleged grievances.

The following proposals were then laid before the commanding officer of the subsidiary force at Hyderabad, as the ultimatum of the officers of that station.

“ PROPOSALS*.

“ Hyderabad, 21st July, 1809.

“ First, The rescindment of the general orders of the 1st of May last, to be acknowledged and published by government, in the same manner as the order itself.

“ Second, The restitution of every officer who has been removed from his situation or suspended the service, to the same, and to his situation.

* The tenor of these proposals recalls to mind the reply of Charles the First to the overbearing demands made by the parliament, previously to the commencement of the civil war; which demands went to the entire annihilation of the royal authority. “ Should I grant those demands,” said the King, in reply, “ I may be waited on bare-headed; I may have my hand kissed; the title of Majesty may be continued to me; and the King’s authority, signified by both houses, may still be the style of your commands; I may have swords and maces carried before me, and please myself with the sight of a crown and sceptre, (though even these twigs would not long flourish, when the stock upon which they grew was dead): but as to true and real power, I should remain but the outside, but the picture, but the sign of a King.”

“ Third, The trial of Lieutenant Colonel Innes*
 “ by a general Court Martial, for his general con-
 “ duct at Masulipatam, while in command of the
 “ Madras European regiment.

“ Fourth, The removal of those officers on the
 “ general staff from their situations, who advised
 “ Government to prosecute the measures which
 “ have caused the present commotion in the army.

“ Fifth, A general amnesty, to indemnify the
 “ proceedings of the coast army in the measures
 “ they have gradually been led into, and ultimately
 “ forced to adopt.

“ N. B. Modification of the fourth article as
 “ inserted in the original document circulated
 “ throughout the other divisions of the army.

“ Fourth, It is earnestly requested and recom-
 “ mended that the officers on the general staff, who
 “ by their conduct have forfeited the confidence of
 “ the army, be removed from their station.

“ The Hyderabad force can only answer for
 “ themselves; but they entertain every favorable
 “ hope, and will strenuously recommend to their
 “ brother officers of the other divisions to acquiesce
 “ in this ultimatum as it now appears.”

This state of affairs was certainly in a great de-
 gree alarming. A great portion of the Company's
 army had openly thrown off their allegiance, and
 it was declared that the confederacy was almost

* Colonel Innes was the commanding officer at Masulipatam
 who was placed in close arrest by the mutineers at that station.

general. Officers filling stations of great respectability, and of great weight of personal character, were urgent in their remonstrances as to the necessity of adopting a course of concession, and in particular as to the necessity of acceding to the ultimatum transmitted from Hyderabad, as the only means of averting the most desperate extremities. The conduct of the government of Fort St. George in this emergency can never be sufficiently admired and applauded, having been regulated on the highest principles of dignity, energy, and wisdom. The government firmly resisted all recommendations of a compliant nature, and declared an unalterable determination that no danger or difficulty should induce an assent to any compromise of the public authority. In making this declaration, the government proceeded with calm and determined resolution to prepare for the impending storm.

The loyalty of His Majesty's regiments had been from the earliest stages of the discussions unshaken, and had been in the highest degree exemplary. The government was accordingly, in this crisis of difficulty, enabled to recur with confidence to that powerful resource. His Majesty's regiments under the government at Madras were stationed in such a manner as the eventual employment of their services was likely to require, and application was made for a reinforcement of troops from the other Presidencies. It being in that extremity essential that the government should know on whom of the

officers in the Company's service reliance could be placed, it was decided that the officers should be required to subscribe the following declaration; or that they should withdraw from their corps :

“ We the undersigned officers of the Honorable
 “ Company's service, do, in the most solemn man-
 “ ner, declare upon our word of honor as British
 “ officers, that we will obey the orders and sup-
 “ port the authority of the Honorable the Gover-
 “ nor in Council of Fort St. George, agreeably to
 “ the tenor of the commissions which we hold from
 “ that government.”

The following extract of a letter circulated on that occasion to the officers commanding divisions, will further explain the motives of this measure.

Extract of a circular letter addressed to officers commanding divisions, Dated 26th July 1809,

“ You will no doubt have been induced to adopt
 “ measures of precaution, in consequence of the
 “ spirit of insubordination and sedition which pre-
 “ vails in certain parts of the Company's army.

“ The enclosed copy of a letter delivered by the
 “ officers attached to the Hyderabad subsidiary
 “ force to the officer commanding that force, and
 “ received by the Honorable the Governor in Coun-

“oil on the 24th instant, renders it indispensably
 “requisite to prescribe a course of proceeding of
 “a more decided nature, as the plans of the dis-
 “affected party threaten either a civil war, or such
 “a blow to the power and constitution of the go-
 “vernment as would produce evils of a far more
 “fatal nature than can result from the most
 “strenuous exertions for the maintenance of its
 “authority.

“Every obligation of public duty, and every
 “consideration of wisdom and policy, urge the ex-
 “pediency of adopting the most vigorous and ef-
 “fectual measures for the purpose of frustrating
 “the execution of those plans, so pregnant, in any
 “event, with disastrous consequences to the interests
 “of our country; and it is a source of the most
 “gratifying reflection that the discipline, zeal, and
 “national attachment of His Majesty’s troops may
 “be confidently relied upon at this arduous mo-
 “ment, for the preservation of the empire which
 “their exertions have so much contributed to ob-
 “tain.

“The government are also persuaded that a
 “number of the Company’s officers will be im-
 “pressed with a sense of the dangers which the
 “infatuated conduct of a party of disaffected men
 “threaten to themselves and their country, and
 “that they will avoid all part in a course of pro-
 “ceeding of the deepest guilt, and pregnant with
 “the most fatal calamities.

“The undiminished power of the government is
 “in this country so indispensable to its existence,
 “that any course of proceeding calculated to weak-
 “en its authority, or impair its energy, would be
 “productive of the most imminent danger to the
 “preservation of the empire; and every maxim of
 “policy, expediency, and duty imposes upon the
 “Governor in Council, at the present unprecedent-
 “ed crisis, the arduous task of suppressing, by a
 “vigorous employment of the means at his dispo-
 “sal, a spirit of insubordination, sedition, and usur-
 “pation, which if submitted to, would effectually
 “disable the government from executing the or-
 “dinary functions of administration.

“These considerations, the actual state of affairs,
 “and the necessity of averting such serious dan-
 “gers, have rendered it requisite that the govern-
 “ment should ascertain the sentiments and prin-
 “ciples of the officers entrusted with authority
 “under it. The government do not suspect indi-
 “viduals; but when so great a portion of the army
 “has manifested a determined spirit of sedition, it
 “is essentially requisite that the zealous and faith-
 “ful should be distinguished from those who are
 “indisposed to support the authority of govern-
 “ment, and that the latter should be no longer
 “permitted to exercise functions which they are
 “unwilling to employ in the service of their coun-
 “try. I am accordingly directed by the Honor-
 “able the Governor in Council to desire that you

“ will assemble all the European officers of the
 “ Company’s service at ----- ; explain
 “ to them the considerations stated in this dispatch,
 “ and obtain from such of them as may be resolved
 “ to adhere to their duty, a declaration of the
 “ purport expressed in the accompanying paper.
 “ You will explain to the officers that such of them
 “ as may decline to afford the pledge now required,
 “ will be removed from the immediate execution
 “ of duty with the troops, and allowed to remain
 “ at some particular station (which is left to your
 “ discretion to prescribe) on the receipt of their
 “ ordinary allowances, until the situation of affairs,
 “ and the temper of their minds, admit of their
 “ being employed with advantage to the state.
 “ Those officers can have no reason whatever to
 “ complain of this measure, or consider it a hard-
 “ ship ; for they cannot expect that the govern-
 “ ment will intrust them with an authority which
 “ they are not willing to employ in its support.
 “ After this proceeding, you will immediately re-
 “ move from their function all officers who shall
 “ decline to afford the required pledge, and place
 “ the Company’s troops under such officers as you
 “ may consider to be deserving of confidence.
 “ You will even place King’s officers in command,
 “ if all the Company’s officers should decline to de-
 “ clare in support of the government, and will ex-
 “ tend the same arrangements to the artillery.
 “ In the event of any of the staff officers of your

“ division refusing to subscribe the declaration re-
 “ quired, they will of course be removed from the
 “ exercise of all military function; and you are
 “ hereby empowered to appoint officers of His
 “ Majesty's, or the Honorable Company's service,
 “ to those situations, until the pleasure of the Go-
 “ vernor in Council is known.

“ You will be pleased to transmit without delay,
 “ to the adjutant-general, a list of the names of the
 “ officers who shall refuse or omit to sign it, and
 “ you will immediately publish those lists in divi-
 “ sion orders, that the troops may know what of-
 “ ficers they are to obey, and what officers have
 “ been suspended from their functions.

“ After the execution of these measures you will
 “ be pleased to assemble all the native officers, and
 “ explain to them with candour and confidence
 “ the grounds on which they were adopted. You
 “ will inform them that certain European officers in
 “ pursuit of objects entirely personal to themselves,
 “ have formed plans of the most criminal nature,
 “ and are desirous of involving the native troops
 “ in the danger and guilt attending their exe-
 “ cution.

“ You will impress upon the minds of the native
 “ officers that their first duty is to the government,
 “ and that they are to refuse a belief to any sug-
 “ gestions calculated to mislead their minds or ex-
 “ cite discontent. You will inform them that the
 “ government are more anxious to improve than

“to injure their situations, and will recall to their
 “recollection the constant solicitude which it has
 “manifested for their comfort.

“You will finally acquaint them, that the ut-
 “most confidence is placed in their discipline and
 “fidelity; that the present disturbances will be
 “soon composed; but that they must on no ac-
 “count violate the duty which they owe to the
 “state.

“Having made the necessary arrangements for
 “securing the services of the Company's troops at
 “-----, you will adopt proper measures for
 “carrying the same plan into effect with all the
 “rest of the corps under your command, moving
 “a force to any point in your division, if you
 “should find that step necessary to effect the ob-
 “ject described in this dispatch.

“Instructions similar to these have been com-
 “municated to all the officers commanding divi-
 “sions south of the Kistnah; and the government
 “trust that the services of all the Company's troops
 “in these divisions will be effectually secured,
 “by the prompt and decided execution of this
 “order.

“It is proper not to conceal from you that the
 “present crisis demands the most strenuous exer-
 “tions for the preservation of the national interests,
 “and the measures now communicated to you are
 “essentially necessary for the purpose of securing
 “this most important object.

In most of the divisions of the army the orders conveyed in the above letter were carried into immediate and complete effect. The officers of the Company's army being generally bound by a pledge of mutual support, few signed the declaration, and such as refused were required to withdraw, their places being generally supplied by officers from His Majesty's regiments. Perfect loyalty and good conduct prevailed among the native troops, at all those stations where there were the means of making known to them the nature of the recent circumstances*. In some of the divisions the commanding officers, though attached to the public cause, hesitated in the full execution of their orders, from the fear of the threatened consequences, and proposed certain modifications: but the government firmly adhered to the line which it had taken, and would admit of no relaxation. The consequence was, that the orders were ultimately rendered generally effectual, and much the largest part of the native army was placed under the command of officers on whose fidelity entire reliance could be placed.

The example which had been set at Hyderabad extended to Seringapatam. Orders which had been

* Among the many circumstances of striking coincidence attending the mutinies at Bengal and at Madras, it is not the least remarkable that the native troops at both Presidencies refused to support their officers, so soon as the nature of their criminal views was understood.

issued for the movement of a party of troops from that station to Bangalore, were disobeyed. The garrison, after putting the commanding officer, Lieutenant Colonel Davis, in arrest, required him to leave the fort of Seringapatam, proceeded to seize the public treasure, and to make preparations for their defence. These events took place about the end of July; and Colonel Davis hastened to carry into effect the orders of the government for assembling all the disposable troops in Mysore, for the purpose of preserving the tranquillity of the country; in which measures he was zealously aided by the Dewan of Mysore, by whom the entire resources of that state were placed at the disposal of the British government. The garrison of Seringapatam were apparently under the expectation of being ultimately joined by the subsidiary force at Hyderabad, and they called to their immediate assistance two native battalions from Chittledroog, which, after seizing a considerable sum of public treasure at that place, deserted their post, and marched to Seringapatam. It became the duty of the commanding officer in Mysore to prevent the junction of the rebel troops, and every means were repeatedly tried in vain, in the course of their march, to admonish the officer of the two battalions against advancing. All attempts of this kind having failed, and the two battalions having nearly reached Seringapatam, they were attacked by the British troops in conjunction with a party of My-

sore cavalry, and about 200 were killed and wounded. It was ascertained, from various sources of information, that the Sepoys had been deluded by the impresssion that the Dewan of Mysore had declared war against the British government, and that they were marching to co-operate with the other British troops in subduing his power. The garrison of Seringapatam continued closely besieged by the troops whom Colonel Davis had assembled.

In this difficult situation of affairs the government thought it proper to call into action the services of Colonel Close, an officer of the greatest talents, possessing a mind distinguished by vigor and enterprise, and whose whole life had been devoted to the service of his country. Col. Close was employed as resident at Poonah, a situation not subject to the authority of the government of Fort St. George; but as Col. Close belongs to the military establishment of Madras, he was directed in that emergency to proceed to Hyderabad, and to assume the command of the force at that station, in the view of effecting, if possible, ~~the restoration of order~~. Colonel Close proceeded with alacrity in the execution of the important duty entrusted to him; and the following extract of a letter affords an excellent account of the proceedings of that officer on his arrival at Hyderabad.

✓ Extract of a private letter from Hyderabad, dated the 7th August, 1809.

“ Colonel Close arrived here on the morning of the 3d. On the road he had received communications which prepared him for resistance on the part of the army to his assumption of the command of this force, and a few stages from Hyderabad he received a letter from the officers, prohibiting his approach, apprising him of the proposals which they had made to government, recommending him to proceed to the Presidency for the purpose of effecting an accommodation between the government and the army, and directing him to halt at one stage from the capital, where, if he pleased, they would send him a deputation of officers to apprise him of their designs and expectations. Colonel —, however, soon prevailed upon them to abandon so extraordinary and violent a requisition; and though they would not be induced to recall their letter, they consented to the Colonel's pursuing his journey to the residency; but whatever might have been the demands or conduct of the officers, nothing but the exercise of positive violence could have restrained Colonel Close from joining the force. His orders were decisive, and would admit of no discretion. Colonel Close, therefore, came on to the residency, where he was met by Colonel —, Colonel —, and

“ the officers of the general staff. He communi-
 “ cated his instructions to Colonel ———, and con-
 “ sulted with him on the best means of exe-
 “ cuting the wishes of government. Major ———
 “ shortly afterwards came to the residency, for
 “ the purpose of requesting that Colonel Close
 “ would allow a deputation of the officers to wait
 “ upon him, and to inform him that the officers
 “ composing the deputation were on the road to
 “ the residency. Colonel Close told Major ———
 “ that he had been appointed by the government
 “ to command the subsidiary force, and that he
 “ must, at all risks, assume that command that
 “ the residency was not a place at which he could
 “ properly confer with the officers under his au-
 “ thority; but that it was his intention to pro-
 “ ceed immediately to camp, and that he had a
 “ communication to make on the part of govern-
 “ ment, which he hoped would be satisfactory to
 “ them. Colonel Close then mounted his horse,
 “ and proceeded towards the cantonment. He
 “ was attended by Colonel ———, Colonel ———,
 “ the general staff, a troop of native cavalry, and
 “ a party of Bengal orderlies. I offered my ser-
 “ vices to attend him, because I thought it a pro-
 “ per mark of respect to the person and authority
 “ of the Colonel, and because I thought he ought
 “ to be attended by as numerous a staff as pos-
 “ sible. We trotted on towards the cantonment.
 “ The first resistance which we expected was from

“ the main piquet ; but it turned out, saluted the
 “ Colonel, and permitted us to proceed quietly on.
 “ It was at first, I believe, the Colonel's intention
 “ to have placed himself at the head of the 33rd
 “ regiment, not for the purpose of using any vio-
 “ lence, but of giving himself more weight in his
 “ address to the sepoys. That plan, however,
 “ was abandoned, as it was thought probable
 “ that the appearance of the Colonel at the head
 “ of the 33rd regiment would precipitate an im-
 “ mediate contest, before either side could ascer-
 “ tain the dispositions or intentions of the other.
 “ Colonel Close resolved, therefore, to go immedi-
 “ ately to the native part of the line ; he went first
 “ to the front of the barracks of the 16th regiment,
 “ which are nearly on the left of the cantonment;
 “ he then desired that all the field officers would
 “ attend him ; but Major ———, and Major ———,
 “ were the only persons who obeyed this summons.
 “ He addressed these two officers in very strong
 “ and very animated language, described to them
 “ the nature of their late proceedings, and tendered
 “ to them the test required by government of their
 “ allegiance and fidelity. He told them, at the same
 “ time, that the government, from a considera-
 “ tion of the difficult situation in which officers
 “ might imagine themselves placed by the pledges
 “ which they had given to each other, permitted
 “ them, if they could not sign the test, to retire
 “ from all military employment, and to remain at

“ some station, which would be appointed for them,
 “ on their full pay and allowances. The reply of
 “ Major ——— was very confused. He entreated
 “ time to deliberate on so important a step to his
 “ future life, and enquired whether the test im-
 “ plied general safety. Major ——— was more
 “ firm and resolute in his conduct, although he
 “ was evidently very deeply affected. He dis-
 “ tinctly stated that the Hyderabad force would
 “ not abandon their brother officers, nor would
 “ accept of any terms which did not secure a
 “ general amnesty, particularly to the European
 “ regiment*, which they were solemnly pledged to
 “ support. Colonel Close made another appeal
 “ to them : he addressed himself with great energy
 “ and warmth to their feelings, as men, as soldiers,
 “ and as subjects. They appeared very much
 “ agitated, but remained stedfast to their resolution.
 “ During this time we saw the artillery-men man-
 “ ning their guns, and the corps on the right of
 “ of the line falling in with great haste. Colo-
 “ nel Close told Major ——— and Major ———
 “ that he was sorry they ~~would not listen~~ to
 “ him, that he had other instructions to execute,
 “ and that he now felt himself at liberty to speak
 “ to every native soldier under his command.
 “ He immediately addressed the party of cavalry
 “ which had attended him : he told them that he

* This refers to the Madras regiment at Masulipatam.

“ was appointed to the command of the force by
 “ Government ; that Major ----- and the other
 “ officers were engaged in a dispute with the Go-
 “ vernment, which related to themselves only,
 “ and did not involve any interest of the sepoy ;
 “ that that dispute must be referred to future
 “ decision ; and that in the mean time he called
 “ upon the native troops to look upon him as their
 “ leader, and to obey no orders but such as were
 “ sanctioned by him. The troopers saluted very
 “ respectfully, and appeared willing to obey the
 “ Colonel. The men of the 16th battalion were
 “ during this time running from its place of arms,
 “ and forming very hastily. Col. Close dashed up
 “ to them ; he rushed into the midst of the divi-
 “ sions, and with his breast at the point of their
 “ bayonets addressed the sepoy. He enquired
 “ for what purpose they were taking to their
 “ arms ; he told them that he had been appointed to
 “ be their commander by that Government which
 “ was the support of themselves and their fami-
 “ lies ; that he was himself an old officer in the
 “ same service with them, who had passed the
 “ greater part of his life with them, who was sin-
 “ cerely devoted to their interests, and who would
 “ willingly listen to their just complaints and
 “ grievances. He urged them to obey him, and
 “ to disregard the orders of those officers who
 “ had placed themselves in open resistance to
 “ their Government, and who were engaged in a

“ cause entirely their own. He seized several na-
 “ tive officers with his hand, and addressed them
 “ particularly, but the confusion and bustle was
 “ so great, that I believe little which he said was
 “ understood; and I apprehend that even until
 “ the whole business was over, the sepoy had no
 “ distinct notion of the intentions either of their
 “ officers or of Colonel Close. By this time the
 “ sepoy had formed into divisions, and Major
 “ ----- gave the order for his corps to move up
 “ into line. It was at this moment that the influ-
 “ ence of the officers prevailed. An officer gave
 “ the word for his company to wheel into line.
 “ Colonel Close opposed himself to him. The
 “ contest was extremely violent: the officer call-
 “ ing upon his men to march; the Colonel di-
 “ recting them to stand fast. The officer was at
 “ length successful. The sepoy after a short pause
 “ wheeled into line, and every other company
 “ immediately did the same. The corps primed
 “ and loaded, faced to the right, and marched to
 “ join the park and the rest of the line. On this
 “ movement, we narrowly escaped being all of us
 “ destroyed. The troops to the right hand dis-
 “ covered Colonel Close’s object, and on seeing
 “ the 16th marching towards them, imagined that
 “ he had prevailed over the sepoy, and was lead-
 “ ing them on to the attack of the other corps.
 “ They were on the point of opening the whole
 “ park upon us, when they learned, by mere acci-

“ dent, that the 16th had remained staunch, and
 “ was marching to join them. During the march
 “ the Colonel accompanied the battalion, and
 “ continued to address the sepoy, but still
 “ without effect. The 16th formed close to the
 “ park, on the left. The two corps on the right
 “ of the park made a movement, and formed a
 “ line perpendicular to the park and the 16th re-
 “ giment, apparently with a view of interrupting
 “ any communication with the barracks of the
 “ 33d regiment. The cavalry who were with Co-
 “ lonel Close drew swords, trotted off, and formed
 “ another side of the square on the left, and per-
 “ pendicular to the 16th regiment, to prevent, I
 “ suppose, our going round them, and getting
 “ up to the 33d regiment through the street
 “ of the cantonment. The formation was com-
 “ pleted with the greatest order and regularity,
 “ and I never in my life saw a more beautiful
 “ line. Even after all the corps had formed up,
 “ Colonel Close still continued his exertions, and
 “ seemed resolved to make a last struggle to draw
 “ the sepoy to their duty. It was at this mo-
 “ ment that I distinctly heard an officer ask per-
 “ mission of his commanding-officer to fire upon
 “ us, but it was refused. The artillery-men fell
 “ out in front of their guns, and were actually
 “ marching to seize Colonel Close. The Colonel
 “ then saw that any further effort would be vain.
 “ He addressed himself to Major -----, and told

“ him that he had been grossly and shamefully
 “ despoiled of his authority ; that he held him, as
 “ the senior officer, responsible for the violence
 “ which had been committed ; and that he could
 “ consider himself in no other light than as pri-
 “ soner in the hands of those very officers who
 “ had been placed by Government under his or-
 “ ders. The field-officers approached him, and
 “ addressed him with great respect. They told
 “ him that they deprecated any intention of dis-
 “ respect to him ; that they entertained the
 “ greatest veneration for his high character ; that
 “ they lamented most deeply that they had been
 “ compelled to oppose themselves to him, but
 “ that they had been driven to a choice between
 “ the line of conduct which they had adopted,
 “ and the abandonment of every thing which was
 “ dear to them as men and as soldiers. The Co-
 “ lonel replied, by expressing the strongest cen-
 “ sure on their conduct ; he said he had been de-
 “ spoiled of his authority, but that he hoped that
 “ Colonel M----- would consent to retain the
 “ ~~command of the force~~, as if he had never ar-
 “ rived. I was within three yards of the Colonel
 “ during the whole time, and a more awful or a
 “ more anxious scene I never witnessed. Every
 “ mind, even those of the very persons who were
 “ resisting his authority, seemed filled with ad-
 “ miration at the firm, manly, and soldier-like
 “ conduct of Colonel Close. When he was about

“ to retire from the parade, the officers entreated,
 “ as a last means of reconciliation, that the Colo-
 “ nel would allow them to wait upon him. He
 “ resisted this application for a long time, but at
 “ length conceded to their urgent solicitations.
 “ They waited upon him, and endeavoured to
 “ present to him an address which they had pre-
 “ pared for him previously to his arrival, but he
 “ refused to receive it. They then urged him to
 “ proceed to the Presidency, but he positively re-
 “ fused to comply with ~~their request~~, and they
 “ retired. Their respect for the ~~personal~~ good
 “ conduct of Colonel Close soon yielded to their
 “ indignation at the attempt he had made to se-
 “ parate the sepoys from them. They thought
 “ also that he was a dangerous neighbour, and
 “ they therefore required him, in rather a rough
 “ and peremptory letter, to leave Hyderabad.
 “ The Colonel thought, on a consideration of the
 “ instructions that he had received, that it would
 “ be more proper to retire than to submit to per-
 “ sonal restraint; he therefore ~~assured them that~~
 “ he ~~would go~~, and left the residency on the
 “ evening of the 4th instant.”

The subsidiary force having resisted the authority
 of Colonel Close in the manner above stated, dis-
 patched a requisition to the force stationed on the
 Mahratta frontier at Jaulnah, to join them without

delay; a similar requisition was sent to Masulipatam, where the mutiny still continued, and to the other stations in the northern division of the army; it being the apparent intention to proceed with the united forces into the Carnatic, for the prosecution of further hostilities. There was a general movement of troops throughout the northern division, and the rebellious force seized the public treasure at the different stations, as a prelude to their future operations.

The beneficial effects of the judicious and decisive measure adopted by the government, in demanding a declaration from the Company's officers in the manner above explained, were now felt. To the southward of the river Kistnah, where, by the aid of the commanding force of the King's troops, there had been the means of effecting the measure, the whole, or nearly the whole, of the native corps of the army, with the exception of those in Srirangapatam, were in perfect obedience, and were commanded by officers on whose loyalty the government could depend. To the northward of the Kistnah, where no King's troops were stationed, (with the exception of His Majesty's 33d regiment at Hyderabad), all the corps were in a state of open revolt; and as there had not been the means of undeceiving the men, they continued to support the desperate measures in which the officers were engaged. In this state of affairs the Government did not hesitate to adopt the determination

of opposing force to force; and with this view the most prompt measures were taken for assembling an army of 12,000 men in the ceded districts*, to be commanded by Colonel Close, and which was destined to march to Hyderabad, or in such direction as the public interests might require.

The Government of Fort St. George had, in every part of its proceeding throughout the discussions, tempered measures of vigour with those of conciliation. In pursuance of this principle, it was judged proper to publish the following general orders, as a last endeavour to avert the impending extremity.

“ Fort St. George, August 3, 1809.

“ General Orders by the Honorable the Governor
in Council.

“ The Honourable the Governor in Council
“ judges it proper to announce to the native
“ troops, that the very improper conduct of some
“ of the European officers of the Company’s ser-
“ vice, and the refusal of others to acknowledge
“ their allegiance to the Government, have ren-
“ dered it indispensibly necessary to remove, for
“ a time, a considerable number of European
“ officers from the exercise of authority.

* The river Kistnah divides the ceded districts from the territories of the Nizam.

“ This measure will not however affect,
 “ in any respect, the situation of the native
 “ troops, who must know that their first duty is
 “ to the Government which they serve, and from
 “ which all authority is derived.

“ The Governor in Council entertains the
 “ same solicitude for the welfare and comfort of
 “ the native troops that has invariably been mani-
 “ fested by the British Government.

“ He has no intention whatever of making
 “ any change in their situation; and he expects
 “ that the native troops will display, on every
 “ emergency, the unshaken fidelity to Govern-
 “ ment which constitutes the first duty of a
 “ soldier; that they will obey, with zeal, the or-
 “ ders of the officers whom the Government shall
 “ place in authority over them; that they will
 “ refuse a belief to all reports calculated to agi-
 “ tate their minds, and diminish their confidence
 “ in the Government; and that they will not
 “ allow themselves to be involved in measures in
 “ any respect adverse to their duty and allegi-
 “ ance.

“ The Governor in Council is pleased to
 “ express his approbation of the good conduct
 “ which has been recently manifested by the
 “ native troops at the Presidency, in the camp
 “ at the Mount, at Trichinopoly, and at Vellore;
 “ and he is confident that their behaviour will be

“ equally correct and loyal at all other stations of
 “ the army.”

“ Fort St. George, August 12, 1809.

“ General Orders by the Honorable the Governor
 “ in Council.

“ The course of proceeding followed, for
 “ some time past, by the officers of the Honor-
 “ able Company's army at this Presidency, has
 “ obliged the Government to adopt the most de-
 “ cided measures for the preservation of the im-
 “ portant interests committed to its charge. These
 “ proceedings may be stated to have commenced
 “ with the transmission to the Government, by
 “ the late Commander in Chief, of a memorial
 “ addressed to the Honorable the Court of Direc-
 “ tors, dated January 1809, and signed by a large
 “ proportion of the Company's officers. Although
 “ that paper exhibits claims of an ungrounded
 “ nature, and contains observations equally im-
 “ proper and unjust on the orders of the Honor-
 “ able the Court of Directors ~~and the Government,~~
 “ the ~~Governor~~ in Council was induced to per-
 “ mit it to pass without the serious notice which
 “ it appeared to demand, by a confidence in the
 “ discipline of the army, and a persuasion that
 “ the objectionable passages in the memorial were
 “ inadvertently and unintentionally introduced.

“ The subsequent conduct of the Commander
 “ in Chief forced Government to vindicate its
 “ authority, by a signal example of punishment.
 “ It was well known to the Company’s officers
 “ that the whole of this proceeding was referred
 “ to the Supreme Government, and the authori-
 “ ties in Europe; that it would receive from their
 “ wisdom a decision conformable to the soundest
 “ principles of reason and justice; and that its
 “ discussion could not belong to the cognizance
 “ of the army, who are precluded from becoming
 “ a deliberative body. Notwithstanding these con-
 “ siderations, the Governor in Council, anxious to
 “ remove every cause of misunderstanding rela-
 “ tive to a measure of so important a nature, pub-
 “ lished an order, dated the 31st of January, ex-
 “ plaining to the army the grounds on which
 “ it was adopted. The Governor in Council had a
 “ right to expect, on the most obvious grounds of
 “ discipline and respect for the laws, that the
 “ question would have been permitted to rest here,
 “ and receive its final reward from the only
 “ powers competent to decide on it; and it was
 “ with feelings of equal surprise and concern he
 “ learned that a memorial to the Supreme Go-
 “ vernment, of the most intemperate description,
 “ was circulated in the Company’s army.

“ The Governor in Council, desirous to avoid a
 “ recurrence to measures of severity, and per-
 “ suaded that it was sufficient to apprise the Com-

“pany’s officers of the improper nature of the
 “proceedings, to induce them to desist from their
 “prosecution, authorised the Commander in Chief
 “to issue a circular letter, dated the 5th March
 “1809, explaining to those officers the improp-
 “riety of their conduct, and calling upon them,
 “by the most powerful motives of duty, allegi-
 “ance, and honor, to abstain from such unjustifi-
 “able measures. A letter from the Right Hon.
 “the Governor General in Council, dated the 20th
 “of February, 1809, approving of the steps adopt-
 “ed by the Government of Fort St. George, with
 “respect to the late Commander in Chief, was also
 “circulated to the army, in the expectation that
 “the sentiments of the Supreme Government
 “would have suppressed the spirit of faction and
 “insubordination which prevailed. These letters
 “appear to have produced no effect. The me-
 “morial to the Supreme Government made fur-
 “ther progress; and an address to Major Boles,
 “an officer under sentence of suspension, written
 “in language of determined sedition, was circu-
 “lated in the army, and forced upon the notice
 “of the Governor in Council by a Company’s
 “Officer holding a confidential situation on his
 “staff. The Governor in Council was still in-
 “duced to pursue a system of forbearance, by the
 “sentiments of affection and respect which he
 “was disposed to entertain towards the Company’s
 “officers, and by a conviction that the prin-

“ ciples of zeal, discipline, and national attach-
 “ ment by which he supposed they were actuated,
 “ would lead them to relinquish the reprehensible
 “ measures in which they were engaged, on being
 “ made fully acquainted with their impropriety and
 “ danger. The Commander in Chief, according-
 “ ly, under the sanction of the Government, is-
 “ sued a second circular letter, dated 10th of
 “ April, 1809, again calling upon the officers of
 “ the Company’s army to adhere to their duty,
 “ correcting the erroneous opinions which they
 “ had received regarding the powers of Govern-
 “ ment, and describing the unjustifiable nature
 “ and dangerous consequences of their proceed-
 “ ings. The Governor in Council learned, with
 “ deep regret, that these measures of moderation,
 “ these repeated and urgent appeals to the disci-
 “ pline, duty, national attachment, and profess-
 “ ional honor of the Company’s officers, were
 “ entirely nugatory; that the memorials con-
 “ tinued to be circulated; and that sentiments
 “ of sedition were openly declared in many parts
 “ of the army. ~~The~~ further forbearance of the Go-
 “ vernment would have encouraged the progress of
 “ those evils; a course of explanation and ex-
 “ hortation had been pursued in vain; and it
 “ became imperiously necessary to check, by a
 “ salutary example of punishment, a spirit of in-
 “ subordination that threatened the most danger-
 “ ous consequences to the prosperity of the em-

"pire. The general orders of the 1st of May
 "last were accordingly passed. The Governor
 "in Council is concerned to state that the ex-
 "ample, which was confined to the persons who
 "were principally instrumental in promoting
 "sedition, and of whose delinquency the most
 "ample proofs existed, and which was intended
 "to obviate the necessity of more extensive pu-
 "nishments, failed to produce the beneficial ef-
 "fects anticipated from its adoption; and that
 "principles of insubordination and sedition con-
 "tinued to prevail among the Company's officers,
 "if possible with aggravated violence. The Com-
 "pany's officers of the Hyderabad subsidiary
 "force, whose good conduct in refusing to affix
 "their signatures to the seditious addresses had
 "received the approbation of the government, in-
 "timated to the rest of the army, in an address
 "dated in May last, scarcely less reprehensible
 "than the papers which had incurred the ani-
 "madversion of the government, their participa-
 "tion in the disaffection which prevailed so ex-
 "tensively in the Company's army.

"The officers at Hyderabad followed up this
 "act by threatening, in an address dated the 15th
 "June, transmitted direct to the Governor in
 "Council, to separate themselves from the au-
 "thority of Government established over them by
 "their country, unless a submission should be
 "yielded to their menaces, by abrogating the ge-

“ neral orders of the 1st of May; and the Com-
 “ pany’s officers at Masulipatam imprisoned their
 “ commanding officer, and made preparations to
 “ desert the post entrusted to their charge, and to
 “ join the Hyderabad subsidiary force; thereby in-
 “ volving, on account of views personal to them-
 “ selves, the men under their command in the
 “ guilt of rebellion, and furnishing to the native
 “ troops a dangerous example of resistance to au-
 “ thority. The Governor in Council, still an-
 “ xious to impress on the minds of the Company’s
 “ officers a sense of the impropriety of their con-
 “ duct, published to the army the dispatch from
 “ the Supreme Government dated the 21st of May
 “ last, which contained an entire approval of the
 “ measures of the government of Fort St. George,
 “ and stated the most forcible and conclusive ar-
 “ guments against the system of faction and ille-
 “ gal combination which had been introduced
 “ into the coast army. This solemn decision of
 “ the supreme authority in India has also proved
 “ to be ineffectual. The officers at Hyderabad,
 “ although they ~~knew the sentiments of the Su-~~
 “ preme Government, refused in a body, in a
 “ letter to their commanding officer, dated the
 “ 8th of July, obedience to the orders of Govern-
 “ ment for the march of a battalion from Hydera-
 “ bad; adding, as a threat, that its services might
 “ soon be useful to their cause; and have since
 “ forwarded to the government, in a paper dated

“ the 21st of July, the conditions on which they
 “ are willing to return to their duty, and which
 “ they require the government to accept, in or-
 “ der to avert the impending awful evils---evils,
 “ that can result only from their own criminal de-
 “ termination to place themselves in the situation
 “ of enemies to their country. The conditions on
 “ which those officers presume to state that they
 “ will yield obedience to the national authorities
 “ afford further proofs of the nature of their de-
 “ signs, for they demand the public revocation of
 “ the general orders of the 1st of May; the re-
 “ storation to their rank and appointments of all
 “ officers removed by this government, however
 “ obnoxious and criminal the conduct of those
 “ officers may have been; the dismissal from of-
 “ fice of the officers of the general staff who may
 “ be supposed to have advised the government to
 “ the trial by a general court-martial of the of-
 “ ficer commanding at Masulipatam, who was
 “ arrested by his own disobedient officers; and
 “ finally, an amnesty for the conduct of the
 “ Company’s army. The garrison of Masulipa-
 “ tam have placed themselves in a state of rebel-
 “ lion; the troops of Seringapatam and Hyder-
 “ abad have followed their example; and it has
 “ been ascertained that the military authority en-
 “ trusted to commanding officers has been usurped
 “ by self-constituted committees; and that an or-
 “ ganised system of combination, for the pur-

“ pose of subverting the authority of the govern-
 “ ment, has been established throughout the
 “ greatest part of the army of this establishment.”

“ The Governor in Council perceives in the
 “ foregoing course of proceedings on the part of
 “ the European officers of the Company’s army,
 “ which has equally resisted measures of forbear-
 “ ance and punishment, a determined spirit of re-
 “ volt, that must, unless speedily repressed, pro-
 “ duce the most fatal consequences to the consti-
 “ tution and authority of the government, and the
 “ interests of the nation. No means, compatible
 “ with the honour and authority, of the govern-
 “ ment, have been omitted, to recal the Com-
 “ pany’s officers to a sense of their duty as sold-
 “ iers, and of their allegiance as British troops.---
 “ The forbearance displayed by the government
 “ under circumstances of aggravated indignity,
 “ demonstrates the satisfaction with which it
 “ would have regarded any disposition on the part
 “ of the Company’s officers to maintain the usual
 “ obedience required from all soldiers. No dis-
 “ position, however, ~~of that nature has appeared;~~
 “ on the contrary, those officers, by a systematic
 “ course of aggression and insubordination, have
 “ forced the government to adopt measures of the
 “ most decided nature, for the support of its au-
 “ thority.”

“ The Governor in Council would be guilty of a
 “ most criminal desertion of his duty, and the

" cause of his country, if he were capable of
 " compromising the evils of sedition and mutiny by
 " a submission to the menaces of a body of men
 " placed by the laws under his government.---
 " Such a course of proceeding would prostrate the
 " authority of the state before a disaffected and
 " seditious faction : it would effectually incapa-
 " citate this and every succeeding government
 " from executing the functions of administration,
 " and would be fatal to the prosperity of the em-
 " pire in India, by affording an example of suc-
 " cessful opposition to authority, and by weaken-
 " ing the power and dignity of the government,
 " which, in this country, are peculiarly essential
 " to its existence. Influenced by these consider-
 " ations, the Governor in council has considered
 " it to be his sacred duty to resist every appear-
 " ance of concession to the threats of insubordina-
 " tion and faction, and to employ the power and
 " means at the disposal of the government, for the
 " restoration of its discipline, and the mainte-
 " nance of its honour and authority.
 " In this state of affairs, it is a source of the
 " most gratifying reflection that the zeal, loyalty,
 " and discipline of his Majesty's troops, and of
 " many of the most respectable officers of the
 " Company's army, combined with the fidelity
 " generally manifested by the native troops, will
 " enable the government to accomplish the im-
 " portant object of re-establishing public order.

“ The good conduct of his Majesty’s troops, dur-
 “ ring the dissensions that have occurred, their
 “ zealous adherence to duty, the preference which
 “ they have manifested to the principles of ho-
 “ nour, virtue, and patriotism over the personal
 “ views and disorderly passions which prevailed
 “ around them, reflect the greatest credit on their
 “ character, and demonstrate that they are ani-
 “ mated by the same ardent love of their country
 “ which has distinguished their brother-soldiers in
 “ Europe. His Majesty’s troops under this go-
 “ vernment will possess the gratifying reflection of
 “ having deserved the approbation and gratitude
 “ of their country, and of having eminently con-
 “ tributed to the preservation of an important
 “ branch of the empire.

“ The Governor in Council entertains a hope
 “ that the Company’s officers, who have threat-
 “ ened the government of their country with the
 “ most serious evils---who have demanded, as the
 “ condition of being faithful to their duty, the
 “ execution of measures degrading to the charac-
 “ ter, and fatal to the interests, of the state---will
 “ pause before they attempt to proceed further in
 “ the course of sedition and guilt which they have
 “ pursued. It has been the earnest wish and an-
 “ xious desire of the Governor in council to avoid
 “ measures of extremity, to re-establish order by
 “ the course of the law, and to give up to mili-

" tary trial the authors of the present seditious pro-
 " ceedings. In prosecution of measures so con-
 " sonant to justice, so necessary for restoration of
 " discipline, and so conformable to the ordinary
 " mode of military government, the Governor in
 " council is persuaded that he shall have the con-
 " currence of all persons in the civil and military
 " service who have not banished from their minds
 " every sentiment of national feeling; and he ex-
 " horts the officers of the Company's service, by
 " submitting to that course of measures, to avert
 " the evils which they are precipitating upon
 " themselves. Such a result, gratifying at any
 " period, would, at the present moment of na-
 " tional difficulty, be peculiarly acceptable to the
 " view and feeling of the Governor in council;
 " and adverting to the zeal and patriotism by
 " which the officers of the Company's army have
 " been distinguished, he still encourages a hope,
 " that by manifesting obedience to the govern-
 " ment, they will obviate the adoption of mea-
 " sures of extremity, arrest the certain conse-
 " quences of their past conduct, and promote the
 " restoration of general confidence, order, and
 " discipline."

At this crisis an auspicious change took place
 in the aspect of public affairs. We have seen the

course of proceeding observed by Colonel Close at Hyderabad. Though that spirited and magnanimous officer failed at the time in his endeavours to establish his authority, there is reason to know that his efforts were not without their effect, and that, combined with the other means which were used to undeceive the minds of the native troops, they had consequences of the most salutary nature. Those circumstances, aided by the active operations which the Government was preparing to pursue, apparently opened the eyes of the officers of the subsidiary force, and brought to their sight the precipice on the brink of which they had placed themselves. We shall only add that the desperate schemes in which they had engaged were abandoned. About the middle of August the officers of that force expressed their entire submission to the authority of the Government, and signed the prescribed declaration.

The Hyderabad force had, from its strength and efficiency of equipment, been enabled to take, as will have been observed, a material and decisive lead in every part of the proceedings in which the army of Madras had been concerned. The change in the conduct of that force accordingly operated with instantaneous effect, and the main link of the chain being broken, the whole of the combined plans fell to the ground. The Jaynah force had already made some marches towards

Hyderabad*; but stopt, and returned to its station, on being apprized of the recent occurrence.

* The following declaration was issued by the infatuated officers of the Jaulnah force on commencing their march:

“ DECLARATION.

To all Officers, Civil and Military; both of his Majesty's and
 “ the Honorable Company's Service; to the Troops, both
 “ European and Native; and to the Inhabitants of the
 “ Countries under the Government of the Presidency of
 “ Fort St. George.

“ We, the undersigned officers of the force of Jaulnah, being
 “ on the eve of commencing our march, conceive ourselves im-
 “ periously called upon in the present awful situation of affairs,
 “ and previous to entering upon such a measure, thus solmenly
 “ and publicly to avow the causes and motives of this proceed-
 “ ing, in the presence of and invoking the Great God of heaven
 “ and earth to bear witness to the truth of this our declara-
 “ tion.

“ The causes of our taking this step are the intelligence
 “ which we have received of the former occurrences in the
 “ northern division of the army, as well as those more recent
 “ at Hyderabad and Madras; and of the decided resolution of
 “ the Honorable the Governor in Council of Fort St. George
 “ to proceed to extremities against the officers and troops of
 “ the coast army.

“ It was our original intention to have awaited the expected
 “ arrival of the Right Honorable the Governor General; but this
 “ determination of the Governor of Fort St. George, to proceed
 “ to extremities, leaves us no alternative, and deprives us of
 “ the advantages which might have been expected to result
 “ from our appeal to the superior authority.

The garrison at Masulipatam submitted to the authority of the Government; and the garrison

“ 1st. Then we most solemnly disavow any intention of interfering with the lawful and executive government of Madras and its dependencies, as well as all personal hostility towards the Honorable the Governor, and others, his supposed advisers, although driven to the most dreadful extremities as we are. This latter we conceive affords proof of moderation unexampled; but we march to prevent the effusion of human blood; to prevent the arraying of one portion of this army in battle against the other; to prevent the dreadful consequences to our country, as well as the officers and troops themselves, which must ensue from this lamentable obstinacy of the Honorable the Governor in Council; and, finally, to avert the incalculable miseries which must result to the wretched inhabitants in general from so unnatural a contest.

“ 2d. We march for the purpose of obtaining from the Honorable the Governor in Council a solemn assurance that he will abstain from pursuing those acts of unnecessary severity which have led to the present situation of public affairs, until the Honorable the Court of Directors shall have adopted such measures as they may deem expedient for investigating and redressing the grievances under which the army now labour.

“ 3d and lastly. We march for the purpose of obtaining from the Honorable the Governor in Council his consent to a general amnesty, and the ~~restoration to the service of all the~~ Officers, both civil and military, who, under the present grievous system, have been suspended until the pleasure of the Court of Directors concerning them can be known.

“ Having thus candidly and solemnly explained their intentions to the army, and the world at large, the undersigned are confident that no description of officers or troops will voluntarily array themselves against them, nor will they re-

of Seringapatam also surrendered at discretion. In every part where mutiny had prevailed, the submission was general and complete.

Such was the state of affairs when Lord Minto reached Madras about the middle of September 1809. His Lordship had the satisfaction to find the power of the Government triumphant, and effectually established; and the late formidable mutiny wholly subdued.

We shall conclude this concise view of the events of the late rebellion, by observing that during the period of that alarming commotion, the internal state of the country was undisturbed, and that the native inhabitants of the extensive territories under the Government of Fort St. George evinced no sentiment but that of entire attachment to the

frain from indulging the pleasing hope that the Honorable
 “ the Governor in Council, on being made acquainted with
 “ their unalterable sentiments, will see the expediency of com-
 “ plying with their request; and the more especially do they
 “ hope so, as neither he nor they can be insensible to the
 “ serious inconvenience and injury which may result to the
 “ British interets in the Decan, from their present movement,
 “ and which step nothing but the most imperious necessity
 “ should have induced them to adopt. They have only now to
 “ add, that in the above determination they have most solemnly
 “ sworn to persevere until death; but that in the execution of
 “ it they will neither use force or offer violence to any but
 “ such as shall voluntarily meet them for the purpose of oppo-
 “ sition. So help us God.”

power which protects them. The public revenues continued to be realized without material interruption; and the vigorous control of the Government continued to influence and to direct every part of the public administration.

