

"EXORIARE aliquis nostris ex ossibus ultor."—ÆNEID.

"HE that goes about to persuade multitudes that they are not so well informed as they ought to be, in things generally received and deeply rooted, shall never want impatient hearers. 'Because men's natural inclinations are more prone to rest upon what they have already embraced, and what for a long time hath had no opposition, than to be curious in the search after the truth thereof; though it be the truth.'—HOOKER.

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ERRATA.

Omit "Note 1," in the Foot-Note on p. 9.

Throughout Chapter VII., (pp. 74-79,) and at p. 266, read *Sadleir* for
Sadlier.

On p. 130, for *Cailland* read *Caillaud*.

On p. 167, for *Nizam at Mulck* read *Nizam ul Mulck*.

On page 234, for *Ganzam* read *Ganjam*.

PREFACE.

THE Vindication contained in this volume has a remarkable and pathetic history.

The late Sir Thomas Rumbold, who died in 1791, was the father of a large family. His youngest daughter, the author of this vindication, died, a year ago last January, at an advanced age, leaving behind her the substance of the following pages. What was needed, was, that they should be arranged and edited; and circumstances left the editor no option but to undertake the work, although he did so with the greatest reluctance, because of the severe pressure upon him of other duties, and because he was destitute of the preliminary knowledge as to the details of the history of British India in the last century, which the task of editing Miss Rumbold's papers demanded.

It was not many years before her death that Miss Rumbold became aware of the extent to which her father's reputation had been darkened by the imputations of successive historians of Indian affairs, from the date of Colonel Wilks's "Historical Sketches of the South of India," * downwards to the present time. Miss Rumbold was at this time a resident in France, and had been for many years in a very frail condition

of health. As she became more and more acquainted, however, with the subject, her feelings became proportionately interested in it. She was determined at least to understand the actual merits of the case, and to know whether her father deserved the obloquy which had been heaped upon him. If he was indeed, contrary to all her own family traditions, a corrupt and tyrannical man, if he had been a mercenary and flagitious ruler, she would know the worst. If, on the contrary, he had been maligned, notwithstanding her physical feebleness and her advanced age, she would see what might be accomplished, in order to vindicate the character of her father. By the diligent researches, accordingly, of her nephew, Mr. C. J. A. Rumbold, she obtained, in addition to such authorities as were generally known to Indian students, an immense mass of original evidence in relation to Sir Thomas Rumbold's administration of Madras in 1778-1780, and to Indian affairs in general during the latter half of the last century. In particular she obtained, what not one of the standard historians of Indian affairs, who have pronounced condemnation on Sir Thomas Rumbold, seems to have been at the pains to study, and what, of the critics or commentators on the histories, Professor Wilson alone appears to have consulted, the "Minutes of the Evidence taken at the Bar of the House of Commons, on the Hearing of Counsel on the Second Reading of the Bill for inflicting certain Pains and Penalties on Sir Thomas Rumbold," &c. These Minutes afford conclusive evidence against

the chief and staple charges which have been handed down from historian to historian; and leave no room to wonder that Mr. Dundas found it convenient to let the Bill drop after the second reading, when Sir Thomas Rumbold's defence was completed. With this volume not beyond reach, it is very remarkable that such a historian as Mr. Mill should, without any reference to its contents, that is, to the real evidence on the case, have taken his representation of Sir Thomas Rumbold from the accusations of the Bill of Pains and Penalties, that is, from the indictment, which was confessedly one-sided, and partook also of the nature of a partisan attack, and should even have repeated and given permanency to charges which were so contrary to evidence, that the prosecutors of Sir Thomas Rumbold found themselves compelled to abandon them at an early stage of the prosecution.

Miss Rumbold also obtained possession of a copy in manuscript of the speech of Mr. Bearcroft before the House, on opening the case on the part of the prosecution against Sir Thomas Rumbold.

She was fortunate enough to obtain, in two large and closely written folio volumes, the Briefs prepared for the Counsel to oppose the Bill on behalf of Sir Thomas Rumbold; besides which, Mr. Hardinge's speech in defence of his client, Sir Thomas,* and the manly and dignified defence published by the accused himself, for private circulation, were secured by Miss Rumbold. To complete her knowledge of the whole period, she

* Published by Robinson, Payne, and Son, &c. London, 1783.

procured and mastered the very voluminous and valuable Reports of the Committee of Secrecy of the House of Commons on the Causes of the War in the Carnatic. From the British Museum and elsewhere she obtained copies of correspondence between Sir Thomas Rumbold and Sir Philip Francis, (then Mr. Francis,) and between Sir Thomas and Sir Eyre Coote. Mr. Francis' Diary was also studied. Many scarce tracts on Indian affairs were laid under contribution. All the histories of India, the Lives of Hastings and Burke, Hansard's Parliamentary History, and, in a word, whatever could have any bearing, one way or the other, on the merits of Sir Thomas Rumbold's administration, were closely investigated: until Miss Rumbold knew that she had all the evidence before her which could relate to the matters she had so much at heart. Six years of assiduous labour were thus given by the daughter to the work of laying open the truth respecting her father's Indian government.

The result is to be found in the pages following. Miss Rumbold became convinced of her father's innocence of the grave offences which had been laid to his charge. How the charges originated, and how and why her father was devoted as a victim and a scape-goat, to avert from others the storm of popular indignation, she believed herself able to show. But she was alone. She had outlived her early acquaintances; she had been long resident in a foreign land; and she had no connexion with the literary world. She left France and came to this country five years

ago, bent upon the prosecution of the task of duty she had assigned herself, but unable to discover how her work could be accomplished. In the latter part of 1866, she had completed her collections; she had got her argument into something like form; but she was without a literary adviser, and she felt the great disadvantage under which she laboured from her want of training as an author. She craved the judgment of some competent person as to the conclusiveness and effect of what she had prepared, and also instruction and aid in putting her materials into the best form for publication. By the advice of the present writer, she took her manuscript to Mr. Marshman, the Indian publicist and historian, who kindly consented to examine what she had collected and written. It so happened that Mr. Marshman had just completed, and was bringing through the press, the first volume of his History of India, in which he had followed the general stream of authorities in condemnation of Sir Thomas Rumbold. Miss Rumbold's work, however, changed his views. As it was too late to alter his text, he added an Appendix, in which he did not hesitate to confess himself convinced by the evidence which Miss Rumbold had adduced; in which he said that the chapter of Indian history relating to Sir Thomas Rumbold would have to be re-written; and expressed his judgment that the valuable matter contained in Miss Rumbold's papers ought to be given to the world. Mr. Marshman's Appendix is printed in this volume as a sequel to the Introductory Notice of

Sir Thomas Rumbold's history, which follows this Preface, and immediately before the Vindication itself.

Such a testimony from perhaps the highest living authority as to Indian history was decisive; and could not but be a reward to Miss Rumbold for all the labour she had undergone in her work of filial duty. But, when she read Mr. Marshman's Appendix, fresh from the first issue of the volume in which it is contained, she was already under the hand of death. The severe cold of January, 1867, had taken hold of her. On the last day but one of January, she read for herself, ill as she was, Mr. Marshman's Appendix. The day following she died. She felt as if she had done her work. Some of her last directions related to corrections in her manuscript.

In conformity with her own desire, and at the urgent request of her family and friends, the Editor felt constrained to accept the task of preparing her papers for the press. They were not fit to put into the hands of any professional reader or corrector. There was necessity for much revision, sometimes for omission, sometimes for re-arrangement, sometimes for the addition of a word or a clause to make the sense clear and complete. And the whole had to be divided into chapters. A merely professional man and an entire stranger could not well be entrusted with all this responsibility. There were, besides, many pages of matter toward the end of her collections, relating to the question of Sir Thomas and the Zemindars, and to Mr. Whitehill's relations with Mr. Hastings, and a

good deal also of Mr. Hardinge's Defence, about the publication of which, whether in whole or in part, she was doubtful, although she had put them in writing. It was felt that a friend only ought to be entrusted with the editorial responsibility, in a case which included so wide and serious a discretion.

The Editor has done his best. Perpetual interruptions from a multiplicity of other engagements, and an entire want of previous familiarity with the matters of history involved, have made it difficult for him to bring his work to a satisfactory conclusion.

Moreover, he felt that the Vindication was to be Miss Rumbold's, not his own. Hence, he has considered himself as bound to alter only where alteration was necessary. He was to leave Miss Rumbold's style and matter to make their own impression. Much more might have been made, by a practised writer, of many points, than has been done by Sir Thomas Rumbold's daughter. Miss Rumbold made no attempt at elaboration or at rhetoric; she desired only to set down a plain unvarnished statement of facts. She felt too deeply, and was too inexperienced a writer, to attempt to put her feelings into words, or to deal with her father's case as an advocate, or an orator, or even as a trained writer of history, would have done.

Notwithstanding, there are the facts, there is the history, to speak for itself. If Miss Rumbold lacked literary experience, she did not lack mental power. Her mastery of the whole subject, and, indeed, of the whole

web of Indian history, with its special subtleties and mysterious intricacies, during the period with which her father's history and administration stood in relation, was quite wonderful, as well as the acuteness of her investigations. This volume will be found to throw new light on the character and tactics of Mr. Hastings. The history of the origin of the war in the Carnatic must now be revised.*

The Editor must add, that the special authorities on which Miss Rumbold relied will be deposited in the British Museum, for use by future historians.

* Miss Rumbold belonged, on her mother's side, to a family distinguished for learning and mental ability. Her maternal grandfather was Dr. Edmund Law, Bishop of Carlisle. Two of her mother's brothers were Bishops respectively of the sees of Elphin and of Bath and Wells. She was a niece of the first Lord Ellenborough, and was, of course, a cousin of the present Earl.

INTRODUCTORY NOTICE

OF

SIR THOMAS RUMBOLD.

SIR THOMAS RUMBOLD was born in January, 1736, at Leytonstone, in Essex. He was the youngest son of Mr. W. Rumbold, of the East-India Company's Naval Service, whose father, of the same name, had also been in the service of the East India Company. The Rumbolds traced their descent from a family anciently of Essex, but in later times settled at Fulham.

From the year 1709, it appears from the records of the India House, that several of the family were in the civil service of the Company. Sir Thomas' elder brother, Lieutenant William Rumbold, is distinguished by Mr. Orme, in his "History of India," as having, on more than one occasion during his short career, rendered military and political service to the Company.

At the age of sixteen, Thomas Rumbold was appointed a writer to Fort St. George. There are now in the India House the regular certificates of studies qualifying him for the post. He soon changed the civil for the military line, and was allowed to retain his rank in the former service. He was present at the siege of Trichinopoly, and at the retaking of Calcutta, in 1756, where an act of remarkable intrepidity caused him to be promoted to a captaincy by Lord Clive, to whom he acted as *aide-de-camp* at Plassey. Seriously wounded in that battle, he was unable any longer to bear the fatigues of military service, and resumed his

position in the civil department. By Lord Clive he was called from Madras, to take his seat in the Council of Bengal, where he remained for five years. He also held the lucrative and important post of chief of Patna.

Having made a handsome, although by no means a colossal or extraordinary, fortune, and having at the same time suffered such exhaustion of health as commonly attends a residence of many years in such climates as those of Madras and Bengal, Mr. Rumbold returned to England about the year 1769.* In 1770 he entered Parliament, as Member for Shoreham. At this time his character and services were highly esteemed at the India House; and he was named as the successor of Hastings, when the Directors were determined upon his recall in 1773. This is a fact not to be lost sight of in investigating the causes of that jealousy of Sir Thomas Rumbold on the part of Mr. Hastings, the existence of which is proved incontestably by the Diary of Mr. (Sir Philip) Francis, and was very manifest in the conduct of the Governor-General towards Sir Thomas during his Presidency at Madras.

In 1777-8, Mr. Rumbold was sent out to succeed Lord Pigot at Madras. During his administration, Pondicherry and Mahé were taken from the French by Sir Hector Munro. For the taking of Pondicherry Mr. Rumbold received the special thanks of the Directors, and was created a Baronet. During his administration he differed frequently from Mr. Hastings as to ques-

* He had visited England for his health once in the interval, in the years 1762-3.

tions of Indian policy ; and in particular he repeatedly and pointedly condemned the policy of the Mahratta war, which, in his view, as in that of Mr. Francis, led immediately to the war in the Carnatic.

In 1780, Sir Thomas Rumbold was obliged to resign his office, and leave Madras, because of his broken health, which threatened speedily fatal consequences, unless relieved by an immediate return to Europe. He set sail from Madras on the 6th of April ; and, on his arrival in England, found the Directors incensed against him. He had not only offended Mr. Hastings, but some of the civil servants of the Company who had returned to England, or who had friends in this country. Especially had he given umbrage, both at home and abroad, by some salutary reforms which he had carried out, which struck at the emolument and consequence of the local boards, or "subordinacies," as they were sometimes called, and which also, by reducing the value of patronage, sensibly affected the interests of the patrons at home.

At this time, moreover, general indignation had risen high against the profligacy, real or imagined, of our Indian Government, against the whole class of Indian nabobs, as monsters of corruption or oppression, who had gained enormous fortunes by the foulest misdeeds. Only a few years before this the great Clive had had to suffer the deepest humiliation as the representative of Indian policy and of Indian profligacy. Five and twenty years later, by a not unrighteous retribution,

Mr. Hastings was to drink of the same cup of bitterness to its dregs, in an agony of mortification and abasement, protracted through years. Lord Macaulay's words set forth, with a vividness and a power which another writer could not hope to rival, the condition of the public mind as to the rulers of India.

“The unfortunate nabob seemed to be made up of those foibles against which comedy has pointed the most merciless ridicule, and of those crimes which have thrown the deepest gloom over tragedy, of Turcaret and Nero, of Monsieur Jourdain and Richard the Third. A tempest of execration and derision, such as can be compared only to that outbreak of public feeling against the Puritans at the time of the Restoration, burst on the servants of the Company. The humane man was horrorstruck at the way in which they had got their money; the thrifty man at the way in which they had spent it. The Dilettanti sneered at their want of taste. The Macaroni blackballed them as vulgar fellows. Writers, the most unlike in sentiment and style, Methodists and libertines, philosophers and buffoons, were for once on the same side. It is hardly too much to say, that during a space of about thirty years, the whole lighter literature of England was coloured by the feelings which we have described. Foote brought on the stage an Anglo-Indian chief, dissolute, ungenerous, tyrannical, ashamed of the humble friends of his youth; hating the aristocracy, yet childishly eager to be numbered among them; squandering his wealth on panders and flatterers, tricking out his

chairman with the most costly hothouse flowers, and astounding the ignorant with his jargon about rupees, lacs, and jaghires. Mackenzie, with more delicate humour, depicted a plain country family raised by the Indian acquisitions of one of its members to sudden opulence, and exciting derision by an awkward mimicry of the manners of the great. Cowper, in that lofty expostulation which glows with the very spirit of the Hebrew poets, placed the oppression of India foremost in the list of those national crimes for which God had punished England with years of disastrous war, with discomfiture in her own seas, and with the loss of her Transatlantic empire. If any of our readers will take the trouble to search in the dusty recesses of circulating libraries for some novel published sixty years ago, the chance is that the villain or sub-villain of the story will prove to be a savage old nabob, with an immense fortune, a tawny complexion, a bad liver, and a worse heart." *

Moreover, in 1780, within a few months after Sir Thomas Rumbold returned to England, the nation broke into wrath about Indian Affairs, upon a very special provocation which had just come to light, and wanted, before all else, "some one to hang." The Mahratta war had been full of mismanagement; the war in the Carnatic had just broken out. The Directors had committed themselves to the former war, and in general to the policy of Mr. Hastings. While the

Essay on Lord Clive.

nation demanded a victim and a sacrifice, the Company needed a scape-goat. Sir Thomas Rumbold was made the victim, and on him the indignation of the nation was directed. He was sacrificed for the misdoings of the Directors. He was held up to popular odium, as one who had not rendered needful help in the Mahratta war, and whose high-handed and impolitic administration at Madras had precipitated the war in the Carnatic. How far these imputations were well-founded, will appear in the course of this volume. His friends maintained that the Mahratta war was altogether ill-advised and calamitous; that that war was in effect the main cause of the war in the Carnatic; and that Sir Thomas Rumbold was absolutely prevented by Mr. Hastings' neglect at one time, and interference and coercion at another, from taking the steps which he desired to take, in preparation for the contingency of a war with Hyder Ali, which he had throughout clearly seen, and against which he was continually warning Mr. Hastings to prepare.

The history of the prosecution to which Sir Thomas Rumbold, like Lord Clive before him, and Mr. Hastings afterwards, was subjected on his return to England, is given by Miss Rumbold in some of the opening chapters of this volume. It is sufficient here to note that, having sent in his resignation previous to his leaving Madras in April, 1780, and having reached England towards the autumn of the same year, Sir Thomas Rumbold was formally censured and dismissed by the East India Company in January, 1781;

that, in April of that year; the calamitous war in the Carnatic became the subject of discussion in the House of Commons, with a view to a full inquiry, in which discussion (April 27th) Sir Thomas Rumbold, who had taken his seat as Member for Yarmouth, Isle of Wight, having been made the object of certain insinuations by Mr. T. Townshend, spoke at some length, giving his views as to the extent of ground which a thorough inquiry should cover, and courting the fullest investigation; that on the 9th of April in the following year, (1782,) Mr. Dundas opened the case against the Indian authorities, and in particular against Sir Thomas Rumbold, by a speech, in which he moved for a Committee of the whole House on Indian Affairs; that after this, in due course, certain Resolutions upon Indian Affairs, and especially a series relating to the administration of Madras, passed the House, (April 29th,) upon which a Bill of Pains and Penalties against Sir Thomas Rumbold, and other members of the Madras Council, was founded; that a Bill to restrain Sir Thomas Rumbold and Mr. Perring from leaving the kingdom was also brought in, and passed the Committee; after its Second Reading, on the 3rd of May of the same year; that after an interval of nine months, that is to say, in February, 1783, the prosecution was opened, and the defence closed on the last day of May following; and that the Bill was abandoned on June 2nd of the same year, after but one debate; at which it was evident that the feeling of the House in the matter was very materially changed.

Sir Thomas retained his seat in Parliament; took part in discussions relating to Indian Affairs, was

listened to with respect, and, as is shown in this volume, was publicly spoken of by Mr. Burke in such a way as proved that his character and position in the House were restored. In his own circle, and during his lifetime, the voice of calumny seems to have been silenced. Nor was it until more than a quarter of a century after his death, when Colonel Wilks, writing under the inspiration of Mr. Hastings, published his History of Affairs in the South of India, that the accusations of the Directors and of Mr. Dundas's Committee were revived.

The following letter from Sir Thomas Rumbold to Lord North accompanied a copy of the Baronet's Defence, as published (in part) by himself.

“MY LORD,

“AFTER the very polite reception I received from your Lordship, on my first arrival, it may appear extraordinary that I have for some time deferred paying my compliments to you; it has, my Lord, arose from a point of delicacy, for I find it absolutely necessary in the first instance to vindicate the measures of my administration abroad, against the violent attack that has been made upon them. The slow progress of inquiry has unavoidably held me in a very disagreeable situation, and not only prevented me from offering my sentiments on the state of India in general, and the regulations that were necessary to be adopted, but has obliged me to act with great reserve till my conduct has undergone a thorough investigation, and I am either condemned or set at

liberty to act with independence and freedom. I take the liberty of enclosing to your Lordship the first attempt I have made to enter into a justification of myself; if it should merit your Lordship's perusal, I doubt not but you will find it is founded on facts; and I will venture to assert that the subsequent chapters will afford as strong a vindication on the several points on which they break as the one now offered on a measure that has been reprobated not because it was in itself bad, but because it was likely to impress the public with an idea of speculations, and to raise a prejudice in order to answer particular purposes. I have the honour to be with great respect,

“My Lord,

“Your Lordship's most obedient humble servant,

“THOMAS RUMBOLD.

“*New Cavendish Street, March 11th, 1782.*”

All Sir Thomas Rumbold's addresses in the House, the tone of the Defence itself, his silence in the House during the time his conduct was under investigation, and whatever else is known of him, are in agreement with the delicacy and dignity of feeling expressed in this letter. If, from 1784 onwards, he felt himself at liberty to take his full share in the discussions on Indian Affairs in the House of Commons, and if, when he had spoken, his words were marked by the commendation of such a man as Burke, the reason was that his moral influence was restored. In the extracts from Mr. Burke's speech on the Debts of the Nabob of Arcot, given on pp. 29–31, and in a supplementary note

on p. 351, it will be seen how vastly more severe is Mr. Burke's condemnation of Mr. Dundas than any censure to which he had thought Sir Thomas Rumbold at any time liable, and how highly he praises the Baronet's conduct during the course of the Parliamentary investigation.

It may here be added that Sir Thomas Rumbold was elected M.P. for Weymouth, in 1784, and sat for that borough till his death in 1791. He left issue by both his first and second wife. Sir Arthur Rumbold, Governor of Tortola, descended from the first wife, is his great-grandson, and inherits the title. Miss Rumbold, the author of the following pages, was the youngest of three daughters by the second marriage, and sister to the late Charles Edmund Rumbold, for many years M.P. for Great Yarmouth.

Posterity has often modified, has sometimes reversed, the judgment pronounced on character by contemporaries; later history has very often set aside the less thoroughly informed conclusions of history written too near the time of the actors to escape from the bias of partiality or the cast of prejudice. In the present case, although it is not to be supposed that Sir Thomas Rumbold's administration will be proved to have been altogether free from errors of judgment, it cannot be doubted that he will have to be instated among the ranks, of not only able, but also honourable, administrators in our Indian Empire. He was not unworthy to be the friend of Clive, and to have been put in nomination for the Governor-Generalship of India.

APPENDIX TO VOL. I. OF MARSHMAN'S
"HISTORY OF BRITISH INDIA."

(LONGMANS. 1867.)

PROCEEDINGS OF SIR THOMAS RUMBOLD, GOVERNOR OF
MADRAS, IN 1778, 1779, AND 1780.

SINCE this volume was sent to press, the author has been favoured with a large and valuable collection of papers, compiled from original correspondence, and from printed records long since forgotten, relative to the administration of Sir Thomas Rumbold, at Madras, and intended to relieve his memory from the obloquy which has rested on it for nearly half a century. A careful perusal of this compilation forces the conclusion that the charges brought against him by Colonel Wilks and Mr. Mill were based on erroneous information, and partial investigation. The statements regarding his proceedings, which are now received as historical facts, and the authenticity of which the author of this volume never suspected, are not, as it would appear, to be relied on, and this chapter of Indian history requires to be written afresh. The interests of historical truth demand this candid admission, and render it necessary to place before the reader the clear explanations which these documents afford, of various points on which his conduct has been impeached.

The large sums remitted to England by Sir Thomas Rumbold, soon after his arrival at Madras, have been considered a decisive proof of the corrupt character of his proceedings. But these papers explain that he was for twelve years a civilian on the Bengal establishment, and chief of the factory of Patna.

and moreover engaged, like all the civilians of the time, in mercantile transactions; that the remittances consisted of the property he had left in Bengal in the public securities, as proved by the clearest evidence, and which, combined with his salary as Governor, fully accounted for the fortune he had accumulated, of which he was obliged on his return to deliver a schedule on oath, under the penalty of the confiscation of his entire property, if he erred to the extent of £500.

The Court of Directors had directed five of the members of Council at Madras to proceed to the northern Circars, to complete a settlement with the Zemindars, and Sir Thomas Rumbold has been censured for cancelling the Commission, and directing the Zemindars to repair to Madras, where they were required to transact business with him alone. But it is now shown that, for this procedure, he submitted his reasons to the Court of Directors, the chief of which was that these landholders were endeavouring to baffle the Commissioners, and that the Court declared themselves perfectly satisfied with the course he had adopted. When the matter came under Parliamentary investigation, it was attested by four witnesses that, at the Madras Presidency, transactions of this nature had always been conducted by the President himself, and subsequently communicated to the Board.

Regarding the bribe of a lac of rupees to his Secretary, Mr. Redhead, by Seetaram Raj, it is shown that Mr. Redhead never enjoyed the confidence of Sir Thomas, and was dismissed within a few months of his arrival at Madras, and died soon after. A paper was discovered among his effects, which purported to be a translation from the original, in the Gentoo language, containing a promise on the part of Seetaram Raj to pay him a lac of rupees, on the performance of certain services. It was not attested by Seetaram, or, by Mr. Redhead. His executors, however, sued the native for the amount in the Mayor's Court, and obtained a Decree, which was reversed on appeal by the President in Council. An attempt was made to implicate Sir Thomas in the odium of this transaction, but the Counsel for the Bill found that it could not be sustained, and abandoned the charge.

It is stated in the histories of India, that when Sir Thomas summoned the Zemindars of the Northern Circars to Madras, Viziram Raj, the Zemindar of Vizagapatam, declined to obey the injunction, pleading the injury which his estates would suffer from his absence, but that his brother Seetaram Raj hastened thither, and succeeded in obtaining from Sir Thomas Rumbold the entire command of the Zemindary, in spite of his brother's remonstrances. The version of this affair given in these papers, and substantiated by documentary evidence, presents it in a totally different aspect. Seetaram was the eldest son, and the lawful heir of the Principality, but, under the pressure of palace intrigues, was induced to relinquish his right to his brother, and to consent to act as his Dewan, or Steward; in which capacity he managed the estates with such fidelity and benefit, as in a few years to double the rent-roll. A competitor at length succeeded in poisoning the mind of Viziram Raj against his brother, and supplanted him in his office. Seetaram was at Madras, seeking the intervention of the public authorities before the arrival of Sir Thomas, who determined, if possible, to reconcile the brothers. The new Dewan, who was a defaulter to the extent of £90,000, was directed to proceed to the Zemindary, and bring up his accounts. Sir Thomas embraced the opportunity of his absence, which relieved Viziram from the spell of his influence, to make up the family quarrel. Seetaram was re-appointed Dewan, and continued to live in harmony with his brother, and secured the punctual payment of the public revenue, and promoted the improvement of the family property.

The most important series of events elucidated by these documents, is that which refers to the transfer of the Guntoor Circar; which has been assumed, without question, as the cause of the confederacy formed to exterminate the Company, and of the war with Hyder Ali, which spread desolation through the Carnatic. The statement, which has hitherto been deemed authentic, runs thus:—By the Treaty made with the Nizam, in 1768, a tribute of seven lacs of rupees a year was to be paid to him for the four Circars, and he was bound to consider the ene-

mies of the Company his enemies. The Guntoor Circar, however, was to remain in the possession of his brother, Basalut Jung, during his life, and then to revert to the Company; but if he gave protection or assistance to their enemies, they were at liberty to take possession of the province, and retain it. Basalut Jung employed Monsieur Tally to organize an army, commanded by French officers, which was gradually increased to five hundred Europeans and three thousand Sepoys, and was constantly supplied with recruits and stores through the port of Metapilly. In 1779, Basalut Jung, alarmed by the encroachment of Hyder, voluntarily proposed to Sir Thomas Rumbold to lease his territory for its full value to the Company, to dismiss the French force, and to receive a British contingent in its stead. A British force was accordingly sent to take possession of the province, and Mr. Holland was deputed to Hyderabad to explain this transaction to the Nizam, and to demand the remission of the tribute, which had been withheld for some time. The Nizam was exasperated at a proceeding which he considered a breach of the Treaty, and immediately formed a confederacy with the Mahrattas and Hyder for the extermination of English power in the Deccan. These measures were concealed from Mr. Hastings, who, on becoming cognizant of them, superseded the authority of the Madras Government at the Court of the Nizam, ordered the province to be restored, and engaged to make good the tribute; and, by this prompt and conciliatory procedure, detached him from the great Confederacy.

The documents now collected give a totally different aspect to these transactions. The collection of a French force in Guntoor had been an object of alarm equally at Calcutta and at Madras for years before the Confederacy was formed. In July, 1775, the Governor-General stated that no time should be lost in removing it, and authorized the Government of Madras to march a body of troops to the frontier, to demand the immediate dismissal of the French force; and, if it was not complied with, to take possession of the country and retain it. The Government of Madras, instead of adopting this extreme measure, sent a remonstrance to the Nizam, as Soobadar of the

Deccan, and urged the removal of the French corps. He promised to respect the Treaty "to a hair's breadth," but constantly evaded compliance with the demand, which was often repeated. The capture of Pondicherry, in 1778, gave a new turn to affairs in the Deccan; and, combined with the recent encroachments of Hyder, who threatened to absorb the Guntoor Circar likewise, induced Basalut Jung to send a Vakeel to Madras, and offer to make over the province to the Company on the payment of the same sum which he had hitherto derived from it, to dismiss the French, and receive an English force. A Treaty, embodying these arrangements, was accordingly drawn up by Sir Thomas Rumbold, with the full concurrence of Sir Eyre Coote, then a member of the Madras Council, and submitted to Mr. Hastings, who made divers alterations, and then returned it to be carried into effect, with his full concurrence. A detachment of British troops was then sent to occupy the province, who were obliged to cross a corner of a district which Hyder had recently added to his dominions. The Court of Directors likewise commended the meritorious conduct of Sir Thomas in concluding the Treaty.

The Nizam and Hyder resented this proceeding, but their indignation only served to demonstrate the wisdom and policy of it. The Nizam reproached his brother for having rented the Circar to the English; when he should have made it over to Hyder Ali. Hyder had resolved to oust Basalut Jung, and take possession of the province, which would give him a position on the flank of the Carnatic, and a port on the Coromandel coast. He was irritated by the promptness with which this design was frustrated, and vowed that he would not allow the Circar to pass into the hands of "his old and bitter enemies." By a singular error, accidental or otherwise, the word "enemy" was substituted for "enemies," and the declaration was thus made to apply to Mahomed Ali, the Nabob of the Carnatic, and not to the Company, whom Hyder always regarded with a feeling of rancorous hatred.

With regard to the tribute of seven lacs of rupees a year, the papers state that it had fallen into arrears before the arrival of

Sir Thomas Ruinbold. The Nizam was pressing for payment, and the Madras Government had earnestly entreated the Governor-General to assist them with funds to discharge it. The Madras Presidency was reduced to such a state of poverty, that when the troops had been paid for one month, they knew not where to look for the next supply. Mr. Hollond was sent to Hyderabad, not to make a positive demand of remission, to be eventually supported by violence, but to solicit a reduction of the sum, on the plea of poverty; and, if the Nizam appeared to be propitious, to propose the entire relinquishment of it, coupled with certain propositions which it was thought would appear an equivalent for the sacrifice. If they were rejected, he was instructed to assure the Nizam that the current tribute, as well as the arrears, would be paid "as soon as they were in cash." Mr. Hollond found, on his arrival, that the Nizam had taken the French force dismissed by Basalut Jung into his own service; which, considering that the English were then at war with the French, was a gross breach of the Treaty, and the Governor of Madras strenuously remonstrated with the Nizam for openly protecting and encouraging the enemies of the Company. Mr. Hollond therefore informed him that the payment of the tribute would be made, on his giving full satisfaction regarding the French troops.

The hostile confederacy formed by the Nizam is attributed, by the historians, to the irritation produced in the mind of the Nizam by the Guntoor transactions and the tribute negotiations. But the documents show that it was formed before they had occurred, and that this fact was admitted by the Governor-General himself. The animosity of the Nizam, which led to the Confederacy, was created by the support given by the British Government to Raghoba, whom he considered his most inveterate enemy. He had earnestly remonstrated with the Bengal Government on this subject, and announced his determination to attack the Company's dominions if the alliance was not relinquished. Another cause of annoyance was the interception of a letter addressed by the Governor-General to Mr. Elliott, the envoy sent to Nagpore, authorizing him to conclude an alliance

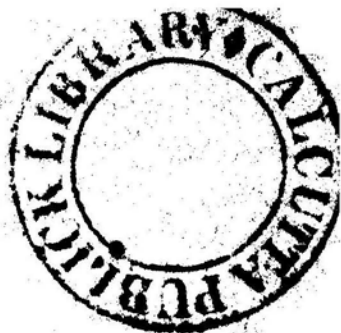
with the Rajah, and to assist him in recovering certain territories from the Nizam. It is shown in the papers that it was these two transactions alone which induced the Nizam to form a combination against the Company. It has likewise been believed that the Nizam was detached from the Confederacy by the assurance of the Bengal Government that the tribute should be paid, and the Guntoor Circar restored; but a far more probable cause of this change of policy is to be found, so the papers say, in the fact that, while the Nizam was inciting Hyder to attack the English, he discovered that Hyder had sent a Vakeel to Delhi, to obtain from the puppet of an Emperor an imperial grant of the whole of the Nizam's dominions!

These documents deal also with the assertion that the Madras Government, after having given every provocation to Hyder, were taken by surprise when he burst on the Carnatic. But it is stated that every effort was made to conciliate him. The expedition to Mahé was undertaken by orders from home, but when it was found to be obnoxious to Hyder, Sir Thomas proposed that it should be suspended, but was overruled by Sir Eyre Coote. Hyder declared that he would be revenged for Mahé in the Carnatic. The Madras Council were fully aware of his hostility, and repeatedly pointed out the danger to which the Carnatic would be exposed from his assaults, and their inability to defend it. They recommended a union of all the Presidencies to reduce his power. In announcing Hyder's preparations to Calcutta, in November, 1779, Sir Thomas Rumbold stated that if he should enter the Carnatic, it was beyond their power to prevent the ravages of his horse; but, so late as January, 1780, Mr. Hastings wrote: "I am convinced from Hyder's conduct and disposition, that he will never molest us while we preserve a good understanding with him."

In reference to the desertion of his post on the eve of the war, and the resentment of the Court of Directors, the papers show that the measures of Sir Thomas Rumbold had been uniformly commended by them; and that the first censure of his conduct, which was also accompanied by a sentence of deposition, was written three months after they had received his

resignation, and appointed his successor; and that his retirement from India was rendered imperative by the advice of the first physicians in Madras. After his return, Mr. Dundas introduced a Bill of pains and penalties, charging him with high crimes and misdemeanours, and more particularly stigmatizing the transaction regarding the Guntour Circle as having been done in a clandestine, treacherous, irregular, and unjustifiable manner. The law officers of the Crown condemned these proceedings as unjust. Some of the more important allegations in the Bill were abandoned, and others broke down when brought to the test of evidence; and the Bill itself was withdrawn twenty months after it had been presented, by a motion that it be read that day six months.

It is to be hoped that this valuable collection of documents will, at no distant period, be given to the public, for the information of those who take an interest in the history of British India, and the guidance of those who may hereafter treat of this subject.



CHAPTER I.

PREJUDICES LONG CURRENT AGAINST SIR THOMAS RUMBOLD. THE OCCASION AND ORIGIN OF THESE.

EIGHTY years have passed since Sir Thomas Rumbold was arraigned before the House of Commons, on the charge of grievous misconduct during the period of his administration in India. The circumstances of the case are little understood, if not altogether forgotten; and can therefore inspire little general interest. There may be some, however, to whom it has been matter of surprise, that, when all who have been placed in situations somewhat similar, have found in aftertimes warm friends and advocates to defend their cause, not one voice should have been raised to stem the torrent of abuse that is continually directed against the government and character of Sir Thomas Rumbold.

It is needless here to offer any explanation of this past neglect, but since, as things now are, it would seem that so long as a very eventful period of Indian history is remembered and

described, the name of Sir Thomas Rumbold will be held up to reprobation, and vilified by every succeeding writer, it is hoped that some attention^o will be granted to these pages.

They have been compiled from the only authentic records now existing, and with the object of giving a better understanding of this particular case. It will also be found that, in some respects, a new and truer light is thrown upon the portion of history in which he was an actor.

The authorities specially referred to, from which subsequent writers have borrowed the representations they give of these transactions, are the histories of Colonel Wilks and of Mr. Mill.

In the former, it is only the subjects of general historic interest, in which Sir Thomas Rumbold was concerned, that are dwelt upon, and in these he has been made subservient to a special purpose of the author. It will be shown that the circumstances under which Colonel Wilks has given his account of the transactions in question render it unworthy of credit.

It is more difficult to assign the motives that may have led Mr. Mill, who is, according to general opinion, a most respectable and faithful historian, to deal so unfairly with the circum-

stances of this case. In the manner of recounting the historical facts, as well as in his enumeration of the charges originally made, the same spirit of enmity towards Sir Thomas Rumbold prevails. Whether it is attributable to the same cause as that which so much incensed the Court of Directors, admits only of conjecture; but throughout it is rather they who are speaking, than an historian gathering the truth from independent and from all available sources.

In a late edition of this History by Professor Wilson, all the accusations set forth in the fourth chapter, vol. iv., with the concluding paragraph, are followed by this observation of the editor:—"The author does not appear to have been in possession of the Minutes of the Evidence, which was produced in justification of the Bill of Pains and Penalties introduced by Mr. Dundas:" and, from his own study of the evidence, Professor Wilson has made some important corrections of Mr. Mill's statements. Had he examined a little further he might have seen, not only that all these accusations were either placed in a very different light, or utterly disproved at the Bar of the House of Commons, but that *some of the charges made, very prominent in Mr. Mill's History had been aban-*

*done as untenable articles of the Bill of Pains and Penalties, before any evidence in support of them had been attempted on the part of the accusers.** But since Mr. Mill, was ignorant or regardless of the evidence by which all the accusations were met, it is important to ask attention to a brief examination of the authorities to which he does himself refer. First, then, with regard to the judgment of the Court^e of Directors, cited by Mr. Mill, it may be observed, that the first censure ever addressed by them to Sir Thomas Rumbold, and which was accompanied by a sentence of banishment from the service, was dated three months after they had received his formal resignation, under circumstances explained by himself, which precluded his ever seeking further employment in the climate of India. This resignation had been formally acknowledged by the Directors, and two Courts were held, when Lord Macartney was appointed "successor to a resignation," yet the Proprietors were not informed that there existed any cause of displeasure against Sir Thomas Rumbold. This could not be deemed

* Mr. Mill has, in fact, reproduced the accusations against Sir Thomas Rumbold without, so far as appears, having even read any of the statements and evidence in reply.—EDITOR.

an accidental omission. The Directors knew that he had friends among the Proprietors who would have insisted upon canvassing the merits of any measure they might contemplate against him, and might have engaged a General Court to give it a fair consideration. The letter of resignation was dated the 15th of January, 1780, and was received on the 15th of September following.* When on the 20th of December, a few days before Sir Thomas Rumbold was expected to arrive in London, the Directors went through the mockery of dismissing him from a service which he had already relinquished, it was ostensibly for measures carried out at Madras, with every detail of which they had been acquainted for much above a twelvemonth, and at which they had testified no dissatisfaction; indeed that interval had been marked by the general thanks of the Company. Should it be objected that those thanks were for distinct services, reference may be made to the "Minutes

* "Minutes of the Evidence," p. 211. See also Barrow's "Life of Lord Macartney" vol. i., p. 71. "At a Court of Proprietors held on the 23rd of November, 1780, a letter from Sir Thomas Rumbold was read, wherein he declared his intention to resign his government; and notice was then given that on the 14th of December it was intended to proceed to nominate a successor."

of the Evidence," * and to the Appendix to the Second Report of the Committee of Secrecy,† where it will be seen that the very measures relating to what was called the suspension of the Committee of Circuit, and to the treatment of the Zemindars, which were subsequently described as so obnoxious, and held up to the censure of Parliament, are commented upon approvingly in letters from the Directors; and the President and Council are recommended to persevere in the plans suggested for their relief from very long established grievances, which had involved them in almost hopeless debt. The Government, however, adopted the views of the Directors, a parliamentary inquiry was instituted to report upon Sir Thomas Rumbold's conduct, and a restraining Bill was enacted to make his property amenable to justice in Parliament.

How far it concurred with the political measures then in contemplation, to impress the House strongly with a sense of the misconduct of the servants of the Company, and to direct against Sir Thomas Rumbold, in particular, the indignation that had long been gathering in the public mind against the Company in general, is

* "Minutes of the Evidence," p. 245.

† Second Report, Appendix, No. 152.

a question that requires much insight into the politics of the times wholly to solve; but the result is obvious. . There was a general determination to devote Sir Thomas Rumbold, and to this object truth and justice were alike sacrificed.*

Apart from any interest that may be felt for the vindication of a character that has been falsely aspersed, it is curious to observe the latitude which, in the years 1782 and 1783, persons who filled the most distinguished offices in the state allowed to themselves, in order to serve the purposes they had in view.

* Some clue to the causes of this proceeding may be found in these considerations. A renewal of the Charter was impending. The prosecution of Sir Thomas Rumbold appears to have been in furtherance of the object Mr. Fox's Bill had in view. The Government of Sir Thomas Rumbold was temporary, it being intended that Lord Pigot should resume his post; and he had a special mission to examine into the celebrated subject of the debts of the Nabob of Arcot. In these many interests were concerned. Some of the debts Sir Thomas Rumbold, in the view he took of the case, repudiated; and, on his first arrival at Madras, he interfered to refuse the sanction of Government to the ratification of a new loan of forty lacs that was in train of negotiation.—See Fourth Report, p. 686.

A great deal of jealousy on this subject was excited by anticipation; since hostile pamphlets were circulated before any accounts of Sir Thomas Rumbold's conduct could have reached England.

A very slight observation will make this so apparent, that Sir Thomas Rumbold needs scarcely any other acquittal beyond what is to be found in that portion of the Parliamentary Reports of the Committee of Secrecy which relates to him. The series of Resolutions laid before the House by Mr. Dundas professed to be founded upon the authentic documents supplied to the Committee by the Court of Directors ; and although in this collection of documents much was suppressed essential to forming a right judgment in many cases on which the Committee was to pronounce, a comparison of the Reports with these documents (which were published as Appendices) will show, that in every instance they have either been garbled, or absolutely falsified, in passing through the hands of the Committee which drew up the Report, and on behalf of which Mr. Dundas presented his Resolutions.

It would exceed the necessary limits that must here be prescribed to point this out in every case ; but in treating of the most prominent charges, sufficient examples will appear to prove the truth of what has been asserted. It will be found most obvious in those details which relate to the early accusations respecting the Zemindars, and therefore attention is entreated

to that subject, though it is one of little general interest.*

Of the sudden and hostile revolution of feeling, on the part of the Court of Directors, which has been described above, some explanation is given in the forcible language of Judge Hardinge, in the opening address of his "Defence of Sir Thomas Rumbold," where he also alludes to the manner of the proceedings in Parliament.

The address commences with this strong appeal against the commitment of the Bill:—"That it was neither just, nor wise, nor safe in the legislature to shut the courts of law against the party accused, and force him to that bar for his trial. Attainders are acts of real and urgent necessity: they never should be desecrated by the ruling power to the mischievous gratification of political resentment. Bills like these are endless inquisitions. The old acquittal of the law had words of comfort in it; '*Eat inde quietus*

* See note 1, Appendix to this Volume, consisting of extracts from the "Answer to the Charges of the Directors, and the Reports of the Secret Committee, by Sir Thomas Rumbold himself." Of this only one part was printed and circulated, while the Reports were in progress;—in consequence of a denial in every quarter to afford him any opportunity of explanation. It may be seen in some public libraries, and in the British Museum.

sine die :’ But here ordeal after ordeal persecutes the victim of suspicion : they are Bills of discovery, as well as of penalties ; *the calumny of the mob is inflamed, the character devoted, and a cold acquittal from guilt, or exemption from punishment, is no mercy to a good name dishonoured.*

“ Why substitute a Bill of pains and penalties in place of an impeachment or any other legal proceeding ? Was this court preferred because no legal evidence could be found ? I am bold enough to affirm that I believe it was ; because I observe that illegal evidence forms many allegations of the Bill ; and we are told that every allegation criminales, and must be verified, be it ever so inapplicable by the rule of law to the terms of charge.* By such a doctrine, all the calumnies which malevolence can form, all the suspicions of an inquisitor, may be ingredients of this poisonous chalice, and Sir Thomas Rumbold must vindicate every passage of his life against them as well as he can.

“ Yet, Sir, it is in the memory of those who

* How true a picture Mr. Hardinge has here drawn of the fate of Sir Thomas Rumbold under this Bill ! It is these allegations, as they came fresh from the hands of his accusers, that still pursue his character.

hear me, that I have, on the part of the accused, waived my protest against many articles of illegal evidence, illegal upon the first blush of them; I admit, however, that I embraced this line of conduct with pleasure: because if tendered but refused, he never could have disproved by evidence the imputations conveyed. It is his misfortune to fight against lurking suspicions, not against evidence; it must be for his advantage that everything that can breathe upon his character may be adduced and explored.....

I must now address the House upon the topic of the unexampled severities that have oppressed the culprit of this Bill.....Apprised, in March, 1779, of all the political enormities spread before you in this Bill, the Company thanked him at a General Court for his active and able services. From the period of those thanks, (a year and a half,) I ask why the resentment which is now so inexorable slept?...

“A sentence before he has been heard, in direct breach of those very covenants which the Directors tell him he has violated! A sentence which ends with partialities I challenge any man to vindicate or excuse. One of the Council is only reprimanded, though deep in all the supposed guilt of Sir Thomas Rumbold. Two

others included, but restored in less than a month. Orders have been sent to the East; orders which I call by no other name than subornation of evidence. They bribe the informer by assuring to him a part of any corrupt acquisition to the culprit's fortune, which he can bring forward; and they mark the corruption as believed by themselves, although not proved in form.*

"I will now tell the House why the censure was reserved for 1781. Between March, 1779, and January, 1781, in that critical period, Sir Thomas Rumbold writes to the Company, and enters a firm and able protest against the Mahratta war, the war of the Directors, duped

* Extract from the concluding part of Mr. Haidinge's "Defence:"—"I have now dissected all the corruption of Sir Thomas Rumbold, which the industry and vigilance of those who drew this Bill could insinuate. Not a shilling has been traced into his pocket by the keen eyes of the subordinates, men whose corruption he reformed, whose resentment he provoked. The Zemindars, courted and bribed by the Directors to betray the extortions practised upon them, are unaccountably mute, though he is at a distance from them, no longer in the service, and his character branded by the Inquisition itself thus erected over him. From the total disappointment and failure of these various engines and complicated exertions, I surely may infer more than strict legal innocence."

by the Council of Bombay. He urges unanswerable arguments upon this topic, with ill-timed energy and zeal, a little time before the Philippic of 1781 appeared, a natural consequence of them. If that is not the key of the Philippic in 1781, I call upon the advocates for the accuser to put any other into my hand. It is agreed that with full notice of all his crimes, those who are now his persecutors, and state those crimes against him with such acrimony, at least approved of his conduct; wrote a series of letters to their delinquent minister; to that minister, whom, if you give them credit for their present account of him, they should not have left at Madras for an hour in his office; in which they expressed no material disapprobation of a single item in his conduct, but spoke of him with regard and confidence. Nor is it less agreed, that after the arrival of this letter, which protested against the Mahratta war, the tables were turned; the accuser of that war became in a moment the culprit of those whom he accused, and was held forth to the public, in a libel circulated by the Directors, before his defence was heard, or any charge put into form, as a peculator, a tyrant, and a coward. The Directors, having published and circulated this anathema,

form a powerful body of prejudice against their victim.....

“ Effects are cruel and false arguments of guilt in the measures which produced them. But here no injurious consequences have been marked by the accuser, except Hyder’s invasion of the Carnatic, the cause of which is at least a political problem admitting of many solutions. I shall have occasion to demonstrate hereafter, that Sir Thomas Rumbold was not the cause of that war, was an enemy to what he believed the cause of it, and pointed that enmity like a man of honour, though it provoked a nest of hornets, who would now sting him to death if they could. The Council of Madras quarrelled with Bengal : which of them was *right* ?”.....

CHAPTER II.

PROCEEDINGS IN PARLIAMENT AGAINST SIR THOMAS RUMBOLD. THE BILL OF PAINS AND PENALTIES.

THE extracts given in the last chapter have indicated the origin of the persecution Sir Thomas Rumbold encountered. Some brief account of the manner in which the proceedings were carried on in the House of Commons is now given from the Parliamentary Register.*

When the "Bill of Pains and Penalties" against Sir Thomas Rumbold was brought into the House of Commons by Mr. Dundas, it was argued by several members of the House that the measures pursued were "cruel and unconstitutional;" that they were "strongly opposed to the tribunal that was to try Sir Thomas Rumbold, the House being the grand jury that had found the Bill, the petty jury that were to try the accused, and, above all, the accusers." And it was asked, "How could an equitable decision be found in such a place?"

* Hansard's "Parliamentary Register," vol. xxii., pp. 114-138, 1275, 1332, 1407.

“A tribunal where the judges were not upon oath, it was urged, was unprecedented in every part of this country. The Attorney-General protested against the manner of the proceedings. The Solicitor-General declared the proceedings to be an extraordinary departure from the established laws and constitution.”...:....He argued that, “although the preamble of the Bill only stated there were suspicions against Sir Thomas Rumbold, upon these suspicions that gentleman’s whole property was to be locked up;”.... that “the clause to compel him to give an account of his property upon oath, on pain of death, was an inquisition of a most tyrannic nature, that would establish a dangerous precedent, and this against a man who, in the present stage of the business, must be presumed innocent;.....that these proceedings, which went to extort proofs from a man against himself, were repugnant to reason, justice, law, equity, and nature.”

To these arguments Mr. Fox replied, that “this was an extraordinary case, and would justify a departure from, as it was out of the reach of, any existing law:” He” (Mr. Fox) “could not think of sending out to India to discover what specific injuries had been done to individuals

there;.....he feared such a measure would end in the death of such individuals who would dare to give evidence against any of the ruling powers of the country.”*

On the 3rd of May, 1782, “ Sir Thomas Rumbold urged his claim to be heard by his counsel against the Bill.....When he should give in upon oath a statement of his property, the whole of which lay within the dominions of Great Britain,” he said, “ it would be found it had been greatly exaggerated.”

Mr. Fox persisted in assuming that Sir Thomas Rumbold had immense wealth somewhere, which “ they ” (the House of Commons) “ were to prove had been amassed by peculation : this he desired should be forthcoming for the purposes of restitution.....He then painted the happy consequences to our future Government in India, from restitution thus made.”

Mr. Burke spoke in strong terms to the same effect. “ Sir Thomas Rumbold desired the honourable Member to lay his finger upon any part of the Bill that directly charged him with peculation. There was a kind of implied charge of that nature ; but there was not a direct one.

* Mr. Fox explained that he alluded to a case that had occurred not long before in Bengal.

Did the Bill state from whom money had been extorted? To whom, then, could it be restored? It had been represented in a former debate that the House was acting as a grand jury finding a Bill: he would then call upon any forty gentlemen in the House to declare, if they had examined even the *ex parte* evidence, on which the Resolutions of the Secret Committee against him were founded: if they had read the Appendices (or evidence) to which these Resolutions referred, and if they could as grand jurors lay their hands upon their hearts, and declare as gentlemen, and as honest men, that the evidence bore out the charges: if they could not answer this question in the affirmative, he did not see how they could vote for the restraining Bill in any stage. . . .

“Sir Thomas Rumbold desired it might be noted, that he claimed to be heard by his counsel against the Bill.” “The Lord Advocate opposed the claim of the honourable Member to be heard in his defence. If he had a right to be heard in the present stage of the proceedings, all the preceding steps had been wrong, and contrary to the precedent in the South Sea case, which had been strictly copied.”

“Sir Thomas Rumbold maintained that his

case was by no means parallel to that of the persons there concerned, since in their petition to the House of Lords they acknowledged their guilt; *he, on the contrary, stood on his defence, and maintained his innocence.*"

These debates took place early in the Session of 1782.

After the interval of a twelvemonth, during which much delay and many postponements had been occasioned by the non-attendance of members, witnesses, &c., on the Committee appointed to inquire into the case; the prosecution was opened in February, 1783, and the defence was closed on the last day of May following.

When at the Bar of the House of Commons it was proved what was the amount of the property, from the restitution of which Mr. Fox had anticipated such happy effects to the people of India, and to the English Government, a hue of ridicule seemed to invest the whole affair; but the first impressions had been given, extravagant notions with regard to the wealth of Sir Thomas Rumbold had been set in circulation,—all this had been afloat for many months, and these first impressions have pursued the character of Sir Thomas Rumbold until this time.*

In a voluminous biography of Lord Cornwallis, published

In the ninth chapter of his fourth volume, Mr. Mill has given a summary account of the proceedings in Parliament, and the manner in which the prosecution was abandoned. The animosity which unfortunately has influenced him throughout, as relates to Sir Thomas Rumbold, has led him to depart here from the usual clearness of his style. The account is at least ambiguous, and tends to give a false impression. As the view set forth by Mr. Mill has been very generally borrowed by succeeding historians, the passage is repeated here, and it will afterwards be shown how the same transactions appear in the Parliamentary Register of the time.

“On the 9th of April, 1782,” (Mr. Mill says,) “Mr. Dundas moved, that the Reports which he had presented, as chairman of the Secret Committee should be referred to a Committee of the whole House. Articles of charge against Sir Thomas Rumbold were adopted; and a Bill within ten years, it is mentioned, among many false statements, as a credible and probable fact, that Hyder Ali was bribed by Sir Thomas Rumbold to delay the invasion of the Carnatic. In the same publication the Secretary, Mr. Redhead, is turned into Mr. Whitehill, and represented as becoming Governor of Madras, and is made to terminate his career, as Mr. Paul Benfield, in a garret at Paris. Other writers tell us, not only that Sir Thomas Rumbold bribed Mr. Dundas, but the whole House of Commons.

of pains and penalties for breaches of public trust, and high crimes and misdemeanours, committed by him, was introduced by Mr. Dundas. The Bill was read a first time. Before the second reading, Sir Thomas Rumbold was heard in his defence. The Session drew to a close before a great progress was made. In the beginning of 1783, the state of the ministry was unsettled,—and as if when ministry is unsettled, Parliament were unequal to their functions, the Bill was neglected till the middle of the Session. After the middle of the Session the members soon began to be remiss in their attendance. And on the 19th of December, immediately after Mr. Fox's coalition ministry, a motion was made and carried for adjourning the further consideration of the Bill till the 24th of June next, by which the prosecution was finally dropped. Sir Thomas Rumbold consented to accept impunity without acquittal; his judges refused to proceed in his trial after they had solemnly affirmed the existence of guilt; and a black stain was attached to the character of them both.” *

In this sweeping denunciation of both judges and accused, which has passed current with sub-

* For this see Parliamentary History, vol. xxii., p. 1291; also, vol. xxiii., p. 75.

sequent historians, Mr. Mill contradicts the express declarations of the judges to whom he refers, as having "affirmed the existence of guilt." Those judges were extremely cautious in the expressions they allowed themselves to use with regard to a "man untried, and before any evidence had been heard."* When it was represented to Mr. Dundas, that the Second Report was a mere personal charge, he spoke in these terms : — "In their inquisitorial capacity it was not their province to ascertain criminality or inflict censure. The whole remained to be proved and established, before it assumed the weight of a criminal charge." And it was said by Mr. Fox, that "it would not be inconsistent for the House to agree to the resolutions against Sir Thomas Rumbold, in their inquisitorial capacity, and afterwards, when he came to throw fresh light on the evidence by his defence, for them, in a judicial capacity, to alter their opinion." It is still more important to notice that in the passage quoted above, Mr. Mill has affirmed that, before the close of the Session of 1782, the Bill was read a second time, Sir Thomas Rumbold having been previously heard in his defence. But the case was not so. The counsel for the prosecution

* Parliamentary History, vol. xxii., p. 1282.

and for the defence were not heard until the Session of 1783, and upon what is called the second reading of the Bill. The defence followed the second reading: and, as it will presently be shown, the proceedings, after the evidence was heard, were immediately arrested. Mr. Mill subjoins, in a note, quotations from the speeches of Mr. Dundas and Mr. Fox, of the 2nd of May, 1783, in which the former complained of the thin attendance of members. "If it was the intention of the House to drop the business, he wished to be made acquainted with that circumstance," &c. "Mr. Fox declared that to drop the Bill would be productive of the most fatal consequences; and therefore he requested gentlemen would, for the credit, honour, and interest of their country, attend to the evidence for and against the Bill. If the Bill should be lost for want of attendance, it would not clear the character of Sir Thomas Rumbold; on the other hand, it would hold out this idea to the people of India, that it was vain for them to expect redress of their grievances in England."

It is quite true that Mr. Fox said, "If the Bill were lost from want of attendance, it would not clear the character of Sir Thomas Rumbold;" and the import of those words was perfectly

just; but their bearing upon the case would have been totally different if, as Mr. Mill's quotation would lead us to suppose, in that stage of the proceedings the Bill had been suddenly and unaccountably dropped; there would then have been ground for much surmise to account for this circumstance. It was on the 2nd of May that these words were spoken, and at that time the evidence against the Bill had scarcely been gone into. On the 30th of May the evidence was closed; the subject which engaged the House on that day was the proofs from whence the money remitted to England by Sir Thomas Rumbold had been drawn. Until that time, although there had been much delay, the zeal of the prosecutors had not relaxed, as Mr. Mill's quotations plainly show. On the 2nd of June the subject was resumed, when a great change is apparent in the tone of every member who spoke.

However there may still have existed political animosity, it may fairly be asserted that of the charge of corruption Sir Thomas Rumbold was absolved in the mind of that portion of the House who had listened to the evidence. Several members spoke of the hardship and cruelty of prolonging the business for another year, and