

# BRIEF NOTICE

OF THE

SERVICES

HOME DEF

OF

MR. CUMMING,

LATE

HEAD OF THE REVENUE AND JUDICIAL DEPARTMENTS

IN THE OFFICE OF THE RIGHT HONOURABLE

THE BOARD OF COMMISSIONERS FOR

THE AFFAIRS OF INDIA

— — —  
July 20, 1824.  
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## BRIEF NOTICE.

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Mr. CUMMING signified to the Board of Commissioners his desire to resign the Office he held on their establishment, in the following Letter, addressed to Mr. COURTENAY, the Secretary.

*Gulford Street, 7th May 1823.*

SIR,

You will have been prepared, by the conversations which I have already had the honour to have with you, and by that, which I have more recently had with Mr. WYNN, for the application which I, at length, feel myself under the necessity of making, through you, to the Board of Commissioners, to be permitted to retire from their service; after having been

engaged in it, for nearly thirty-one years, fully sixteen of which, I have been in charge of my present office.

I am induced to make this application, under a deep persuasion that the serious, and, I fear, permanent injury which my health has sustained, from the incessant and unusually laborious attention which I have felt it to be my duty to give to the important and arduous business of the particular departments committed to my charge since the year 1807, renders me not only incompetent to acquit myself in the office I hold, with that efficiency which the public interests demand (and which at no former period, have been more urgently demanded than at present), but must render any attempt on my part, to continue to discharge the duties of it, in a manner that could either be satisfactory to myself or the Board, incompatible with the preservation of life.

Having from 1807, devoted the whole of my time to a course of reading and inquiry respecting the internal administration of British India, from our earliest connexion with that country, in order to qualify myself for being



a useful functionary to the Board, in regard to this most extensive and peculiar branch of Indian policy (and which, I may with great truth state, had, up to that time, been regularly investigated and studied by very few persons in this country), I was, in consequence of the information I had thus acquired, invited in 1810, by the Select Committee of the House of Commons on India Affairs, to afford my aid in the preparation of that part of their Fifth Report, which relates to the internal Government of the Madras Territories. This was no ordinary undertaking; and this, together with the effects of my previous labours in the office, first made me fully sensible that I was working harder than my strength could bear. Before I had completed the work in question, I was obliged to leave London for some months, in order to seek ~~repose~~ <sup>rest</sup>, and to recruit the little strength I had left. On my return, I finished the particular work that had been committed to me: and from that period, I was brought by the Board of Commissioners into more active service than ever; the whole of my time and

attention having been applied, both at the office and at home, even during those hours ordinarily devoted to natural rest, to the business of my departments, up to the summer of 1821; when, I was again under the necessity of desisting from this long continued course of exertion, by the enfeebled state to which it had latterly reduced me. All this time, the only aid I derived from those placed under me, except during the two last years of that period, was in conducting the purely mechanical details of the Office. It was not until February 1818, that the services of Mr. STARKE were afforded me, as Assistant in the Revenue branch of affairs, by his transfer from the Political Department; nor until August in the same year, that Mr. ORMEROD was assigned to me, as my Assistant, in the Judicial; nor could it possibly be expected that I could, at once, receive the efficient assistance from those Gentlemen, of which I stood so much in need, and which previous training and previous study could alone enable them to render me, in departments of so peculiar a

nature.\* Those Gentlemen had but little opportunity, at least *during official hours*, of applying themselves to the acquisition of general information respecting Revenue and Judicial Affairs;† for the only other Gentleman permanently attached to the departments was Mr. PLOWDEN, who was not appointed to the Office, till the latter end of the same year; so that the time of the former two Gentlemen, was for some years entirely engrossed, as had been wholly the case, in respect to their predecessors, by the common routine business of the departments; in copying papers, in making extracts for me from the Records, and in indexing the dispatches; and even in the performance of this

\* Mr. Cumming had laboured under these difficulties, ever since he had charge of the Revenue and Judicial Departments, in 1807. He had, from the beginning, two assistants: but their whole time was consumed in the common-place duties of clerks; and unavoidably so. The very infirm health of both, had also for several years, greatly interfered with the discharge, even of these duties.

† The inadequacy of their allowances furnished them with no inducement to give up any portion of their private hours to the study of Revenue and Judicial subjects.

duty, they were constantly liable to be called off, to copy papers relating to the business in the Secretary's department; which placed me in a situation that often obliged me to act the part of a junior officer, to transcribe fairly with my own hand, a great part of my rough drafts of papers, and to examine myself, into almost every point of detail treated of in the preparation of dispatches to India. In truth, I was, from the want of numerical strength of officers, still left in a situation, ever since I had charge of the Revenue and Judicial departments, in which nothing could have induced me to continue for ~~such~~ a length of time, without earnestly representing it to the Board, with a view of obtaining relief from the pressure which bore upon me; but a desire to support, as long as I could, the inconvenience, under the continued pecuniary embarrassment of the Board, in consequence of the limited amount of the funds of the Office, out of which, it was with extreme difficulty that even the actual expenditure on account of the existing establishment, could be liquidated.

On the occasion of my health failing me in 1821, the Board in their Minute of the 30th July, were pleased, in a manner highly flattering to my feelings, to give me an unlimited leave of absence to visit the Continent, as the best chance, in the opinion of my Physician, DR. VANCE, of recovering my health. DR. VANCE, at the same time, signified to me, that it would nevertheless be requisite to the accomplishment of that object, that I should in future abstain, as much as possible, from that close application to business and those sedentary habits to which he ascribed my declining health.

I returned to England, in the beginning of 1822, certainly but little amended, the seeds of my disorder in no degree eradicated, and in a condition to render me extremely unfit to resume my official duties: and I was most earnestly entreated by all my friends, to solicit retirement. Mr. WYNN most kindly proposed to me to try the effects of further relaxation; but I felt that, in the particular state of things, it would be something not unlike a desertion of duty, if I had not then remained at my post. I found

that an arrear of business had accumulated, during my absence, and that several matters of very special importance, had been standing over, until my return, which demanded my immediate attention; and I was soon, nearly, as fully and as anxiously engaged in business, as I ever had been, at any former period, until I again sunk under it, about four months ago. Since that time, I have only been able to apply to my duties, in a very feeble way.

In these circumstances I found it requisite to place myself once more, in the hands of a skilful Physician, DR. PROUT, who, after attending me some weeks, recommended me to call in the advice of DR. BAILLIE: and, on a consultation of these medical gentlemen, they gave it as their opinion that I might, and probably would be restored to tolerable health, provided I did not delay withdrawing from all severe and laborious occupation, particularly such occupation, as kept the mind on the stretch, and confined me closely to my desk. This, they both considered indispensable, in order to afford me any

reasonable prospect of recovery. But this advice it would be quite impossible for me to follow, and at the same time, satisfactorily acquit myself of the duties of my Office, even if the strength of the establishment of the departments enabled me to confine my attention altogether to the business of superintendence.

If, by bad health, I am now rendered incompetent properly to attend to the affairs of the two departments, how much less competent should I be to the due discharge of that duty, when the business shall be greatly augmented, as it soon must be, by the transfer of the whole of the Indian correspondence respecting the internal administration of the new Territorial Acquisitions, now conducted in the Political Department, to the Revenue and Judicial Departments.\* I need not inform you that this extensive cor-

\* Before Mr. CUMMING addressed this Letter to Mr. COURTENAY, he waited on Mr. WYNN, in order to signify his wish to retire: on which occasion, Mr. WYNN again recommended him to try the effects of country air, for a year, away from the cares and fatigues of business; but the advice of his physicians left him, in no doubt that he should

responsence is already, in progress of being so transferred. The head of these united Departments might indeed be relieved from the additional weight of business that must thereby be cast upon him, and also from a very considerable portion even of that, which he has at present to sustain, by the complete separation of the Revenue and Judicial branches of internal Administration; and their formation into two distinct Departments, with distinct and independent heads to each. But, for the reasons stated in a paper which I prepared, at the desire of MR. CANNING, shortly before he resigned the office of President, respecting the state of my department (a copy of which accompanies this Letter (No I.),\* and to which I solicit the attention of the Board); I never again be enabled to encounter the duties of his office. He further explained to Mr. W~~YNN~~, in this interview, why he could not reconcile it to himself, in justice to the two gentlemen immediately below him, to consent to be the means of retarding their promotion, for that time, without a rational prospect of his being able, at the end of it, to return to his post, in a condition fit for active service.

\* The paper here referred to, is omitted in this " Brief



submit that such a division of the two branches, is liable to the strongest practical objections : an opinion which I am satisfied will be supported by every man really conversant with the internal concerns of India. The object of MR. CANNING, in requesting me to prepare that Paper, originated in the opinion he entertained of the unreasonableness and unfitness of my being left without that aid, which should limit my official labours and exertions to the duties of a general superintendence over the affairs of the two Departments ; not by the separation of the Departments, and leaving <sup>Mr. Canning</sup> ~~Mr. Cumming~~ in the charge of one only ; but by adding to the numerical strength of the clerks below <sup>him</sup> ~~him~~, as far as might be needful.

Under these explanations, I humbly trust that the Board will be pleased to take my application for permission to resign, into their consideration ; and retiring, as I shall do, in the middle age of life, from the loss of health, solely occasioned by the circumstances to which I have alluded, with all future prospects of advancement and pecuniary advantage closed

against me, and the allowances which I now enjoy being much less, on a comparison with the duties performed, and the salaries received by the Heads of other Departments, and than, I have reason to believe, it has always been admitted, they ought to be.—I further trust that the Board will be pleased to take these circumstances also, into their favourable consideration, in reference to the amount of provision to be made on my retirement; and as not less immediately connected with this subject, so interesting and important to my future comforts in life, that they will allow me to submit to them a memorandum respecting my past services, as exhibiting their nature and usefulness.\* This has indeed been acknowledged on the Minutes of preceding

\* This memorandum was intended for the information of the present Board of Commissioners, the President of which and two of his colleagues, had at this time, been little more than a year in office. It entered into a more circumstantial detail of his past services than Mr. CUMMING could conveniently do, in his letter to Mr. COURTENAY. Any further notice of it, is completely superseded by the full and handsome manner, in which those services were subsequently acknowledged, in the minutes of the Commissioners.

Boards, and in another form, if possible still more flattering to me :\* nor should I have felt it necessary to solicit the attention of the present Board to that memorandum, but under a confident persuasion, that in requesting you to lay it before them, I am doing no more than what, on the present occasion, common justice to myself requires.

I have only to add that, when I leave the Office, I shall have no income to live upon, than that afforded by the provision that it may be thought proper to obtain for me.

I have the honour, &c.

JAMES CUMMING.

*Thos. Peregrine Courtenay, Esq.*

On the receipt of this Letter, the Board recorded the following Minute, dated the 3d June 1823.

The Secretary lays before the Board, a letter addressed him by MR. CUMMING, expressing a wish to retire from the service of the Board,

\* Alluding to the mention that had been made of his services in the House of Commons

in consequence of “the serious, and (he fears,)  
 “ permanent injury which his health has sus-  
 “ tained, from the incessant and unusually la-  
 “ borious attention, which he has felt it his  
 “ duty to give to the important and arduous  
 “ business of his department.”

The Board admit with sincere regret, the necessity which deprives them of the valuable services of MR. CUMMING; and in accepting his resignation, will without delay take measures for securing to him, the usual pension given to Officers of this Board, on retirement.

On the first entrance upon office of the present Board, a representation was laid before them by their Secretary, upon the state of the establishment, from which the following is an extract.

“ Cases will sometimes occur, to which the  
 “ funds of the Office are entirely inadequate.—  
 “ Such is the case of MR. CUMMING, the present  
 “ head of the Revenue and Judicial Depart-  
 “ ment. His services, in first bringing under the  
 “ consideration of the Board, and subsequently  
 “ watching with increasing vigilance, the in-

“ ternal administration of India, and in collect-  
 “ ing a body of information upon that subject,  
 “ such as never before existed ; would be, even  
 “ if nothing were regarded but the labour, de-  
 “ serving of a far higher reward than any  
 “ which he has received, or can receive, by  
 “ way of salary.

“ But when the Board consider the great  
 “ utility of those labours, in communicating  
 “ information, as well to the Governments and  
 “ Officers abroad, as to the Board of Commis-  
 “ sioners, and the Court of Directors, at home ;  
 “ the part which he has had, in framing in-  
 “ structions which have been sent to India,  
 “ and in commenting upon the communications  
 “ which have been received from the several  
 “ Governments, and the serious injury which  
 “ his health has sustained in the performance  
 “ of those valuable ~~services~~, they will at least be  
 “ satisfied, that the efficiency of their depart-  
 “ ment would be greatly promoted, by provid-  
 “ ing a reward for public service, so unusual  
 “ in extent, and so great in importance.”

The distinguished services of MR. CUMMING have also been recorded, in the successive Minutes of former Boards ; and have been repeatedly adverted to in Parliament, by those who have had the best opportunity of appreciating their value.\*

The present Board feel it due to MR. CUMMING to express their entire concurrence, in the honourable testimony thus borne to his merits. They have had frequent occasion to refer to the interesting and elaborate collections of information, with which he has enriched this Office ; and they have witnessed the zeal and activity of mind with which he has resumed the duties of his situation, since his return from abroad ; a zeal which unfortunately his bodily strength has been unable to support.

Considering therefore, the peculiar nature of this case, the Board think it their duty to bring it before His Majesty's Government ; and they request MR. WILLIAMS WYNN to communicate with the EARL OF LIVERPOOL, in the hope that means may be found of conferring upon MR.

CUMMING, an adequate reward, for services rendered in an important branch of the general administration of the British Empire.

(Signed)

CHARLES WATKIN WILLIAMS WYNN.

*William Henry Dunning and  
Joseph Phillimore.*

On the 13th of June, the following Postscript was added to this Minute, by the Right Honourable GEORGE CANNING, His Majesty's Secretary of State for Foreign Affairs, an ex-officio Member of the India Board, and formerly the President.

“ Having perused this copy of Minute of the  
 “ Board of Commissioners for the Affairs of  
 “ India, I cannot refrain from adding my indi-  
 “ vidual testimony to that, which is herein  
 “ borne by the present Board, to the extraor-  
 “ dinary merits and invaluable services of MR.  
 “ CUMMING. If any discretion be left by the  
 “ Act of Parliament regulating Retirements, to  
 “ proportion amount to desert, or to add re-  
 “ compensate to what is mere earning, there  
 “ never was a case, in which the amplest extent

“ of remuneration, could be more justly bestow-  
 “ ed. If there be no such discretion, I should  
 “ greatly rejoice to hear that there are other  
 “ sources from which such additional mark of  
 “ approbation, could be derived by MR. CUM-  
 “ MING.”

(Signed) “ GEORGE CANNING.”

*Separate Minute of the Right Hon. JOHN  
 SULLIVAN, dated 20th June 1823.*

Ten years of official intercourse, as a Member of the Board, with MR. CUMMING, of the Judicial and Revenue Departments, has impressed me with the highest sense of the zeal and talents of MR. CUMMING, and of his long unabated labour in the public service.

An absolute devotion of his mind and time, could alone have enabled him to have prepared those voluminous and lucid Reports upon the internal Administration of India, which have justly excited the praise and marked approbation of four successive Boards : and the value of which, must be felt, by every succeeding Board ; for they embrace subjects, in which the interest



and happiness of the Natives of India are deeply involved: and upon a due attention to which, the safety and prosperity of the British Empire in India, must mainly depend.

Services of so peculiar a description, cannot have been duly provided for, under any general rule of superannuation; and therefore, the reward must be looked for in the liberal justice of Government.

A similar case, cannot occur; as all the elements of knowledge upon the Judicial and Revenue branches of Administration, have been collected and elucidated, in the Reports of Mr. CUMMING.

(Signed) JOHN SULLIVAN.

*Separate Minute of LORD TEIGNMOUTH, dated  
2d July 1823.*

To withhold my testimony to the zeal, assiduity, and ability ~~so~~ invariably displayed by Mr. CUMMING, in the discharge of the duties of the important departments which he has so long held under the India Board, would be the greatest injustice to his extraordinary merits and

invaluable services. The benefits derived from them, cannot be too highly estimated; and I deem them entitled to every remuneration which the liberality of Government can bestow.

(Signed) TEIGNMOUTH.

The foregoing Testimonies to the past services of MR. CUMMING, and his claims to special remuneration for them, were not more gratifying to him, than a Letter which LORD BINNING, formerly a Commissioner of the Board, addressed to MR. COURTENAY, the Secretary, on the same occasion.

*Chesterfield Street, 21 July 1823.*

MY DEAR SIR,

I return you many thanks, for having been so obliging as to communicate to me, the Minutes of the Board, on the retirement of MR. CUMMING.

As it is known to you, that I had a great deal of intercourse with Mr. CUMMING, during the whole of the period, at which I was a Member of the Board; you will not be surprised, at my eagerly seizing this opportunity to express the

very high sense I have ever entertained of that Gentleman's very extraordinary merits. I am well convinced, that no department of the public service of this country, ever produced an Officer, who, to better abilities, joined more zeal and diligence, in the execution of the duties he had to perform. I believe him to be a man of a most benevolent and disinterested mind; and, in every respect, worthy of the very high esteem in which I know him to be held, by all those with whom he has ever been officially connected.

The real extent and value of Mr. CUMMING's services, can only be known to those, who are as well aware, as you and I are, of the important, as well as laborious nature of the Office he has filled. The Revenue and Judicial Department at the Indian Board, embraces the whole internal ~~Government~~ of the Provinces; and, the manner in which the duties of that Department are executed, affects, infinitely more than the name imports, the happiness and well-being of the many millions subject to our rule in the East. To this, Mr. CUMMING was feelingly alive; and he has sacri-

ficed his health and comfort, to the zealous (I might say, enthusiastic) and unremitting discharge of the duties intrusted to him.

I have so much friendship for Mr. CUMMING, that I might distrust my own judgment, and suspect myself of partiality; but it gives me the sincerest pleasure, to find, that the same opinions are entertained, by better judges and higher authorities.

I only wish the extent of his remuneration depended upon me. The ordinary retirement, for so valuable and devoted a servant, would be but a poor recompense; and, as such, unworthy of the Country that has derived so much real benefit from his long continued exertions.

As I have now no right to make Minutes, perhaps you will not think that I presume too much, on having been ~~once~~ a Member of the Board, if I ask you to communicate this Letter, with my best respects to Mr. WILLIAMS WYNN.

I am,

My dear Sir,

Most truly yours,

(Signed) BINNING.

The value of these testimonies from his official superiors, in favour of his past services, ~~were~~ <sup>was</sup> in no small degree enhanced, in his estimation, from their not having, in any manner, originated in solicitation on his part. This was also the case, with respect to the flattering acknowledgments of his services, in the successive minutes of former Boards.\* Such testi-

\* Several of the minutes here referred to are more particularly noticed in Supplement B.

The writer trusts that it will be imputed to better feelings than ostentation, if he here also notices a tribute of esteem and respect which he received from his colleagues in the India Office, in the beginning of the year 1819, on his return to it, after a leave of absence to recruit his health by the sea air of Brighton.

“The Gentlemen of the Board of Control, whose names are subscribed to this paper, being anxious to express their high respect for JAMES CUMMING, Esq., beg his acceptance of a small piece of plate, as a testimony of the sense they entertain of the beneficial results to the office, of his personal conduct and exertions, which have highly conduced to raise its character collectively, to stimulate its energies individually, ~~and to~~ enlarge the field for the exercise of ability, in whatever degree it may be found.”

This address was signed by all the gentlemen in the office, from the Assistant Secretary downwards, with the exception of those who had been but recently placed on the Establishment, whose names it was not thought proper to receive. Though Mr. CUMMING ever has, and ever must reflect upon

monies and acknowledgments indeed carry on the face of them the best evidence of their being altogether the spontaneous and deliberate acts of the four different Boards from which they emanated.

The pension which the Board of Commissioners signified to Mr. CUMMING, in their minute of the 3d June 1823, that they would “without delay obtain for him,” as “the usual pension given to Officers of the Board,

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this tribute of commendation with no small pride, as well as pleasure, he should indeed be both vain and presumptuous, did he take to himself the very large share of merit which it assigns to him. The sentiments expressed by his colleagues, must have chiefly sprung from partiality, and though they do honour to him, they do much more to themselves. This observation in particular applies to some of his seniors in the office who signed the paper in question, and who indubitably were in no degree indebted to Mr. CUMMING, in those respects, in which, through a liberal and generous overflow of feeling, so much useful and extensive effect, out of his own immediate official sphere of action, is ascribed to him, in that paper. It was certainly his endeavour to animate the junior part of his colleagues to a sense of the importance of the business of the office, in every department, and more especially in his own; and he has the satisfaction to believe that, in this endeavour, he has not been unsuccessful; and that the Board have in a greater or less measure experienced the advantage of it.

“on retirement,” he has received from the month of July following, *viz.*, £666, being two-thirds of his actual salary, which was £1,000. The amount of this retiring pension was regulated by the Act of the 53d Geo. III. cap. 155, (A. D. 1813,) entitled, “An Act for continuing in the East-India Company, for a further Term, the Possession of the British Territories in India, &c.” By this Act, as well as by the former India Acts of 1793 and 1811, a certain sum, payable by the East-India Company, and not to be exceeded, was allotted to defray the salaries of the President and two other Commissioners of the India Board, of their Secretaries, and other Officers on the establishment of the Board, together with the other expenses incidental to it. But it was not till the passing of the Act of 1813, that any statutable provision was made, in respect to the mode and principles, according to which, retiring pensions to the Officers of the India Board were to be granted; and by this Act, His Majesty was empowered, by warrant under his sign manual, countersigned by the

Chancellor of the Exchequer, to grant retiring or superannuation allowances to Officers belonging to the Board of Commissioners for the Affairs of India, to be paid out of the funds of the East-India Company, "subject to the like conditions, "and in the like proportions," as such superannuations might then be made, in other departments of the State, by virtue of the 50th Geo. III, (A.D 1810), cap. 117, entitled "An Act to "direct that Accounts of Increase and Diminution of Public Salaries, Pensions, and Allowances shall be annually laid before Parliament, "and to regulate and controul the granting and "paying such Salaries, Pensions, and Allowances." According to the conditions and proportions contained in this Act of 1810, and which are also specified in the Act of 1813, any Officer being ~~incapable~~ "incapable from infirmity of "mind or body," to discharge the duties of his office, and having been in the public service above twenty years, might be allowed a pension equal in amount, to that which was granted to Mr CUMMING; no discretion being left in Government, under the Act of 1813, to grant



any larger pensions than those prescribed by "the conditions and proportions" in that Act, which, like the Act of 1810 relating to *other public offices under the Crown*, had reference only to bad health, combined with length of service, and in no respect to extraordinary services. Though this was the case, with regard to the officers in the other departments of the State, under the Act of 1810, the hardship of their situations in this respect was greatly relieved, in the superior departments, and in particular the situation of those of senior rank, by the practice which has generally prevailed of requiring extra services and rewarding special merit, by conferring upon the individuals, appointments of a sinecure kind, or to which but slight and occasional duties are attached, yielding from three to five or six hundred pounds of additional income to the holders of them, and often more.\* In those superior departments, as the

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\* Several Gentlemen in the India Office also held double appointments, not however as the consequence of any general or fixed principle; but from accidental circumstances, though combined with individual desert, which well entitled them to such advantages.

funds for the support of their respective establishments were, in common with all the other departments of Government, provided from the national Treasury, the same difficulties did not exist in obtaining the means for remunerating the officers belonging to them, by increasing their salaries in proportion to the labour and the value of the services rendered, as in an office like that of the Board of Commissioners for the Affairs of India; the expenditure of which was restricted to a fixed sum by Act of Parliament, and could only be increased by a formal application to the Legislature, and which sum, for the use of that Board, though augmented in the year 1813, has never afforded a surplus fund sufficient for any such purposes. But by the Act of the 3d Geo. IV. cap. 113, passed in August 1822, the ~~Act~~ of 1810 applying to other departments was amended: and a clause was introduced into this new Act, which gave authority to deviate, in particular circumstances, from the rules and conditions laid down in the former one, concerning Retiring Pensions, *viz.*, that “in any case, in which it

“ shall appear to the Commissioners of His  
 “ Majesty’s Treasury that any *special circum-*  
 “ *stances* give to any Officer, a just claim to any  
 “ amount of superannuation not *authorized by*  
 “ *this Act, or exceeding the Allowance specified*  
 “ *therein*, with reference to the actual length of  
 “ service of such Officer, it shall and may be  
 “ lawful for the Commissioners of the Treasury,  
 “ and they, or any three or more of them, are  
 “ hereby empowered and authorized to grant  
 “ and give authority for the granting of any  
 “ *special remuneration*, provided always that the  
 “ grounds on which any such special superan-  
 “ nuation shall be granted or authorized, shall be  
 “ stated in the grant thereof, and also be en-  
 “ tered on the minutes of the Treasury, and shall  
 “ be laid before Parliament, &c.” But as this  
 provision of the Act of 1822, which was passed  
 the year before the resignation of Mr. CUMMING,  
 was not by that Act, nor by any other Act,  
 extended to the Officers of the India Board,  
 Mr. CUMMING could not receive the benefit of  
 such a discretionary power, though any gentle-  
 man of the India Office who might have ren-

dered special services, had in equity and justice, equally good claims to special remuneration for them, according to their value and extent, as those belonging to any other public department of the State.

It was under the conviction, that his case was *peculiarly one of this description*, that, in their minute of the 3d June 1823, the Board of Commissioners stated, that “they thought “it their duty to bring it before His Majesty’s “Government, and to request Mr. WILLIAMS “WYNN, the President, to communicate with “the EARL OF LIVERPOOL, in the hope that “means might be found of conferring upon “Mr. CUMMING an *adequate reward*” for the services described in that minute, and so pointedly adverted to, in the separate minutes of Mr. CANNING, Mr. SULLIVAN, and LORD TEIGNMOUTH, and in the letter of LORD BINNING, as well as in the minutes of preceding Boards, and in the Parliamentary Debate of the 15th March 1822, (Supplement A.)

LORD BINNING, acting under the influence of those kind and manly feelings which (as the

writer may very safely assert, without exposing himself to the imputation of servility, from any one acquainted with his Lordship,) forms a prominent feature of his character, thought it proper, and without the knowledge of Mr. CUMMING, to bring his particular case under the notice of the House of Commons, in the Debate that took place on the 12th June last, respecting the general Superannuation Bill, then in progress through the House.\* It was at this time, under the consideration of His Majesty's Government: and, on the 14th of the present month of July, LORD LIVERPOOL was pleased to direct a warrant to be prepared for granting to the unmarried sister of Mr. CUMMING, who, since the decease of their father, had been his domestic companion and friend, and whose maintenance and protection chiefly depended on him, a pension of £200, which, added to the usual pension already obtained for himself, from the funds of the East-India Company, by His Majesty's general warrant, under

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\* *Vide* Supplement C., for an account of what was said by LORD BINNING on that subject.

the Charter Act of the 53d Geo. III. cap. 154, sec. 91, yields the sum of £866 per annum.

For this act of his Majesty's Government, Mr. CUMMING must ever feel grateful, and particularly to Mr. WYNN and the other Members of the Board, through whose good offices he is more immediately indebted for it. The pension thus granted to his sister is much more acceptable to him than if it had been bestowed upon himself. It has relieved his mind from many painful reflexions, since his resignation, by securing, as it has done, to one most nearly and dearly connected with him, a permanent provision for her maintenance and support; which, in the event of his decease, he had not the means of affording her, not having been able to save any part of his official salary, and not having any private fortune whatever, to leave behind him.\*

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\* He had been in the India Office eight years, and on an establishment consisting of fifteen clerks, and had attained, by regular succession, the rank of seventh clerk, before he had a salary of £200 per annum; and it was not till he had served fifteen years, and after he was placed by selection, in charge of the Revenue and Judicial Departments, that it

In the letter, in which Mr. WYNN did Mr. CUMMING the honour of informing him of this

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reached the sum of £350; a sum which, under the comparatively improved scale of allowances in the office, adopted of late years, is not larger in amount than the salaries now received by most of the juniors on the establishment, not having served more than half the above-mentioned period. In the year 1811, having then served in the office nearly twenty years, Mr. CUMMING's salary, under a new arrangement, applying to all the heads of departments, except the Accountant, was augmented to £500; and having in the following year completed the term of twenty years, he received, under that arrangement, an addition of £100, making his salary £600. By a further general arrangement in 1813, also applying to all the heads of departments except the Accountant, that salary was increased to £800; and in the year 1816, it was augmented to £1,000, as explained in Supplement B, page 43. It was not, therefore, until a late period of his service, that he could save much out of his official income, even if the obligations of family duty had not put this out of his power: and the pittance he did manage, under these circumstances, to save, has been consumed by the expenses attendant on his visit to the Continent, in 1821, for the recovery of his health, and his domestic expenses since his retirement from duty, on two-thirds of his salary. Several of the gentlemen in the India Office, as in the other superior departments of the State, have held or now hold other situations of emolument. The Accountant, from the year 1807, has enjoyed an allowance from His Majesty's Treasury, at the rate of £400 per annum, as "Accountant, to investigate the accounts between the East-India Company and the public;" and though he has recently retired from the India Office on a superannuation pension on

*grant of a pension to his sister, he was pleased to express his wish, " that circumstances would*

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account of infirmity, the duties of his other appointment being occasional only, he still discharges them. The gentleman at the head of the Political Department held the appointment of Private Secretary to the present LORD MELVILLE and the EARL of HARROWBY, during the periods they respectively held the post of President of the Board of Commissioners, yielding a salary of £300 per annum; and some years after, his services were rewarded by a colonial agency of larger emolument, which he continued to hold until the peace, when the colony was surrendered. The gentleman at the head of the Public and Commercial Department has also held, since the year 1805, the office of Master of the Mint, in Scotland; an office conferred upon him for his services to the late and present LORDS MELVILLE, and from which he derives a salary of £390 per annum. It was not, however, the good fortune of Mr. CUMMING to enjoy any advantages of this description, while in the employ of the India Board.

On the occasion of adopting the arrangement of 1813, alluded to in a former part of this note, by which the salary of Mr. CUMMING was, in common with those of the other Chiefs of Department, raised to £800, after twenty years' service, he had the honour of receiving a letter from Mr. WALLACE, who had been for a considerable period a member of the Board; and who was also Chairman of the Select Committee on East-India affairs, when they made their Fifth Report, ordered to be printed in July 1812; in which letter, speaking of that arrangement, he thus expressed himself: " I need not tell you that it falls short of my wishes; and I am afraid, will not be quite satisfactory to you. This, allow me to say, I shall much regret, on every



“ have admitted of a more liberal public acknowledgment of his long and valuable service.” Mr. CUMMING did entertain the hope that the particular nature and utility of his services, as recognized by the Members of the Board, and the serious effect on his health, of the excessive labours he underwent in performing them (labours which were such, as to compel him to retire from public duty, at an age not much exceeding the meridian of life, and all future prospects of advantage thereby shut against him, in which he might otherwise reasonably have indulged); would have served to procure for him

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“ ground, both public and private; both from my personal regard for you, and from my conviction that any diminution of your zeal, would be one of the greatest losses the public interests, as connected with India, could at this moment, sustain ” Mr. SULLIVAN will, Mr. CUMMING is persuaded, bear witness that, on ~~his~~ being deputed by his colleagues, preparatory to the arrangement, to wait upon that gentleman to advocate their cause, that he did not solicit any *peculiar* advantages for himself; or attempt to draw any distinction between his own situation, and those of the other gentlemen in the charge of Departments; his first and only object being to represent the claims of those, both senior and junior, in the four Departments, Political and Secret, Revenue and Judicial, Military and Public, and Commercial, to better allowances than they then received.

a provision equal to the salary he drew, at the time of his resignation. In the representation made by Mr. COURTENAY to the present Board on their first entrance into office, in Feb. 1822, and about the time of Mr. CUMMING's return from abroad, he, in reference to those services, stated, that "if nothing were regarded but the  
 " mere labour of them, they were deserving of  
 " a far higher reward than any which he had  
 " received or could receive, by way of salary." On that particular point, Mr. CUMMING may, on such an occasion as the present, be permitted to speak for himself, in confirmation of the opinion expressed by Mr. COURTENAY, so far as to declare, without the fear of contradiction in any quarter, that his labours, while he was in charge of the Revenue and Judicial Departments, very ~~far~~ exceeded those of any one of his colleagues, at the head of other Departments, and were not surpassed by any Public Officer under His Majesty's Government. For nearly the whole of the period, to which he has just referred, a day seldom passed in which he was not at his desk, two and often three

hours in the morning, before the usual time of attendance at the office, and in which, unless on particular occasions, the whole of his evenings, and until two, three, and four the next morning, were not dedicated to the execution of his public duties. For the first five or six years of that period, he rarely allowed himself a week's holidays, in the country ; and although, in subsequent years, he availed himself of the vacation ordinarily granted, he was never free from business, during its continuance, seldom having a whole day that he could call his own.

What is here described, and described without exaggeration, was, it is true, for the far greater part, a voluntary labour. It would indeed have been altogether out of the question to have demanded it, at any price of compensation or reward, from any public servant ; and perhaps few men could be met with, not blessed originally with as good a constitution as Mr. CUMMING, and who took a less earnest and deep interest than he did, in the Internal Affairs of India, and less pleasure in

the investigation of them, who could for so long a time, have borne up, without altogether sinking, as he at length did, under the severity of such unremitting labour; accompanied as it also was with a more than usual degree of mental exertion and anxiety. Of the beneficial results of those exertions, the statements of Mr. COURTENAY, and of the present and former Boards, have rendered it quite superfluous to say more than is there said, on that part of the subject.

Though nothing farther can be done by the Crown, in recompense and reward of his past services, he still entertains the hope that, under the peculiar circumstances of his case, the Court of Directors may, in their accustomed liberality, be disposed to confer upon him such an annual allowance, as, with the ordinary pension he is already in the receipt of, from the funds of the East-India Company, ~~by~~ His Majesty's warrant under the Act of 1813, and the pension recently granted to his sister, by the Crown, shall amount to a sum equal to his salary, on his resignation. A grant of £134 per annum,

from the Honourable Court, would accomplish this purpose; and it would enable him to live with respectability and comfort for the remainder of his days, leaving him nothing to wish for or to want, but the recovery of his health, which has gradually improved since he has been liberated from the cares and fatigues of office, and which, from the state of it, affords him the expectation that it may not only still go on improving, but that many years of life are, under Providence, yet in reserve for him; nor is he without the desire, that this remnant of life may be profitably employed in the pursuit of investigations respecting a great and peculiarly interesting branch of East-Indian polity, to which he has zealously devoted his attention during a large portion of it that is past, according to his means of usefulness, and the importance of which investigations, in reference to British interests, and the welfare and happiness of the millions of subjects beneath our sway in the East, never perhaps excited a more anxious or deeper concern, and more deservedly

so, on the part of the authorities in this country, than at the present moment, and which it can never cease to excite, as long as the common interests of Great Britain and its possessions in India, continue to be an object of regard.

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## S U P P L E M E N T.

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### A.

THE services of Mr. CUMMING were noticed by the House of Commons, as early as the year 1814.

*Extract from the printed Votes of the 27th  
July 1814.*

“ *Resolved*, That an humble address be  
“ presented to His Royal Highness the  
“ PRINCE REGENT, that he will be gra-  
“ ciously pleased to order the payment of  
“ five hundred pounds to JAMES CUM-  
“ MING, Esq., for his able services to the  
“ Select Committees appointed to in-  
“ quire into and report upon the Affairs  
“ of the East-India Company.”

His services were, in a more particular manner, and to him very unexpectedly, brought

under the view of the House, by Mr. COURTENAY, in the debate on the 15th March 1822, respecting Mr. CREEVEY's motion for reducing the number of paid Commissioners of the Board of Control. Mr. COURTENAY, after stating in the course of his speech, that "no one  
 " would impute any such unworthy motives to  
 " those who had the management of the Affairs  
 " in the India Board, as a disposition to make a  
 " shew of details, in order to give their officers  
 " a consequence they did not in reality possess,  
 " for the purpose of retaining their salaries;" he went on to observe that, "between the years 1784  
 " and 1793, a great and important plan was undertaken for the administration of the Land  
 " Revenues in Bengal, technically called 'the  
 " 'Settlement in Perpetuity;' in the origination  
 " of which, the India Board was a chief party,  
 " and which was carried into effect by LORD  
 " CORNWALLIS, in the year 1793; that a new  
 " system for the administration of justice in the  
 " provinces, was also established, at that period;  
 " and that it was certainly a long time after the



“ adoption of both these systems, that any close  
 “ attention was given by the Court of Directors,  
 “ or the Board of Commissioners, to the Revenue  
 “ and Judicial Affairs of India ; that the Board  
 “ were ignorant of the operations of the measures  
 “ which had been carried into execution, in those  
 “ great departments ; that they knew not whether  
 “ those measures were acceptable or not to the  
 “ natives ; whether they had accomplished the  
 “ objects they had in view, of raising a land  
 “ revenue, without inconvenience or oppression  
 “ to the contributors ; and of affording to the  
 “ great body of the population, a better, a  
 “ cheaper, a more expeditious, and a purer ad-  
 “ ministration of justice, than before.” He pro-  
 ceeded to state, “ that in the year 1807, a great  
 “ change in this respect took place, in the effi-  
 “ ciency of the Board of Commissioners, and in  
 “ the exercise of their control also, over the other  
 “ branches of India Affairs, in consequence of an  
 “ arrangement adopted for conducting the busi-  
 “ ness of the office, the merits of which were attri-  
 “ butable to the present LORD MELVILLE, then at  
 “ the head of the Board ; and still more, perhaps,

“ to the honourable Member for Hastings (Mr.  
 “ HOLFORD), who was then the Secretary.” Hav-  
 ing next explained that this arrangement consist-  
 ed, in dividing the business into different depart-  
 ments, corresponding with the departments of the  
 Indian Governments ; he stated, that, “ when  
 “ this arrangement was formed, the Revenue and  
 “ Judicial Affairs of India, complicated and dif-  
 “ ficult as they were, were subjects almost new to  
 “ the Board ; that they were new also to the Coun-  
 “ try, as well as the Board ; and that it had been  
 “ taken for granted, that what had been done,  
 “ in regard to the internal government of India,  
 “ was perfectly right, and needed no amend-  
 “ ment. He could not (he said) come to this  
 “ matter, without pausing to pay a tribute to the  
 “ great merit of an individual. He had seen a  
 “ smile passing over the countenances of some  
 “ gentlemen, when he had, just now, ascribed par-  
 “ ticular merit to a former Secretary (Mr. HOL-  
 “ FORD), for the share he had, in introducing the  
 “ arrangement he had described. The merit of  
 “ which he should now speak, was that of a Clerk ;  
 “ and he should be the most unjust and ungrate-

“ful of men, if he were to pass on, without  
 “expressing his sense of obligation due to a  
 “gentleman known to Members of that House;  
 “he meant Mr. CUMMING, who, under the  
 “arrangement of 1807, was appointed to the  
 “head of the Revenue and Judicial Depart-  
 “ments. To him, by his extraordinary labours  
 “and intelligence, belonged the merit of having  
 “been the first person who called the attention  
 “of the Board, to the practical operation of  
 “existing systems, in those great departments  
 “of the Indian Governments; and the effect of  
 “his representations was to bring into the office  
 “a load of important business, which could be  
 “no more compared with that which existed  
 “when the Right Honourable Gentleman (Mr.  
 “TIERNEY) was in office, than the business of  
 “the county of Rutland, to the whole business  
 “of Great Britain. The course now pursued,  
 “in regard to the Revenue and Judicial business  
 “of the office, was, that every thing which came  
 “up from the India-House in these departments,  
 “went through the examination of the very me-  
 “ritorious individual he had named.” He added,

that "the proposed despatches in the other-  
 " departments of the India Office, were also  
 " brought under the inspection of other persons  
 " of no ordinary talents, intelligence, and in  
 " dustry."

Mr. CANNING, then President of the India Board, in the same Debate, speaking of the aid he derived from his colleague, LORD BINNING, in respect to the affairs of the Revenue and Judicial departments, was pleased to do Mr. CUMMING the honour, and to afford him the high gratification, of coupling his name with that of the noble Lord, in a way, which he cannot easily forget. He stated that "he need not say  
 " that Revenue and Judicial Affairs were as dry  
 " and repulsive, as they were difficult and ab-  
 " struse; but that, enkindled, no doubt, by the  
 " ardour of the eminent individual who had been  
 " already so pointedly alluded to by his honoura-  
 " ble friend (Mr. COURTENAY), he meant Mr.  
 " CUMMING, his noble friend had applied to these  
 " subjects, with a degree of earnestness and  
 " attention, that crowned his efforts with great

“ success, and had rendered him a most useful  
 “ functionary of the Board.”—*Asiatic Journal*  
*for April 1822.*

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## B.

• The first recorded acknowledgment of Mr. CUMMING's services by former Boards, is dated the 24th May 1816. It arose out of the following circumstances:—as early as the year 1810, he transmitted to Sir PATRICK MURRAY, then Secretary of the Board, a list of certain memoirs and other statements prepared by him, since his appointment to the head of the Revenue and Judicial Departments, illustrative of various matters connected with the internal polity of British India, being, as he stated in the letter accompanying it, the result of re-  
 “ searches he soon found it essentially necessary  
 “ to pursue, as the only means of acquiring  
 “ that knowledge which could alone enable him  
 “ to furnish him (Sir PATRICK MURRAY), and  
 “ the Members of the Board, with such infor-

" mation respecting the Revenue and Judicial  
 " Affairs of India, as might, from time to time,  
 " be required of him." He further stated,  
 that " he thought it proper to apprise him of  
 " their existence, under an idea that they might,  
 " in some measure, prove useful, in facilitating  
 " the prosecution of inquiries which might, at  
 " that period,\* engage his attention and that of  
 " the Board." He took occasion also, at the  
 same time, to intimate that the papers specified,  
 in the list enclosed in his letter, " formed part  
 " of a general design, the object of which was  
 " to afford a clear and digested view of every  
 " branch of that system of internal administra-  
 " tion, both Revenue and Judicial, which ex-  
 " isted in British India : " and that " this de-  
 " sign it was intended to prosecute, as oppor-  
 " tunity served, until brought to a state of  
 " completion." His letter was put into the  
 hands of Sir PATRICK MURRAY (with whom  
 Mr. CUMMING had not the honour to be ac-  
 quainted) by the Assistant Secretary, about the

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\* Alluding to the approaching expiration of the Charter  
 of the East-India Company.

time when Sir PATRICK was preparing to set out for Scotland, and he returned it to Mr. CUMMING, with its enclosure, through the same channel, with a message, that he would attend to the subject, on his return to London. But other business prevented him from doing so, while he continued in office, and the subject slept, until Mr. CUMMING drew the attention of Mr. COURTENAY to it, in a letter dated the 14th September 1813, in which he forwarded his former one to Sir PATRICK MURRAY of June 1810, and the list of papers which accompanied it, together with an additional list of papers which he had since written, up to the date of his letter to Mr. COURTENAY. "The whole of these papers" (as he informed Mr. COURTENAY) "had been prepared, *without any instructions for that purpose, either specific or general, and without any impediment or obstruction to the current business of the department.*" He concluded his letter, by expressing his trust that the Board would be pleased to allow them, "to be acknowledged on their proceedings" To this letter, Mr. CUMMING received an immediate re-

ply from Mr. COURTENAY, signifying that “ he should not fail to bring it before the Board, “ with every endeavour in his power, to give “ effect to his (Mr. CUMMING’s) wishes.” But circumstances existing which, in the opinion of Mr. COURTENAY, and the Members of the Board to whom he shewed Mr. CUMMING’s application, induced them to postpone the formal consideration of it, at that time, the subject stood over, until the 18th May 1816, when a copy of the Board’s proceedings thereupon was transmitted to Mr. CUMMING, in a letter from Mr. COURTENAY of the same date. Mr. CUMMING had then very largely added to his memoirs, &c.

The subject was brought before the Board, in the following communication from Mr. COURTENAY :—

“ I have also to call the Board’s attention to “ a letter, which was addressed to me on the “ 14th August 1813, by Mr. CUMMING, requesting that certain memoirs and documents pre-



“pared by him, and relating to the internal  
 “administration of India, might ‘be acknow-  
 “‘ledged on the proceedings of the Board.’  
 “The Members of the Board before whom this  
 “letter was laid, were, I believe, fully sensible  
 “of the value of these papers, and very desirous  
 “of attending to Mr. CUMMING’s wishes; but  
 “there was a difficulty, as to the mode of com-  
 “pliance.

“I now suggest, that Mr. CUMMING should  
 “be informed, that the papers to which he  
 “refers, or any others subsequently prepared  
 “by him, and which are not of a temporary  
 “importance only, shall be fairly copied, at the  
 “expense of the office, and preserved in the  
 “library.

“In compiling these papers, and in the  
 “execution of his duty, as head of the Revenue  
 “and Judicial Department, Mr. CUMMING has  
 “expended sums, not inconsiderable, in the  
 “purchase of Parliamentary and other Papers,  
 “necessary for the pursuit of his investigations.

“ The Board, I feel confident, will acknowledge the propriety of reimbursing to Mr. CUMMING the expense which he has incurred.\*

“(Signed) THOS. PERE: COURTENAY.”

*Extract of Proceedings of the Board,  
dated 18th May 1816.*

“ The suggestions of the Secretary to the Board, with regard to the memoirs that have been compiled by Mr. CUMMING, appear to me to be very proper, as far as they go ; but I think we should not sufficiently mark our sense of the merits of a collection, in which so much valuable information has been

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\* The expense which he had incurred, on the above account (chiefly in the purchase of books and pamphlets, both old and new), could not, on the most moderate calculation he can form, have amounted in 1816, to less than £160, and at the time of his resignation to less than £300 ; and as he stated in the memoir which accompanied his letter to Mr COURTENAY on that occasion, respecting his past services, and which is referred to at page 19, those publications not only “ related to his immediate professional pursuits,” but were “ as requisite for him to possess, as tools are to a workman.”

“ ably arranged and digested, if we were not  
 “ to present Mr. CUMMING, with as large a  
 “ gratuity as the state of the Office Fund will  
 “ admit of. I therefore propose that, a sum  
 “ of £300 be granted to Mr. CUMMING: and  
 “ that he be requested to continue a work that  
 “ is particularly calculated to be of public  
 “ service, in a department so subject to a  
 “ change of Members as that of the Board of  
 “ Control \*

(Signed) “ JOHN SULLIVAN.”

“ The Board participate in the sense enter-  
 “ tained by Mr. SULLIVAN of the value of the

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\* Such an invitation from Mr. SULLIVAN, who, on his appointment to a seat at the Board in the year 1812, brought with him a mind richly stored with a knowledge of East-India affairs, which he had made his particular study from an early period of life, and who took a most active part in the business of the Board of Commissioners, especially in what related to the internal Government of India, operated as a powerful incitement to Mr. CUMMING, to prosecute the work in which he had so far proceeded; assisted also as he had hitherto been by Mr. SULLIVAN, and for several years subsequently, by the advantage of his information. He owes it to Mr. SULLIVAN to declare, that his perseverance in that work, is to be greatly ascribed to the encouragement he received from him, during his progress in these Researches.

“ works which have been furnished the office  
 “ by Mr. CUMMING, and desire that the Secre-  
 “ tary do convey their sentiments to that gen-  
 “ tleman, and request his acceptance of the sum  
 “ of £300.

(Signed) “ THOMAS WALLACE.

“ JOHN SULLIVAN.

“ LOWTHER.”

This sum, it will be seen, was not tendered to Mr. CUMMING as the *quantum meruit* of the services referred to, in the above Minutes. Viewed in that light, it could not be considered much more than would have been a fair remuneration to a junior clerk, for the mere drudgery and time employed, out of office hours, in transcribing the memoirs in question. They engaged Mr CUMMING's private hours, for about six years, in composing them, and in collecting and digesting the materials; and a considerable part of these memoirs and treatises were fairly copied by himself, or by a private amanuensis whom he occasionally employed for that purpose, and who was chiefly

paid for his trouble, out of Mr. CUMMING's own pocket. The Minutes of the Commissioners bespeak the spirit in which this pecuniary offer was made. It was a gratuity, to use the words of Mr. COURTENAY's Letter to Mr. CUMMING, notifying to him the Board's resolution, "in token of the Board's sense of the merits of a collection, in which so much valuable information had been arranged and digested," that this sum of £800 was voted to him; it was proposed by Mr. SULLIVAN, not as an adequate remuneration, but, as being, "as large a gratuity as the state of the Office fund would admit:" and it was larger in amount, than could be spared from it, without considerable inconvenience. The low condition of the finances of the Board prevented Mr. CUMMING from applying to the Board for any compensation on the above account, nor did he then look for any, except the repayment of the charges he had incurred in books and other publications.

It is this collection of papers, with the considerable additions made to them in the following

seven years, of which the present Board and Mr. SULLIVAN speak in their Minutes of 1823, as forming a part of the services which Mr. CUMMING had performed, during the sixteen years he had charge of the Revenue and Judicial Departments.

In the year 1813, the salaries of the heads of departments were thus fixed: Accountant's, after ten years' service, £1,150; and the heads of the Political and Secret Departments, of the Revenue and Judicial; of the Military and of the Public and Commercial Departments, £800, after having served twenty years.

In the year 1816, the office of Chief Clerk, whose salary, after serving upwards of twenty years, was £1,000, having been abolished, on its then becoming vacant, an annual sum to that amount, became appropriable from the office funds to other purposes; and it was applied, in augmenting the salaries of the Assistant Secretary, the heads of the Political and Secret, and the Revenue and Judicial Departments, and the Military De-

partment, and of some of the junior clerks. The head of the Military Department, from his seniority of standing on the establishment, stood next in succession to the chief clerkship, and he was granted a special allowance of £200, as a compensation for his loss of expectancy, making his salary equal to that of the abolished office, *viz.*, £1,000 per annum. The salaries of the heads of the Political and Secret, and the Revenue and Judicial Departments, were augmented to the same amount, by a special allowance of £200 "in consideration" (as it was stated in the Minute of Mr. CANNING and the other Members of the Board) "of their eminent services" These two gentlemen, standing as they did, in rank on the establishment, next after the gentleman who was at the head of the Military Department, and who, but for the abolition of the office of Chief Clerk, would have succeeded to it, in rotation: the discontinuance of that office, operated as a proportionate loss of expectancy to them also, and this expectancy was the less distant from the little prospect there then was, that the chief of

the Military Department, had he been promoted to the above office, would have long remained on the establishment of the office ; from which indeed he retired, two years afterwards. It was not, therefore, solely in consequence of their particular services, that the head of the Political and Secret Departments, and Mr. CUMMING, received the addition of £200 to their salaries ; but, as afterwards explained, in the year 1821, by Mr. COURTENAY, “ partly, in “ consequence of the abolition of an office to “ which the clerks who received the allowances “ (meaning the special augmentation of £200 to “ their salaries) had a fair claim to look forward ; “ and partly, in consideration of very superior “ merit in those who were nearest in succession ;” the latter part of which observation, it is apprehended, could be meant to have reference only, to the two gentlemen last alluded to, and not to the one who stood in immediate succession to the abolished office.



## C.

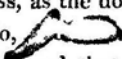
IN the Debate that took place in the House of Commons on the 12th of June last, respecting the Superannuation Bill,\* LORD BINNING took that occasion of bringing under the notice of the House, the past services of Mr. CUMMING. In giving his support to the Bill then under their consideration, and after having declared his opinion, that in the desire of Parliament to reduce the public expenditure, they had gone too far, in limiting the discretion of the Crown, in regard to the granting superannuation allowances to personsemployed in the Government offices; and after observing that, as the law stood, many of them were very indifferently provided for, on their retirement: he next pointed out the peculiar hardship, in this particular, to which the officers of the India Board were subject, whose retiring pensions were regulated by a separate act of the Legislature, which made no provision whatever, as was done in respect to the officers in the other departments of the

State, for extraordinary services, whatever might be their value and importance. His Lordship stated, that while he was on this subject, he could not, in justice, forbear from adverting to the case of a most meritorious and faithful servant of that Board, Mr. CUMMING, who was appointed to the office in 1793, and had a year ago retired from it, after thirty-one years of eminent service. For more than half of that period, he held the situation of head clerk of the Revenue and Judicial departments, which comprized every thing relating to the internal government of our extensive dominions in India; all the affairs of these great departments passed through his hands; and during the whole of this period, he had devoted his time in compiling information, elucidatory of this most important and difficult subject, far beyond his fair portion of duty, and with a zeal and assiduity unexampled in the office.

The proceedings preparatory to the renewal of the Charter in 1813, involved an inquiry into the whole of LORD CORNWALLIS's measures for the administration of the revenues and of justice

in India ; and the greatest advantages were, on that occasion, derived from the highly valuable compilations of Mr. CUMMING, in aid of that inquiry, as well as from his other labours and researches in reference to it, which were of an extraordinary kind. To him was eminently due the credit of many beneficial arrangements, set forth in the Fifth Report of the Select Committee of the House of Commons, respecting the internal administration of India : for his share in which Report, the sum of £500 was voted to him by the House, and in terms which marked the value set upon the services he had rendered to the Committee

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\* In the concluding paragraph of their Second Report ordered to be printed on the 4th May 1810, the Select Committee, having stated that " they had thus gone through the detail " of the Financial Concerns of the Company in India, with " as much minuteness, as the documents in their possession " enabled them to do,  the subject appeared to them " to require, &c." observed that " the investigation into the " Commercial Concerns of the Company, at home and " abroad, and into their system of Government in India, " would form the materials of future Reports, as the importance of those topics, in any general inquiry into the " affairs of the East-India Company, rendered it highly " expedient that they should receive a separate and deli-

**The continued and unremitting exertions of this gentleman, in the same important and**

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“berate consideration.” From the year 1782, up to this time, there had been no inquiry in Parliament, into the latter subject. In this long interval of nearly thirty years, not only had our possessions in that quarter of the globe, before very great, become, through unavoidable circumstances, enormously extended ; but the whole frame and principles of governing this immense empire had undergone a complete change. This great change took place about the period of the renewal of the Company’s Charter in 1793 ; and, on this occasion, it was indeed briefly glanced at by the late LORD MELVILLE, in his speech in the House of Commons of the 23d April of that year, on proposing the Resolutions respecting the new Charter : that speech relating primarily and almost exclusively to the question of the trade with India, whether it should be laid open or be put on the footing of a regulated monopoly in the hands of the Company, or be continued, as it then was. The new systems for the civil administration of the provinces, were also, on several subsequent occasions, touched upon by LORD MELVILLE, and his successor in the office of Minister for India, LORD CASTLEREAGH, in their annual Budget Speeches ; but that was all. In short, the only points of Indian detail on which any clear or substantial information had been laid before Parliament, since the year 1782, was of any material importance, concerned the Finances, the Trade, the Wars in India, and the acquisitions of territory, the charges against LORD WELLESLEY involving the political measures of his administration, the disturbances in the Madras Army, and a few other matters.

The extent and arduousness of the inquiry into which the Select Committee were about to enter in the year 1810,

arduous path of investigation, and the ability with which he pursued it, contributed very

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respecting the system of Government in India, induced them to call in the aid of the late SAMUEL DAVIS, Esq.,\* who had not long before returned from Bengal, where he had been employed for many years, with great advantage to the public service, in the revenue and judicial branches of it, for the purpose of furnishing them with a connected view of the affairs of internal government within the possessions subject to the Presidencies of Fort William and Fort St. George. Mr. DAVIS was on this occasion referred to Mr. CUMMING, by Mr. DUNDAS, the present LORD MELVILLE, then Chairman of the Committee, and President of the India Board, to supply him with such official records in his departments, as Mr. DAVIS might desire to consult and to peruse. This brought Mr. DAVIS and Mr. CUMMING into much personal communication; and in a few months afterwards, that gentleman proposed to the Committee that he should confine himself to the preparing of a sketch of that part of the general subject relating to the Bengal Territories: and that Mr. CUMMING should be called upon to prepare the sketch relating to the Madras Provinces; a proposition in which the Committee acquiesced. Such a call was as flattering as it was unexpected to him, more especially as there was but one Commissioner of the India Board, Mr. WALLACE, who was at all aware ~~that~~ <sup>that</sup> Mr. CUMMING had previously directed his attention, for some years, to the study of the internal Government of India; and it was only by an accidental circumstance, which occurred in the office a few months before, that Mr. WALLACE became acquainted with the fact. Mr. CUMMING forthwith engaged in the perform-

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\* Afterwards elected a Director of the East-India Company.

largely to throw light on various points of Indian government and policy, intimately connected

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ance of the work thus consigned to him ; and it occupied him, in the manner described in his letter to Mr. COURTENAY, dated the 7th May 1823. In this sketch, a systematic review was taken of the early history and progress of the internal government within the possessions of Fort St. George, particularly explaining the nature and principles of the various modes which had been adopted, or were then in practice, for the administration of the Revenues ; of the native institutions and usages of the people, in reference to their state, both social and political ; their purposes and uses, and their natural connection with the management of the revenues and the administration of justice among the natives. This sketch also included a particular description of the state of landed property, and the tenures by which it was held ; and of the relative rights of all descriptions of persons connected with the soil, from the Rajahs, Poligars and Zemindars, down to the Ryots or immediate possessors and cultivators of it. The only aid Mr. CUMMING could derive in his investigation from former Parliamentary Reports, consisted in the scanty information afforded in those of the Committee of Secresy, appointed in the year 1782, "*to inquire into the causes of War in the Carnatic, &c.*" when we possessed scarcely any other territory, in the Peninsula, than the Northern Circars, and a tract of land surrounding the seat of Government, called the Company's Jaghire ; since which period, our territories in the Peninsula were enlarged, by the acquisition of the Barahmahl districts, the provinces of Malabar and Canara, of Coimbatore and Dindigul, the province of Tanjore, and the whole of the Arcot country ; and he can also safely venture to declare, that in the account he gave of the internal administration of these extensive possessions, there were

with the welfare of the millions of the people living under the British rule, in that quarter of

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not any official sources of information within his reach, either among the records of the India House or the Board of Commissioners, that could throw light on the subject of his inquiries, which he did not diligently and carefully examine; in addition to which, he had full and frequent communications, during the progress of his inquiries, with some of the best informed and most enlightened men then in England, who had been employed in carrying on the affairs of civil Government in the Peninsula. It was for this service that the House of Commons, on the 27th July 1814, voted Mr. CUMMING the sum of £500,\* as stated by LORD BINNING in his speech.

When the Fifth Report was printed and circulated, which was in the latter end of the year 1812, the EARL of BUCKINGHAMSHIRE was President of the India Board, to which he had a few months before been appointed. Of the influence and effects of this Report, on the deliberations and proceedings of the Board, during that Noble Lord's administration of the Indian Department, (whose general policy, in regard to the internal government of India, it may be observed, has since been adhered to and followed up by the different Boards of Commissioners which have succeeded,) reference may be made to a Memoir written by Mr. SULLIVAN, the ~~secretary~~ auditor of LORD BUCKINGHAMSHIRE, soon after the decease of his noble friend in 1816, which he thought proper to place among the records of the India Office, exhibiting a general view of the measures of his administration.

In this paper, after referring to the era of 1793, when

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\* For Vote of the House, *vide* Supplement A.

the ~~globe~~. He retired from his office, at the age of forty seven, with a constitution com-

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the settlement of the land revenue in perpetuity was introduced into the provinces of Bengal, Behar, and Orissa, and afterwards into Benares in 1795, and to the intention entertained of extending the same system throughout the modern territories on that side of India, obtained since 1801, called the Ceded and Conquered Provinces, and the province of Cuttack, and to the whole of the Madras territories, where it had been also introduced partially only, Mr. SULLIVAN observed that "the introduction of this new system into the more recently acquired territories, formed part of the investigations which occupied the Select Committee of the House of Commons, whose sittings commenced in 1810, and were extended to the two following years;" that, "after a laborious examination of documents, the Committee presented a full and interesting Report in the latter year, describing the existing state of the internal administration of the great departments of revenue and judicature within the British Indian territories here referred to;" that "the publication of that valuable Report might be considered to have formed another epoch in Indian history;" that "a mass of information highly important, but which had, till then, been confined within a comparatively narrow circulation, was brought into notice by the Committee;" and that "a considerable sensation was excited by their Report in the public mind." To this Mr. SULLIVAN added, "LORD BUCKINGHAMSHIRE and his colleagues (one of whom was Mr. WALLACE, who had been Chairman of the Select Committee, during the period it was engaged in preparing that Report, and had been a member of the Board for a considerable number of years) were early impressed with an anxious solicitude that the course of inquiry which the



pletely shattered, through intense application to the business of the departments under his imme-

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“ Committee had pursued should be followed up, and that,  
 “ in the mean time, no measure should be undertaken  
 “ abroad, which could preclude the authorities at home from  
 “ endeavouring to give effect to such suggestions of the  
 “ Committee, as further inquiries and further experience  
 “ might shew were calculated to remedy the defects that  
 “ were pointed out, and which were stated to extend to each  
 “ of the branches of the system of 1793, that have been  
 “ alluded to,” viz., to the revenue and judicial, including the  
 police; and that “ the authorities at home were governed  
 “ by, and acted upon, those principles, in their proceedings.”

But the influence and effects of the general views and principles respecting the internal government of India, explained and unfolded in the Fifth Report, but more particularly in that part of it, which it devolved on Mr. CUMMING, in communication with and under the <sup>super</sup> ~~proper~~ intending eye of Mr. WALLACE, then Chairman of the Committee, to prepare for its consideration, are more fully exhibited in the correspondence with the several Presidencies since the publication of that document; and the arrangements abroad, alluded to by LORD BINNING, which have been adopted in the possessions of Fort St. George, in those at Bombay obtained previously to the late Mahratta War, and in the general measures already ~~partially~~ <sup>now</sup> in progress, under the Government of Bengal. It may be added, with respect to that part of the Report just referred to, that the correctness of the statements therein given of the municipal institutions and usages of the natives, in the Peninsula, as it concerns the administration of the revenues and of justice, and the rights and privileges of those connected with the soil, have derived the strongest confirmation from the infor-

diate charge ; and with no better provision, than if he had been employed, in the mere routine duties of a common clerk, and as if his time and attention had been engaged in the performance of them, during the stated hours of official service only. LORD BINNING observed, that this was a striking instance of the inconvenience of the limitation, which had been set to the power of the Crown, to reward conspicuous services, on the part of the public officers of Government. It was not, he said, from partiality that he spoke

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mation contained in the Reports of Mr. ELPHINSTONE and SIR JOHN MALCOLM, respecting the recently acquired territories in the Deccan, and in Central India, which were, on being added to the British dominion in India, placed under the administration of those two eminent individuals.

With respect to the sum of £500, which was granted him by Parliament for his services to the Select Committee, Mr. CUMMING can have no hesitation, in expressing his belief, that it never was considered by those who were the means of obtaining it for him, as an adequate compensation for those services ; nor did he expect that they would be so remunerated, by a parliamentary vote. But he received the above-mentioned sum, without any observations on its inadequacy, gratified certainly by the handsome manner in which the vote was expressed ; but certainly looking forward to the day, when his services to the Committee would, in some other way, secure for him a more substantial and permanent recompense.

of Mr. CUMMING, but from a thorough knowledge of his distinguished merits ; and, in confirmation of what he had said respecting him, he read to the House some extracts from the Minute recorded by the Board on his resignation, and the separate Minute of Mr. CANNING. LORD BINNING said thus much of that gentleman, in the hope that his eminent public service might not be passed over by the House.

Mr. TRANT observed, that although he did not agree with Mr. CUMMING, in all his opinions and views on revenue and judicial questions, he had much pleasure in expressing the sense he had of his great merits ; and his opinion, that the services he had performed were highly deserving of special remuneration.