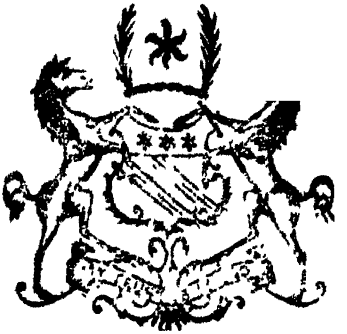
E18006

GOVERNMENT OF INDIA.



MAJOR-GEN. SIR JOHN MALCOLM,

G.C.B., K.L.S., F.R.S., &c. &c. &c.

LONDON:

JOHN MURRAY, ALBEMARLE-STREET.

MDCCCXXXIII.

LONDON:
Printed by WILLIAM CLOWES,
Stamford Street.

PREFACE.

THE purport of this volume is to explain, in as clear and concise a manner as the subject will admit, the actual state of the different branches of the British Government of India abroad and at home. I have endeavoured to compress within narrow limits a body of information, great part of which is scattered over large volumes of public records and parliamentary papers. If these facts, and the opinions I have given, aid in any degree the judgment of those who have to decide upon so momentous a question as the Future Administration of India, I shall have attained my object.

March 23, 1833.

CONTENTS.

CHAPTER I. Introductory Observations ....*page* 1

„ II. Administration of the Government of Bombay, from Nov. 1, 1827, to Dec. 1, 1830..... 6

„ III. General Administration of British India, and Notice of Plans suggested for its Improvement in its several branches 150

„ IV. Observations on the Home Government of India and proposed Changes.—Concluding Remarks 217

APPENDIX A..... 1

„ B..... 105

„ C..... 115

„ D..... 151

„ E..... 186

POSTSCRIPT.

THIS volume was printed before the Correspondence between the Court of Directors and Board of Control, on the subject of the Charter, was laid before the Court of Proprietors. Though that Correspondence is full of matter which may be the subject of much future discussion, there is nothing in it which can induce me to alter or delay this publication. On the contrary, it furnishes an additional reason for the early appearance of a work, the facts and opinions stated in which may aid in the forming of a correct judgment on the numerous and important questions involved in proposed changes.

March 26th, 1833.

Chapter I.

INTRODUCTORY OBSERVATIONS.

After the close of the Pindarree and Mahratta war in 1820, a period of repose was anticipated; and it was expected that the subdued condition of every native power would ensure a state of tranquillity, which, combined with an increased territorial revenue and measures of economy, would enable the Indian Government to liquidate those debts, which a succession of wars, for more than half a century, had tended to accumulate. It is not necessary, for the object of this work, to enter into any detail of the events which prevented the immediate fulfilment of this expectation. The most important was the Burmese war, which, though it terminated successfully, increased the public burden by more than twelve millions. The siege of Bhurtpore created a large expenditure; and the whole northern and western frontiers of India, as well as the countries recently occupied by the British Government, remained for some years in too unsettled a state to admit of large reductions of our military

establishments. These causes combined, occasioned great financial difficulties. The Indian Government in England became every day more impatient, stating, truly, that without reductions were made to a very great extent, India, after all our enemies were vanquished, must prove a burden, instead of a resource to England. Orders of the most positive kind were dispatched to all the local governments in 1825, and were acted upon as far as those in charge thought actual circumstances would permit.

In 1827, Lord William Bentinck was appointed Governor-General, and the absolute necessity of the most rigid economy in all branches of the service was pressed on his adoption by his superiors in England. Their orders have been most fully carried into execution by this nobleman, who, pursuing a direct and undeviating path, has, in the accomplishment of this object, evinced a firmness of purpose, and an unshaken resolution, grounded on principles that do honour to his character; and which even those who may be at present irritated, from their interests or prospects being injured by the operation of the measures which he has considered it his duty to adopt, must, on reflection, approve.

The Governor-General, with a view to obtain aid in the application of his measures to every part of India, constituted two Finance Committees, one Civil and the other Military, composed of able and well-informed officers of those branches from each Presidency. The Military Committee was early dissolved; but that composed of civil servants continued for two

years to examine the comparative statements of the different establishments, and to suggest reductions and reforms to the Supreme Government; who recommended them to the attention and adoption of the subordinate Presidencies of Madras and Bombay; but, from the constitution of the latter, it became their duty to decide upon the manner in which the required reduction could be best made: at the same time, it was expected they would adopt such further measures of economy as were suited to the country under their rule.

The territories of Bombay had been recently much increased. At the conclusion of the Pindarree and Mahratta war, in 1818, it extended over the greater part of the Deccan, the Conkans, Guzerat, Kattywar, and Cutch. A considerable part of these countries had not been above nine years under our rule; and, notwithstanding the able and active efforts of my predecessor, the Honourable Mountstuart Elphinstone, it had not been possible, without a hazard, which he was too wise to incur, to reduce the public expenditure to the low scale required; but he had effected as much, in compliance with the orders from England, as was prudent or safe, and had suggested further reductions, which were subsequently included in my measures.

The progress of the British power in India had given, at various periods, importance to each of the three British settlements in that quarter; but the acquisition of more extended territory, the richness of the soil, and a flourishing commerce, has, for a long period, made Bengal the first in consequence. That

settlement includes under its direct authority a population of sixty-nine millions, while Madras has only thirteen, and Bombay little more than seven millions. Calcutta is the seat of the Supreme Government, which, on all political and general subjects, exercises control and authority over the presidencies of Madras and Bombay: between which and the superior settlement, distinctions in pay and allowances had long subsisted, arising less from increase of duties than from the greater resources of the countries in which public servants were employed. When, however, our possessions, in different parts of India, became extended and mixed more with each other, their civil administration was in a great degree assimilated, and they were more viewed, as they really were, parts of a great empire, which, to be well governed, required to be considered as a whole, and to have no distinction in its system except such as local circumstances, which referred to the character of the population or the extent of the labour and responsibility of public officers, required; but this subject will be more fully noticed when I treat of the finance of Bombay, which I shall after noticing the condition of the other branches of that government.

I assumed the station of Governor of Bombay on the 1st of November, 1827, and resigned it on the 1st of December, 1830. The circumstances which have been already stated, required that, during this short period, my attention should be chiefly directed to the improvement of the finance, through the revision of the public establishments of that presidency. My experience in

the various branches of Indian administration gave me some advantages in the execution of this arduous duty. Whilst I endeavoured to maintain the efficiency of every department, and to attend, as far as was practicable, to the feelings and the interests of individuals in employment, I suggested the abolition of some, and the consolidation of other offices; combined with the introduction of a system of control, calculated not only to check immediate, but to prevent the growth of future expenditure*.

Referring for details to my Minute dated Nov. 30, 1830, which forms a number of the Appendix, I shall confine myself, in the next chapter, to a brief statement of the principal measures of my administration.

In conducting the revisions and reductions alluded to, it will appear that, in some respects, I differed in opinion with the Finance Committee, and at times deviated from the precise line recommended by the Supreme Government, but only in those cases where I considered that reduction of expenditure could be attained in a mode better suited to the peculiar circumstances and interests of that government over which I presided; but this, and all other points connected with my administration of affairs at Bombay, will be fully treated in the next chapter.

* Vide Appendix A.

CHAPTER II.

ADMINISTRATION OF THE GOVERNMENT OF BOMBAY, FROM NOVEMBER 1, 1827, TO DECEMBER 1, 1830.

Political. THE territories of Bombay extend north and south from the frontiers of Scinde to those of Mysore; and, east and west, from Malwa to the sea. This great space includes eleven degrees of latitude, and eight degrees of longitude. Some of the provinces of this country, and particularly those of the Deccan and Guzerat, are as distinct in climate and soil as they are in the language and manners of the inhabitants. The nature of our political relations with both is explained in Appendix A.* It is here only necessary to remark, that while our relations with the Rajah of Sattarrah, and other chiefs in the Deccan, continued, till the close of my administration, much the same as they were at its commencement, those with Guicowar underwent a temporary change. The grounds of this change are fully stated in the document to which I have alluded. The difficulties attending this connexion were inherent in its original formation. We did not obtain our influence and power in Guzerat, and over the court of Baroda, as we had in other cases, by a war or treaty with a sovereign in the enjoyment of authority; we came in as mediators between parties in a country torn by factions,

* Vide Appendix, p. 1.

and in which all rule was disorganized. The prince was in a state of imbecility, and a prisoner in the hands of Arab mercenaries, whose strength and influence rested as much upon their giving guarantees of protection to his principal subjects and creditors, as upon their military power. When we expelled them, we not only adopted their guarantees, but also committed ourselves in new pledges to ministers and others, who actually exercised the civil authority of this state, and with whom all our first engagements and treaties were virtually, though not nominally, concluded. These persons stipulated, as they had a right to do, for their personal security, and for a provision suitable to their rank, before they could be induced to promote our objects. Guarantees, similar to those which we gave on these occasions, had for a long time prevailed in Guzerat, and formed a prominent feature of the system of the government of that country. These guarantees were, on our first establishment, granted on various occasions; and while we continued, as we did until 1820, to exercise a controlling influence over the Guicowar state, no inconvenience was experienced from these engagements; but, on the death of Annund Row, whose natural defects had made him a cipher in that state of which he was the nominal head, when his brother Syajee succeeded, and assumed the direct rule, we began to experience serious embarrassments from our guarantees; and, in a very short period, this ill-advised prince violated the conditions of an engagement he had voluntarily entered into, and refused to listen to the advice or remon- Political.

Political. strances of the British Government, though bound to do so by express stipulations of the treaty under which he had been seated on the musnud. Although I had conducted negociations with almost every native court of India, I never had to contend with such difficulties as at Baroda; for, independently of the entangled state of the alliance, Syajee had fallen under the influence of evil advisers, aided by intriguing agents at Bombay, whose false representations of expected support from Bengal and England rendered him hostile to every proposition which could be made for such a settlement of his affairs as should enable government to maintain its guarantees and redeem its obligations to his creditors.

It is not necessary to enter here into the particulars of the perverse conduct of this infatuated prince—suffice it to say, that every means compatible with the good faith of the British nation was tried, in order to persuade him to adopt a wiser and better course of action. The following letter, under date the 15th of December, 1827, which was addressed by me, when at Poonah, to Mr. Williams, the resident at Baroda, will not merely afford an undeniable proof of this fact, but also serve to explain the causes which combine to render the preservation of our connexion with dependent princes a matter of great difficulty.

"You have seen (I observe) all the correspondence "with Mr. Willoughby, as also the letters from the late "and present President to his Highness the Guicowar.

"As it may now be reckoned certain that his High- "ness the Guicowar's plan for the immediate payment

" of his debt will fail, that settled by you must now be Political.
" adhered to, since we are pledged to the fulfilment of
" it, and are unable to obtain a release from our pro-
" mises. The only question relates to the manner in
" which the plan is to be carried on. The most desir-
" able for all parties, certainly, is that it should proceed
" exactly as was at first intended, Wittoba Dewanjee
" being the principal instrument in conducting it; and
" your only maintaining such a general superintendence
" of the Guicowar's affairs as should be sufficient to
" prevent all doubt regarding the fulfilment of the
" terms we have guaranteed.

" It seems probable, that this course will be the one
" resorted to, ostensibly at least, as soon as the Gui-
" cowar perceives that this plan is the only one prac-
" ticable; but it is possible, that while he affects to
" employ the Dewanjee as his minister, he may in
" reality be guided by his secret advisers, and may
" thwart the measures of the minister and the resident.

" Should such a system be adopted, it might become
" necessary for you to interfere in the conduct of the
" government, or, at least, to have the means of full
" information regarding all its proceedings; but this
" can scarcely be accomplished, without such clashing
" with the Guicowar as will end in a great reduction
" of his authority. Every person who is wronged will
" appeal to you, and in time all eyes will be fixed
" on the British resident rather than on the Guicowar.
" This probable effect of a want of cordiality on his
" part in supporting the new plan should be early
" pointed out to the Guicowar, and the dismission of

Political. " his present counsellors should be indicated as the " only means likely to prevent its occurrence.

" If it should appear that the Guicowar's resistance " arises entirely from personal dislike to his present " minister, and that he is likely to adhere to his engage- " ments if allowed to name another, I think he ought to " be gratified, (provision being made for the dismissed " minister, proportioned to his merits and services.) If, " on the other hand, the Guicowar's habits of intrigue, " and disposition to embezzle the funds set aside for his " creditors, should appear incorrigible, there seems no " remedy but to settle an arrangement, by which he " may be left in the enjoyment of a fixed sum for the " purpose of maintaining his dignity; the whole ad- " ministration of the country being avowedly carried " on under the directions of the British government. " Such an arrangement would soon extinguish his debt, " and he should then be restored to entire independ- " ence; but the responsibility of the British govern- " ment would, in such a case, be totally different from " what it has been of late. Since 1820, we have been " in no respect answerable for the Guicowar's mea- " sures, or their effects. As long as he could pay the " bankers fifteen lacks of rupees, our whole duty was " done; but if we should again take the management " of his government, we must observe the same care in " the administration of his country as of our own, and " must equally answer for the success of the measures " adopted.

" It is superfluous to state to one so well acquainted " as yourself with the principles upon which the go-

" vernment has acted in all its late proceedings with the Political.
" Guicowar, how very opposite such a course of action
" would be to that which it is desirous to pursue. It
" is one that can only be justified by an extremity,
" which it is still to be hoped may not occur; and as it
" is my most anxious wish that it should not, I shall
" put you in full possession of my sentiments, with re-
" gard to the views and principles by which you should
" be guided, not only in your efforts to terminate this im-
" portant negociation, but to re-establish and maintain
" as much harmony as is possible with the court of
" Baroda.

" Nothing can be more difficult than the duties of
" your station. The name, and (within certain limits)
" the independence, which general policy as well as
" good faith dictates, being left to allies in the situation
" of the Guicowar, cannot prevent a very poignant
" sense of their want of real power: this requires, that
" every means, down to the most minute, should be
" taken to reconcile them to their condition; and
" among these, there is none of such consequence as
" directing every word and act to raise them in their
" own estimation and that of their subjects. The
" period is past, when a political resident was com-
" pelled to give as great and often greater attention
" to what was due to his own station, as to that of the
" prince at whose court he resided, lest impressions
" should be given to rival powers, that our concessions,
" even in forms, were dictated by apprehension. No such
" conclusions can now be drawn, and although forms
" are still of consequence, as their neglect might, from

Political. "the importance attached to them by natives, lessen "the character, and with it the weight of the political "resident, disputes regarding them are to be care- "fully avoided; and when there is a doubt, the advan- "tage may be safely and usefully given to the party "who requires it most—the prince at whose court "you reside. Such concessions, however, relate only "to forms, and to constant acts of kindness, and efforts "to raise the actual ruler of the country. You are to "make none in substance on points like the present; "they must be carried by a temperate, but unyielding "firmness, which never deviates from its object. Syajee, "on such subjects, must have always the same answer "given to his representations and propositions. He "must be told, that when the faith of government "is pledged, it must be redeemed; and however re- "luctant it may be to take any step that would lower "him with his subjects, or embarrass his administra- "tion, it can in such cases admit of no compromise. "He may be further told, if he persists in not agreeing "to those measures that are indispensable to preserve "our faith in the very spirit of its most minute pledge, "that he is urging us to break a principle, on the firm "adherence to which his security and prosperity, and "that of all princes and chiefs in his condition, must "depend.

"Independent of the character of Syajee, and the "vices and interests of his evil counsellors, there are "other causes which render your duties delicate and "difficult in no common degree. The incompetency "of the late ruler virtually placed the administration of

" the Baroda state in the resident. When the accession Political.
" of the present prince dictated a change, it was no
" sacrifice for a public servant in your situation to
" transfer influence and power into the hands of the
" prince, by whom, when equal to his duties, policy as
" well as faith required it should be exercised; but it
" was a sacrifice, and a great one, for every native con-
" nected with the residency, or in your employ, from
" the minister who was supported by our favour and
" good opinion, down to the lowest of the Guicowar's
" subjects, who had the privilege of visiting you, from
" your moonshees* and writers, down to the meanest of
" your messengers or servants. All these persons were
" certain to lose reputed, if not real influence, and
" many of them power: great struggles would of
" course be made to retain what, in some instances, gave
" rank and consideration, and in all profit. The ob-
" vious objects to which such efforts would point, must
" be the restoration of the former state of affairs; and
" the means employed would be misrepresentations of
" every act of the actual government, and detraction
" from the character of the prince, and all persons that
" he employed. Those attached to the prince, and those
" who accounted themselves attached to the English
" interests, would become parties opposed to each other,
" not only in Baroda, but in every village of the country.
" The acts of every native government, and indeed of
" every government in the world, must furnish enough
" of subject to feed such a spirit of collision; and un-
" fortunately, that of Baroda is too open to such attacks:

* Native Secretaries.

Political. " but even of this state, badly managed as it appears " to be, it may be observed, that in contemplating its " errors and abuses, we are too apt to forget that which " were found to attend our own administration of its " affairs; besides, were the contrast between the past " and the present more unfavourable, maxims of im- " perial policy, the salutary effects of which extend far " beyond this local question, demand that the Guicowar " Prince, as long as he performs the obligations of his " treaty, and enables us to fulfil those positive pledges " of faith into which consideration for him has led us to " enter, shall be left free of interference to the inde- " pendent administration of his own affairs. We may " give advice when required. We may express regret " when we conceive he errs, and be forward to testify " our delight when his measures merit approbation; " but nothing short of danger to the public peace should " *lead to any other interference.*

" The Governor in Council is quite sensible much " local mismanagement might be avoided by a contrary " course, much evil, and perhaps injustice, prevented; " but that prescribed is the only one by which the " Guicowar can ever become a competent instrument of " rule; and, in this, as on other large questions of state " policy, a balance must be struck of the advantages " and disadvantages of every system; and that adopted, " and persevered in, which is best for the general in- " terests of the empire.

" The Governor in Council is aware that the prin- " ciples stated in this letter are those upon which you " have, under the previous instructions of Government,

" been acting for several years past; and that you Political.
" have sought, by gradual means, to place affairs on
" the footing that is desired; but, at a period like the
" present, when a compliance with our just demands
" must be insisted upon, it becomes more than ever
" necessary that the line we mean to pursue should
" not only be rendered most clear and definite to
" Syajee, but that you should give it a publicity that
" will destroy all hopes in those who look to the possi-
" bility of another change of system, and turn the
" views of all who have no specific claims upon us to
" their proper object, the prince of the country.

" To effect this end, it is desirable that you should
" give the same unvaried answer to all applications
" from subjects of the Guicowar, to whom our faith is
" not specifically pledged; they must be told, that you
" can in no shape interfere with the concerns of his
" Highness: and, to give effect to this principle, it is
" indispensable that you should personally convey this
" intimation to such individuals as make applications
" to you, or give you petitions on any matter in which
" you are not bound to interfere: nothing but the con-
" tinued repetition by the British representative of
" his acting upon this principle, and his undeviating
" adherence to his declaration for a period of years,
" can persuade either the prince or his subjects that it
" will be observed; and until this impression is made,
" we cannot expect that Syajee will place that con-
" fidence in the British Government, nor that his sub-
" jects will give him that undivided respect and obe-

Political. "dience, which are necessary to give health and "stability to the connexion.

"You cannot be too severe in punishing any of the "servants of the residency whom you detect in any "conduct calculated to impede the accomplishment of "these objects. A public example of such persons "will be found to have the most salutary effect; both "as it breaks down the secret influence of this class of "persons, and as it proclaims your determined reso- "lution to act upon the principles you profess.

"With regard to the intercourse which you should "maintain with the minister of the Guicowar's court "and his subjects, you must be much governed by "your own experience and judgment, as it is impos- "sible, upon the principles we act, that any minister "or public officer can be supported in power contrary "to the wish of the Guicowar. It may be assumed, that "while his mind is in the jealous and irritated state it "has been lately, any favour or preference we evinced "for an individual minister would be more likely to "injure than to serve him; all you can require in the "person who is to be the medium of intercourse with "the Durbar is, that he should be competent to his "duties, and not of so notorious a bad character as to "furnish just reasons of objection upon that ground: "it is, however, most desirable that you should culti- "vate that constant amicable intercourse with Syajee "as would enable you to settle all matters of serious "business with him personally.

"Amongst individuals who must be considered to

" have a right to come to the residency, are those to Political.
" whom the faith of Government has been pledged;
" and though it will be your duty to limit their com-
" munications to those points on which we are bound
" to attend to them, their access must be open and
" free; and Syajee should be informed, that Govern-
" ment learnt, with the greatest dissatisfaction, the mea-
" sures which his evil counsellors took to prevent the
" Soucars, to whom the faith of Government is
" pledged, going to see Mr. Willoughby when he re-
" quired them. The right assumed by the Guicowar
" to interdict persons from visiting at the residency,
" can only be admitted as it relates to such persons as
" have no connexion with the British Government;
" and it is certainly politic, and particularly under
" present circumstances, to decline as much as you can
" any intercourse with individuals that is likely in any
" way to hurt his feelings or excite his jealousy: you
" should, indeed, take every opportunity you can of
" disclaiming all right of interference with his internal
" affairs; and of directing the attention of those who
" apply to you for favours or indulgencies, of any kind,
" to their Prince, as the medium through which alone
" you could receive such applications. Nothing can
" more add to his consequence and consideration than
" such daily acts of the British resident, or tend more
" to show the desire of that Government to maintain
" undiminished his authority over every class of his
" subjects. Such a proceeding cannot but aid in re-
" conciling him to those sacrifices which our pledged
" faith compels us to demand. Armed as you are with

Political. "all the authority of Government to insist upon a "satisfactory settlement of those debts for which we "are guarantee, there can be no doubt of your success "in effecting this object; but your merit will depend "upon the mode in which you accomplish this indis- "pensable measure: and a knowledge of your expe- "rience and ability leads to an anticipation that you "will be able, without having recourse to any harsh "extreme, to persuade Syajee, that an immediate "adjustment of this long-pending question is to the full "as necessary for the promotion of his interests as "those of the British Government; and that further "evasions and delays can answer no purpose but that "of disappointing hopes formed at his accession, and "interrupting the harmony of the alliance.

"You will inform Syajee, that I am entirely satis- "fied that the warmth with which Mr. Willoughby "has represented the consequences of his perseverance "in the course he has lately pursued, was dictated by "as sincere a regard for his Highness's interests and "good name, as for those of his own Government; "and that I have seen, with deep regret, that they "have failed of effect; but trust, the knowledge "that no change can possibly take place in the reso- "lution of Government to redeem its faith, down to "the minutest pledge, will produce an alteration in "his Highness's proceedings, and avert those conse- "quences which must result from a contrary conduct.

"As I am very desirous of seeing Mr. Willoughby, "both for the purpose of obtaining minute information "respecting late proceedings at Baroda, and respecting

" those countries of which he has lately had charge, I Political.
" beg you will direct him to proceed, as early as con-
" venient, to Bombay."

Disappointed in every expectation I had formed of a satisfactory adjustment of the affairs of Guicowar state, I determined to visit Baroda, and to come personally to some definite arrangement with Syajee. My hopes were not raised by the temper in which I found this prince. In writing to Lord William Bentinck on this subject, I observed,—

" I have seen much of alliances with native princes,
" and have known many in a bad condition, but the
" actual state of this capital and country is such, as
" almost to destroy hope of amendment; still an effort
" must be made, but I have none of those sanguine
" anticipations of success that have usually attended my
" diplomatic labours in India. I cannot see a straight
" road through the labyrinth of engagements with
" which this alliance is embarrassed. A wretched
" ruler, without one respectable man at his court, pos-
" sessed of an abundant private treasury, but with
" loads of public debt, declared independent, yet many
" shroffs in his bazar possessing a guarantee of person
" and property from the British Government, while
" all the members of the Guicowar family, to whom
" we are bound to secure honourable treatment, at
" variance, or rather in contest with the prince. The
" latter thought himself not safe in visiting me this
" evening, till I had commanded the followers of one
" of his cousins not to impede his passage through the
" principal street of Baroda! And all this not among

Political. "a rude people and rugged country, but amid the "peaceable, industrious, and intelligent inhabitants of "one of the finest and most fertile provinces of India. "The evils of this connexion are of our own making, "but they should perhaps be viewed as the price we "paid for the best and most fertile districts of the "Bombay presidency.

"I mean to avoid extremes; but while considerations "of general policy forbid my treating Syajee with the "severity that his conduct has fully merited, or im- "posing those restraints which experience might recom- "mend and justice warrant, I shall not be withheld by "his reluctance of consent, from adopting the measures "which I may deem indispensable for supporting the "objects of the alliance, for vindicating our insulted "authority, for securing our pledges of faith from "future violation, and for preserving the peace of the "country from any serious disturbance. But your lord- "ship shall hear all my proceedings; and I must hope "you will approve this last of my public services in "India,—for when it is over, I have only to visit some "stations and districts in Guzerat, to return to Bom- "bay, and spend two or three months in seeing all my "measures of reform and reduction carried into full "practice, and then depart in peace to my native land."

The grounds on which I felt it incumbent upon me to alienate, for a limited period of time, such a portion of the territory of this state, as would enable the English Government to liquidate those debts for which it was guaranteed, were approved by the Supreme Government, and subsequently by the Court of Directors.

The only part of this arrangement of which the propriety was at all questioned, related to the appointment of the minister, Wittal Row, to the management of the sequestered countries, and the provision made for him and his descendants. As this point stands connected with our treatment of natives of influence and talent, when in circumstances similar to those of Wittal Row, I shall be excused for dwelling more upon this subject than would be necessary, if it merely concerned the personal claims of an individual, although he had acted a very conspicuous part at the Court of Guicowar. Political.

My predecessor in the government of Bombay, the Honourable Mountstuart Elphinstone, in a letter to the Guicowar of the 10th July, 1830, observes as follows:

"The minister (Wittal Row Dewanjee) appears to "have been sent by your Highness to concert a plan "with the resident for the fulfilment of your engage- "ments. When so sent he had no choice, but to give "his full assistance to the resident: had he done "otherwise, the resident would have applied to your "Highness, to appoint some other person more disposed "to promote the settlement, or else to take the affairs "into your own hands. The minister would thus "have suffered merited disgrace, and your Highness's "affairs would have stood still. By an opposite course, "Wittal Row has effected a settlement, which will "keep off the necessity for the Company's interference, "and in a few years will render you master of your "own revenue."

My opinion on the claims of this individual, and his title to our support, is recorded in a resolution passed

Poiitical. by the government of Bombay, on the consideration of the acting resident's letter of the 27th February, 1827:—

I observed on this occasion, "That I concurred in "in opinion with the late president (Mr. Elphinstone), "that in case of his dismissal from office, we have not "only the right, but that we are bound on every prin- "ciple of sound policy—first, to protect him and his "family; second, to insist on a provision being assigned "for their support, suitable to his former situation and "valuable services, and with reference to those en- "joyed by persons similarly situated at Baroda. The "ingratitude of his master, his zeal for the interests of "both the governments, and a combination of unfor- "tunate events, have occasioned to this personage "humiliation and disgrace, where he might have ex- "pected honour and reward; and it is an obligation "from which we cannot desire to escape, to give to "this meritorious individual every personal considera- "tion and support. The resident, however, should "be called upon to report on these subjects, being in- "formed that it is an object with the British govern- "ment to avail itself of the above circumstances, in the "event of the minister losing his situation; it shall, in "such case, consider that granting him its decided "notice and support will operate as a salutary ex- "ample to others, and as a punishment to a prince, "with whom his (Wittal Row's) only crime appears to "be, the preference he has uniformly given to the "general interests of the Guicowar state, to the grati- "fication of an unprincipled master."

This nomination of Wittal Row to the charge of the districts in Guzerat and Kattywar, was no doubt most offensive to the feelings and pride of Syajee; but the case was one of emergency; it was produced by his faithlessness; there was no alternative; and the success of the arrangement superseded all other considerations. These circumstances and his abilities recommended him, as will be seen in the proceedings of the period, as the only native who could be employed with advantage to administer countries to be restored whenever the guaranteed debt was discharged; and that was mainly dependent on the ability, character, and local influence of the individual employed to carry it into practice. Wittal Row was beyond all comparison the fittest person; but our nomination of him to this duty involved the necessity of rendering him and his family independent of a prince, who openly considered him as an enemy. We could not expect to gain his zealous service on any other terms; and, besides the favour shown to him, the adoption of his son was recognized; but had no specific pledges of support been given, we should have been bound to extend power and protection to this distinguished individual. I have elsewhere* in reference to such cases observed :— Political.

"Many questions occur deeply connected with our "reputation for good faith, which cannot be decided by "any specific rules; but whenever that is concerned, "the tone of our feeling should be very high. It is the "point upon which the moral part of our government

* Vide Instructions to my Assistants. Central India, vol. ii., Appendix; and Pol. India, vol. ii., Appendix.

Political. "of this great empire hinges; and in those countries "where our rule and control are new, and in which "the inhabitants cannot yet understand any explana- "tions that do not rest upon broad and obvious grounds, "the subject requires much attention. There are many "cases in which our faith, though not specifically, is "virtually pledged to individuals. Ministers, for in- "stance, of minor and incompetent princes or chiefs, "who have been brought forward or recognized by us "in the exercise of authority, have a claim upon our "support and consideration, which nothing but bad "conduct on their part can forfeit. We should no "doubt be most careful in any interference that leads "to such obligations: they are only to be incurred "when a necessity that involves the peace and pros- "perity of the country calls for them; but they must "be sacredly observed; for with a people who look in "all questions of government more to persons than to "systems, the abandonment, except for gross mis- "conduct, of any one who has been raised or openly "protected by us, would excite stronger feelings "than the breach of an article of a treaty, and locally "prove more injurious, as it weakens that reliance "upon our faith which is the very foundation of our "strength."

Men, exercising local power, are often compelled to give pledges, that appear to their superiors, at a subsequent period, to have been too liberal; and a narrow construction of a promise, a flaw in the engagement, or a too rigid interpretation of the terms in which it is expressed, may consign an individual, or his descend-

ants, who had been buoyed up with too sanguine hopes, to a disappointment or distress, that is perhaps aggravated by the reproach of others,—who exult to see in our ingratitude what they deem a just punishment of those who, in serving a government of foreigners, have broken ties which they were accustomed to regard with almost religious respect, even when their preservation tends to disturb the peace of the country. Political.

None but those who have practical knowledge can estimate the injury which such conduct on the part of the English Government must entail on its general interests. There are periods continually recurring in India, when the services of an influential native of rank and talent may be of incalculable value ; but those who have personal experience will agree with me when I state that this power of preserving or restoring order must be greatly weakened by a cold, calculating interpretation of pledges or engagemeuts, given at the moment when an individual was required to brave obloquy, and to incur great responsibility by promoting the local and general interests of the British Government.

The death of Wittal Row, and other circumstances which have occurred since I left India, appear from recent accounts to have disposed my successor in the government of Bombay to restore the sequestered districts. Syajee has prevailed upon the creditors of the Guicowar state to resign our guarantee. It has also been agreed, that the contingent of horse Syajee is bound to furnish shall be replaced under his immediate control. Nothing can be more desirable than such a settlement, if it has resulted from a sincere con-

Political. viction on the mind of Syajee, of the impropriety and impolicy of his past conduct.

The observations contained in my Minute of the 30th of November, 1830*, on the actual condition of Kattywar, which adjoins the Guicowar's territories, and has long been in part subject to his authority, merit attention. This frontier province has been for ages subdivided among numerous Hindu military chiefs, who, in point of birth and the attachment of their followers, rank with the highest class of hereditary nobility. Their habits have been always warlike and predatory: if subdued into order by a powerful native sovereign, they have availed themselves of the weakness of his successor to regain a certain degree of independence. Too weak and too divided to form a nation, they have always been real or nominal tributaries to the princes of Guzerat; and our interference in the affairs of Kattywar was an unavoidable consequence of our treaty with the princes of Baroda. Our influence and authority over its chiefs have gradually increased, and on the mode in which we exercise our power over this province will depend the peace, happiness, and improvement of its inhabitants, who are not more remarkable for their fine appearance and their skill in horsemanship, than for their activity and courage. We may, as we judge best, court or compel this race of men to abandon their rude and in some cases barbarous habits. To wean them from those habits by a conciliatory but firm course of proceeding may prove to be a process both difficult and slow; and we must, in its progress, have great toleration for their character

* Vide Appendix A.

and condition. On the other hand, we may, if we choose to exert our power, subdue them promptly into reluctant obedience to our ordinary forms of government; but, in that case, we must commence by a violation of implied if not specific pledges; and the evil impression of such a course will not be mitigated by our taking advantage of the recurring opportunities, which the lax habits of the chiefs of Kattywar will afford, of reducing or even annihilating their local influence and power. We might, indeed, on this, as on other occasions, be justified on our own records; but our reputution among the natives would suffer. The extension of our laws to Kattywar would, by some persons, be deemed to be a boon conferred upon an oppressed people; others would view with complacency the fall of chiefs whom they regard as petty tyrants; and philanthropists would no doubt rejoice at the speedy and forcible repression of what remains of the barbarous usages of suttee and infanticide. Political.

These, it will be most readily confessed, are "consummations devoutly to be wished;" but a statesman will hesitate to effect, by forcible means, objects which are most safely and permanently secured by the slower process of moral persuasion and political management. He will hesitate to forfeit the confidence of a people, and to risk the peace of a country, by the premature adoption of measures calculated to offend the prejudices, to insult the pride, and thereby to shake, if not to destroy, the allegiance of a class of men who admitted our interference and recognized our authority under other expectations. While we had rivals to our power,

Political. such as the former sovereigns of Mysore and the Mahrattas, we had seldom any option as to the course of policy we were to adopt. It was, in the first place, a contest for existence; and at a later period we were compelled, by circumstances beyond our control, to pursue an onward course, and, in spite of our wishes and resolutions, we have been carried forward to supreme rule over the vast continent of India. Our danger now consists in the supremacy of our power, which must necessarily be liable to frequent abuse. In such questions as that of Kattywar, we have no plea of necessity for its exertion; we have little danger to apprehend from the disaffection of the chiefs, but much to gain in point of reputation, by confirming their attachment and ameliorating the condition of their adherents and dependents. The mode in which these objects shall be effected we may choose; and on the wisdom of that choice will depend not only the continued peace of these provinces, but, in a very essential degree, the impressions made along the whole western frontier of India.

The period is yet distant when we can expect to add to our reputation or strength, and with these to our means of civilizing such countries, by addressing ourselves, either in word or act, to the mass of the people. I can state, on the ground of much experience, that we can only hope to reclaim ignorant, superstitious, or predatory classes of men, from their rude and lawless habits, by using, as our instruments, those by whom they are influenced or governed. By vexing and disturbing such communities with laws

which they do not understand, and introducing princi- Political.
ples of rule foreign to all their usages, we dissolve ties which, when preserved, further our object; and excite the hostility, not only of their chiefs and priests, but of all the restless and bold spirits of the country, to whose violence we expose the peaceable and industrious inhabitants. The latter find from us, fettered as we are by our own forms of justice, a very inadequate protection against the evils to which such policy condemns them. On the other hand, by tolerating for a period what we deem misrule, by conciliating those who possess the hereditary attachment of tribes, or who influence their minds, we may render them instrumental in reforming their adherents and disciples; and the change which we work through such means rests upon a foundation not easily shaken. I might refer to the happy results of the system which I formed, and acted upon, with some of the more predatory tribes of central India; but we need not seek in distant countries examples for the regulation of our conduct towards the chiefs of Kattywar, and others on our western frontier. The first introduction of our influence and power into this quarter was, happily for the British reputation and interests, committed to the late Brigadier-General Alexander Walker; and his Letters and Reports (which I had, when at Bombay, lithographed and circulated) form a volume of instruction, not only regarding the scenes to which they relate, but of Indian government. To the confidence reposed in this able and honourable officer by the late Mr. Duncan, when Governor of Bombay, whose integrity, information,

Political. and knowledge of the natives, has been surpassed by few, if any, Indian ruler, we owe the peaceable establishment of our power over the whole of Guzerat, Kattywar, and Cutch,—possessions which subsequent events have classed among the most valuable and important of those over which our authority and influence extend.

Almost all the observations I have made on Kattywar apply to Cutch; but as that country has obtained additional importance consequent to the recent survey of the Indies, I must briefly notice some of the points that give value to the connexion.

I visited Cutch in 1830; and my impressions of the necessity of maintaining our alliance with that petty state were fully confirmed by personal observations. The policy of withdrawing from this connexion had been suggested from England. In remarking on this proposition I observed, "that the alliance had been "forced upon us in order to protect Kattywar, and the "commerce of the coast from increasing hordes of "pirates and of plunderers; and it is further evident, "that were we to abandon the connexion to-morrow, "we should have the same evils to encounter, and be "in all probability put to a far greater expense, and "become subject to much more embarrassment, than "we ever can by preserving the alliance. On these "grounds, therefore, it is not expedient to withdraw; "but were it so, the maintenance of our faith renders "such a measure impracticable."

Objects of humanity were combined with those of policy, in the formation of our alliance with this petty

state. Its prince was regarded as the head of the Jahrijah Rajpoots, among whom the horrid crime of infanticide had long been practised. The efforts of Mr. Duncan, through the agency of General Walker, were unceasingly directed to the abolition of this inhuman practice. I have, as before stated, always looked to the princes and chiefs of such races of men, as those through whose example, rather than by the exercise of their authority, any great change can be wrought in the habits of their tribe. Political.

I was delighted to find that the head of the Jahrijah tribe was a most promising young prince. His education had been carefully attended to by the resident, and the Rev. Mr. Gray, clergyman of the station, who aided in his instruction, had acquired a great influence over his mind. It was pleasing to hear the prince, in his conversation, continually referring to the observations of Mr. Gray*, whom he described as being most kind " and attentive to him, and giving him information on " all subjects. The prince repeated to me axioms that " he had been taught, and the principles that had been " instilled into his mind; and was amusing in his eager- " ness to show the information he had acquired of the " action of steam, and other matters, in which his know- " ledge, though superficial, he could not help observing, " was superior to that of any of his own tribe."

The death of Mr. Gray, a few months subsequent to my visit to Cutch, diminished my expectation of making those impressions upon the mind of the young prince, which might have resulted from the daily lessons of that

* Vide Minute on Cutch, par. 24.

Political. excellent man. Mr. Gray looked forward, as well as myself, with anxious hope to the establishment, in the course of time, of an influence over the mind of his pupil, that would have enabled him to effect the abolition of infanticide in the family of the prince and his kindred. Such an example would have gone farther to prevent this practice, than all the treaties which have been made, or any measures we can adopt. I assembled, when in Cutch, all the ministers and chiefs of the principality, and addressed them on the subject of infanticide: they knew that this most barbarous crime, far from being countenanced or sanctioned by the usages of Hindoos, was held in utter execration by all of that race, except the few tribes of Rajpoots, by whom it was introduced, and continued to be practised from motives of family pride. The Jahrijahs of Cutch, I remarked*, "have long been reproached with this horrid "and inhuman usage. From the first of our connexion "with this state, its abolition has been a subject of "most anxious solicitude. The hope of effecting it "was recognized as a motive for the alliance, and en-"gagements" were entered into by Jahrijah chiefs, that I fear have been little respected. I know, I added, the difficulty of persuading men to abandon this practice, however abhorrent to nature; but believe me, you will hazard by the continuance of infanticide, the protection of the British government; for the crime is held in such detestation in England, that the nation will not long be reconciled to intimate friendship with a race of men by whom it continues to be perpetrated in direct breach of

* *Minute on Cutch.*

their promises and engagements. I concluded my address by a solemn warning, which was, I told them, dictated by an anxious solicitude for the happy operation of an alliance which promised such benefits to their country; while it would tend, if all its obligations were fulfilled, and objects attained, to promote the reputation, and with it the interests of the British government. Political.

The Minute on Cutch, to which I have so frequently alluded, contains the following remarks, on the importance which that province now has from its geographical situation.

"The extension of the territories of Cutch to Luck-
"put Bunder, and its immediate proximity to the Delta
"of the Indus, give it increased value as a military
"position, at a period when the two great Asiatic
"powers, Persia and Turkey, are no longer the formid-
"able barriers they once were considered against the
"approach of an European enemy to the vicinity of our
"Eastern possessions." With reference to the possibility of such a contingency, it would have been most impolitic, even if attention to pledged faith had permitted, to abandon Cutch; but the recent survey of the Indus gives a consequence to our connexion with that country, which puts such a measure wholly out of the question.

Deeming it more of a political than a financial question, I have given, under that head, my opinion on the institution of the privileged classes of the Deccan; and I have suggested the expediency of extending that institution to Guzerat. I have also endeavoured to show

Political. the policy of establishing, or rather of restoring the usage of Nuzzerana, or offerings, which may be described as fines on succession to principalities or estates. The establishment of such a tax would enable us with little, if any, sacrifice of the revenue, to render landed property more permanent; and combined with other measures, would preserve and continue an aristocracy, which while it increased the resources, would ultimately add to the reputation, dignity and strength of the British empire of India. There is no subject to which I have given more serious thought, and there is none in respect of which I have more regretted that my sentiments were not in agreement with those of the Supreme Government; but this important question is now under reference to England, and I trust the decision of the home authorities will be in favour of a measure, which will I am assured, if judiciously carried into execution, prove highly beneficial to the public interests. The subjects of the privileged classes, and that of Nuzzerana, as they are ultimately connected, are fully treated in my Minute of the 30th November, 1830*,—suffice it here to say, with reference to the latter, that the levying of Nuzzerana, or fines on succession to property or office, is congenial to the usages of the natives of India. It partakes in its gradations of the principles of both our copyhold tenure and legacy duty, being like the latter light on direct heirs, and increasing as the successor is less proximate, or by adoption. It is associated with the maintenance of the principal Jagheerdars and nobles of the Mahratta Government, in the Deccan, and with

* Vide Appendix A, p. 9.

the permanence and prosperity of the privileged classes of that country; an institution which was established by Mr. Elphinstone, and contains, in the principles of its construction, the only means I have known applied in India to the object of preserving and continuing a native aristocracy. It is, however, necessary to the complete success of the measure proposed, that doubtful tenures of individuals of rank and influence should on the establishment of these fines be recognised, and rendered hereditary; but some extracts from my last Minute, under date the 12th November, 1829, on this subject, will best show the grounds on which I differed from the opinion of the Governor-General in Council, who throughout the discussion dwelt more on the financial, than the moral and political results which are involved in this important question. Political.

"The points I observed in the course of this Minute, "are much limited as to local effect; but most important "principles have become involved in the discussion. "These, indeed, are connected with considerations of "policy, that relate to the present and future welfare of "the Indian empire. Various opinions prevail, as to the "mode in which that can be best governed and main-"tained. Some look to increase of revenue, from its fur-"nishing the means of paying a great and adequate force, "as being the simplest and surest mode of preserving "our power; but an army, chiefly composed of the natives "of the country we desire to keep in subjection, may "prove a two-edged sword; and, besides, history in-"forms us, that though armies are the sole means of "conquering a country, they never were the sole, or

Political. "even chief means of preserving it; others look to "colonization, as a source of great strength. India has "benefited, and will benefit still further, from the in- "troduction into its ports, and some of its most fruitful "provinces of the capital, of the enterprise and science "of Europeans: but no sprinkling of our countrymen "and their descendants, if allowed to colonize, to which "we can ever look, would render them a support upon "which we could rely for the preservation of this em- "pire. That must ever depend upon our success in "attaching our native subjects, and above all the higher "and more influential classes. The task is for many "reasons difficult, but it must be accomplished, or our "empire, on its present extended basis, will be weak "and insecure. No sacrifices can, in my opinion, be "too great to effect this object, and it must be pursued "with unremitting perseverance in every quarter of "our dominions, varying in its mode according to "the actual character and construction of the com- "munity. * * * *

"I have, to the best of my ability, not only con- "sidered the subject of resuming the estates now en- "joyed by the Jagheerdars and Sirdars of the Deccan, "on failure of direct heirs, in a financial and political "view, but in all its relations to our local and general "interests. One conclusion, which I have come to "from facts stated in this Minute, is that this measure, "even if carried into execution in the most rigid man- "ner, could not be expected, after all deductions were "made, to yield within the course of next century a "revenue of more than a lack of rupees; and this would

" be more than reduced, if considering it a mere money Political.
" concern. We funded for that purpose our receipts
" of Nuzzerana, from the families from whose extinc-
" tion in their present rank we look for the resource.
" This fund, I am quite assured, would have, within the
" first two years of the adoption of the proposed mea-
" sure produced four or five lacks of rupees. But beyond
" this financial result, the benefits in revenue would, as
" I have shown, be considerable from other sources. In
" the political view of the question, I trust I have
" brought forward facts and arguments not to be con-
" troverted, to prove that the resumption of these es-
" tates upon their lapsing for want of heirs male, would
" be calculated to disturb, not to promote, the local
" peace; while it would tend to diminish the confidence
" of all the superior classes of our subjects in this
" quarter of India, and seriously to injure our repu-
" tation. * * * *

" With regard to the effects of this measure upon
" our local and general interests, it would certainly
" retard the fulfilment of, if it did not altogether destroy,
" those hopes which we now entertain of our being
" able to preserve a native aristocracy in this part of
" India. The maintenance of the Jagheerdars and
" Sirdars in their present stations, besides other advan-
" tages, is quite essential, to enable us to raise to that
" rank and consideration we desire, those who distin-
" guish themselves in the public service; for if the
" representatives of the high families, who now belong
" to the first and second classes of the privileged orders
" of the Deccan, fall one by one before our system of

Political. "as I do, under the belief that they are almost all "opposed to the plan I have suggested, I must now "repeat what I before stated on the ground of my "personal acquaintance with Bengal and Madras, "that the territories of those presidencies have little "affinity, either in their condition or the character of "their inhabitants, to those under this government; "and so far, therefore, as the points under discussion "referred to the feelings, prejudices and usages with "which they were familiar, the ablest civil servants of "Bengal, Madras, and Bombay would be likely to "come to very opposite conclusions; and, with regard "to opinions that relate to the degree in which the "decision of this question might affect the general "financial and political interests of British India, I "must state, that while I entertain the highest de- "ference and respect for the superior judgment of the "Governor-General in Council, fully informed as they "are on every branch of the administration of India, "I cannot consider that any person, however distin- "guished for talent, whose residence or employment has "been local, or confined to the duties of a presidency "or its provinces, can have the knowledge or expe- "rience necessary to judge correctly, in all their "bearings, questions that go beyond the bounds that "can be settled by fiscal calculations, or by any gene- "ral conclusions drawn from limited premises. This "subject, as considered on narrow ground, presents "few difficulties; but, on a more extended view, it "embraces the whole economy and policy of our "Eastern empire."

Political.

An account of the reductions in the political department at Bombay will appear under the head of Finance. In most cases, these reductions were suggested and carried into execution by the Bombay Government; among these measures may be numbered changes at the residency of Sattarah and Cutch, as well as the modification which took place in the political assistants employed in the western provinces, which, by uniting military with political duties, contributed alike to the objects of economy and improved efficiency.

Military.

The subject of the Bombay army is treated in Appendix A*. My letter to Lord William Bentinck, under date the 27th November, 1830, which enters more fully into details of the Military Establishment of India, will be noticed hereafter. Among the most important of the changes made at Bombay in the native branch, was the encouragement given to that class of our troops by the institution of rewards, which included at a very trifling additional expense, both increase of allowances, and honours to old and distinguished native officers, while it gave to the most active of these employment in the command of revenue corps. Besides this, an augmentation was made in the number of boys (sons of sepoys) allowed to each corps; and a small extra pay and exemption from corporal punishment was granted to sons of native officers who entered the service. All these

* Appendix, p. 21.

Military. measures are stated in the Appendix*; in which also will be found the reasons I urged to the Governor-General to prove the impracticability of immediately introducing on such points exact conformity in the native armies of the three presidencies †.

There was a necessity for considerable reduction of irregular horse under the Bombay Government, which I regretted; for experience has satisfied me that this is a branch of force which are essential both in peace and war. They are maintained at a comparatively small expense, and excellently well-suited for many duties which regular cavalry cannot so well perform. This service has another recommendation in being congenial to the habits of a large class of the military part of the community; and a period must always elapse before the substitution of our rule for that of native princes effects a change that reconciles the class of whom such corps are composed to enter the regular army. During this period the maintenance of these bodies of men has an additional value, as it converts a portion of those

* Vide Appendix A, p. 24.

† A very full and clear statement of the reforms and reductions of the military establishment at Bombay, with the results and contrasted statements of their expense and efficiency with those of Bengal and Madras, is given in a Report on the Military Expenditure of the East India Company, by Lieutenant-Colonel Frederick, Commissary General of Bombay. That able officer was nominated one of the Military Committee at Calcutta. His valuable Report was formed of the documents collected on that occasion and the Records of Bombay. It was placed on the table of the Military Sub-committee, and will no doubt be printed among the papers to be laid before the House of Commons. I know no document where more minute and useful information will be found on the subjects on which it treats.

who are most prompt, and able to disturb the public peace, into its defenders. Military.

Considerable reductions took place not only in the numbers, but in all the establishments of the army, as will be noticed in the Chapter on Finance. The functions of the military board were suspended for reasons stated in the Appendix*; and I must add my conviction, that no arrangement has tended more to promote both the economy and efficiency of the military department. The invalid and pension list underwent much reform, and the commissariat and store departments were completely revised, as were also those of the gun-carriages and public buildings. The engineers' corps, with which the pioneers were incorporated, was placed in many respects on a different footing to what they had before been, and in particular regarding their establishments. The object of all these measures was to reduce expense at as little sacrifice of efficiency as possible. The general grounds upon which they were adopted are stated in the Appendix. The objects were the establishing of direct and personal responsibility in the heads of departments; instituting prompt check of all contingencies upon demand, not issue; the consolidation of duties; the introduction of fair competition in contracts; the abolition of all useless depôts; the limiting the number of staff situations, and reducing and revising public establishments.

Much personal experience in every department I

* Vide Appendix A, p. 31.

Military. had to reform gave me many advantages in this labour; but while I am satisfied the gradual results of what has been effected will be a very great diminution of expense, I am quite sensible that, should an unwise attempt be made at immediate reduction in a part of the system on which the working of the whole may depend, the objects of these arrangements may be completely defeated. The change or removal of checks; the depriving Government of the power of employing competent instruments from awarding inadequate compensation to those charged with responsible and invidious duties will be certain to have this effect; and we shall hazard the chief object I had in view, that of preventing the gradual growth of expenditure, which is the bane of all public economy, and above all that of large military establishments.

It may be asked why those measures were not before carried into effect. The reason is obvious; a very considerable portion of the territories of Bombay had not been ten years in our possession, and many parts of these had been till very recently in a disturbed and turbulent state. It was difficult, if not impossible, till the country was completely settled, to undertake revisions and reforms of the military departments which, in some cases, affected the whole of that branch of the government, and consequently could not be prudently undertaken, except at a period of leisure and tranquillity.

A military survey of the provinces subject to the Bombay Presidency had been instituted on an extended

scale by my predecesssor, and much valuable information had been added to our geographical knowledge of this quarter of India. The expenses of this survey were gradually limited. It is now upon a very reduced scale; but a very scientific officer, Lieutenant Shortreed, was appointed assistant to Captain Jopp, the Deputy Surveyor-General, in order to aid, by measuring a base line in the Deccan, the trigonometrical survey which has been so long carried on in India, and which, owing to the talent of the late Lieutenant-Colonel G. Lambton, under whom it commenced, has obtained a high rank among those works which tend to improve general geography. Military.

Lieutenant Burnes had been employed before my arrival in surveying Cutch, and parts of the desert which divides that country from Scinde. I extended the limits of this enterprising and competent officer, and pursuing the tract that I assigned him, and accompanied by another officer, Lieutenant Holland, along the western frontier, he went as far as Jesselmere. He was every where favourably received, and an opportunity offered of coming down the Indus, and of surveying that river above Hyderabad, which had long been a desideratum. The Bengal Government, however, fearful that the Rajahs of Joudpore and Jesselmere might be jealous of British officers traversing their country, and considering the service, if it was to be undertaken, more properly belonged to those of the Quarter-Master-General's department in Bengal, directed that Lieutenants Burnes and Holland should be ordered not to proceed

Military. further. This was to me a great disappointment; but the receipt of orders from England in 1830*, to send a letter from the King and some presents to Runjeet Sing, by the Indus, enabled me to employ Lieutenant Burnes in surveying that river from its delta to its junction with the Ravee †, by which he ascended to Lahore. The manner in which the orders of my superiors were carried into execution need not be stated in this place; suffice it to say, that I adopted every means my information or experience could suggest to insure success; and the result, owing chiefly to the temper, knowledge, and perseverance of the officer to whom the execution was intrusted, has been completely successful. Lieutenant Burnes has completely ascertained the practicability of navigating the Indus. Its depth in the driest season is twelve feet; its current only two miles and a half an hour, and it is without rocks or rapids. No river can be more favourable for steam, and the political and commercial results of this survey promise to be alike important.

Indian Navy. The subject of the Indian navy is fully noticed in the Appendix ‡: it will be further treated when I come, in a subsequent chapter, to consider the force we maintain

* Lord Ellenborough, when at the head of the India Board, originated this measure, which was attended in its completion with all the important results he anticipated.

† The ancient Hydrastes. ‡ Vide Appendix A, p. 33.

in India, and the means we possess of protecting our subjects, suppressing internal commotion, or the possible if not probable occurrence of an emergency that requires us to repel foreign attack. It is, therefore, only necessary to notice shortly the changes which have taken place in this department within the period I presided over the government of Bombay. Indian Navy.

The whole constitution of the service which had long existed under the denomination of the Bombay Marine, was changed by the Court of Directors in 1828, and an officer of rank in the British navy appointed to its command, in order that he might aid in assimilating its discipline and establishments, as nearly as local circumstances permitted, to the service to which he belonged. No duty was ever performed by an individual with more persevering solicitude nor with more success; and there can be no doubt, from the change which has been already effected, that in a very few years the Indian navy will in its efficiency rival that of our native army; and, while it is eminently qualified for all its local duties, be an useful auxiliary to the British navy in any general operation in the Asiatic seas.

The Finance Committee suggested great reductions and changes in this branch, and also proposed that his Majesty's vessels should perform the greater part of the local duties of the Indian navy. To reduction in actual establishments, as far as considerations of expediency and policy permitted, I offered no objections; but on a consideration of the constitution of the government under which this force

Indian Navy.

must act, the climate to which it is exposed, the minute knowledge not only of the seas and rivers in which it is employed, but that acquaintance with the language and manners of the natives, which it is indispensable its officers should possess, were circumstances that satisfied my mind that the substitution of British men-of-war for the Indian navy, on its ordinary services, would cause increase of expense, decrease of efficiency, and in the end prove wholly impracticable.

Medical Department.

In the medical department some revisions and reductions were made. The claims of the seniors of this branch were strongly recommended to the Court of Directors, and I rejoice to add with effect. Several changes were made calculated to benefit the senior medical officers. In my Minute, under date April, 1828, "The enjoyment of allowances," I observed, "in different situations by junior servants in the "medical branch equal, and in some instances, "higher than those of their superiors in rank and "standing, is noticed in this letter, and there is no "doubt its operation must be injurious to the public "service. It is calculated to take from promotion its "value, and from ambition its objects. It gives habits "of expense to men at a period of life when they "can endure privations; subtracts from the comforts "of more advanced age, and by the operation of an "inverted principle, gives a boon in the anticipation "not as the reward of service."

" Considering as I do the consequence of men of Military.
" superior qualification entering the medical line in
" India, and knowing the importance of many of those
" staff situations necessarily held by assistant-surgeons,
" I am not prepared to affirm that the extra allowances
" awarded them are too large; but I must record my
" opinion on the grounds which I have stated, that if
" reductions in this department must of necessity be
" made, it would have been better for the general good
" of the service they had fallen any where than on
" the members of the Medical Board, and the higher
" officers of the medical department.

" It appears to be a very serious defect of the
" constitution of the medical line in India, that it wants
" the stimulus which can only be given by men having
" prospect of honourable and profitable advancement.
" The operation of the late orders of the Court of Di-
" rectors, as pointed out by the letter from the Medical
" Board, goes to diminish every hope before entertained
" from promotion. This will no doubt be altered; but
" to give complete effect to any change which the ac-
" companying representation may lead the Directors to
" make in the condition of those who hold the first
" stations in this line, the selection to them should be
" made with less exclusive attention to the claims
" of seniority than it has hitherto been. Every pre-
" caution should be taken to prevent the abuse of
" patronage; but in a government like that of India,
" where claims of individuals are so well known, no
" evil can arise from that source equal to what must be
" the consequence of a system which never, except in

Military. "an extreme case, admits of a deviation from a dull "and deadening routine. Rules and limits should be "fixed; a certain portion of actual and approved ser- "vice, and in specific charge, should be required before "any individual was eligible to be a superintending "surgeon, and a certain service in that line should be "indispensable before he could be nominated to the "Medical Board; other stations might require pre- "scribed periods of service, and that should always "include a considerable portion of military duty. "Such regulations for the medical service must both "animate and improve it; and they would, on the "whole, circumscribe, instead of increase patronage. "There would be less power of favouring young men "who are always those whose friends have most in- "fluence with persons in office. The senior medical "officers, having resided from twenty to thirty years in "India, have little interest except that made by their "own talents and exertions, and such would be legiti- "mate claims for any notice or promotion conferred "upon them."

Judicial. The reform and reduction effected in the Judicial department during the period I was Governor of Bombay, are stated in the Appendix A*. The most important was the regulation which extended the jurisdiction of native Ameens or judges to all original civil suits; but the arrangements which I proposed for an economical reform of every branch of the civil service are more fully treated in my Minute of the 1st

* Vide Appendix A, p. 39.

December, 1829, which forms Appendix B*. In this document will be found a short abstract of the former state of the Judicial department, and of the changes made in the secretariat, judicial, and revenue branches of the service. The principle of awarding pay according to the standing of the civil servants, and of attaching allowance to stations according to their duties and responsibility, was brought into partial operation by the arrangement in the secretariat, and its extension was strongly recommended to the Court of Directors. The measure had been before† brought to their notice from Bengal, and I regret to learn that, after much discussion, it has been disapproved‡. I still trust it will be adopted, for it will, I am assured, not only be economical, but most beneficial to the public service. The degree in which the latter must often suffer from the manner in which the present rules limit selection will hardly be credited. It may be stated, that Government, if they do their duty, have a sufficient latitude of selection; but it is impossible to exclude from the human mind considerations of former claims, though age and infirmity, perhaps brought on by long and active ser- Judicial.

* Vide Appendix B, p. 108.

† Mr. Holt Mackenzie wrote a very able paper upon this subject, which was strongly recommended to the attention of the Court of Directors. Vide Appendix A, p. 98.

‡ It is urged, that the latitude the adoption of the rule would give to the selection of junior servants might prove injurious to seniors; but the nature of the duties of the civil stations (and particularly since the reduction of their numbers) operates as an efficient check upon the unfair exercise of patronage; and the possibility of abuse might be further guarded against by prescribing the number of years necessary to enable a public officer to hold specific stations.

Judicial. vice in a tropical climate, may render a meritorious individual unsuited to the active efforts required in most of the principal stations in the civil service. To condemn a public officer of this description to the pittance given to a servant unemployed, or to nominate him to an inferior and less responsible station than his rank led him to expect, must be painful to the feelings of a Governor; while, on the other hand, the appointment of such a person to an office the duties of which require vigour of body and mind, would be to compromise the interests of the public service. If allowances are graduated to length of service, the pay of able and efficient officers of less standing would be diminished from its present scale; but they would be rewarded with high employ, and their income would gradually improve. I have elsewhere * strongly advocated the adoption of this Service Rule, as it is termed; and I have further recommended, that after twenty-two years †, a civil servant, becoming entitled to a pension, shall not be employed except at the selection of Government, in the same mode as general officers are for the staff. The relief this rule would give to the local governments, and the benefit to the service, would be very great.

The changes and reforms to which I have alluded in the judicial department and others were made before I

* Vide Appendix A, p. 97.

† My proposal is, twenty-two years of actual service in India, exclusive of the three years' furlough to England admitted by existing regulations. It has been objected that this rule might fall hard upon men in embarrassed circumstances; but my opinion is that it would prevent individuals being embarrassed. Men calculate their prospects before they incur debt, and so do their creditors; employ not being a life-rent would limit the expectations of both.

had received the sanction of superior authority. They were called for by the pressure of the finances. To have awaited the sanction of the Court of Directors would have been to protract an arrangement for two or three years, which economy as well as other considerations required should be immediately adopted, and with the general sentiments of the Supreme Government I was sufficiently acquainted to act with perfect confidence. Judicial.

The Regulation I. of the 1st January, 1830, by which this important change was introduced into the judicial system of the Bombay Government forms a number of the papers printed by parliament; and it is most satisfactory to state, that there appears no doubt, from the report of the session judges and visiting commissioners, that a measure which combines the object of elevating the character and improving the condition of our native subjects, with those of prompt justice and economy, will be completely successful. The extent of native jurisdiction at the different presidencies is now nearly the same. The differences are not greater than what it is probable local circumstances require; the most remarkable is, that at Bombay all original civil suits are tried by natives; but the expediency of giving these confidence in this important branch of legislation appears at length to be very generally admitted.

It was my intention to have proposed the introduction of juries in aid of the administration of criminal justice in the provinces, but the discussion to which this question gave rise at Madras, led me to suspend the adoption of that measure until a decision upon the references made to England from that presidency was received. The point is, however, one of much import-

Judicial.

ance; and as I am anxious it should meet with early attention, I shall, in addition to what I have stated on this subject in the Appendix, quote part of a letter under date the 18th June, 1828, which I wrote to Lord Melville, then President of the India Board. Referring to the opinions of Sir Thomas Munro on the policy of employing native juries in criminal cases, I observe, "This measure had long occupied the mind "of Sir Thomas Munro, and to me it appears every "way worthy of his character. I consider that, pro- "perly introduced, it will be found the greatest of aids, "instead of being subversive of our present system. I "deem it no more an innovation than our having lately "had resort to the aid of village authorities, and other "native institutions, which we had in the ardour of our "first reforms swept away; but admitting it as a "novelty, it may be asked, Is it our desire, or is it not, "to improve the natives of this country? to enlarge "and enlighten their minds? If it is, can we expect "that this end will be obtained through repetition of "lessons and hearing of lectures within the precincts "of our schools and colleges? We must give action "and a good direction to the spirit we kindle, or its "operations will be all against us. But I contend (and "on the ground of experience) that the natives are "quite qualified without our tuition for the duties Sir "T. Munro desired to allot to them.

"If this favourite measure of Sir Thomas Munro is "deemed worthy of a trial, I hope that it will be directed "to be made at this presidency, where many circum- "stances are peculiarly favourable for its introduction,

* Vide Appendix A, p. 39.

" and where some of the first men in the judicial de- Judicial.
" partments are sanguine in their expectations of its
" success.

" We have many advantages favourable to this ex-
" periment. Our new code is clear and condensed, and
" is singularly free of technicalities. It is accessible
" to the natives of our different provinces in their own
" languages. Persian is never used. Indeed it is a
" language not known to one in one hundred thousand
" of our subjects, and to have retained it would have
" been to exclude for ever our subjects from a know-
" ledge of some of the proceedings of our courts of law.

" Notwithstanding this improvement, we cannot yet
" flatter ourselves with the belief that natives not im-
" mediately concerned have much sympathy with our
" system of judicial administration. They view our
" forms as those in which we choose to administer the
" power we possess; but few, if any of them, can believe
" the system contains those checks which it does upon
" ourselves; and they always refer more to the charac-
" ters of individuals who preside in them, than to the
" constitution of our courts of justice.

" There can be no doubt that the admixture of
" natives in the administration of our laws would lead
" to their being better understood and appreciated. It
" would create an interest in our judicial proceedings
" that does not now exist. This would in time have
" an influence on the character of the population,
" among whom those called upon as aids in our ad-
" ministration of justice would gradually acquire in-
" fluence and distinction. But there would be other
" advantages: perjury would be checked; witnesses

Judicial.

" would not only fear detection in falsehood from the " more minute examination of their countrymen, but " they would give their testimony under very different " feelings when before men upon whose estimation " their future happiness and credit in life depended, " than when questioned by a foreign judge whom they " never saw before, and who, during their lives, it was " not probable they should ever see again.

" We have reiterated opinions of the unfitness of " the natives of India for situations of trust and con- " fidence. Their prejudices of caste, their falsehood, " their ignorance, their immorality, are brought forward " as the grounds of their exclusion; and we are re- " quired to wait till they are reformed and more fully " instructed, before we press them forward to their " further disgrace and the injury of our reputation and " interests.

" I can never believe in such an unfavourable cha- " racter of our native subjects; but supposing it true, " can better means of their improvement be devised " than the impression which must be made upon this " community by granting our confidence, and by giving " honourable employment to its most distinguished " members? Unless we do so, that instruction and " diffusion of knowledge about which we are so anxious " is a dangerous effort. It is to fill the vessel with " steam without one safety-valve. But on what foun- " dations do the accusations against the natives rest? " As servants to ignorant, capricious, and sometimes " violent European masters, they have no doubt often " proved full of falsehood, cunning, and servility. " When judged by their conduct to despots and tyrants

" of their own tribe, they have been found guilty of the Judicial.
" defects and crimes which belong to men in such a
" condition all over the world. But have we been
" disappointed in the trials we have made of the natives
" of India as servants, not of individuals but of Govern-
" ment? Has not our native army proved faithful and
" brave? Have not the few native servants (including
" Ameens) we have yet ventured to raise above the will
" and pleasure of an European superior fully met our
" expectation? Assuredly then, to conclude that they
" will not perform their duty as jurors is to condemn
" them without fair and full trial; and I must contend
" that there exists no evidence on which we can pro-
" nounce them unfit for such employ; but even ad-
" mitting the truth of all that is stated against them,
" observations formed of men debarred from duties
" and immunities calculated not merely to change, but
" to form their characters, are not sufficient to enable
" us to determine what would be the conduct of the
" same men under the exciting motives of a wiser and
" a more liberal policy.

" We must not conceal from ourselves the causes
" which have combined to exclude the natives from any
" share in the administration of India. It is an over-
" weening sense of our own superiority, a love of power,
" and an alarm, which I deem groundless, that, as their
" interests are advanced, those of European agents will
" be deteriorated. But if I am right in believing, as I
" conscientiously do, that unless they are treated with
" more confidence, elevated by more distinction, and
" admitted to higher employment, we cannot hope
" to preserve for any long period our dominions in

Judicial.

" this country, no feelings or considerations should be " allowed to oppose their gradual progress to every civil " function and employ. By raising the most active and " eminent of the natives of India in their own estima- " tion and that of others, we shall reconcile them, and " through them, the population at large, to a Govern- " ment which, daring to confide in its own justice and " wisdom, casts off the common narrow and depressing " rules of foreign conquerors.

" We have the power, under our Regulations*, of " associating natives in the trial of criminal causes; " and it was my intention that we should have pro- " ceeded a step farther, and have adopted the Regula- " tions framed by Sir T. Munro; but after what has " passed, though we may exercise the latitude given in " our own code, we shall do nothing more till we hear " what your opinions in England are upon the whole of " this subject."

The use of the Punchayets had (I found) been seldom resorted to in the provinces of Bombay, except in the southern Mahratta country, but I still retain the opinion of these courts which I have so often expressed†. They must, however, to give them a fair trial, be made part of our judicial system; but no option must be given to those whose case they are to judge: unless the rule is made absolute for trial of certain cases in these courts, it would not be in one out of a hundred that the two parties would assent. Both the plaintiff and defendant would calculate whether they had the best

* Vide New Code of Bombay Regulations, 13, (1827) chap. 6, sect. 38, clause 5.

† Vide Political History of India, vol. ii. p. 149.

chance of gaining their suit by applying to a Punchayet or Zillah* court; and whenever they did not agree, the latter court, in which the forms are compulsory, is that in which the case would be tried. But this result must not be brought forward as a decided proof of its superior popularity. Before such a fact can be admitted, it must be established whether the preference to it is given by the honest men or the rogues †. Judicial.

Previous to my reaching Bombay, the most serious differences had occurred between the judges of his Majesty's Court at the Presidency and the Government; those disputes were unhappily revived on the ground of claims on the part of his Majesty's Court to a jurisdiction more extended than usual, or than the act of parliament appeared to Government to warrant. The case was referred to England by a petition to his Majesty from one of the judges: this, the decision of his Majesty's Privy Council, and a Minute which I recorded on receiving a copy of the petition, form a number of the Appendix ‡.

Subsequent to the decision of the Privy Council being made known, some natives of the Presidency of Bombay presented an address to Sir John Grant, in which among other defects they charged the Provincial Judicature with false imprisonment. Mr. Anderson, a judge of the Sudder Adawlut, in commenting upon this address, observes,—"In respect "to false imprisonment, as the act of the provincial "courts, I conceive the charge one which it concerns

* District. † Vide Central India, vol. ii. p. 296.

‡ Vide Appendix C, p. 115.

Judicial.

" the Government and the honour of its servants " distinctly to challenge and contradict as a most " gross libel. It is to suppose that men sworn to " do justice, to whom are not denied the principles " of honour, do nevertheless wilfully and of full intent " wrongly sentence to imprisonment, and there allow to " lie, men whom at the time they know to be innocent: " this is the conclusion to be inferred—I willingly " believe it not meant.

" But to the fact. No man can be sentenced to im- " prisonment but after trial; if to lengthened imprison- " ment, not without the sentence being first confirmed " by the Superior Court (the Sudder Foujdary Adawlut) " to which all the proceedings are referred. In cases " not referred, as indeed in all cases, the imprisoned " can petition that court. The lower courts are " obliged to forward these petitions, and constantly do " so; proceedings are called for; the whole case is in- " vestigated; and such final order given as it is thought " that law and justice demand.

" This is no idle form; the investigation of these " cases on petition forms one of the most anxious duties " of the Superior Court, and it has never been insinu- " ated of its judges that they have neglected this duty, " or that they have hesitated to relieve the petitioner, " or to spare their comments upon any part of the pro- " ceedings that might require animadversion.

" Beyond this, the Judges of the Sudder Adawlut " make annual tours to the different Zillahs; one of " the principal duties of the judges on these tours is to " visit the jails, and to hear and inquire into grievances.

" At this present moment I am in the course of one of Judicial.
" these tours. I have received various petitions from
" those in jail; where I have deemed that there has
" been any wrong done, or erroneous order, or sen-
" tence passed, I have referred the case, with my senti-
" ments, to the Sudder Foujdary * Adawlut for its re-
" vision.

" The administration of the country is thus not
" weakened by hasty or single opinions; but where,
" upon grave considerations, redress is thought to be
" called for, it is given with as much certainty as
" belongs to man to give.

" Infallibility can never be attained. Erroneous
" judgments with us, as with others, will occasionally
" be formed; but this I do say, that no system that
" we are acquainted with offers more checks to ensure
" that justice in the end is done, and that wrong is
" not suffered."

Great attention had been paid by my predecessor to the improvement of the jails, and to prison discipline. The importance I attach to this subject will be seen in the proceedings noticed in the Appendix †.

The erection of a depôt jail at Tamah, in the vicinity of Bombay, as recommended by me, will complete arrangements calculated to have a powerful influence in reforming the worst part of the community. The grounds on which I recommended this measure are fully stated in the Appendix. The Court of Directors have not approved of the proposition, but as some of the reasons on which they have refused their

* Principal Court of Criminal Justice.

† Vide Appendix A, p. 47.

Judicial. assent are founded on misapprehension, I do trust that the plan will be ultimately adopted.

In a Minute written the last* day that I presided over the Government of Bombay, I stated my confidence in the success of the system that had been introduced into the judicial branch of Government. "The new judicial arrangements," I observed, "have hitherto worked well, and if undisturbed by "changes, I am quite confident that the two im- "portant objects which they had in view will be "obtained: first, reduction of expense, and secondly, "conferring on natives of respectability a share in the "judicial administration that must tend to elevate "them in society, teach them to respect themselves, "and render them respectable in the estimation of "their neighbours; and, in short, supply those motives "which, as far as our system of administration is "concerned, were requisite, in order to render them "virtuous and good men, as well as useful and attached "subjects. Of the benefits which Government will "derive from such a change, owing to the superior "knowledge which the native judges must possess of "the languages, habits, and dispositions of their coun- "trymen, there cannot be a doubt; and it is to be "expected that they will early become an example of "the utmost importance to their countrymen, who will "be prompted to acquire knowledge and to practise "virtue, when they see that such rewards may be "gained by so doing. It is, I am satisfied, only through "such modification of our rule, that any real improve- "ment can be made in the character or condition of

* Minute dated 30th November, 1830.

" the higher of our native subjects, while at the same Judicial.
" time we confirm their attachment, and gain for our
" Government the support of their influence, which is
" great in the community to which they belong."

Objections had been taken to the Assistant-Judges which this system introduced, to which I replied,—

" The system cannot, as far as I can judge, be altered
" with benefit; and while none of the assistant-judges
" can be withdrawn without injury to the inhabitants,
" there is, in my opinion, no occasion to appoint judges
" to perform their duties. It would be an unnecessary
" augmentation of offices, with high salaries and ex-
" pensive establishments. It may be argued that the
" detached assistant-judges are too young for those
" offices; but their powers are limited, and the youngest
" who held these stations was of more than ten years
" standing in the service, and will probably remain
" assistants from two to five years longer. If this
" should hereafter be brought forward as the ground
" of a claim to higher pay and station, I can only ob-
" serve, that no Government can afford to administer
" its affairs on such principles; and if it be argued that
" these stations should exist, to put Bombay on a
" parity as to similar stations in Bengal and Madras,
" I must, in the first place, affirm that this branch of
" administration at Bombay is at present much more
" economical, and, I am persuaded, to the full as
" competent to its ends, as the same at either of those
" presidencies. But it may be proposed to make up
" for any additional expense incurred by modification
" of recent measures of this Government. I can only

Judicial.

" state, that if these are to reduce the stations or sala-
" ries either in the higher branches of the judicial or
" revenue departments, they will be found most pre-
" judicial to the public interests.

" We must reduce the public expenditure, but
" though this necessity may, under all circumstances,
" be attended with some difficulty, if not evil, that will
" be more or less according to the mode in which it is
" effected; it is offices, not salaries, that must be re-
" duced. This particularly applies to the higher
" grades of the Civil service, who should be remune-
" rated liberally for the arduous and responsible duties
" they have to perform. It is better for individuals
" and better for the public that such objects of ambi-
" tion and of reward for labour should exist in a
" service, than that numbers should be more on a parity
" of allowance and condition; and there are other con-
" siderations connected with this subject as applied to
" the revenue department, which must make me view
" with great alarm any modification of the system
" recently established for the fiscal rule of the pro-
" vinces of this presidency."

Much discussion had taken place both at home and abroad on the question of the collectors being the magistrates in the provinces of which they had the fiscal administration. Though there were reasons to fear that cases might occur in which the power granted to them might be abused, their superior means of performing the duty were so evident, that it was committed to them; but at Bombay an efficient and salutary check was provided in placing the collector, in his magisterial

capacity, under the Sudder Adawlut, or chief court of provincial justice. This arrangement has worked well: I believe it has been introduced into some of the provinces of Bengal. Judicial.

Ever since I have been employed in the civil administration of India, I have given my unwearied attention to the important question of adapting our system of collecting the revenues, as far as was practicable, to the native institutions and tenures which we found established at the period these countries became subject to our rule. The land revenue, I have elsewhere stated, forms a most important part of government in India; for comparatively few of the population of that great empire are affected by the administration of our judicial courts, except in cases that affect the rights which cultivators, down to the lowest grade, have upon the soil. This gives to almost all a deep interest in our fiscal administration. Revenue.

In the best period of the ancient Hindoo and more recent Mahommedan government of India, we find the greatest attention was given to the revenue system. Lands, field by field, were valued and correctly measured; and in many parts, not only the records of the former measurement are found with the village accounts, but the Meerdah, or hereditary land-measurer, is a village officer, many of them still possessing a Guze Shah, or King's yard, with the royal seal upon it, which has for generations been handed from father to son as a badge of office. Where we have no authentic

Revenue.

documents, and in many countries which have come under our rule, these, through changes or revolutions, have been lost or destroyed, a survey is not merely desirable, but indispensable; and whatever may be the final result of that experience, which a few years of possession can alone give, we must, with the best means in our power, fix the valuation of the lands we survey, and judge the various claims on the soil. The trouble and expense of a survey are amply repaid by the check it establishes against fraud, imposition, and oppression; the knowledge it imparts of our resources, and the facility it gives to correct decisions on litigated points respecting land, which include, perhaps, nine out of ten suits in our civil courts of judicature. In this case, however, as in many others in India, we are often disappointed, because we expect the fruit the moment after the plant is put in the ground. Objections are raised by some against the mode in which a survey is made, and by others against its principle; the latter bringing examples of our assessment grounded on survey, as if their proving (granting them all they assume) that knowledge has been turned to a bad use proved that knowledge was a bad thing. But, after all, the survey goes no further than to fix a maximum, leaving a latitude to the collector to make, when circumstances required it, the assessment below a standard which he could not exceed.

The territories in which our power succeeded that of the Peishwa in the Deccan had long been a theatre of war. Almost all the records of villages had been destroyed. My predecessor had instituted a survey

assessment, which was carried on by the public officer to whom it was intrusted, with equal talent and industry; but the Finance Committee at Calcutta not only questioned the principles upon which this survey was conducted, but thought, in the state of the finances, that it was a fair object of reduction. I offered objections to this suggestion, desiring that, as the survey of the Poonah district had been completed, that of Ahmednuggur, the lands of which were intermixed with it, and which had been commenced, should be finished. Revenue.

In my Minute of the 24th September, 1830, on the letter from the Supreme Government, inclosing the recommendation of the Finance Committee, I observed: — The survey was proposed by my predecessor* as a measure indispensably required in the Deccan, the necessity for undertaking which had been rendered evident from the reports of every one of the collectors. In his Minute on this subject, he states that "the old surveys have fallen into complete neglect; "measures are in such disorder, that the Begah, which "is the standard, sometimes represents the value of "the land rather than its extent, and everywhere is so "little uniform, that it is found necessary to change the "denomination altogether, from the confusion and uncertainty which it brings with it. Assessment is in "equal confusion; the old records are lost, and the "recent ones are of little use from the practice of the "Peishwa's farmers, who assessed with reference to the "ryot's ability to pay, rather than to the productive

* The Honourable Mountstuart Elphinstone.

Revenue. "powers of his land. Our collectors, therefore, make "their settlements in the dark, and risk every year, in "a hasty settlement, all the evils to which a survey is "liable; but the number of which may be diminished "if it is so conducted with care and caution. Indi- "vidual rights have no security, as they are not ascer- "tained or recorded, but rest on the testimony of a "Culkurnee*, whose settlements are always received "with well-grounded distrust. Nothing is permanent; "and a man's assessment may be doubled at any time, "if a new Mahmlutdar, or a new collector, takes a dif- "ferent view of his case; or if, which is more frequent, "the Patell finds it convenient to raise his rents, that "he may lower some other person's."

Consequently to this state of utter confusion in which the materials for annual revenue settlements were involved, a survey was directed to be made by the collectors; but after a period of about twelve months, it was deemed expedient to place it under distinct superintendence. This measure was resorted to for the reasons stated, in my predecessor's Minute of the 1st of August, 1826. The fullest consideration of the subject led me to defend this measure. The reasons urged by the Finance Committee at Calcutta have not satisfied me that there were any good grounds for the abolition of the Deccan survey. I stated my reasons for this opinion at much length, but my efforts were in vain. The recommendation of the committee was adopted, and the survey stopped. It is not neces-

* Registrar of a village.

sary in this place to enter upon the grounds on which this measure has been adopted, far less to notice those subsequent objections founded on alleged abuses in the course of the work. The latter are unavoidable in all such undertakings, but can be corrected by future investigation and revision. It is quite impossible that any revenue settlement can be made including such minute details, and in which such extensive agency is employed, without giving an opportunity of connivance and corruption to numbers; but I must affirm, in reference to the Deccan survey, that on no occasion has more vigilance and ability been exercised to prevent injury from such causes either to the interests of the people, or the government. Revenue.

The country of Guzerat had never been disturbed like the Deccan; and when it came into our possession, documents existed in every district, town, or village, which proved a tolerably correct data for realizing the revenue. This did not, however, prevent my predecessor's instituting a revenue and topographical survey: additions to which are still making at comparatively trifling expense; for such has been the result of this wise and liberal measure, that natives on low pay are enabled to carry on the work; and adverting to this subject in my Minute of the 15th of October, 1830, I observe,—" Till my recent visit to Guzerat, I confess " I was imperfectly acquainted with the nature of the " revenue * survey, which has, for several successive " years, been in progress in that province.

* I do not refer to the survey of Baroach, which was combined with other proceedings, such as the resumption of lands, and various other

Revenue.

"The survey has been a most extensive work, having been carried on simultaneously on a large scale in the districts of Surat, Kaira, and Ahmedabad, Baroach having been previously surveyed.

"The information that has been collected by the survey is of a very general and, at the same time, of a very minute nature. Its first object has been to establish an authentic and permanent record of the lands in each village, dividing them into classes according to their nature and quality. The survey embraces every field, tree, and well; and the accounts it has collected of the produce, extent, and capability of the soil must be extremely useful to the collector in making a just distribution of the assessments. Besides the above information, memoirs have been prepared of the villages by the European officers employed, describing all important circumstances * relating to them. This information is again brought together in a connected form in general reports on the Pergunnahs or districts.

"Of villages of the largest class a separate plan, or map, has been prepared of each; when of smaller size, two or three are laid down on the same sheet. The different descriptions of land, the cultivated, waste, open, and inclosed, are separately exhibited on the plans, as are the sites of the villages, their boundaries, roads, tanks, &c.

duties; some of which, particularly those which they deemed to be severe towards the Possessors, or occupants of land, the Court of Directors disapproved.

* These detail the mode of cultivation, produce, wells, &c., and the number and character of the inhabitants.

" The plans, which are remarkably well executed, Revenue.
" afford gratifying evidence of the aptitude of the
" natives, under careful instruction, to acquire scientific
" knowledge, for, except the colouring, most of these
" plans are the work of their hands. Perfectly at home
" in the use of the theodolite and other survey instru-
" ments, natives on trifling salaries have of late per-
" formed all the measurements and other field-work,
" formerly solely intrusted to European officers. In-
" deed nothing connected with this ably-executed
" survey reflects more credit on the intelligent officers*
" who conducted it, than their remarkable success in
" communicating their professional knowledge to the
" natives. A great reduction of expense has thereby
" been effected. The present establishment, though cer-
" tainly small compared with what it was, is by no means
" inefficient, yet the charges have been reduced from
" nearly a lac to less than six thousand rupees per
" annum. In a former Minute I have proposed that
" the survey reports be lithographed; copies of them
" should be forwarded to the different collectors, and
" one set should be given to each assistant in Guzerat.
" No opportunity should be lost of converting to prac-
" tical and useful ends the valuable body of information

* The gentlemen who have taken the most prominent part in this work are Captains Cruikshank and Ovans, and Lieutenant Melvill. It is justice to the memory of an able officer, now no more, Lieutenant-Colonel Monier Williams, to state that the above officers, as well as many others, owe their instruction to him, when he was employed in surveying the Baroach district, at the same time that he was executing the duties of Surveyor-General of the Bombay territories.

Revenue.

" obtained by the survey. The collectors should be " desired to refer particularly to the reports when they " prepare their own on the annual settlements. They " should then draw a comparison between the actual " state of their districts and that which existed when " the survey took place. They should represent to " Government the progress that has been made in " rectifying errors of management, or effecting improve- " ments pointed out by the survey; and they should " account for any changes that may have occurred in " the extent or state of cultivation, noticing any in- " crease or decrease in the number of wells, cultivators' " houses, &c. It is from such details, more than from " the amount of revenue, that a correct opinion can be " formed of the real state of the country. The col- " lectors should require their assistants to pay the most " particular attention to these points, when they report " on the Pergunnahs of which they have charge."

I must refer the reader to the Appendix * for an account of the changes and reforms made in the revenue department. In one of the last † Minutes I recorded at Bombay, I expressed my great anxiety that these changes might be confirmed by the Court of Directors. After detailing the stations of the different fiscal officers which made the number of principal collectors six, and the sub-collectors eight, I observed—" That two of the " principal collectors (which is a term to designate their " having sub-collectors under them) should be styled

* Vide Appendix B.

† Minute of the 30th November, 1830.

" junior principal collectors, and have only 28,000 Revenue.
" rupees per annum; the same pay as a session-judge.
" The object of this arrangement was to prevent those
" frequent removals which are so injurious to the service,
" by making the increase among those who belonged
" to this grade depend upon their standing in the de-
" partment, not on the stations to which they were
" nominated."

I stated my opinion in this minute, that " The system
" of having principal collectors over large provinces is
" not only more economical, but more efficient than any
" other. It saves in the establishment, both in the
" native and English departments; it concentrates local
" power; it lessens the number of authorities inde-
" pendent of each other; it simplifies and diminishes
" official correspondence; and it gives that weight to
" an individual with extended charge that facilitates
" the execution of his duties.

" I quite concur" (I observed) " with the sentiments
" frequently recorded by the late Sir Thomas Munro,
" regarding the actual necessity of raising the revenue
" department, combined as it is with magisterial
" duties, which required the most qualified and ener-
" getic of our public servants. Our revenues, he
" observes, must depend upon their successful efforts,
" and, what is of still greater consequence, the comfort
" and happiness of the country and its inhabitants."

The savings arising from this and other parts of the same arrangement amounted (as will be shown hereafter) to nearly three lacs of rupees per annum; but

Revenue. the changes made in the fiscal branch promised, beyond financial consideration, the greatest benefit to the public interests. The principal collectors appointed under this arrangement at Bombay were intrusted with the administration of the revenues of two collectorates, and had their allowances increased in proportion to their increased labour and responsibility, regulated by a principle which had for some years been established and acted upon at Madras; but, on the whole, the consolidation of duties and the abolition of establishments effected by this arrangement produced a considerable saving, while it promoted efficiency, as well as economy, in elevating the fiscal branch to a level with the judicial; and, by presenting objects of ambition in this line, gave Government, what it requires for its successful administration, the command of the best talent of the service; and secured their continuance in a department, on the good administration of which, not only the resources of the state, but the prosperity of the country must essentially depend.

The extension of the territories of Bombay, and the abolition of the station of Commissioner of the Deccan, required Government to have some aid in superintending the revenue establishment. The choice lay between the nomination of a board and a commissioner. I preferred the latter, not only as the more economical, but the more efficient arrangement. This office must, from the nature of its duties, be always filled by one of the ablest and most distinguished officers of the department; and his continued circuits afford a degree of

information, check, and supervision in this branch, which is alike beneficial to Government and to the agricultural and commercial parts of the native population. Some of the members of the Finance Committee have expressed doubts of the expediency of this station, on grounds to which I cannot assent; and I am positive that, if it is continued for some years, the result will prove its utility, both in preventing negligence and abuses, and promoting improvement. It belongs to the commissioner to report on all cases, not only as they affect particular districts, but as they accord with, or differ from the principles of the general system: he judges of occurrences after investigation on the spot: the Government can refer to him on any occasion for advice, and the inhabitants, when they deem themselves aggrieved, look to him, when on his circuit, for redress. I am so far from conceiving the inutility of this station, that I think its powers may be extended with advantage by intrusting the police of the country to his general supervision. Of this I am positive, from practical knowledge of the territories of Bombay, that the duties of the revenue commissioner, involving as they do all fiscal arrangements, could never be performed by the Government, or its secretaries, with equal benefit to the public interests.

The changes made in the revenue system during my administration of Bombay have been generally approved; but the pay (as I shall have occasion to notice hereafter) of the principal collector, in charge of two collectorates, has been reduced to the amount which

Revenue. collectors formerly received when in charge of one. This measure will, I fear, if persisted in, have the effect of destroying many, if not all, of the benefits I anticipated from the changes in this department adopted at my recommendation. It was by encouraging those who had great responsibility, and by rendering the principal revenue appointments not only rewards, but objects of ambition to men of the highest qualification, that I looked to the efficient working of a system, which, through the reduction of establishments and contingent expenses of every description, not only effected an immediate and considerable saving, but promised to maintain those principles of economy on which we can alone ground a hope of real and permanent diminution of expenditure. I must believe that the Government of Bombay has remonstrated very seriously with the Court of Directors on this subject; as I am positive they must deem the effects of the orders they have received not only calculated to counteract the object for which they were issued, but seriously to impair the efficiency of the most essential branch of the administration.

It is not accordant with the object of this statement to enter upon any detail of the revenue management of the territories of Bombay. Guzerat is perhaps as productive as any province in India, while a considerable proportion of the Deccan is an arid and poor soil. The character and usages of the inhabitants of these provinces are also different. All these circumstances require that a system grounded on the same principles

should be administered with modifications suited to the people and the soil. It became my duty to visit every district of these countries, and to investigate the causes which had operated to promote or obstruct their prosperity; and I have pleasure in stating that I found the views taken by the Court of Directors, in almost every case that affected the inhabitants, to be liberal and just. I have noticed this fact in my minute on the revenue and judicial administration of Guzerat, and particularly on the subject of alienated lands. These being held in that province by doubtful tenures, several local officers, in their zeal for increase of revenue, proposed to resume all those to which they thought a just right could not be established; while others contended that it was neither expedient nor just to question grants, however obtained, which had been in the enjoyment of persons (many of whom had no other subsistence) long before we became rulers of the country.

The Court of Directors, in their remarks on these different opinions in their despatch under date the 14th of July, 1809, observe, "The course adopted by Cap- "tain Barnwall*, in investigating the titles to alienated "lands, was less summary and severe than that recom- "mended by Captain Robertson; and it appears to us, "on that account, to have been less objectionable. We "have no doubt that the titles to a great proportion of "the lands which are claimed to be held upon free "tenure would be found to be invalid, if strictly scruti-

* The present Lieutenant-Colonel Barnwall. This able officer, with several others, was employed under Colonel Walker when we first came into possession of a part of Guzerat.

Revenue. " nized; but we agree with Captain Barnwall in thinking " that long and undisputed possession constitutes a title " which it would be inexpedient to reject; and, in all " investigations of this sort, we would much rather that " our servants should err on the side of forbearance " than of undue rigour."

Again, when treating of the Grassia and Mehwassee chiefs, the Court observes, " The ascertainment and " practical enforcement of the rights of Government " are very different questions; for, in deciding upon " the expediency of enforcing an ascertained right, it " is necessary to take into account the various consi- " derations arising out of the general state of society, " the character and habits of the usurpers, the antiquity " of the usurpation, the value of the interests at stake, " and the power of the Government to press its just " demands, without hazarding the tranquillity of the " country."

A subsequent measure of the Bombay Government produced much discontent in Guzerat, from its affecting a class of men, the Bhâts, or Genealogists, of the ruder inhabitants of that country. These persons, though they have lost the influence they once possessed, have still much of the sympathy of their countrymen; and that was increased by the reduced situation to which they were brought by a regulation of Government that instituted an investigation of tenures, and prescribed certain rules of decision in regard to their validity. These rules, however just in an abstract view, reduced to the most abject poverty a considerable number of the Bhâts and other classes, many of whom had been

in the undisturbed enjoyment of their small properties for a long period. This measure, which had been reluctantly adopted by my predecessor, at the recommendation of some able public officers, failed in bringing an increase of revenue at all proportionate to the distress it inflicted. I felt it therefore my duty so far to attend to the complaints of those who had suffered as to appoint a well-qualified and experienced civil officer to investigate and report upon the operations of the law, and the degree in which there was ground for that strong and general feeling of discontent which it had excited. Revenue.

The Court of Directors have taken a very liberal view of the whole of this subject, and express, as they formerly did, their disinclination not to press hard upon those who hold such tenures; and they direct, at the same time, that the term of occupancy which should confirm the rights of those who enjoy them, should be thirty instead of sixty years; the latter period being that fixed by the Regulations of the Local Government.

Investigations are in progress both in Candeish and the southern Mahratta country, to fix and improve the condition of Pattels, an object of equal consequence to the revenue and police branches of administration, for in both we must look to the maintenance of the village system as the best means of securing success to our efforts at good government.

The various considerations which induced me to recommend so strongly as I did, to make several grants of land in the island of Salsette, to natives of Bombay,

Revenue.

are fully stated in the Appendix *. That measure embraces objects of policy which are associated with the best interests of Government, the attachment of rich and enterprising classes of men, and leading them gradually to the improvement of the land and the construction of public works. This, from the tenacity of Indians to those pursuits which their ancestors had followed, is no easy task; but it had been happily commenced, and I should have had no doubt of its ultimate and complete success, if it had not been viewed by the Court of Directors as a common fiscal arrangement, and made subject by their orders to some of those general rules which, however proper they may be in ordinary cases, are not at all applicable to one like that on which they had to decide.

This measure was reported in a letter from the Government of Bombay, dated 4th November, 1830. The Court in their reply, under date the 17th August, 1831, give a very qualified approval to the arrangements made and proposed.

They admit leases of ninety-nine years, but deny those in perpetuity.

They consider a lease of twenty-one years sufficient for agricultural purposes, and forty years for waste land excessive; and to conclude, they refuse to confirm, either in perpetuity or long lease, the grant of Abkary or the duty upon liquor extracted from the cocoa-nut trees on the estates of opulent natives.

I must expect, from the local importance which belongs to this question, that it will be referred for the

* Vide Appendix A, p. 63.

reconsideration of the authorities in England; and that a decision will be made upon larger and more liberal grounds than those which have been taken on the first view of the subject. There is little, if any, immediate sacrifice of revenue. The hitherto unproductive island of Salsette will be improved in a degree that will increase the resources of the great commercial port of Bombay to which it adjoins; and the capital vested in fertilizing this island, and in buildings, will give habits to its native merchants, that will, in its future effects, prove most beneficial to the state. Not one of these positions has been nor can be denied, and for what are we to hazard, if not destroy this fair prospect? Revenue.

The difference between ninety-nine years and in perpetuity is nothing to Government, but it is in India, perhaps even more than in England, a matter of importance, as it gratifies his pride to the possessor. The term *Peree dir Peree*, or "from generation to generation," in a Sunnud, or grant, gives it, in the eyes of such persons, its chief value. I regret also the refusal of the Court to grant to the owner of the estate the duty on the cocoa-nut trees. The revenue could have been easily guarded from suffering loss by this measure; but Government*, persisting in including this duty on the trees in the estate in its annual liquor contracts, subjects that privacy, which men of rank in India so particularly desire, to be continually intruded upon; and the native gentleman,

* Framjee Cawasjee, whose estate and improvements are noted in Appendix A, p. 63, was made an exception to this rule by Government. If he had not been exempted, I question whether he would have come forward in the manner he has done; and the benefit of his example is incalculable.

Revenue.

who may be led by feelings of pride and independence to lay out large sums in improving and beautifying an estate, will hesitate, from the fear of being exposed to the insolence of the lowest servants of the liquor contractors. The Court further desire, in the dispatch to which I have alluded, that Government will on no occasion grant any estate on a lease beyond twenty-one years' date, except with a clause which makes it subject to their confirmation, within three years' date; a qualification which will, in many instances, materially check that spirit of enterprise in improving the land, which in some parts of our Indian territories it is of so much consequence to encourage.

It is no doubt politic to promote the introduction of science and capital, through the means of European agency, in order to improve and increase the products of the soil of India; but I should decidedly prefer seeing the same results arise from the efforts of affluent and enterprising natives; and with such impressions, the local governments, instead of being limited by these strict and narrow rules, should have a latitude given them to afford the most liberal encouragement to all who could be made useful instruments in constructing public works, such as roads, canals, &c.; or in spreading the cultivation, and improving the quality of productions, like sugar, cotton, silk, and other such articles; for we cannot expect that either our revenues or commerce will increase in those provinces, in which, notwithstanding their powers of production, nothing but grain is cultivated. It is only necessary to add, upon this part of the subject, that in all the measures adopted

while I presided over the Government of Bombay, the greatest care was taken that no grants or privileges conferred on individuals (whether European or native) from whose efforts improvements were anticipated, should interfere with, or infringe upon the claims and rights of the proprietors or occupants of the soil. Revenue.

The settlement of East Indians at Phoolsheher is not disapproved by the Court of Directors as a seminary of education; but they prohibit the Government of Bombay from granting to the Amelioration Society formed by this class any more land. I greatly regret this order. In an abstract view, the principle stated and acted upon by the Court may be right, but it is, I think, erroneous in its application to the present case, which is one that forms a singular exception to ordinary rule. The Anglo-Indians, as a distinct class, have long been an object of great solicitude to the Government. Their claims and their condition have excited much sympathy in England. Those at Bombay, instead of resorting to public meetings to express discontent, or writing petitions and memorials, stating their expectation to rise at once into that consideration to which the rank of their fathers in society and their own education entitle them, have associated with the object of opening, through their combined pecuniary means and personal efforts, a path to consideration and distinction in the community to which they belong.

I felt it both my private and public duty to give them every aid and encouragement.

The members of this East Indian Association, as they styled themselves, addressed me, on my leaving

Revenue. government, in terms which strongly point out their singular condition, as well as the character of those means by which they sought its improvement.

"Though it is unquestionably (they observe) the "wisest policy in the government of a rich and highly-"civilized people, to content itself with providing for "the security of property, leaving its subjects to pursue "their own interests according to their own judgment, "the government of a people, like that of India, may "often with advantage assume a more parental charac-"ter towards its subjects.

"Such has been the character of the government "over which you have presided, in the encouragement "it has afforded to the institution which we represent. "That institution, though formed with the immediate "object of ameliorating the condition of a particular "class, cannot but ultimately prove more extensively "useful, should its endeavours in the attainment of its "immediate object be successful; for such are the wise "dispensations of Providence, that any portion of the "community best promotes the common good of all, "when it seeks, by legitimate means, to promote its "own interests.

"We cannot but believe that, in the encouragement "which your Government has given to the Bombay "East Indian Amelioration Fund, the good that institu-"tion has a tendency to effect generally, was kept as "much in view as the benefit likely to result from it to "the class in particular; nor does this view, while in-"creasing the obligation of the members of the asso-"ciation to a diligent discharge of their trust, in any

" way diminish the debt of gratitude which has been Revenue.
" imposed upon them.

" We should be entering into a lengthened detail, " were we to enumerate all the favours which have " been conferred on the Association by your govern- " ment; but the liberal grant of the extensive building " at Phoolsheher * in the Deccan, and the valuable " gardens and lands adjoining, demands particular " notice. It has enabled us, under peculiarly advanta- " geous circumstances, to form an establishment there, " for instructing East Indian youth in agriculture and " the mechanical trades. The practical knowledge " and early habits of industry and frugality they will " there acquire will essentially promote their future " success in the occupations for which they are in- " tended; and in which, while they advance their own " interests, and those of the class, we are sanguine in " the expectation of their proving a benefit to the com- " munity in general." * * * *

In my reply to the members of this Association, I observed—" Your views of your condition, and the means " of its improvement, entirely coincide with mine. You " have looked to the attainment of a high place in the " mixed community of British India, through the only " means by which a solid footing in society can be at- " tained, by virtue and knowledge. These high quali- " ties, when combined with habits formed in early life, " of frugality, and independence, will earn for your class " a rank in the vast population of India, that no go-

* Phoolsheher is situated about fifteeen miles from Poonah, nea the high road to Ahmednuggur: it is on the banks of the Beema, and is remarkable for its salubrity.

Revenue. "vernment can grant or take away. That over which "I have presided has been most anxious to give you, "as individuals, and as a valuable part of its subjects, "every encouragement; and it has been more disposed "to open to you situations in the public service, of higher "responsibility than you had before, from its observa- "tion of the moderation and good sense with which the "East Indians at Bombay pursued their path to gra- "dual advancement.

"There is no act of the institution which you repre- "sent, that I view with such hope, as the establishment "of Phoolsheher. If you pursue, with that zeal and "judgment you have hitherto shown, the course of edu- "cation at that colony which is now in happy progress, "you will greatly benefit the class whose best interests "are in your hands, and amply repay Government "for the support it has afforded to this establishment. "I have watched it from the commencement with "anxious anticipations of the good that will arise from "it. It will be a great consolation to me, in that re- "tirement which my age and long services require, to "hear that this favourite plan for the promotion of your "interests, and those of the public, (the two cannot be "separated,) has been crowned with complete success: "but it cannot fail; for the youth of this establishment, "removed as they are from all temptation to idle and "vicious courses, are brought up in a manner that "combines the simple and frugal habits of natives with "the attainments and qualities of Englishmen. Men "educated at such an establishment will possess ad- "vantages that will ensure employment. They will "become the most useful of instruments in promoting

" improvement in every useful art of life, and be found Revenue.
" most efficient as aids in the administration of the
" provinces of this presidency. Time, however, is re-
" quired to produce such happy results. Precocious
" efforts to attain rapid advancement, or impatience,
" will injure plans which, if steadily persevered in,
" must effect the most beneficial changes in the con-
" dition of those of whom you are the representa-
" tives." * * * *

Considering the efforts already made by the East Indians at Bombay, and the success by which those have been attended, I must hope that the Court of Directors will revise the orders they have given regarding the society which they have formed. The class of the community to which these orders relate includes many able and virtuous men, and the great majority of them are well educated. They are, however, as a body, discontented with their condition, and their endeavours will be constant to alter and improve it. On the direction of these endeavours will depend their being useful and attached subjects, or the reverse; and as the law admits of their holding property in land, I can conceive no mode in which it is safer or wiser to direct their labours than to its improvement. They cannot create capital in such pursuits without industry, frugality, and knowledge. They must, through the exercise of such qualities, acquire good habits. They are termed in the Court's Dispatch a society of landlords. As a general rule of political economy, Government grants to " a society of landlords," may be very objectionable; but in applying this rule to the respectable heads of a particular class, who have, among themselves, raised funds, with a view

Revenue.

of promoting, in the most virtuous and rational manner, the best interests of the community to which they belong, is at once to deny the means of their advancement in the way proposed; for few, if any, of this body have as yet wealth to venture on such speculations. Besides, it may be asked, what are the companies of London, "The Merchant Tailors," for instance, but societies of landlords? and what bodies of men have ever been such liberal landlords as these, ecclesiastical bodies, and corporations? No individuals have either had the power or inclination to promote education, or to contribute, in so great a degree, to the progress of civilization as these incorporated associations of individuals.

I have treated the subject of education very fully in the Appendix *, and shall only notice it here as connected with the East Indians whom I established at Phoolsheher.

The character of this establishment is fully stated in Appendix A †. There is no measure taken during the period I was Governor of Bombay, to which I attach more importance. On the nature of the means that are afforded to men to enable them to work their own way in life, much more than on any learning or science imparted at schools and colleges, will depend the character of individuals and the community. The colony of East Indians planted at Phoolsheher is small, but it is capable of gradual increase to any extent. Besides the elements of knowledge, the useful arts of life are taught; and what is of more consequence, the youth are trained to labour for their own support, and habits of sobriety, frugality, and industry are maintained in

* Vide Appendix A, p. 76. † Ibid. p. 65.

practice, at the same time that they are inculcated by precept. The duties of religion are strictly observed at this settlement, as well as rules which preserve good order and obedience to superiors. Revenue.

To carry this plan into effect, a useless and unoccupied palace of the ex-Peishwa, with about forty acres of ground, containing a fruitful garden, was granted * to the society for a period of years. A very small aid of money, amounting to between two and three hundred pounds, was also given, and this, with their own means, has enabled them to commence their establishment in a manner which leaves no doubt of the success of a measure calculated, in its gradual extension and imitation, to make good and useful subjects of a class, for whom it has been found most difficult to devise employment; nor is it the least good of this plan that it mixes them in early life with the people of the country, on terms which are likely to prove equally beneficial to both parties.

They will have, as I have stated, advantage over the natives in their greater means, from early education, of acquiring science and knowledge from English publications, while they will successfully compete with European artizans and workmen, from their having fewer wants, and more frugal habits of life.

Doctor Turner, the late Bishop of Calcutta, visited the establishment of Phoolsheher, and expressed, in the warmest terms, his opinion of the good which, if liberally supported, it was certain to produce; and I am gratified to learn that Lord Clare, after he had minutely

* The sacrifice of revenue by this grant did not exceed fifty or sixty pounds per annum.

Revenue. inspected this institution, has recorded his full belief that it would be attended with all the important benefits I had anticipated from its establishment.

The Court of Directors appear, from their orders regarding the establishment at Phoolsheher, to regard it merely as a seminary of instruction; and they do not appear disposed to grant that liberal encouragement which it requires, and, in my opinion, merits; but further reports will, I trust, induce them to take a more liberal view of the benefits which may be expected from its future prosperity and extension. With one part of the Court's instructions regarding this institution, I fully agree,—which is the continued control that the local government should exercise over the society to whom the grant of the house, garden, and land was made. This is essential for its success, as well as the public interests. The points of most importance are the character and qualities of the parties to whom land is leased, advances made, or supervision of establishments intrusted. The decision on these points, whether they regard the original lease or nomination, should be dependent on the approbation and confirmation of Government; and while the managing committee of the society is left to a proper exercise of its controlling authority, a fair portion of protection should be extended to those who have been selected for such trust; otherwise they may be exposed to suffer, both in reputation and fortune, from the want of information, or the prejudices, of those under whom they have to act. That such interference on the part of Government may be attended with difficulties, and liable to general objections, there can be no doubt; but we must, with reference to this part

of the subject, as in others, view the case as one altogether singular. There is no community that I know in any country, who stand in so remarkable a position as the East Indians; and if we desire to remove obstacles which have hitherto obstructed their becoming a contented and useful branch of the Indian population, we must not apply to men in their condition general principles and sweeping maxims of political economy, but seek, through every means we can adopt, to promote their attainment of that respectable condition and consideration in society to which they are entitled, by their numbers, their knowledge, and their character. Revenue.

I have before stated that the police of the provinces subject to Bombay is supervised by the collectors of revenue, who, in their magisterial duties, act under the control of the Sudder Phoujdurry Adawlut, or chief court of criminal justice. I have treated this subject very fully in Appendix A*. There is no branch of the administration of India, in which there have been more frequent failures, than that of establishing a good police, owing to our attempt at uniformity of system, in countries where the soil and inhabitants are wholly dissimilar, and the extension of our ordinary judicial forms and proceedings to districts where they serve more to protect than punish predatory and lawless tribes. These abound in part of both our territories of Guzerat, and the Deccan. It became my pleasing duty Police.

* Vide Appendix A, p. 70.

Police. to cherish and further the excellent measures taken by my predecessor to reclaim some of the wildest of these classes. Immediately previous to my leaving Bombay, I gave my fullest consideration to the important object of giving efficient protection of life and property in those provinces, in which, from the character of a part of the population and the nature of the country, our established system had proved ineffective. The three leading principles on which my proposed measures were grounded were, First, the necessity of a system of police, differing from the ordinary one, and more suited to the habits and character of the classes among whom it was introduced. Secondly, the forming this police almost exclusively of natives of the districts in which it was employed, and giving the higher stations in it, as far as it was practicable, to the heads of those families and tribes, among whom a devoted adherence to their chiefs is a governing motive of action; and lastly, conjoining, in officers of kind disposition, knowledge of the languages and sound discretion, military authority with magisterial powers, and placing them in central positions, where they were accessible to all those whom it was alike their duty to conciliate to habits of peace and order by every encouragement, as to deter from crime by prompt and adequate punishment. The changes I recommended in the system were, in my opinion, required by the condition of the population of many of the districts subject to Bombay, in which it appeared indispensable to modify some of those strict forms and rules to which the peace and happiness of our provinces in India have been so often

sacrificed; but I have, in Appendix A*, stated my sentiments so fully upon this subject, that I shall only add that, in British India, more perhaps than in any country in the world, the peace, the happiness, and the prosperity of our subjects depend upon a good and efficient police; and whenever we have failed in its establishment, as has frequently been the case, our native subjects have been justly dissatisfied with our rule, deriving, under the evils to which our laws left them exposed, no consolation from their boasted wisdom and general principles of justice. Police.

No country within my knowledge presented more obstacles to the restoration of peace and security, through the efforts of a good police, than the province of Candeish. It had been for nearly a century shared among plunderers of all descriptions, from Mahratta chiefs to Arab soldiers; and the defenceless inhabitants of its plains were not only exposed to all the evils of misrule, but to the constant attacks of the Bheels, and other predatory tribes, who dwelt in its mountains. The wise and vigorous measures adopted by my predecessor, aided by the able officers employed to carry them into execution, were ultimately successful in restoring order to this province. What has chiefly contributed to that continuing was the establishment of Bheel colonies of cultivators and a Bheel corps of soldiers †. These measures have had the desired effect

* Vide Appendix A, p. 70.

† The success of these measures depended, as all similar measures must do, on the selection of the officers to whom the execution was entrusted; and never was choice happier than that of Major Ovans to the

Police.

of reclaiming great numbers of this wild class to the habits of civilized life, and in rendering them the protectors of that peace which they had so long disturbed.

The police of the island and town of Bombay was defective, and became, during the period I was governor, a subject of serious complaint from the inhabitants. It could not be efficiently remedied, owing to the different opinions entertained regarding the principles on which it should be established by the Government and his Majesty's Supreme Court of Justice. I trust, however, it has been amended; and I am satisfied that, whatever may be the effect of the late act of parliament in other parts of India, which invests Government with a power of nominating native magistrates at the presidencies, it will operate well at Bombay. In the city of Surat, which, from its extent, condition, and the character of a number of its inhabitants, presented more difficulties than any place I know to the establishment of a good police, a success has attended the active vigilance and complete local knowledge of a native magistrate *, far beyond what could have been effected by any European; for the latter could never have acquired that intimate acquaintance with the habits and character of the population that has given to the former such advantage in the performance of his arduous duty. All

charge of the colonies, and Captain Outram to the command of the Bheel corps. These officers had magisterial powers vested in them, as had Captain Mackintosh, who commanded a revenue corps in the neighbouring collectorate of Ahmednuggur, and was equally successful in restoring and maintaining order among the predatory tribes who dwell in the mountains of that district.

* Vide Appendix A, p. 73.

that natives require, who are employed in the police, is confidence and encouragement, combined, when it is merited, with honourable distinction in that community, to the happiness and good order of which their efforts so materially contribute. Police.

The subjects which come under the head of Public are treated in Appendix A. There is none to which I attach such importance as that upon education and office establishments. Public.

I have noticed this subject in the Appendix, and it is very fully treated in my minute of the 10th of October, 1829, which is printed in the parliamentary papers *. Its importance, however, will excuse my making, in this place, some extracts from that document. I stated in it the principle on which the changes and modifications I proposed in existing establishments were made.

" It will, I conclude, be admitted as a fact, that, " though our schools may give the elements of know- " ledge, it is only in its application, and in the oppor- " tunities for the development of that talent we culti- " vate, that success can be ensured to the efforts made " for the improvement of our Indian subjects. It " follows, therefore, that their education, and the man- " ner in which youth are brought up, should be suited " to those occupations which the Government have the " power of enabling them to pursue, and to the charac-

* Vide Public 1, Appendix I. Page 531 of Appendix to Report from Select Committee on the Affairs of the East India Company.

Public. " ter and construction of the community among whom " they are expected, through their better education, to " obtain a respectable livelihood."

Referring to the means to be adopted for the improvement of the East Indians *, after describing the stations in society they have hitherto occupied, I observe,—

" The proper place for the East Indians to strive for " in the population of India is to become a useful and " connecting link between the Europeans and natives, " for which they are, by their birth, their education, " and their religion, well suited. If they should remain, " from difference of climate, or other causes, a shade " inferior to the Europeans with whom they may have " to compete, in energy of character and knowledge, " their education and means of adding to their informa- " tion will generally give them many advantages over " the natives engaged in similar pursuits.

" The acquaintance of the East Indian from infancy " with the English language will enable him to refer " to every improvement of art and science in Europe; " and these, until translations are greatly multiplied, " must remain almost a dead letter to the other inha- " bitants of India.

" The East Indian, though he may be in some points " inferior to the European with whom he may have to " compete in labour or in art, will have many advan- " tages. His knowledge of the native languages, and

* This class was long known under the name of Half-Caste; deeming the appellation offensive, they have chosen others. Those at Bombay denominate themselves East Indians.

" of the manners and usages of India, will be greater, Public.
" and his habits of life will render his expenses of
" living much less. This latter advantage it is of great
" importance to the lower classes of this community to
" preserve, for nothing but simplicity of clothing and
" diet, that approximates their mode of living much
" more to the natives than to Europeans, can ever
" enable them to keep their place as mechanics and
" workmen in every branch of arts and manufacture."

The schools for educating all classes at Bombay are established on excellent principles, and quite suited to the object of conveying instruction to the inhabitants of that city, and also of training, as they have done very successfully, natives to be schoolmasters in the provinces; but I doubted, for reasons stated in the following paragraph, the expediency of bringing children from the provinces to the presidency.

" With respect to the general principles (I observe)
" upon which our native education at Bombay is founded,
" they are liberal and wise, but in several points it is
" my intention to suggest a modification, if not a change
" of the established rules. To natives of the town and
" island of Bombay, schools will of course continue, and
" some of the establishments at the presidency must
" always remain upon a scale that will admit of school-
" masters, and students (above seventeen or eighteen
" years of age) who resort to them from our provinces,
" being instructed in those branches of knowledge
" which will better enable them to fulfil their duty in
" instructing others; or, if not so occupied, in improving
" themselves, and becoming more qualified for public

Public. " employment; but it is my decided opinion that native " children or youths under seventeen or eighteen " should not be brought to Bombay from the interior, " and separated from their parents, for the benefit of " instruction. None that they can receive will be equal " to the hazards incurred to their morals, and to that of " weakening, if not destroying those ties of caste and " kindred which now bind Indian families and societies, " and which, with all their defects, have advantages " that should not be cast away, until we can well supply " their place with motives and duties that will equally " or better promote the good order of society.

" The promises given to parents, and a desire to con- " form with the wishes of Government, made numbers " send children, on the first establishment of schools " and institutions at Bombay, who, under other circum- " stances, would have been reluctant to do so; but still " none of any rank could be tempted, even by the " flattering prospect of future employment in the public " service. The Mahomedan and Hindoo mother are " are alike adverse to part, even for a period, from their " sons. It is to them they look for enjoyment and im- " portance in life; a wife is often neglected, a mother " is always respected. In this state of society there " can be nothing more hurtful to the feelings than such " separations; and the pain they create is aggravated " by the just alarm parents have, of their children being " brought up in a large and dissolute town like Bom- " bay, where the mixture of all tribes causes much un- " easiness to parents of high caste, lest their children " should be polluted by improper intercourse."

When visiting the provinces I conversed with many of the natives, on the plan I proposed to introduce to promote education *, and on the encouragement their children would receive, first in prizes to the best scholars, and afterwards in the public employ. Treating on this subject, I observe :—" While in the Southern Mahratta " country at Poona, and when on my late tour to the " eastward, I communicated with many of the most " respectable native inhabitants, as well as with the " principal schoolmasters, and with the fathers of " some of the children. All asked me the same " question, To what immediate and specific objects is " this education to lead? When I mentioned the in- " tention I have now stated, of giving small prizes, " and opening the path to promotion in the public " service to those who added to education perse- " verance and good conduct, they appeared delighted, " and said all would learn, in the hope of such dis- " tinction. Public.

" The plan I have proposed may, I am assured, be " introduced upon principles of economy. The most " popular and useful of the translations published at " the lithographic establishments might be given as " prizes, with small medals struck at the Mint, from " the value of one to five rupees. A turban or small " present in money might be given to the boy who " entered the collector's cutchery; and in that, arrange- " ments could, I am satisfied, be easily made, without " putting the Government to any expense whatever.

* Vide extracts from my Minute on this subject, Appendix A, p. 76. The whole of this document is printed in parliamentary papers.

Public. "The pay of a karkoon*, whose duties in copying papers "could be done by these boys, would maintain three of "them, and changes would make vacancies every year.

"Where any of the youth showed superior qualities, "and desired to prosecute their studies, they might, at "the recommendation of the collector, be aided to pro- "ceed to Bombay, and to obtain further instruction, "either at the schools of the Education Society, or "at the Government institution, where they might, "through proved superiority at examinations, recom- "mend themselves to appointment as teachers, or in "any other line in which their attainments entitled "them to preference.

"The schools of the missionary societies, as well as "those who are brought up privately, must, as before "stated, have a right to stand for prizes at every public "examination. The object is to diffuse knowledge, "and this is attained in whatever way it is acquired. "Indeed it will be the happiest result of our labours "when instruction is sought, and obtained free of all "aid from Government.

"I have given my sentiments most fully upon the "inexpediency as well as impracticability of conveying "general instruction to our native subjects in India "through the medium of the English language, but I "by no means desire to express an opinion that schools "for that purpose should not be extended. While "records of offices, a part of judicial proceedings, and "all correspondence and accounts, are written in Eng-

* Literally a man of business. It is the name given to subordinate natives in the employ of collectors, who have no specific charge.

" lish, there will be profitable employment for all who Public.
" learn to read and write this language; and a famili-
" arity with it will open to those who possess it new
" sources of knowledge, and qualify them to promote
" improvement. From English schools being esta-
" blished at no place but Bombay, the pay of writers
" and accountants is immoderately high; and when
" these move from the presidency, they require still
" higher wages; and when well qualified, they can,
" from their limited numbers, command almost any pay
" they demand. This introduces a tone of extrava-
" gance of demand from this class of persons in all our
" departments. Of some remedies for this evil I shall
" speak hereafter; but the real mode to decrease price
" is to multiply the article *. English schools should
" be established or encouraged at Surat and Poonah;
" and I look to the small colony of East Indians about
" to be established at Phoolsheher, with great hope of
" aid in this as in other branches of improvement.
" The grounds upon which these expectations rest will
" be explained in a separate Minute. Suffice it at
" present to observe, that from the liberality of Govern-
" ment, combined with the character of some of the
" persons who will form part of this establishment,
" I look with the most sanguine expectation to its
" success in every way, but in none more than as a

* " The excellent English schools at Masulipatam and other towns
" of the Madras presidency have so lowered the pay of English writers,
" that one equally qualified with the Bombay purvoe at forty rupees
" per mensem, can be hired on the Madras establishment for twenty and
" twenty-five rupees, and so in proportion through all the grades."

Public. " seminary for the instruction of youth in every branch " of useful knowledge."

An account of the numerous seminaries established by the Government of Bombay in the provinces, as well as at the presidency, will be found in the Appendix*; and it merits notice, as fully developing my objects, and the means by which I sought their accomplishment.

I must indulge the most sanguine hopes of benefit, both to Government and its subjects, from these arrangements made to connect education with public establishments; but these must be enforced by the most positive orders from England, or the whole system will fail. Many feelings and motives will operate against its success; but if we desire an efficient and economical reform in this branch of the public service, and one which beyond all others will, if attended to, prove beneficial in combining instruction with good habits and principles, this measure must be supported in a manner too decided to admit of its defeat.

Among the measures adopted to diffuse knowledge while I presided over the Government of Bombay, there was none more important in my judgment than that which related to the establishment of the Government Institution at Poonah, when it was deemed necessary, on account of the expense, to reduce the Engineer Institution at the presidency. The grounds on which this measure was adopted led me to anticipate the ready assent of the authorities in England. I have, however, been disappointed. The Court of Directors have not approved of my fixing

* Vide Appendix A, p. 81.

the Government Institution at Poonah, and have directed it to be established at Bombay. They have also ordered some modifications in its plan; but I must hope, when the whole scope of the measure is explained, as it no doubt will be, their decision will be altered. Ample means of affording education and knowledge to all ranks at Bombay exist, independent of this institution; but from causes which have been stated, these are practically not within the reach of many of the higher and more influential classes of our native subjects, and these it is, in every point of view, most useful and politic to instruct and enlighten. I had found, by the experience of several years, that natives of rank in the provinces would not send their sons to Bombay. The Government Institution, being fixed at Poonah, became accessible to all such. The principal Brahmins attached to it, who were versed in European science and skilled in the use of astronomical instruments, dispensed knowledge to their wondering countrymen; and it was my intention, as soon as an arrangement could be effected, to associate this institution with the Brahmin college established at Poonah, in the expectation that, without exciting alarm or offending prejudices, Hindoos of real learning and science would gradually overcome that ignorance and superstition which gave their less enlightened brethren much of that influence they possessed over the mass of the population. Public.

The Brahmins of such communities as those which form the far greater proportion of the inhabitants of the provinces subject to Bombay, have been deprived of wealth and power by the introduction of our Govern-

Public. ment. If we desire to lessen the action of a spirit which must be against us, we must in every mode repair, as far as we can, the loss they have sustained; and, among others, there is none that will be found more effectual than that of rendering persons of this class objects of respect and veneration to their countrymen, not on the ground that distinction was before enjoyed, as the ministers of superstition and the teachers of error, but on the higher and more permanent basis of their superiority in real learning and true science. Applying these remarks to the measure taken by the Court of Directors, I must, from my knowledge of the character of those it affects and local circumstances, state my apprehension that, if persevered in, it will considerably retard the progress of knowledge among the higher ranks of our native subjects in the Deccan; and it is to them in that country and elsewhere, I chiefly look for its early advance among the other classes. If we desire political strength from the promotion of moral or intellectual improvement in India, those who are, from rank and influence, in possession, if it may be so termed, of the mind of the community, must be gained to our side, otherwise our first steps will be obstructed and delayed by numerous obstacles that a wiser policy would have avoided.

The missionaries of the different societies established at Bombay have been most useful in spreading education. Satisfied, as most of this class now appear to be, that knowledge should precede their efforts to make converts, they have cautiously abstained from every act that could excite alarm in the minds of the

natives, or call in any mode for the interference of Government. Several of these within the Bombay * territories, are men as distinguished for their ability as piety, and from the familiar manner in which they live and associate with the natives, have acquired a remarkable knowledge of their language and habits. This I ever found them ready to apply to the promotion of the reputation and strength of the Government; and when I proposed circulating tracts explanatory of our fiscal and judicial regulations, in order that the mass of the people might understand and appreciate the principles of justice on which they were grounded, I was assured † of every aid from the missionaries in giving them circulation. Public.

As one result of spreading knowledge and science among our native subjects, we have a right to expect that we shall make them more efficient aids in the improvement of their country, and better succeed in the development of those resources which will render India of real value to England. As the means of attaining that end, numbers think it indispensable to make the English the general language over this vast continent. This I am satisfied is impracticable ‡, even if it was

* The English, Scotch, and American missionaries act in perfect accord with each other; and have established at that presidency an Union Society.

† This assurance was conveyed to me by the Rev. Mr. Stephenson, a member of the Scotch Missionary Society; a gentleman to whom I am indebted for much valuable information regarding the sentiments and feelings of the lower classes of the native population in the provinces he has visited.

‡ I cannot here refrain from quoting the evidence of Mr. Mountstuart

Public. desirable. It is a subject upon which I recorded my sentiments very fully when Governor of Bombay, where, through the efforts of my predecessor, Mr. Elphinstone, I found measures had been adopted to give the natives instructions in every science, through the medium of their own languages, in which a great proportion of the inhabitants of cities and towns are well versed. This was, assuredly, a much more easy mode of imparting knowledge to men who were engaged in active occupation; and to a great majority of whom rendering the acquisitions of a foreign language a necessary preliminary was indirectly to debar them from improvement. Within the territories of Bombay translations of elementary works on mathematics * and medicine in the native dialect, were not only taught at public schools, but widely circulated throughout the country. Mr. Elphinstone had also, by continuing and enlarging the survey of Guzerat, by extending surveys over the newly-

Elphinstone on this subject. "I conceive," he remarks, "that the "study of English ought to be encouraged by all means, and that few "things will be so effectual in enlightening the natives, and bringing "them nearer to us; but I have no hope that ever it will be more than "a learned language, or at best a language spoken among people of "education, as Persian is now in some parts of India. I believe there "has been no instance of one language being supplanted by another, "unless among people in a very low stage of civilization; or even "among them, unless they were previously reduced either to actual "servitude, or to a state very little less dependent."

* The translations of books on mathematics by Captain Jarvis of the Engineers, and of medical treatises by Dr. Maclennan, were alike remarkable for their simplicity and excellence, and I can answer, on my personal knowledge, for their being generally circulated and well understood by great numbers of the natives.

acquired territories, by constructing * roads, and by nominating an able and qualified officer † as statistical reporter of the Deccan, taken every step that wisdom could suggest to lay the foundation of obtaining the information necessary to the improvement of those resources which men who took a less comprehensive view of his objects might have thought he was wasting by unnecessary expenditure. Public.

The provinces of Bombay may be classed with those from which we may anticipate the most material benefits from the increased produce of the soil, manufactures and trade. The late survey of the Indus, with that of the countries between it and the Oxus, recently accomplished by the same enterprising officer ‡, whose successful efforts I have already noticed, combined with the introduction of steam, which opens to that new species of navigation the Red Sea, the Persian Gulph, the Euphrates, the Tigris, and the Indus, gives reasonable ground to hope for a great extension of commerce in this quarter, but that can never be permanently successful unless it is mutually beneficial to both countries. It is this view of the subject, which led to my unceasing efforts to promote the cultivation of that produce by which the territories of this part of our Indian dominions

* The road by the Tull Ghaut to Nassuck is now frequented by Binjarries, who bring cotton from Omrauttee, which formerly came by the circuitous route of Surat to Bombay.

† Lieut. Colonel Sykes. The duties of this scientific officer were not limited to his statistical reports, but extended to every branch of natural history; and his collection, is, I believe, considered one of the largest and most valuable ever made by an individual within the same period of time.

‡ Captain Burnes.

Public. could best pay for those imports from Great Britain, which they either consumed or were the medium of conveying to the more distant regions of Asia.

Cotton. THE subject of improving the Cotton produced in the provinces of Bombay is noticed in the Appendix*.

Before the receipt of the dispatch from the Court of Directors of the 18th February, 1829, directing the attention of government to the improvement of the cotton within the territories of Bombay, a regulation had been published which subjected any one who adulterated this important article of produce to prompt punishment. The good effects of this law were early visible, and while the demand increased, the price of the Surats, as the Guzerat cotton is termed, rose in the English market.

Two farms† have since been established, one in the northern and one in the southern territories subject to Bombay. The sole object of this measure is to make experiments of the different seeds, and to give instruc-

* Vide Appendix A, page 63.

† Considering that the success of this measure, which originated with the Court of Directors, depended much upon the selection of the persons to superintend the farms, I nominated Mr. Finny to Baroach, a person, who, besides his qualifications for the duty, possessed the confidence of some of the principal merchants of Bombay, and when he died the same consideration led me to appoint his successor, Mr. Martin, whose efforts have merited the approbation of government. Mr. Lush, well known in England as well as India as a botanist, being in charge of the botanical garden in the Deccan, had added to that duty the charge of the cotton farm in the southern Mahratta country; and experiments in the Deccan upon every species of cotton seed are now in progress under his supervision, as well as in Guzerat under that of Mr. Martin.

tions to the natives, respecting the planting and clean- Cotton.
ing of the cotton, so as to render it more adapted to the English market, in which it has to rival the American, Brazil, and Egyptian cottons. Deeming this a subject of much national importance, I not only gave it my attention in India, but have continued to do so in England. I visited Manchester, and have communicated with all from whom I could obtain information calculated to promote the object. The result is my conviction that a much greater proportion of the trade in this material than India now enjoys, may, with care and encouragement, be obtained for that country, a result which will prove of equal benefit to it and to England. I shall shortly state the grounds on which this expectation is founded.

Surat* cotton is of the specimen termed herbaceous†, and is of annual growth. The quality of the cotton

* Throughout these remarks on cotton, instead of using the proper descriptive term of Guzerat, the name of the province, in various parts of which it is produced, I call it Surat, or Bombay, as more familiar and intelligible terms to readers of the mercantile and manufacturing classes.

† The triennial plant is grown in the sandy soil of Guzerat, to the northward of the Mye. It does not take the blue dye so well as the annual plant, and from this and other causes is a secondary object with the cultivators, and receives but a small share of their attention. The case is different in the rich districts of Baroach and Jumboseer, where the herbaceous plant is cultivated. The cotton crop is in these of the greatest importance, and its culture, though not perhaps so skilful as that of America, is an object of much attention. It is sometimes sown with grain, but oftener without. It exhausts the soil so much, that a cotton crop is seldom taken more than once in three years from the same land: but I observe, that at the experimental farm recently established by the government at Baroach, chinna, a species of grain which enriches rather than impoverishes the soil, is sown alternately with cotton, and the ground never left fallow.

Cotton. in the pod is, I believe, admitted to be nearly equal even to the American cotton called Uplands. But it has hitherto been, comparatively speaking with the American, unskilfully cultivated and carelessly gathered, and kept, before it is removed from the place of its growth. Hence its excellent quality has hardly redeemed it from the depreciation in value, consequent to its being given to the manufacturer in England full of seeds, leaves, and sand. It is sown in all June by a rude drill, and the first plucking* (always the best) taken from the pods in January and repeated three times at the interval of a fortnight between each plucking †. Cotton is very precarious, being equally liable to injury through excessive rain, droughts, or cold; and the failure of dews in November and December lessens the produce by a third, and often more. On the other hand, the soil is good, the expense of cultivation ‡ and of labour is so little that, with a mo-

* This crop, called the Toomil, is generally appropriated for the English market.

† This brings the last plucking to the beginning of April; and the shortness of the period for packing and shipping the cotton to Bombay, in order to escape the monsoon, is often a serious difficulty in this trade. Much of the crop, indeed, is kept in Guzerat till next season; and more attention to the mode of preserving it from injury during that period, would remedy any serious losses from this occurrence.

‡ I have made every effort to ascertain correctly the cost of cultivation of Surat cotton. Its former price, according to Colonel Williams, who surveyed the cotton districts of Baroach and Jumboseer was 45 rupees per bhar, or load, which is 940 seer, and the Baroach seer is a fifth of an ounce more than 1*lb.* avoidupois. It rose to 70 rupees, and cotton, he remarks, became, from that rise, a primary object of cultivation.

By a calculation given me by Major Ovans, who was employed under Colonel Williams, the produce of a Baroach candy, 854*lbs.* weight, of clean marketable cotton, requires 8¾ Beegahs of land, or 21,680 yards,

derate assessment, the profits of this produce has, notwithstanding its hazards, well repaid the landholders. Cotton.

It is stated in an official letter from the Court of Directors, on the subject of cotton, that during the last American war great pains were taken to obtain cotton from India, and the Bombay merchants expended large sums of money in selecting and cleaning* cotton for the English market; but no proportional profit was obtained. On the contrary, the inferior and uncleaned cotton yielded the greatest profit; which it still does, owing to its being cheaper, and more wanted from that circumstance to mix in various manufactories than the finer† cotton, which the Manchester and other spinners admitted was, in fibre and quality, sufficiently good to compete with the American. They stated that the dirt which it contained was easily got rid of, but that the

which, at 4 rupees the Beegah of 2,477 yards, amounts to 35 rupees for 8¾ Beegahs. The cost of transit duties to place of shipment for Bombay, on the candy, was 2¾ rupees, 66 reas, and charges for packing, &c. 7¼ rupees, 46 reas.

The hire of the peasant, according to Colonel Williams, in these cotton districts, amounts, including everything, to about 30 rupees (less than 3*l.* sterling) per annum. Free labour cannot be more moderate, but it is enough, in this cheap and luxuriant country, to maintain the man, and, with the aid of the labour of which they are capable, his family.

* The late Mr. Adamson, a most respectable merchant at Bombay, made personally great efforts to effect the desired object of cleaning the Surat cotton.

† The market-price, at Bombay, of the last imported cotton was 130 rupees per candy, for Baroach cotton; the coarser from Dolera and other districts, only 80 or 100; the former is best adapted for the Liverpool and Glasgow markets, as they are used for our own manufactories; the London market affords the best sale for the latter descriptions, as they are generally exported to the continental markets.

Cotton.

leaves and sand mixing with the material, was the great obstacle to its value, the leaf being nearly of the same specific gravity as the cotton, and so light * and brittle, that it could not, they found, be separated by the same rapid and easy process that cleaned it from the other soil, without breaking the staple.

The causes which operate to depress Surat cotton in the market merit much consideration. That just alluded to is, perhaps, one of the most difficult to overcome, for it arises partly from climate. Soon after the first plucking, the heat of the weather and dry wind destroy the vegetable moisture of the plant, and the leaves are scattered with the slightest touch, and in their brittle state mix with the cotton. This might be much guarded against by altering the mode of planting. Though in India planted in rows, the plants are so close, that as they grow up the leaves intermingle, and the gatherer, whose process, if not well directed and vigilantly superintended, is very careless, brushes off fifty leaves for every pod he takes. In America they plant the cotton in rows sufficiently distant to allow the slave employed in this cultivation to walk without the least hazard of his touching anything but the pods they pluck. In India this plan might be adopted without loss of land, for the clear space between the ridges would be fallow for next season.

When the English Government came into possession

* At some of the principal manufactories they have machinery which cleans it, but the process enhances cost of the raw material; and in the lesser manufactories, where equal means of cleaning it do not exist, it is rejected by the spinners, and its consumption consequently limited.

of Baroach, in 1805, cotton was received in payment of revenue; and after some years, a plan was adopted which had the expected effect of greatly improving the material, by making the cultivators pay the greatest attention to cleaning the kupas, which is the name given to the raw material in the first stage. This was divided into three classifications *, and a price not only amounting to remuneration, but a premium given for the best produce, and presents made to the cultivators and gatherers. The latter were carefully instructed to use bags to keep the kupas clear of leaves and dirt; and a plan was adopted for putting the different qualities, as gathered, into bags of cloth. Cotton.

Other causes than those stated might and did operate at the same period to advance the price of cotton, but the improvement in its quality no doubt greatly raised the character of the article, and with it the demand. Surat cotton had been sent to England long before, but the shipments were casual, and it could not be deemed a regular trade before 1817. It had long been so to China, to which place the merchants at Bombay

* The first classification of the kupas, as has been mentioned, was the tomil, which bore a value of four rupees the bhar, a load more than the rassee, which was the third or last gathering. By a statement from Major Ovans, I observe that when he was employed in surveying the district, the price of the bhur of kupas, or raw material, at the town of Baroach, varied from seventy to forty rupees, and was even sometimes as low as thirty-five. The average of the rowee, or cotton wool, when separated from the other parts of this material, varied, but might be generally estimated at one-third of the whole. The remaining two-thirds, which, when extracted, is called kupasea, is very usually taken by the cleaners in payment; part of it is used as seed for the ensuing season, while part is given to fatten cattle or sold to make oil.

Cotton.

and the Company sent, in 1789, 120,000 bales, being as great a supply, I believe, as has ever been required for that market. In 1816, the two principal houses * of agency at Bombay made a proposition to Government, which was accepted, to furnish it with cotton for China. This was done as an experiment, but from some causes, it would seem not to have answered the views of either party; and it appears from the records, as well as from the facts stated by the officers then employed to make a minute survey of the soil and condition of the cultivators of the cotton districts, that the system of receiving cotton in payment of revenue was most beneficial to them, while the great pains taken, as already stated, by the local public officers, to direct the mode of gathering, combined with the authorized premiums being calculated to stimulate both the growers and gatherers, greatly improved the quality of the raw material. This system was first interrupted by the changes made on the renewal of the charter. Orders were sent to discontinue it in part, the Government limiting itself to taking one half in the districts where the usage had prevailed, and to the recovering of advances actually made to the cultivators. Great anxiety was shown on this occasion by the Directors to separate, as the new act of parliament required, the commercial from the revenue accounts, which were so mixed in this system as to render it most difficult. It was also stated in the dispatches from England, that receiving revenue in kind was contrary to received maxims of political economy, but the merchants on whose repre-

* Messrs. Forbes and Co., and Messrs. Bruce, Faucett, and Co.

sentations this act was chiefly grounded, soon discovered their error *, while the cultivators of cotton, for whose interests the Court of Directors, in all the orders they gave upon this subject, evince an equal, if not greater desire than their own, suffered serious injury; a knowledge of this led the local authorities to yield but a slow and reluctant obedience to the orders for the abolition of a system which worked so favourably, not only to its native subjects, but to general commerce. The premiums to cultivators of cotton were annulled, on the ground of their not being operative when private merchants were so much in possession of the market. The good effects, however, produced by the system continued for a period; and the Company's cotton, as it was termed, never bore a higher price than in 1818 or 1819, owing no doubt to increased demand. The following is an extract of a letter from Mr. Ritchie, to whom I applied for information on this subject. Cotton.

"In answer to your query," (that gentleman observes,) "about the revenue cotton in Guzerat compared with "the qualities usually exposed for sale in Bombay, "previous to the abandonment of that system, I have "to state, in addition to what my evidence on this point "before the House of Commons shows of its superiority, "that in 1819, when the Bombay government retained

* Hormajee, one of the wealthiest and ablest of the Parsee merchants at Bombay, who was connected with the firm of Forbes and Co., and dealt to a great extent in cotton, had been most anxious that the practice of the Company's taking the cotton as revenue, and then selling it, should be done away; but before a twelvemonth had passed, he wrote to Sir Charles Forbes, then in England, that the measure had proved injurious to all parties.

Cotton. " and sold by auction 3500 bales of their best qualities " of that year, I attended that sale, and the above " quantity averaged 281 rupees the candy of 784*lbs.*: it " was as clean as any American upland cotton, and " superior in quality to any Surat cotton seen in this " market since that period; it was cleared by the com- " mon churkee of its seed, and of course the fibre not " at all injured; the only complaint ever made of the cot- " ton cleared of seed by the churkee is, that it is some- " times a little soiled by the oil put too carelessly on the " axles of the rollers."

It is not meant to state that other causes did not combine at this period with the improved quality of Surat cotton to raise its value. The great competition among the free traders who had resorted to India, and an increased demand for the article in England, raised its price beyond what it ever was before or since. The usual consequences of overtrading occurred, and subsequent years were as ruinous to the merchants who dealt in this article as those preceding had proved profitable, but it is a most undoubted fact, that what greatly increased these losses was the falling off in the cleanness of the cotton.

From the influx of native agents of European houses in Bombay, through whose competition, combined no doubt with the collusion of the local merchants and cultivators, Surat cotton became deteriorated and suffered great depreciation both in price and quantity in the English market, in which it had, in 1818 and 1819, when the results of the revenue * cotton system were in force, risen to be a most valuable article of commerce. It

* Vide Table of Comparative Imports and Prices, p. 118.

gradually, however, recovered; and the regulation* of 1828 passed soon after I took charge of the government of Bombay, according to the testimony of all the merchants in Bombay, European and native, proved very efficacious. This measure, combined with recent efforts to improve the quality, and with increased demand, has raised the import of Surat cotton, from 25 bales in 1813, to 91,528 in 1832, and from accounts received, this is likely to be increased to 100,000 bales in 1833†, a result which is, no doubt, to be referred to the demand of the raw material in the market as well as its comparative value from improved quality. Cotton.

The progress of this great increase of consumption of cotton from Bombay, which exceeds by about five-sixths all the other parts of India, is independent of home consumption, of exports to China, and neighbouring provinces.

The following Table will shew the gradual increase of import into England, and its price, compared with other cottons, from which a judgment may be formed of the causes to which the fluctuations in this article are to be ascribed.

* By regulation 3, of 1829, it was declared, "That any persons fraudulently mixing bad and good cotton, and selling it as good, or fraudulently deteriorating the article by exposing it to the night dews, putting dirt, stones, earth, or any other substance, or salt water, amongst it, with the view of making it heavier, are declared guilty of a penal offence, and punishable on conviction, for the first offence, by fine and imprisonment not exceeding two years; and on conviction of second or more offences, with fine and imprisonment not exceeding seven years; the cotton so fraudulently offered for sale being liable to confiscation, and to be burnt, or otherwise destroyed."

† An advance in the price of cotton of 20 or 30 per cent. in China is likely to lessen the import to England in 1833, to what, under other circumstances, might have been expected.

Cotton. *Annual Import of Bales of Cotton Wool into Great Britain, with the average of the Liverpool prices.*

Years.	American.			Brazil.			Egyptian.			Surat.		
	bales	s.	d.	bales	s.	d.	bales	s.	d.	bales	s.	d.
1813	37,720	at 1	4	137,168	at 2	0	none——			25	at 1	3
1814	48,853	2	2	150,930	2	6	,,			2,567	1	6
1815	203,051	1	8	91,055	2	1	,,			2,392	1	3
1816	166,077	1	6	123,450	2	0	,,			8,300	1	3
1817	199,669	1	8	114,518	2	0	,,			20,727	1	6
1818	207,580	1	8	162,499	1	11	,,			70,894	1	2
1819	205,161	1	0	125,415	1	6	,,			65,051	0	10
1820	302,395	1	0	180,086	1	8	,,			16,615	0	10
1821	300,070	0	10	121.085	1	0	,,			11,021	0	8½
1822	329,906	0	8	143,505	0	10	,,			11,596	0	6½
1823	452,536	0	8½	144,611	1	0	5,623	1	1	28,752	0	6½
1824	282,371	0	9	143,180	0	11	38,022	0	11	36,452	0	6
1825	423,446	0 to 1	9 6	193,942	1 to 1	0 10	111,023	1 to 1	0 10	43,930	0 to 1	6½ 1
1826	395,852	0	6½	55,590	0	10	47,621	0	9½	44,460	0	5¾
1827	646,766	0	6¾	120,111	0	8¾	22,450	0	8	53,030	0	4½
1828	444,390	0	6¼	167,362	0	8	32,889	0	8	78,800	0	4¼
1829	463,076	0	5½	159,536	0	7¼	24,739	0	7¼	75,650	0	3¾
1830	618,527	0	6¼	191,468	0	7¾	4,752	0	7¾	32,050	0	4½
1831	608,887	0	5½	168,288	0	7	38,124	0	7¼	65,700	0	4½
1832	628,766	0	7	114,585	0	8¾	381,183	0	9	91,530	0	5

I have before stated the considerable exports of cotton from Bombay to England before the period at which this table commences. The liberal policy of the Marquis of Wellesley had stimulated the merchants of India to convey this article and others of Indian produce to England in Indian vessels, which were, for the first time, permitted to trade to that country; but various causes, and among others, the high rates of freight and insurance, appear to have put an end to the trade in cotton from India; while America, enjoying at this time all the advantages of a neutral nation, reaped all the benefit of that trade. It is also probable that the China market absorbed, previous to our late acquisitions in Guzerat, the greatest part of the cotton grown in that country. From these facts, the trade in this article from Bombay which may be said to have been extinct in

1813, is now more prosperous than at any former period. Though its rise has been, in some degree, regulated by the varying prices, the increased produce in America, the creation, if such it may be termed, of this trade in Egypt, and above all, by the demand, which appears to have risen in a full ratio with the supply, we must consider that the decline of its consumption, for many years, was chiefly owing to its being deteriorated. Cotton.

The following Table will show the increase of the home consumption, export, and stock in hand, of the Surat cotton for eight years, made up each year to the 31st of December, and exhibit its increase since measures were adopted to improve its quality.

	1825.	1826.	1827.	1828.	1829.	1830.	1831.	1832.
	Bales.							
Home consumption	32,100	22,850	25,340	31,900	34,130	43,310	32,180	48,470
Export....	11,860	26,500	25,700	33,400	44,100	17,900	31,940	24,900
Stock in hand,	49,300	44,400	46,390	60,290	57,790	28,640	30,210	48,370

The following statement will show the increased export of Surat cotton to the continent, during the years 1830, 1831, and 1832; in which, though comparatively small in amount, it has increased in a much greater ratio than that of America.

CONSUMPTION OF COTTON ON THE CONTINENT.

	1830.	1831.	1832.
American ..... bales	222,653	219,784	267,180
West India and Brazil „	62,120	44,048	43,945
Egyptian ..... „	50,317	86,925	85,912
Levant ..... „	6,196	15,906	34,635
East India..... „	22,676	31,051	39,519
Other sorts ..... „	21,379	13,902	19,388
	385,341	411,616	490,579

Cotton.

The following Table will show the extent of cotton-yarn and thread spun, and exported in yarn and thread.

		1830.	1831.	1832.
		From 806,000 Bales.	From 867,850 Bales.	From nearly 900,000 Bales.
Exported in yarn and thread,	*Hs.*	63,769,233	63,335,398	72,704,123
„ yarn, manufactured into goods...	„	77,272,820	70,760,785	61,251,380
„ in mixed manufactures.....	„	8,000,000	10,000,000	12,000,000
Total exported.....	„	149,042,053	141,096,183	145,955,503
Yarn sent to Scotland and Ireland.....	„	5,000,000	5,000,000	5,700,000
Home consumption	„	42,528,498	62,206,551	70,941,404
Total consumption.....	„	47,528,498	67,206,551	76,641,404
Total quantity of yarn spun in England.....	„	196,578,551	208,302,734	222,596,907

The consequences of the great improvement of machinery, and the increased cultivation of cotton, have effected so extraordinary a reduction in the prices of yarn, that it is now returned as an article of increasing trade, to the countries, at the distance of twelve thousand miles, where the cotton of which it is made is produced, in order to be manufactured into goods. It is, however, to be observed this only relates to yarn of a quality* above No. 20, as the price is too low for that used in the common coarse cloths of India, to make it possible for the English manufacturer to compete in the market.

* The yarn under No. 20, of England, cannot compete with the coarser kinds of native yarns, and it is from the latter that the cloths worn by the great majority of the population are manufactured.

Cotton.

The Board of Control, in a letter under date the 7th of October, 1828, called the attention of the Court of Directors to the importance of improving the quality of the Indian cotton, in a degree that would rival the American; and the latter sent instructions to the Bombay Government, and have since made every effort to attain this object. Their orders to the Bombay Government on this subject have been zealously and judiciously carried into execution. The farm near Baroach has been increased, and subsidiary ones established. Seeds of every description have been sent to try in the various soils. Premiums have been given, on the same principle as in 1815, to the cultivators and cleaners of the best quality of cotton. The cotton raised by the cultivators, as well as at the farm, cleaned in every varied mode, has been sent to England on the Company's account, and its sale price, after all charges, has been such as to show clearly the success which may be anticipated from a continuance of that care and encouragement which has recently been bestowed upon the cultivation and cleaning of the raw material. Great expectations were indulged from the introduction of Whitney's saw-gin, an instrument, the invention of which is deemed by some writers * to have tended as much to promote the prosperity of the provinces of Georgia and Carolina, as Arkwright did that of Lancashire. Before its introduction in 1793, very little of the upland cotton was produced, and none exported. Great Britain, until 1790, did not receive one pound of cotton from America, and that article is now the great

* Vide Macculloch's Dictionary, p. 412.

Cotton.

staple of the export and riches of its southern states. Whitney's gin was sent to Bombay in the hope that it would be more effective in cleaning the cotton of that province than the churkee or roller-gin used by natives, which I understand is not unsimilar in shape and effect to the American roller-gin, used to clean the Sea Island cotton, the value of which chiefly depends upon the length of its staple and superior fineness, qualities which also give value to the Egyptian cotton, which it was found impracticable to clean with the saw-gin, without breaking the staple.

From my inquiries * on this subject since my return to England, it appears that the more extended sale of Surat cotton chiefly depends on its being cleared of its impurities; with regard to quality, it is described by all from whom I have sought information, as a useful cotton, the sale of which might, if well cleaned, be increased to any amount.

Considering what has been stated, the result of the experiment recently made at the cotton farm at Baroach of cleaning the cotton by Whitney's gin was a subject of much anxiety. An account has been received, accompanied by specimens of the cottons cleaned by it, by the cherka or roller, and a new foot roller invented by Mr. Lush, who has charge of the farms in the Deccan and the southern Mahratta country. The saw gin though it has cleaned the cotton beautifully, has certainly in-

* When at Manchester, soon after my arrival in England, I visited the manufactory of Messrs. Birley and Kirk, who gave me samples of the different cottons received from Guzerat, with notes of their quality, and suggestions for improvement, which I immediately forwarded to Mr. Williamson, the revenue commissioner of Bombay.

jured* the staple more than the common cherka or roller used by the natives. This was the opinion of a committee of natives who examined the specimens at Bombay, and it is confirmed by that of spinners in England. The Court of Directors very properly do not deem this one experiment decisive, and direct further to be made, from which they hope a more successful result, and such perhaps may be expected from a more skilful application, or from decreasing the action of the machine, which can easily be done. It is much to be desired the objections to the use of the saw-gin may be surmounted, for the process of cleaning by it is four or five times more rapid than by the common cherka and the foot roller of Dr. Lush, unless improved, must fail, notwithstanding the superior manner in which it cleans the cotton, without injury to the staple, on account of the slowness of the process and the comparative increase of expense which attends its use. Cotton.

Mr. Cook, of Mincing-lane, a name well known in the commercial world, has kindly furnished me with every data I desired, and I must, as referring to the experimental farms, established by the Bombay govern-

* This is confirmed by Mr. Ritchie, whose evidence before the committee of the House of Commons shows how practically he has studied the subject during the period he has belonged to a firm in Bombay, which has for many years dealt largely in this article of commerce. "We purchased," this gentleman observes in a note to me, "a considerable parcel of the experimental farm cotton in Bombay this last year, which we sent home in small parcels to three of the principal spinning-houses in this country for their opinion in use. The reports are all much against it, owing to its being torn, and the staple injured by some violent process in the cleaning it of the seed; I fear the instrument was the saw-gin."

Cotton. ment, quote a note received from him, with the table of the prices in the London market, of the cotton sent home, and the comparative prices at the same period of North American cotton. "From the subjoined list of "prices," (Mr. Cook observes,) "obtained for the diffe- "rent samples of cotton, it appears the No. 6, cleaned "by the North American saw-gin, realized the highest; "but it should be observed, that the staple of this was "more injured than that of No. 3, cleaned by the cherka; "and that if any considerable quantity of the former "were to be brought forward, its value probably would "not be so great as that of the latter, which may be "accounted for thus:—colour, cleanness, and coarseness "of staple are the qualities required for candlewick "yarn, and these are to be found in No. 6, but the "consumption of this is, of course, comparatively "limited, and the fineness, length, and strength of "staple found in No. 3, are more suited to general "purposes, which would therefore maintain its price "more in proportion to other descriptions. At the "same time, this one trial should not be deemed suffi- "cient to establish the superiority of the churka over "the North American saw gin, and it may be supposed "that, with greater care and attention, the staple need "not sustain injury from the latter mode of cleaning, "but a great proportion of the imports of 1831 of Surat "cotton have had the staple much cut and broken."

List of Comparative Prices.

The following cottons were sold at the East India Company's sale 23d March, 1832, in bond, being chargeable, when taken out of the warehouses for home consumption, with the duty of 4*d.* per cent.

Surat Cotton.

[Company's mark.] +

	Sold at	No.
Ahmednugger	5½*d.*	—1
Dharwar	6	—2
Broach Toomil * . . cleaned by churka.	6¼	—3
Broach Toomil . . . cleaned by foot-roller.	6⅞	—4
Guzerat . . . . . cleaned by foot-roller.	5¾	—5
Guzerat . . . . . cleaned by N. American saw-gin.	7	—0

* First gathering in January.

The following prices current on the 23d March, 1832, include the duty of ⅝*d.* per lb.

North American Cotton.

	d.	*d.*
Ordinary and middling	5⅞ to	6⅝
Fair and good fair	6⅝	7⅛
Good	7⅛	7

Bombay duty.

The chief export of cotton from Bombay has been a great number of years to China. It is not believed that the increase of the cultivation of the plant in Guzerat has been great since that country came into our possession. The produce for export has been generally estimated at 200,000 bales, and China is calculated to have taken more than one-half of this amount, but the recently augmented consumption of the article in England, and the encouragement given by government, will no doubt lead to an increase of cultivation, and this appears more likely, as a great reduction has taken place in the price of grain in Guzerat as well as the other provinces subject to the Bombay government.

There is no doubt that every species of cotton may be cultivated with success, and to any extent in this

Cotton.

should, but it is one of equal importance to India and England. The former has been deprived of her manufactures by an improvement in machinery, an abundant production of cotton in almost all parts of the globe, and a consequent fall of price in manufactured goods far beyond what could have been anticipated; all measures, therefore, which promise to repair the loss the inhabitants of that country have sustained, by developing its resources, are important. In that quarter of India of which I am now treating, it has no such valuable raw material as its cotton; the flourishing state of its trade in that produce must depend on its power of enjoying any profitable or beneficial commercial intercourse with Great Britain. If we pursue, with a zeal adequate to the object, a system of wise and liberal encouragement of this article of commerce, India will at least have a much more considerable share in the home-market than it at present enjoys; and with regard to the western provinces of Bombay, which appear, from local position, soil, and climate, the most favourable for this produce, I am quite satisfied that none of those large and hazardous outlays of money are necessary, which are often required to establish or improve branches of trade dependent on the produce of the soil. Many of the natives of the country have sufficient capital, which they are forward to apply to objects, when they see a likelihood of success to such speculations, which are in fact associated with the common concerns; and on any prospect of increased profit, we may be assured of an immediate and abundant supply of money in aid of the cultivators; but numbers of the latter in the province

of Guzerat are men of considerable wealth, and almost all have credit with the soucars, or bankers. Cotton.

The changes which have occurred in the trade and manufacture of cotton are of a character that make it impossible to speculate with any certainty upon the future. The cultivation of cotton by slave-labour, and the interminable extent of fresh land, give great advantages to America in this production. In Egypt, the growth of cotton fit for use * owes its creation to that

* The following note, given to me by a gentleman perfectly acquainted with the subject, contains all material facts connected with its origin and present state, as a branch of commerce.

Egypt has always produced cotton of a very inferior description, not calculated for the use of the manufacturers of England; but in the year 1821, the cotton-tree was, for the first time, cultivated in Egypt[a]; and the first *sample* of the cotton produced from that plant, called Mahò Cotton, was exhibited in England in the year 1822. During every subsequent year it has formed an article of importation to this country from Egypt, and has now become one of considerable importance, as will be seen by the following summary of the quantity brought here during the last ten years.

	To London.	Liverpool.	Glasgow.	Total of Bales imported into Great Britain.	Sale Price on the 31st. Dec. each year.
In 1823	Bales 1,277	1,173	none	2,450	11¼*d.* per lb.
1824	„ 10,645	22,622	580	33,807	10¾ „
1825	„ 21,831	80,736	631	103,198	10½ „
1826	„ 8,115	38,218	none	46,333	8 „
1827	„ 4,998	14,420	2,310	21,728	8 „
1828	„ 3,820	24,702	2,616	31,138	7¾ „
1829	„ 1,980	22,425	none	24,405	6⅞ „
1830	„ 700	11,019	1,865	13,584	9 „
1831	„ 8,540	26,487	1,050	36,077	8½ „
1832	„ 2,837	32,271	5,109	40,217	8¾ „

The rate of freight of cotton from Alexandria to this country is usually

[a] From a few plants discovered accidentally in a garden of Mahò Bey, at Cairo; whence it has acquired the name of Mahò cotton.

Cotton.

extraordinary man who now rules it, and whose genius has, within a short period of years, multiplied and applied its resources in so remarkable a manner. In India, the export of this article only commenced when the science of Europe superseded its own manufactures. The plant from which the article is produced, which forms, at present, the chief branch of commerce to England, requires good land; but several of the seeds more recently introduced into that country flourish best in lands that are never cultivated for any other purpose; and even with regard to the better soil required for the annual plant, there is sufficient waste land in our eastern territories to enable that country to meet any extent of demand for this raw material; and produced as it is by the free and cheap * labour of an increasing

0¾*d.* per pound, but may vary a fraction of a penny either way, according to the abundance or scarcity of ships seeking employment.

The Mahò is a cotton of long staple, resembling that which is grown in the Brazils; it is likewise strong (calculated, therefore, for power-loom weaving) and silky in its appearance. Within the last four or five years, however, a description of cotton, superior even to the Mahò, has been cultivated in Egypt, from the seed of the American Sea Island cotton; and this quality ranges in value about 1*d.* per pound higher than the Mahò.

The cotton is separated from the seeds by means of a machine worked by manual labour, such as is made use of in South America for cleaning long staple cotton, but it is never ginned, like the cotton of short staple of North America and the East Indies, as that process would injure the fibre of Egyptian cotton, and materially diminish its value.

The Mahò tree produces very good cotton for three years, after which it is found advisable to renew it, as the cotton, after the third crop, becomes inferior in quality and less productive in quantity.

The saw-gin is not adapted for long staple cotton, and is never used in Egypt.

* I have already stated that the labourer in Guzerat is supported for

population, it would not appear likely to be affected by those events which may be produced by exciting questions, in a free state like America, or violent changes in a despotic one, like Egypt. Cotton.

Bombay has till lately manufactured no sugar for export. A small mill has been erected by Framjee Cowajee, on his estate at Salsette*, and another on a larger scale at Bassein, which promises to be successful †. Sugar.

There are facilities both in soil and easy transport in the northern parts of the Concan and Guzerat, which, combined with the quality of the canes now cultivated in these countries, satisfies me that this important article of commerce could be manufactured to any amount; and, from the low wages of labour, at a rate that would eventually enable it to compete with

the small sum of 3*l.* per annum. The labourer in the Deccan appears, from the statistical reports of Lieutenant-Colonel Sykes, to have a trifle more pay than in Guzerat. It averages about three rupees per mensem, or nearly 3*l.* 12*s.* per annum.

* Vide Appendix A, p. 69. I have recently received specimens of soft sugar, of sugar-candy, and of indigo, produced on the estate of this public-spirited native; through whose charity the numerous but poor population of a suburb at Bombay are supplied with water. He desires to make this charity permanent; but he hopes the Government will, on his paying ten years' rent, make his estate on Salsette a freehold;—a favour which he has well merited, and will, I hope, receive.

† Mr. Lingard, who erected it, has received liberal aid and encouragement from the Government, both in the grant of land and advances in money. Bassein is an island connected with Bombay harbour by a back-water, which is navigable for small vessels.

Sugar.

this produce from other countries in the home-market. In the produce of a raw material, such as cotton, we may trust to the exertions of natives, but not so of articles like indigo, sugar, and silk; these require to go through processes involving not only science but the use of machinery. There are exceptions, no doubt; but, generally speaking, years must elapse before the natives of India will rival Europeans in that energy and science which can alone establish and maintain large and expensive manufactories. A sense of this led the Government over which I presided to make the most liberal offers to any Europeans who were disposed to enter upon the cultivation of sugar, silk, &c. This subject is noticed in the Appendix *.

Sugar forms the third article of consumption in the world, corn and salt being alone before it. It is produced in every quarter of the globe. What appears most remarkable regarding this produce is, that the consumption, from an increasing taste for the article, appears to keep pace with production †. The West Indian colonies cannot now supply the home-market, and the slightest result which is to be anticipated to the further agitation of the slave question in parliament, will be a diminution of labour, and a consequent decrease of produce. Under such circumstances, the policy of lessening the duty upon East Indian sugar may be brought forward, on the ground that, if it is proved not to be injurious to our own colonies, it would

* Vide Appendix A, p. 68.

† In Great Britain, during 130 years, the consumption has increased from 10,000 to 174,000 tons, and the revenue upon it from 66,000*l.* to 476,700*l.* Vide State of the Commerce of Great Britain for 1832, p. 4.

be politic to enable it to compete successfully with other quarters of the world. Sugar, like cotton, and all other agricultural produce, is cultivated in the Bombay territories by free labourers. It is a very expensive and precarious crop, differing, according to the seasons, so much, that the fields appropriated for this produce are generally divided into shares among the more wealthy cultivators. Sugar.

In the Deccan, the soil of which is in many parts most favourable to the mulberry, every aid and support has been granted to those who have been desirous of establishing the manufacture of silk. The subject is treated in the Appendix*; and I can only add my belief, that we shall, from the produce of its districts, and those of the southern Mahratta country, early supply the demand of our own and neighbouring provinces, to the exclusion of Persia and China silks. How far we may hereafter compete in this article with the produce of other countries, time only can determine; but it is a subject which requires every attention, for the future prosperity of this quarter of India is very dependent upon the development of its resources, both for home consumption and foreign export. Silk.

The revenue derived at Bombay from salt is not very considerable, but it is gradually increasing; that from Malwa opium was very considerable as long as the drug produced in that province was purchased on account of the Company, and the trade of individuals prevented by a duty so high as to amount to a prohibition: this has Malwa Opium.

* Vide Appendix. p. 68.

Malwa Opium.

been changed, and the cultivation of the poppy, which was before restricted, has been made free.

Passports have been sold under a system which I established, and which, as a source of revenue, proves to be more productive than was expected, while it attains its primary object, that of putting an end to the enormous smuggling trade to China, which, in 1829, had amounted to more than 10,000 chests*.

Instructions were received from the Court of Directors, grounded on a previous communication from the government of Bombay, directing the abolition of the Rahdaree or inland duties, and the increase of sea customs and town imposts. This measure, it will be seen by the Appendix†, was suspended on the grounds of the reports received from almost every collector of the revenue. These agreed with me, that this measure would diminish the public revenue, while it brought no adequate relief to the inhabitants, and was, in fact, more vexatious than the existing system, which, with the modifications recently adopted, promised to remedy those defects which had been the cause of it.

It is necessary to state, that the soundness of the general principle on which the court's order was founded

* The supreme government was adverse to the plan I proposed regarding passports, which was more grounded on my knowledge of facts and local circumstances than on those general principles to which it desired to adhere; but an assent was ultimately given to my proposal, and the result has been, as stated by the Committee of the House of Commons, a revenue of £200,000 for the current year.

Vide the Report of the Committee of the House of Commons, page 71.

The above revenue is, of course, liable to fluctuation, but it is now admitted, the system established is beneficial both to government and the merchants.

† Vide Appendix, p. 52.

cannot be doubted, but the peculiar situation of the territories of Bombay render it an exception to the general rule, and at all events the change proposed cannot, in my opinion, be made without previous arrangements with native states and other precautions to guard government from suffering serious loss unattended with any adequate benefit to its subjects. Passports.

Great attention had been given by my predecessor to the improvement of the breed of cattle and of horses. The Deccan has long been favourable to the latter. The government stud is established upon principles at once economical and efficient. It was enlarged and improved during the period I was at Bombay; and I cannot have a doubt but its effects will be to render that part of our territories independent of foreign supply in this important military resource. Cattle.

I have elsewhere* given my sentiments on the press in India, both European and native. Nothing can be more unsatisfactory than the state in which I found the press at Bombay, consequent no His Majesty's court refusing to register the regulation regarding licences. A very serious question arose regarding the native press, over which, as far as I can judge, government has little or no check. The editors of these papers are well acquainted with their freedom. I desired to prevent the continued publications in a native paper of the disputes between government and the supreme court, and particularly translations into the native languages of some charges from the Bench which Press.

* Vide Political History of India, vol. ii. p. 292.

Press. I thought were calculated to lower government in the eyes of its native subjects. I requested the Persian interpreter to see the editor and speak to him. He did: the man was very civil, but plainly stated, that the articles to which I objected increased the sale of his paper; that his only object of inserting them was pecuniary profit; and if government gave him as much, or a little more, than he gained, that they should not be inserted!

That useful knowledge may be imparted and improvements introduced, through the medium of native newspapers, there is no doubt; but this good will be too dearly purchased, if these are permitted to become vehicles of instilling into the minds of the Indian population sentiments calculated to destroy those impressions of the character and strength of the government on which its power of preserving in peace the vast territories subject to its rule must essentially depend.

I quite concur in the opinion upon this subject, given by Mr. Elphinstone, in a letter to the secretary of the India Board. "In other countries," he observes, "the use of the press is gradually extended along with "the improvements of the government and the intelli- "gence of the people; but we shall have to contend at "once with the most refined theories of Europe, and "with the prejudices and fanaticism of Asia, both "rendered doubly formidable by the imperfect educa- "tion of those to whom every appeal will be addressed. "Is it possible that a foreign government, avowedly "maintained by the sword, can long keep its ground "under such circumstances?"

Finance.

In treating of the finance of Bombay, it will be necessary to make some preliminary observations.

Distinctions in pay and allowances had long subsisted between the different presidencies of Bengal, Madras, and Bombay, arising less from increase of duties than from greater resources of the countries in which public servants were employed. As our possessions in different parts of India became extended and mixed more with each other, their civil administration was assimilated; and they became viewed as they really were, parts of a great empire, which, to be well governed, required to be considered as a whole and to have no distinctions in its system.

The Madras government, by acquisition of territory at the conclusion of the war of 1817-1818, had been enabled to make its revenues meet its expenditure. This was far from being the case with Bombay, for, though its territory had been at the same time greatly enlarged, the countries annexed to it were comparatively unproductive, and their occupation, combined with the proportion of European troops, and the navy which its position on the western part of India required it to maintain, caused it to be a heavy burden on the resources of Bengal. Soon after my arrival at Bombay, a letter was received in the financial department, dated 3d July, 1828, from the Supreme Government, complaining of this pressure; and while they admitted that actual circumstances required aid should be given to Bombay, they observed, "In the existing financial "prospects of India, we feel disposed to assume, that "the utmost that can be afforded by Bengal from its

Finance.

" regular income to be expended in establishments at " Bombay, will be half a crore of rupees: unless there- " fore the deficit of the Bombay presidency can be " reduced to this limit, there can be no hope of con- " ducting the management of our Indian empire with- " out an annual addition to the Indian debt, and such a " state of things can only lead to ultimate bankruptcy."

In reply, the government of Bombay observed, " As " we cannot but consider, from your statement, that the " amount defined as that which cannot be exceeded " without bringing bankruptcy on the empire, casts a " very heavy responsibility on us, and requires us to be " governed by a specific rule—in cases where it may " prove impracticable; we must, with every respect for " your superior wisdom and controlling authority, entreat " that we may be judged, not by the general results, but " by the most minute inquiry into every item of our " expenditure. If excess is found in the payment of " any of our establishments; if any means we employ " are deemed more than commensurate to the objects " we have to accomplish; or if, on a comparative view, " the pay and allowances given to public servants are " greater than at the other presidencies, we shall " assuredly merit the severest censure of your Lordship " in council and our superiors in England; but we do " hope, if our less productive sources of revenue and " the relative position of our territories combine to " make our expenditure exceed what you have cal- " culated, we shall receive the benefit of having this " government, in all its branches and duties, consi- " sidered as a part of the empire, and under that view

" we are confident much of its past and more of its " future expenditure will be found to be of a nature that " should be (except for official forms) more correctly " brought under the head of general charge." Finance.

One more quotation from the correspondence which took place upon this subject will sufficiently illustrate the arguments used by the Bombay government, in support of the general rule of proportioning remuneration to public servants throughout India, on the equitable principle of charge, labour and responsibility.

In answer to a further letter from the Supreme Government on this subject, the government of Bombay observes, " We are informed that the Honourable the " Governor-general in council considers it to be in the " essence of the system of government by which the " country is administered by different presidencies, that " the establishment of each should be formed on a scale " commensurate with its separate means, and that the " first principle to which the efforts of each govern- " ment should be directed, ought to be to provide that " the presidency should be capable of standing by itself, " independent of other resources than such as it can " itself command, except in so far as it may be called " upon by the general government to provide for objects " beyond its local administration." " The principle," we are also informed, " that would assume a scale of " establishment for each presidency, regulated on a " footing of equality with those of other presidencies, " is necessarily fallacious. If adopted," it is added, " in the new presidency of Prince of Wales' Island, " Singapore, and Malacca, it would be obviously absurd;

Finance. "and though the fallacy is less apparent where the "departments have more affinity, and the system of "government is similar, yet the necessity of regulating "every thing by a reference to the means available, "is not the less imperative, even though the systems "were identical, for the same nominal officers will not "administer the same responsible functions, if the "revenue drawn from the tract of country under them "be less, or if, in wealth and population, the districts "are inferior.

"While fully admitting this conclusion, as far as ex- "tent of charge, duties and responsibility are concerned, "we must respectfully state, that the general premises "from which it is drawn appear to us to include princi- "ples which cannot be admitted as applicable to this "presidency under its present form of government and "the actual circumstances in which it is placed.

"In its form of government throughout all its depart- "ments, this presidency has been rendered as similar as "local circumstances would permit to those of Madras "and Bengal. Its establishments, civil, military and "political, have been made in the proportion of its wants, "and the public servants it employs have had their "services remunerated, not upon a principle of equality, "regulated by their having the same denomination as "those employed in similar situations at other presiden- "cies, but on a scale of their comparative duties, charge "and responsibility. These certainly have not been al- "ways referable to the amount of revenue they collected "and the exact number of the population of the districts "over which they were placed: for it has been often found

" under this presidency, (as it probably has under others,) Finance.
" that the most arduous duties were to be performed in
" countries the least productive, and that difficulties
" arise not from the numbers, but from the character
" of the inhabitants; and it would have been unjust
" to have diminished the allowance of our oldest and
" most experienced servants, called perhaps to such
" arduous charge from the comparatively easy one of
" collecting revenue and administering justice to
" more populous and peaceful provinces.

" We have hitherto supposed, from all the correspon-
" dence we have had with the Supreme Government,
" and the Honourable the Court of Directors on this
" subject, that the principles by which we regulated
" our conduct in this particular were approved. We
" have been considered in some cases to have fixed allow-
" ances on a scale higher than was warranted by the
" duties that were to be performed, and these have been
" reduced. We have endeavoured, and shall endeavour,
" governed by considerations of strict economy, and in
" attention to your repeated injunctions and those of the
" Honourable the Court of Directors, to make every fur-
" ther reduction we can; but in doing so, we must be
" governed by the same principles on which we have
" hitherto acted; and we must here remark, that we
" conceive it quite impracticable to conform to the prin-
" ciple you state of measuring our expenditure by our
" means without the latter were permanently fixed, and
" the whole condition and constitution of this govern-
" ment were changed. The inferior settlements of
" Prince of Wales' Island, Singapore, and Malacca,

Finance.

" which you have mentioned in illustration of the " necessity of the principle you desire to enforce, do " not appear to us to be in any respect in an analogous " condition to this presidency. It will be admitted, " that where a principle is to regulate expenditure, it " should be grounded on some permanent basis, or it " cannot continue to be observed. The pay of fixed " establishments will be affected no doubt by a de- " crease or increase of duties, but it cannot vary with " a fluctuating income. How completely ours has been " so will appear from the account of our receipts * " during the last ten years; and at this moment we " are dependent on your judgment of our necessities, " and the convenience of financial arrangements, for " allotting us the net profits of Malwa opium, and " upon the Honourable the Court of Directors for a " decision in our favour, regarding the annexation of " the southern Mahratta territories. These two re- " sources will make a difference of more than sixty " lacs of rupees, or about one-fourth of our actual " revenue, though they will occasion little, if any, " addition to our expenses. While we have stated

* Memorandum of revenues of Bombay, from its internal resources from 1817-18 to 1827-28.

1817-18 . . .	1,15,54,000	1823-24 . . .	2,10,17,000
1818-19 . . .	1,54,63,000	1824-25	1,64,97,000
1819-20 . . .	1,92,78,000	1825-26 . . .	2,04,97,000
1820-21 . . .	2,19,70,000	1826-27	2,32,01,900[a]
1821-22 . . .	2,27,04,000	1827-28 Estimated	2,38,23,000[a]
1822-23 . . .	2,01,27,000		

[a] Including allowances to village officers, &c. to the amount of about fifteen lacs, not formerly brought into the public accounts.

" thus much to show the impossibility of our acting Finance.
" upon a principle that assumes our means as the
" standard of our expense, we quite admit that it is our
" duty to recognize it as an operating motive for rigid
" economy; but we entreat you to believe, that we are
" so impressed with the necessity of that, from the in-
" formation you have given us of the embarrassed state
" of the general finance of India, that the possession of
" no surplus of income above expenditure could make
" us feel justified in the slightest disbursements, or in
" the grant to any individual of one rupee beyond what
" we deemed the duties of the station required, with
" reference to that comparative scale by which these
" have hitherto been regulated.

" We shall, according to your orders, transmit a
" statement of those charges which we think may be
" fairly considered as belonging more to the General
" Government of India than to this presidency; and in
" the mean time we can express a confident hope that
" if the net profits of opium are assigned to us, and the
" provinces of the southern Mahratta country continued,
" we shall not, unless events upon which we cannot
" calculate occur, exceed the amount of fifty lacs, which
" it is your intention to allot, in order to meet our
" deficit."

The statement of the revenue and charges of Bombay that follows is for five years. It contains the prospective estimate for 1831-32, which shows that in the result the net charges of Bombay have been reduced nearly to the standard desired by the Supreme Government.

An Account of the Revenues and Charges of Bombay, under the respective
of the same for the

	1826-27.	1827-28.	1828-29.	1829-30.	1830-31.	Estimate. 1831-32.
	Rupees.	Rupees.	Rupees.	Rupees.	Rupees.	Rupees.
Mint Duties	27,558	48,354	34,684	26,172	57,246	1,47,600
Post Office Collections	1,13,896	1,11,858	1,10,685	1,16,014	1,38,188	1,39,000
Stamp Duties . . .	1,67,614	45,875	57,299	3,37,963	3,58,382	3,42,000
Judicial Fees and Fines	64,016	63,412	56,095	62,791	64,300	60,800
Salt Revenue, and Profits derived from the sale of	1,65,188	1,77,190	1,85,820	2,43,129	1,89,490	2,13,800
Opium Passes . . .	—	—	—	—	8,03,525	12,56,500
Farms and Licenses of exclusive privileges.	6,29,665	6,39,801	3,81,287	4,14,544	4,51,925	3,30,900
Customs of Ancient Possessions . .	15,69,205	16,01,146	16,24,993	19,75,760	19,66,141	22,32,000
Land Revenues of ditto	18,92,354	18,22,819	12,39,884	14,28,249	12,77,964	13,77,413
Land Revenues, Customs, Judicial Fees, &c., of Provinces ceded by the Guicowar.	34,86,873	34,02,639	32,87,673	31,17,138	31,26,845	31,71,700
Land Revenues, Customs, Judicial Fees, &c., of Provinces ceded by and conquered from the Mahrattas . .	1,47,55,612	1,45,21,950	1,34,53,487	1,35,36,886	1,39,36,669	1,41,87,287
Marine Receipts for hire of Docks, Mooring Chains, &c. . . .	1,41,201	1,63,405	2,95,223	2,65,289	2,17,199	1,37,000
Total Revenues Rupees	2,30,13,182	2,25,98,449	2,07,27,130	2,15,23,935	2,25,87,874	2,35,96,000
Or at 2*s.* 3*d.* the Rupee, £ sterling . . .	2,588,983	2,542,325	2,331,802	2,421,443	2,541,136	2,654,550

Heads thereof for Five Years, according to the latest Advices, with an Estimate succeeding Year.

	1826-27.	1827-28.	1828-29.	1829-30.	1830-31.	Estimate. 1831-32.
	Rupees.	Rupees.	Rupees.	Rupees.	Rupees.	Rupees.
Mint charges . . .	32,881	32,327	32,481	34,407	119,804	123,300
Post Office charges .	1,71,543	1,67,538	1,56,514	1,65,983	1,46,075	1,38,800
Stamps: charges of distribution, &c. not stated previously to 1829-30; the net proceeds of the duties only having therefore been brought to account.	—	—	—	1 66,489	1,76,669	1,66,000
Charges of the Civil Establishments. .	45,74,892	42,20,278	48,69,387	41,46,974	44,77,140	38,04,000
Charges on account of Opium Passes. .	—	—	—	—	—	24,700
Interest paid on account Public Deposits, &c.	1,83,203	2,42,045	2,00,865	1,87,865	3,74,699	2,27,600
Total Civil charges.	49,62,519	46,62,188	52,59,247	46,92,708	52,94,387	44,84,400
Judicial charges of the Ancient Possessions.						
Supreme Court of Judicature and Law charges. . . .	5,41,445	5,12,423	5,24,410	5,15,735	4,78,465	5,06,000
Charges of the Sudder and Zillah Courts and Police.	4,27,934	4,05,105	4,13,693	5,14,095	4,88,494	4,17,000
Total Judicial charges.	9,69,379	9,17,528	9,38,103	10,29,830	9,66,959	9,23,000
Charges collecting Customs, Ancient Possessions.	2,51,858	2,27,600	2,16,311	1,99,403	2,07,314	1,75,550
Charges collecting Revenues, Ancient Possessions. . . .	7,18,849	6,77,390	6,26,516	6.75,449	10,36,835	9,37,033
Provinces ceded by the Guicowar; charges collecting the Revenues, Customs and Judicial charges.	12,92,439	13,08,176	10,88,603	10,38,170	9,73,175	9,93,733
Provinces ceded by and conquered from the Mahrattas, charges collecting the Revenues, Custom and Judicial charges	51,83,372	68,99,985	53,58,653	59,43,139	58,39,979	52,85,784
Military charges . .	1,93,07,807	1,82,38,310	1,64,50,359	1,54,76,404	1,54,64,374	1,38,92,100
Buildings & Fortifications	13,78,715	12,71,891	11,09,227	13,68,459	9,51,200	7,18,300
Marine charges . .	14,55,250	18,92,105	16,23,061	17,71,769	15,91,337	15,14,800
Total charges Rupees.	3,55,20,188	3,60,95,173	3,26,70,080	3,21,95,341	3,23,25,560	2,89,24,700
Or at 2*s.* 3*d.* the Rupee £ sterling. . . .	3,996,021	4,060,707	3,675,385	3,621,976	3,636,626	3,254,028
Deduct Revenues £ sterling.	2,588,983	2,542,325	2,331,802	2,421,443	2,541,136	2,654,550
Net charge £ sterling	1,407,038	1,518,382	1,343,583	1,200,533	1,095,490	599,478

Note.—The net charge above shown is exclusive of the value of European stores supplied to Bombay, their cost being included in the home territorial charges.

Chapter III.

GENERAL ADMINISTRATION OF BRITISH INDIA, AND NOTICE OF PLANS SUGGESTED FOR ITS IMPROVEMENT IN ITS SEVERAL BRANCHES.

I now proceed to offer some short observations on the general Government of India, and on those plans which have been suggested for its improvement.

Political. My sentiments on this subject are given very fully in my letter under date the 26th March, 1832, to the Secretary of the India Board, which, with its enclosure of a letter to Lord William Bentinck, on the Civil Government of India, forms a number of the Appendix *. One of the most important questions relating to the political administration of India is that of subsidiary alliances with native princes. These, which had been adopted on our first advance to political power in India, were extended and took a more systematical shape under the government of the Marquis Wellesley. It was at that period the paramount power of the British Government in India was, for the first time, openly avowed, and the necessity of its maintenance assumed, as a fundamental principle of our administration; and one which, beyond all others, was essential to the preservation of the peace and prosperity of the Indian empire. The past and probable future effects of these alliances have been the ground of much discussion. It

* Vide Appendix D, p. 151.

is a subject on which I was examined by the Committee of the House of Commons; and I cannot better convey my sentiments on the operation of this system, than by quoting my answer to a query which required my opinion on subsidiary treaties. Political.

"I am aware," I stated, "that a very different opinion "will be formed, connected with the policy and result "of our subsidiary treaties, between persons who have "judged them at a distance and from records, however "full, and those who have personally had an oppor- "tunity, not only of being instrumental in their nego- "tiation, but have seen them in all their results. The "latter is my case. I consider, that, from our condition "in India, we have had in the political branch always "an option of difficulties, and that our subsidiary alli- "ances have been formed either for the purpose of "defending ourselves through them against our ene- "mies, or subsequently for maintaining that general "tranquillity which we pledged ourselves to protect at "their original formation. In the war in which we "became engaged with Tippoo Sultan, we were "obliged to form subsidiary alliances with the Nizam "and the Peishwa; and without these alliances, we "could not have protected our own dominions in the "south of India from the invasion of that prince, much "less have subdued so irreconcilable an enemy to the "British Government. After we had taken this first "step, the fulfilment of our engagements with good "faith towards the Nizam led to the subsidiary alliance "with him being maintained and extended, for the "purpose of protecting him against a combination of

Political. "the Mahrattas. That combination assuming a hostile "aspect towards our government, obliged the Governor-"General of India, at the period of which I am speaking "(1802), to adopt the best measures he could for "enabling the British Government to resist the attacks "with which it and its allies were threatened, from the "policy and conduct of the Mahratta princes, Dowlut "Row Sindia, Ragojee Bhonsela, and Jeswunt Row "Holkar, rulers who continued to be influenced by the "principles of predatory warfare which are inherent "in the constitution of Mahratta states. The Peishwa "Bajerow, who had long been solicited to enter into a "subsidiary alliance, in order to protect himself, as well "as us and our allies, against the chiefs of his own "nation, was withheld by jealousy of the British power "from contracting such an engagement, until an actual "attack upon his capital forced him to fly to its terri-"tories for protection, and led to the treaty of Bassein. "That treaty no doubt might have precipitated the "hostilities that took place afterwards with the Mah-"ratta chiefs in 1803; but I am quite confident that "war could not have been ultimately avoided, and that "the continual preparation which we had been for "several years obliged to make, in order to save us "from attack, would have been ruinous to the finances "of government. The result of our subsidiary alliance "with the Peishwa gave our troops military positions, "before the war of 1803 commenced, within his terri-"tories, that ensured a success which established for "a period the peace of India; and had our subsi-"diary system been then extended, we should have, I

" believe, avoided those subsequent horrors to the " inhabitants of a greater part of India, and our " expensive measures of defence, as well as the " war of 1817 and 1818. These events, in my opi- " nion, resulted from an attempt to adopt an im- " practicable system of neutral policy, which allowed " the great herds of freebooters to become formidable, " and to plunder and despoil some of the finest pro- " vinces of India, for a period of more than ten years. " About the same period, or rather before the treaty " with Bajerow, a subsidiary treaty had been entered " into with the Guicowar state of Guzerat, in order, " through that alliance, to protect the possessions and " maintain the tranquillity of that province. We had " before made a treaty with the Nabob of Surat; and " by the treaty of Bassein, some of the richest provinces " of that country were ceded to the government by the " Peishwa, in payment for the troops which it fur- " nished. By the result of the war of 1803, the rich " district of Baroach had been ceded to the Company by " Dowlut Row Sindia, and the Bombay Government " formed an alliance with the Guicowar, which was " matured gradually, and without war or internal com- " motions of any consequence. It however found itself " compelled, before it could effect the dismissal of large " bodies of subsidiary Arab troops, which had long had " a predominating influence at the court of Baroda, to " gain to its support the numerous and influential cre- " ditors of the state, who held the security of the Arab " commanders for loans advanced to the prince, and to " give to those creditors what are termed bandaree or

Political.

Political. " guarantee engagements for the adjustment of the " claims upon the native state. This arrangement, " which gave to the government the great advantage " of settling without war the countries of Guzerat, has " been since the fruitful source of that embarrassment " which has attended the course of this subsidiary alli- " ance, and of which I shall speak hereafter.

" With respect to the state of Lucknow, subsidiary " engagements, which commenced nearly seventy years " ago, have undergone great vicissitudes. The working " of these the Committee will no doubt receive from per- " sons that possess more minute information than I do " upon the subject. After the death of Tippoo Sultan, " the heir of the ancient Hindoo Rajah of Mysore was " restored to that country, and a subsidiary alliance " formed for his protection, it being of course indis- " pensable to protect a prince whom we had taken from " a prison and placed on a throne. There was also a " subsidiary alliance with the petty state of Travancore. " This is, I believe, a short account of the principal " subsidiary alliances into which we entered before " 1803. Subsequently to that date, we entered into a " subsidiary alliance with the court of Nagpore, and in " 1818 with that of Mulhar Row Holkar; both the " latter states having been, from the events of the wars " of 1803 and 1817-18, reduced to a condition in which " they could not have supported themselves without " our protection. We could not have abandoned the " Nagpore state without resigning it to the enemies of " the British, and I may say of all civilized govern- " ments, the Pindarees, as well as to the probable

" hostility of the Mahratta chiefs, Jeswunt Row Hol- Political.
" kar and Dowlut Row Sindia. The young prince
" Mulhar Row Holkar, after the battle of Mehidpore,
" was in fact, though not in form, placed by us upon
" the throne; and the whole of his territories were
" in that condition that it was quite impossible they
" could have been consolidated into a substantive power
" in Central India by any other means than through
" the arms as well as the influence of the British
" Government.

" Having thus stated my opinion of the necessity by
" which we have been impelled to contract these alli-
" ances, I shall say a few words upon their general
" results. These have been very different in different
" situations, and have been very dependent upon the
" characters of the princes, their ministers, and I may
" add, of the British representatives employed at their
" courts. Several of those states had their countries
" relieved by these alliances from great and increasing
" evils. The territories of Mulhar Row Holkar, for in-
" stance, which were one scene of desolation, have been
" restored to prosperity with a rapidity that is quite sur-
" prising. Mysore for a long period of years improved
" under our protection in all branches of its govern-
" ment, as well as in its resources; cultivation was
" increased, roads of an excellent description made
" throughout the whole country, and wheel-carriages,
" which had hardly ever been known, introduced to a
" very great extent, while the people appeared, and
" were, contented and happy. One of the most evil
" consequences which has attended our alliance in other

Political. " parts was here in a great degree avoided; I mean
" the destruction of the chiefs and the aristocracy of
" the country, by our abstaining from any very minute
" interference, and by the prince maintaining, according
" to the stipulations of the treaty, a body of four thou-
" sand irregular horse, under the same chiefs and
" officers, or their sons, who had distinguished them-
" selves in the war of Hyder Ally and Tippoo against
" the British Government, and who have evinced for
" thirty years zeal, fidelity, and courage in contributing
" to the success of every subsequent war in which they
" have served in association with our troops.

" To give the Committee an impression of the cha-
" racter of the commanders of this force, and of those
" men of whom it is composed, I can almost positively
" affirm, that during various wars, particularly the
" campaigns of 1803-4, and of 1817-18, through
" the whole of which they were in the field, and
" marched to the distant countries of Malwa and
" Rajpootana, there is no instance of the slightest
" misconduct on the part of any of their high and
" respectable officers, or any instance that I know—
" and I was with them on both of these campaigns—of
" the desertion of one man from this excellent and most
" useful body of troops. The prosperity of Mysore in
" its internal administration was no doubt in a great
" degree to be attributed to the prince being a minor
" when the state was established, and to the personal
" character of Purnea, who was a Dewan or minister,
" an office he held with Tippoo Sultan; and also to the
" experienced and able men who, having held office for

" a long period in that country, were maintained in Political.
" different high stations. Since the prince has come
" of age, I regret to learn that his habits of extrava-
" gance and his addiction to vicious courses have com-
" bined to give to his government a character of oppres-
" sion and injustice, and to raise a feeling of opposition
" in some parts of his subjects, which has led to the
" direct interference of the British Government with
" his administration. I am not acquainted with the
" particulars of these transactions, and can therefore
" only state my hope that they will not lead to the
" annihilation of this power; being fully satisfied that,
" upon the whole, the inhabitants of that country, and
" particularly those of the higher classes, have enjoyed
" a happiness and consideration superior to what I think
" our system of rule, and its character as that of foreign-
" ers, could have enabled us to bestow upon them.

" With respect to the Nizam, with which coun-
" try I have been acquainted for forty years, it was,
" when our first subsidiary alliance was formed, in a
" very distracted state, being continually subject to in-
" ternal revolts of dependent chiefs, and to a dread of
" annual visitations from the neighbouring Mahrattas.
" It is difficult to calculate between the increasing evils
" which such a condition must have brought upon this
" state, and those which have undoubtedly been the
" consequence of our subsidiary alliance. There is no
" doubt that in this country our influence and support
" have paralysed the power of the prince, and given the
" sanction of our name, if not our authority, to the acts
" of oppressive ministers; and that much of what we
" have done and left undone appears to have had the

Political. "same effect of deteriorating the happiness of the peo-
"ple, and the respectability and condition of some of its
"principal nobles. Many causes have led to this
"result, on which I shall not now expatiate; one very
"prominent has been the occurrence of wars, which
"forced us on measures that, though they might have
"promoted the success of our military operations, have
"injured the internal prosperity of the country. But
"nothing can be less calculated to enable us to form a
"true judgment upon such a subject, than to dwell upon
"the evils which our system has created in a native
"state, without adverting to those from which it has
"been rescued, or looking prospectively to those in
"which it might be involved by our withdrawing from
"the connexion, or substituting our own rule. The
"decision upon such points can never be made upon
"any general principles; they are, from the cha-
"racter of our power in India, and our not being a
"national government, practical questions, and must be
"decided in each case with reference to persons and
"localities, of which it is impossible to judge except
"at the moment of their occurrence. This observation
"refers to our other subsidiary alliances, as well as
"those of the Nizam. My own opinion is, that the
"native state is only to be preserved, when connected
"with us by intimate ties, by suiting our conduct to its
"*actual condition, and by attention to a general prin-*
"ciple which equally avoids that fretting, constant in-
"terference which degrades men as instruments of rule,
"and ultimately destroys the government, through the
"*means of British agency, and that abstinence from*
"interference which inevitably leaves such states to

" destroy themselves. But considering, as I do from Political.
" all my experience, that it is our policy to maintain as
" long as we possibly can all native states now exist-
" ing, and through them as well as by other means* to
" support and maintain native chiefs and an aristocracy
" throughout the empire of India, I do think that every
" measure should be adopted that is calculated to avert
" what I should consider as one of the greatest calami-
" ties, in a political point of view, that could arise to our
" empire,—the whole of India becoming subject to our
" direct rule.

" It is my opinion that no native state can exist if we
" exact a strict observance of the terms (in a literal
" sense) of the various alliances we make. It belongs
" to good faith to interpret our treaties with considera-
" tion to the sense in which they are understood by
" those with whom they were contracted, and with every
" indulgence to their lax habits in such points. We can,
" I think, have no right, except under the most positive
" and clear breach of treaty on their part, to go in any
" shape beyond the spirit of our engagements, except
" on occasions where the public peace of the country
" under our general protection is threatened in a degree
" that calls for a change of rule as a matter of positive
" necessity, in order to preserve the tranquillity of our
" own territories and those of others. I mean, however,
" to exclude from this admission that right which has
" been often assumed with respect to our view of the
" *comparative benefit that the inhabitants would enjoy*

* I have stated my sentiments on this subject more fully in Appendix A, p. 12.

Political. "under our rule, from that which they enjoy under that "of their native princes. I am not, from my experience, "prepared to admit that this result as a general position "is founded upon truth. I particularly allude to the "condition of those superior grades of society, without "which I consider no community can long exist; and, "in a political view, I certainly must apprehend much "danger from the extinction of the higher classes. My "reasons for this opinion are fully stated in my letter to "the Secretary of the India Board (which is before the "Committee) of the 26th March, 1832. I have also "stated in that letter that the native states, who still "remain subject to our general influence and authority, "but who exercise their internal administration in an "independent manner, absorb many elements of sedi- "tion and rebellion which, in my opinion, must come "into action if their power was extinct, and more cer- "tainly, as I should expect that an apparent state of "peace might lead, from financial considerations, to the "further decrease of our military force, on the very "general but very false supposition often made, that "because tranquillity is established in a particular "quarter, troops are not required; when the fact is, "that the tranquillity is referable to the establishment "and continuance of that force, and its removal produces "the evil which it was calculated to prevent. I have "frequently heard it stated that it is consistent with the "principles of good policy to increase the territories "under our direct rule, and that upon the assumption "that we can govern them better than their actual "rulers. Some, indeed, assert that it is a moral duty "to do so. While I deny the first position, I cannot

" understand that to argue for our rights to enlarge our Political.
" Indian territories, on the latter ground, is in any
" degree different from a doctrine which would justify
" unlimited usurpation and conquest, on the vague spe-
" culation of improving the condition of a native state,
" by a process that commenced in destroying its esta-
" blished institutions and government."

The full manner in which I have treated the local administration of India, in my History of that country, in the Memoir of Central India, and the Appendix to this volume, renders further notice of the subject in this place quite unnecessary, except so far as to state, that after perusing all the evidence before the House of Commons, my opinions, as expressed in my letter to Lord William Bentinck *, of the 2d December 1830, remain unaltered. Objections have been raised to my suggestions for doing away with civil counsellors, on the ground of the check which they constitute upon the exercise of the power of the Governor-General, or the Governors of subordinate presidencies; but the power given to the latter would, in my opinion, render them an equal, if not a better check on the Governor-General, while the rules under which the Governors acted, combined with the control of the Governor-General, would establish a sufficient restraint upon their measures; but, independent of the power which I have suggested should be vested in the Governor-General and Governors, they should have that of calling into council for specific purposes the highest functionaries of each

* Vide Appendix D, p. 176, in which document this part of the subject is fully treated.

Public. department; and, if deemed expedient, their doing so might be made imperative in certain cases, in which the persons to be called upon should be specified. This brings me to the examination of a most important question relative to the establishment of legislative councils, which has recently come under discussion both in India and England.

Legislative Councils. The proposition for legislative councils came first from Bengal, where an apprehension of evils, more than their existence, appears to have suggested to the mind of the Governor-General and his colleagues the expediency of such an union of legislative power between the Supreme Government and his Majesty's Court as should prevent future collision, support local authority, and give, from the laws enacted, due attention to the claims of British subjects residing in India to the protection of British law; at the same time that those of the natives, grounded on acts of parliament, to be governed according to their usages and religion, should not be neglected.

It would far exceed the limits I have prescribed myself, to examine in detail the various modes in which it has been proposed to carry this plan into execution. I have, in my Minute on Sir John Grant's petition, which forms a number of the Appendix *, stated very fully the evils likely to result from a disposition in his Majesty's Courts at the presidencies of India to extend their power; but deeming these very great, I must think, and my opinion is formed after the most atten-

* Vide Appendix C, p. 130.

tive perusal of every plan suggested, that no improvement of the legislative branch would be effected by the proposed change, that could balance, for one moment, the serious hazards that would be incurred by its adoption. Legislative Councils.

The cause which has chiefly tended to collision between the Local Governments of India and his Majesty's Courts of Justice, is to be found in the number and complexity of the acts of parliament which have been passed in England relative to that country. There is now ample information to enable parliament to revise these acts; to cast from them all that is founded on error, or has become obsolete, and thus at once to get rid of the greatest part of their superfluities, in order to condense their useful provisions in one act: to which might be added such limitations and restrictions of the power of his Majesty's Courts, as experience has proved to be essential to the support of the authority and dignity of the Local Government, in a degree that would enable it to fulfil its sovereign functions. I can have no doubt all this might be easily effected; and quite concur in the following suggestions of Mr. Elphinstone, as stated in his letter to the Secretary of the India Board, both regarding the increased power to governors, and the limitations, in certain cases, of the power of the Supreme Court.

"The other alterations," this gentleman observes, "I would recommend in the Indian Government are "the following:—the Governors should have com- "missions from the King, as the Commanders-in-chief "have now. This would raise their dignity, especially

Legislative Councils.

"with the army, and would put an end to the supposition that the Supreme Court and the Governors represent different authorities.

"That the powers of the Governors while absent from the seat of government, but within the limits of the territory belonging to their presidency, should be explained; it is now far from distinct. The best plan would perhaps be to allow them to act independently, as they now do, or to consult, as they thought best in each case. Every facility should be given to them to move often through the country.

"The questions connected with the relations between the Supreme Court and the Government are of great importance. They have been so much discussed of late, that I doubt if I ought to enter upon the subject.

"It might perhaps prevent collision, if 1st, it were clearly fixed, that the Supreme Courts had no jurisdictions of any kind beyond the limits of Calcutta, Bombay, and Madras, except over Europeans; and if the word 'inhabitant' were directed to be used in India in the restricted sense usual in common language.

"2nd. If the Government were allowed, in all cases, to declare whether an act was or was not done with their approbation. At present an order of the Government * exempts the officer obeying it from all suit in the Supreme Court, and transfers the responsibility to the Government, but it requires that the order should be previous.

* I believe this power is at present, by the words of the Act, given only to the Governor-General. It is indispensable that it should be given to the Governors of Madras and Bombay.

" 3d. The Governor should be empowered, in all " cases where it appeared to him that the Court was " exceeding its jurisdiction, to suspend the proceeding " until a reference could be made to England. He " should be empowered to take the same step in all " cases in which he deliberately pronounced that the in- " terference of the Court would be dangerous to the " state.

" 4th. The Governor should be personally exempt " from all jurisdiction of the Supreme Court, nor should " he be liable to serve on juries, or to be summoned " as evidence, unless with his own consent. Some " alterations should be made in his present liability to " arrest for treason and felony. If the present state of " things were generally understood, it is difficult to " believe that natives, and even foreign princes, would " not attempt to intimidate the Governor, by threaten- " ing to procure charges against him, and that they " would not even bring such charges. A single charge, " supported by a false oath, would be sufficient to com- " mit the Governor to prison; thus transferring the " Government for a time, perhaps a long one, into other " hands, and greatly weakening the powers of the dis- " graced Governor for ever after.

" 5th. The Supreme Court should be required to in- " stitute a summary inquiry into the question whether " an individual complained of is subject to their juris- " diction, and not to issue process at once on the oath " of a complainant, by which means process might be " issued against independent princes, and has been

Legislative Councils.

" used to intimidate persons nowise subject to their " jurisdiction, or even to the British Government."

It would also, in my opinion, be most essential that the power given to his Majesty's Courts of Law when these were first established over native public servants should be rescinded *. The necessity which might, at an early period of the history of British India, have rendered this a good and operative check over a few individuals employed to screen their European superiors, no longer exists; and this part of the law gives an indefinite pretext for interference with an immense number of natives, which an uninformed or indiscreet judge might exercise to the serious injury of the public interests, and the depreciation of the character of the local government.

Referring to the various plans lately brought forward for forming legislative councils, of employing lawyers in the provincial administration of justice, and of remodelling existing laws to meet the changes which are anticipated from an influx of European settlers, I have, in the first place, to observe, that the principle laid down by the Committee of the House of Commons in their Report, for giving primary attention in all arrangements to the interests of the natives over those of Europeans, would, I fear, be violated by the proposed changes. That the laws and regulations for the provincial administration of our Eastern empire may, in

* At present the Zillah Courts have a concurrent jurisdiction over native servants, and the legislature by giving them the power has recognised their competence to this duty.

some points, be defective, is saying no more than we must of every human institution; but there can be no doubt that these defects are capable of remedy; and all our efforts at improvement of legislation in India should be to simplify and reduce our laws in size, in order that they may be more in accordance with the habits and understanding of those for whose benefit they are intended. This object appears to have been, in a great degree, attained by the condensed and clear code of civil and criminal law now in force at Bombay. The experience of six years gives ground to anticipate the fulfilment of those expectations in which it was framed. It has been translated into the vernacular languages of the country, and being singularly free of technicalities, is already well understood by the natives employed in its administration. According to every report I have received, this code is recognised by the population at large as a great improvement in the judicial branch of the government. Complete publicity in all legal proceedings, and a knowledge of the laws under which they live, can alone impart to the natives of India the power of appreciating the just and humane principles in which this branch of our rule is grounded. As society advances, additional laws may be framed to meet its wants; but every law not positively required appears to me an evil, and any plan that may have the effect of vexing and disturbing a population of many millions with multiplied enactments which they cannot comprehend, in order to meet the excited expectation of a few hundred of our countrymen, requires at least very serious consideration.

Legislative Councils.

Legislative Councils.

At Madras and Bengal, native Christians and Anglo-Indians have complained of being subject to laws framed and adapted for those who profess the Mahomedan and Hindoo religion. This is not the case at Bombay; the new code at that Presidency being alike applicable to men of all classes and religions; and in this instance it has departed, and, I think, wisely, from one of the principles on which our first provincial laws were framed.

It will readily be admitted that difficulties and embarrassments may be found in some parts of our territories, from the opposite systems of law to which Europeans and natives are amenable when beyond the jurisdiction of the Supreme Court; but in relaxing the restrictions which are said to deter Europeans of capital and enterprise from settling in the provinces, I must state my opinion, given with the fullest sense of the great advantages to be derived from their liberal encouragement, that I should deem the benefit to India too dearly purchased, if it was to bring along with it the necessity of such changes as have been proposed in the established system of judicature.

I fear that circumstances connected with the character and population of our extraordinary empire in the East, forbid a hope that we shall ever be able to devise a plan for the complete amalgamation of the courts of British law, and those which have been or may be enacted for the provinces. The discussions which have taken place between the members of the Supreme Government, and his Majesty's Judges at Calcutta, as well as the evidence given to the Committee of the

House of Commons, afford abundant proof of the serious obstacles which are likely to prevent the successful adoption of such a plan; but while Europeans who remain at the presidencies live under the laws of their native country, those who, from a desire to promote their private views, settle in the provinces, may have certain rights extended to them, without incurring the necessity of any serious change of a judicial system framed for the protection of the natives. It would, indeed, be most unwise to incur any hazard of injury to the interests, or offence to the feelings of the latter, on such a ground. Europeans, possessed of skill, capital, and enterprise, are, no doubt, essential to the improvement of the resources of India; but they can never from the climate and other circumstances amount to more than a slight sprinkling among the native population, and to compromise in any shape the happiness and contentment of the latter, for a small and favoured class, would neither be just nor politic. I well know no such consequences as I have stated are apprehended by those who brought forward the plans of which I am treating. On the contrary, they desire and seek as anxiously as I can, the happiness and improvement of our Indian subjects; but our opinions differ, and the means they propose as likely to promote these objects are, in my mind, calculated to produce a quite contrary result. It is for such reasons that I am not disposed to assent to any of the plans brought forward for the establishment of permanent legislative councils, in order to revise or frame regulations. I consider the occasional nomination of such councils or committees, as likely to be of the greatest utility; and

Legislative Councils.

Legislative Councils.

with regard to the persons of whom they are to be composed, they might be specified * with a latitude of selection given to the government. There can be no doubt that sufficient talent and information could always be commanded in India for this duty, in the performance of which I consider that a person of general knowledge, including legal, would be most valuable, for it is important that all regulations should be in accord with the spirit of British law, though differing from its forms. It would be of the greatest advantage, however, as was proved at Bombay, that such a person † should have become by residence in India, divested of some of his English prejudices, and that he should add to his other attainments, that of Oriental knowledge. I should also deem the aid of able natives of much importance in such committees. There is no branch of our administration in which that minute knowledge they possess of their own laws and usages as well as of the general character of the population, could be of more use than in the execution of such a task, and I am satisfied many and serious errors may be avoided by their employment.

Unless when it is wished to frame or revise a code, or

* If a lawyer was required on such a council or committee, the Advocate-general of Government might be specified as a person to be called upon to aid in performing the responsible duty of framing or revising laws. The reasons against any of his Majesty's Judges forming part of this council, appear to me very strong, on the ground of the objection of vesting judicial and legislative powers in the same person.

† To aid the able servants in the fiscal and judicial branches of administration, who were appointed to frame a new code of laws, Mr. Elphinstone selected Mr. William Erskine, a gentleman who added to legal and literary acquirements, an intimate acquaintance with the knowledge, character, and languages of the natives of India.

in cases where alterations become necessary in the frame of our judicature, such as lately took place in extending the powers of native judges, additional laws are seldom required for a community, the progress to change in which is very slow. This fact is established by the evidence of Mr. Auber, the Secretary of the Court of Directors. That gentleman states, that from the year 1793 to 1830, while there were 5019 public and general laws enacted in Great Britain, 4622 local acts, and 2627 private acts, making in all 12,268 Acts of Parliament, there was only 1177 in India, though the period includes the establish ment of three new codes *, and the population for whom these laws were made, exceeds four times that of England. These facts show very forcibly the great distinction which exists in the character of the society for which it is desired to legislate; and I must believe, that if persons with habits and knowledge drawn from such different sources as English and Indian law, are formed into a permanent council, with power to revise, modify, and enact civil as well as criminal laws, we shall have our codes enlarged in stead of being reduced, and the ends of justice as far as the Indian part of the community is concerned more embarrassed than promoted. Legislative Councils.

No arguments I have yet seen have reconciled my mind to so hazardous an experiment as that of admitting English lawyers in any mode to a share of the provincial legislation of India; I speak with deference

* The Madras code was established after 1793, as were the late and present code of regulations at Bombay.

Legislative Councils.

and respect of his Majesty's judges in that country, as well as of those who practise in their courts, but their education, their feelings, their peculiar knowledge, and the whole bias of their minds would, in my opinion, tend to unfit them for such duties. It is true they would be associated with able public officers, whose life had been past in administering a system of jurisprudence, grounded on attention to the usages, prejudices, and religion of the natives,—but opposite habits would often create serious difference of opinion; and the civil servants of the Company, however superior in local information and knowledge, would be unable to cope * with their legal colleagues on points which involved the consideration of the principles and practice in British law. I recorded † my sentiments upon this subject before I left Bombay.

"It appears, I observed, by a late communication

* In every case where judges, lawyers, and civilians, were mixed in the proceedings of the provincial courts, I should anticipate the result which Mr. Ross (now a member of the Supreme Government) apprehended, in the event of a court or chamber being constituted, in which one or two judges of the Sudder Adawlut were associated with his Majesty's judges, to decide in cases in which the two courts had concurrent jurisdiction, as also with the opinons on which his judgment is founded.

"I apprehend (he observes) a tribunal of such composition would not "work well. The local experience and knowledge of the Sudder judges "would not probably be thought by the judges of the King's court suffi- "cient ground on which to form a decision, when local information as to "any particular point which it might be necessary to establish could be "obtained by the examination of the witnesses. The judges of the Sud- "der, therefore, could afford but little available aid to the judges of the "Supreme Court, whilst the only effect of the superior legal wisdom "of the latter would be to *dumbfound* the common sense of the former."

† Vide Minute of the 10th November, 1830, in Parliamentary Papers, Judicial IV. Appendix 4. p. 519.

" from the Supreme Government, that discussions have " taken place between his Lordship in Council, and " his Majesty's judges of Calcutta, regarding the " improvement of the present system, with the object " of forming one that will blend more than they now " are, the powers of the Supreme Court and those of " Government. I can anticipate no good that could " result from such amalgamation that would not be far " outweighed by the evils. Collisions might, no doubt, " be avoided, and courts of British law might be dis- " armed of many feelings that were unfriendly to the " local authorities, if English judges and lawyers were " admitted to a share in the judicial branch of adminis- " tration in the provinces; but their education and their " whole turn of mind would be at variance with many " parts of the established system, and the changes " they would seek must be with a leaning to the ex- " tension of the forms and principles of the law they " best understood." Legislative Councils.

" They would be slow to admit the value of many " of the institutions of the natives, or the inflexibility " of their usages. They would judge of the character " of the inhabitants of distant provinces by those of the " presidency where they dwelt. All this is natural; " men cannot resign, as circumstances require, feelings " and opinions imbibed in youth, and cherished to age. " After a certain period of life, neither languages nor " knowledge of a novel character are easily attained; " and much less when the laborious pursuit of a pro- " fession, like that of law, affords not one moment of " leisure. Notwithstanding these facts, however, the

Legislative Councils.

"knowledge such persons attained, and the opinions "they gave, would have more weight in England, with "numbers, than those of the most experienced public "servants in India. They would be more suited to all "who were not minutely acquainted with the details of "Indian government, and the character of its subjects; "but beyond all these results, I must think that the "introduction of such persons into the higher branches "of the administration would progressively depress and "deteriorate the civil service."

There is no part of the Government in which the proposed changes would have a worse effect than in fettering, still more than at present, the exercise of that latitude of power with which it is so necessary to vest magisterial and fiscal officers.

The happiness and prosperity of the inhabitants of India depend far more upon the establishment of a good police and well-understood regulations for the collection of the revenue, than on the civil and criminal laws. The latter, grounded on general principles, apply to the whole population of an extensive country; but the former must be adapted to the character, the condition, and the peculiar rights and usages of the inhabitants, as well as the nature of the soil, and the general features of the provinces in which they dwell. These vary in almost every part of our vast possessions; and to our vain efforts in forming general systems to suit the whole population, I ascribe the frequent failures which have occurred in these essential branches of our Indian government. It may be thought by some that permanent *legislative councils would obtain and digest*

all the information necessary upon such points, and after examination of claims, usages, rights, and tenures, frame laws calculated to meet the wants of the people and the objects of good rule; but it is exactly on this point that I am most alarmed at the effects of the active zeal and desire to enact laws of a permanent legislative council. A long period must elapse before we have sufficient correct materials for such a council to work upon; for every man of knowledge and experience of India must confess that we are as yet much in the dark on those points on which such legislation should be grounded. Every new inquiry that descends minutely into the condition of a town or district in India, or into the habits and history of a community, brings along with it proofs of our ignorance. Government, with the aid it can command, may, in a course of years, through patient inquiries, conducted by men personally and locally suited to the task, obtain materials for framing regulations better suited than those now existing to the various tribes and classes of our extended territories; and when such information is complete, it could assemble when required a competent council or committee to revise the old or frame the new laws, without adding to the machinery of a government already too complex, the additional embarrassment of a permanent legislative council; for the establishment of which, I confess, I can see no necessity, as far as relates to the good rule of our Indian possessions.

Legislative Councils.

The existing system of appeals to the King and council from India certainly requires to be changed. *It is at present, from its delays, felt as a great grievance*

Legislative Councils.

by our Indian subjects. It would be favourable to them to have the last appeal in India; and there would not appear any serious objections to the union, in a Court of Appeal, of the heads of the Local Government and His Majesty's judges, which would effect this object: but if that cannot be done, it would seem expedient that a portion of His Majesty's Privy Council might be selected of persons*, to hear and decide promptly on such appeals, who combined knowledge of the proceedings of our provincial courts with those of English law; and this measure would be of further advantage, as it enabled Government to employ, without expense, men eminent for their knowledge of this branch of Indian government; and who, having already pensions from Government or the East India Company, would be sufficiently rewarded by the honour conferred upon them in being nominated privy councillors, and having an opportunity of being useful to their native country.

The system of legislation established for India is a question ultimately connected with that of colonization, or rather the influx of European settlers into that country; for as to colonization in the broad sense that term is understood, I deem it alike impossible from the climate and the occupation of the soil by natives, whose rights cannot be infringed, and whose habits, diet, clothing, and limited wants, render it impracticable for any European under the rank of a mechanic or artisan

* This Court of appellant jurisdiction would be best formed of his Majesty's judges who have been in India, and eminent civil servants of the Company.

to gain a subsistence. Of the importance of encouraging the settlement in the provinces of India of Europeans, possessed of capital and skill, I am quite convinced, and the measures I proposed and carried into execution, when lately at the head of the Government of Bombay, fully prove this fact; but important as I deem this object, there are others which are more so; viz., the protection of our native subjects, and the maintenance of the peace and prosperity of the country. Neither of these must be hazarded, and they both would, if Europeans could proceed to the interior without being completely subject to the authority of the Civil Government. Many restrictions would be necessary, but laws and regulations might be framed to meet their peculiar condition. They are and should remain subject in civil cases to the provincial courts. At present all criminal offences of Europeans, not military, are cognizable only by the Supreme Court at the presidency. By an act * recently passed, military men guilty of capital crimes, committed beyond one hundred and twenty miles from any of the presidencies, can be tried by a court-martial. The legislature have recognized, therefore, the principle of such a system with regard to English officers and soldiers, and there would appear no solid objection to vest a commission of Europeans acting under a regulation carefully framed to try such settlers. It is in the option of the latter to submit themselves to such authority, and they must be prepared to make what they may deem sacrifices for the advantages they seek.

* Vide Act 4 of George IV. Cap. viii. Sect. 2.

Legislative Councils.

My limits will not permit me to enter further upon this part of the subject; and I shall only add, that if such settlers are not made amenble to the laws of the provinces in which they dwell, we may anticipate, from their increasing numbers, and their collision with the natives and local authorities, serious injury to those impressions of the strength of the Government, upon which its power of protecting its native subjects, and maintaining the peace of the country, is chiefly grounded.

The extraordinary rise of our power in India has caused many and strange anomalies; but there is none so irreconcilable to every principle of government as that part of the present constitution which places his Majesty's Courts of Law in all cases completely beyond the control of the Local Government. I am by no means an advocate for interfering, in any shape or degree, with the independence of his Majesty's judges in India; but I do not think this would be affected by vesting the Supreme Government of that empire with a power to suspend or arrest any process of the Court, which it considered to involve danger to the state, pending an appeal to England. This evil cannot arise in England, as the authority of Parliament is supreme, and can, in extreme cases, *remedy it by enactments. The possession of such* power by the Government would, in all probability, prevent the necessity of its ever being exercised; but if it was, it must be under the heaviest responsibility.

It would neither suit the purpose nor limits of this work to enter into any detail of the existing branches

of the general administration of India, or to examine minutely into the degree in which that has tended to preserve the allegiance and promote the happiness of the population of that country; but considering how much these may be eventually affected by proposed changes in the judicial branch of our administration, I must repeat the general opinions I have before given on this subject *. Legislative Councils.

"The most important of the lessons we can derive "from past experience is to be slow and cautious in "every procedure which has a tendency to collision "with the habits and prejudices of our native subjects. "We may be compelled by the character of our govern- "ment to frame some institutions different from those "we found established, but we should adopt all we can "of the latter into our system. The progress of our "power has been favourable to the commercial com- "munity, and to some of the poorest and most defence- "less of our subjects; but it has been the reverse to the "higher orders of the natives, and to the military "classes. On the remedying of these defects, the "duration of our dominion will in a great degree "depend. From the success of our arms in extending "it, we have lost the great advantage that we before "had in the contrast of the misrule and oppression of "former governments. *This loss can be repaired only* "by that security which we may obtain through the "wisdom of our internal government; but that should "*be administered on a principle of humility, not of* "pride. We must divest our minds of all arrogant

* Political History of India, vol. ii. p. 185.

Legislative Councils.

" pretensions arising from the presumed superiority of " our own knowledge, and seek the accomplishment of " the great ends we have in view by the means which " are best suited to the peculiar nature of the objects. " By following another course, we may gratify self-love; " we may receive the praise of each other; we may be " applauded in England, for the introduction of plans " and institutions which Englishmen understand and " appreciate; but neither the abstract excellence of our " systems, nor the industry, purity, and talent of those " employed in carrying them into execution, will avert " the evils which must result from every measure that " is in opposition to prejudices so fixed, and habits so " rooted, as those of the natives of India. That time " may gradually effect a change there is no doubt; " but the period is as yet far distant when that can be " expected: and come when it will, to be safe or bene- " ficial, it must be, as these pages inculcate, the work " of the society itself. All that the Government can do is, " by maintaining the internal peace of the country, and " by adapting its principles to the various feelings, " habits, and character of its inhabitants, to give time " for the slow and silent operation of the desired im- " provement, with a constant impression that every " attempt to accelerate this end will be attended with " the danger of its defeat.

* * * * *

" To conclude *, it is not from ephemeral publications, " nor from the desultory efforts of talent without expe- " rience, and enthusiasm without judgment, that we are

* Political History, vol. ii. p. 322.

" to expect the improvement of the natives of India. " Such may dazzle and attract individuals, and form a " few bands and societies who, proud of their imagined " superiority, separate themselves from the population " to which they belong, and thus create a collective " body, powerless to effect good or great ends, but " efficient to work much evil. The change we seek, to " be beneficial, must be general; it must be wrought " by the society itself, and come as the result, not as the " object, of our persevering and unwearied labours. By " the extreme of care in the selection of those who are " to rule over this people, who are to command our " armies, and to distribute justice; by stimulating the " zeal and ambition of those employed in the public " service; by liberal encouragement to commerce, and " to the introduction of the useful arts of civilized life; " by addressing ourselves not only in the substance but " mode of administration to the understanding and feel- " ings of those we have to govern; by useful public " works; by a moderate assessment of revenue from our " subjects, and toleration of their religious and super- " stitious usages; by institutions founded on sound and " solid principles; by raising into consideration and " distinction those of the native population whose ser- " vices, superior talent and integrity, or weight and " influence with their countrymen, make it wise and " politic to elevate; and above all, by governing our " vast territories in India with more attention to their " interests, and to the character and condition of their " inhabitants, than to the wishes and prejudices of those " of England, we shall succeed in ultimately accom-

Legislative Councils.

"plishing every plan now in progress for the benefit of "this singular and great empire. But the conduct and "direction of all these plans must be left to the local "administration, the members of which, anxious as they "must ever be for their reputation and good name in "their native land, will be found more desirous to "accelerate than to retard the march of improvement. "We may change the character of the natives of India "in the course of time, but we never can change the "character of our government over that country. It is "one of strangers, and cannot endure but in the shape "in which it now exists, well regulated, but absolute; "acting under the strictest responsibility in England, "but vested with a power in India efficient to prevent "and repress every danger to which it may be exposed "from the intemperate zeal, the contumacy, or the op-"position of its subjects, as well as from the machina-"tions or the aggressions of its enemies."

Military.

Considering the importance which attaches to every question connected with the large armies in India, and particularly the native branch, I have given in the Appendix* my letter to the Secretary of the India Board upon this subject, which, with its enclosures, comprising a memoir of the native army, a letter to Lord William Bentinck, and a minute on the Bombay† army, which, combined with what I have

* Vide Appendix E, p. 186.

† The enclosures to my Minute on the Bombay army of the 25th of March, 1828, containing the details on which it is grounded, are omitted,

stated in the Political History of India, will show my opinions upon this subject. I shall, therefore, limit myself to a concise recapitulation of the points which I have at different periods pressed upon the attention of Government as essential to the temper, character, and efficiency of the army of India. Military.

On the European infantry of the Company's forces, I have stated my sentiments very fully in the Political History of India. When questioned, at the renewal of the Charter in 1813, regarding the policy of maintaining this branch, I replied, that "the character and "feelings of the officers of the Company's army have "been injured by a former reduction of the European "part of the establishment, and that injury to their "feelings, and to their character and respectability, "would be added to, and indeed completed, by the "reduction of the remainder; and that a more serious "injury could not be inflicted than one which added to "a distinction which has often produced jealousy, I "mean King's and Company's, that of European and "native."

I further observed, that "any measure, which tended "in any shape or way to lower the character and "diminish the respectability of European officers with "themselves, must, of course, be gradually commu-"nicated to the men under their command."

I stated in this evidence, that the low character of the native branch of the French army in India pro-

as they would have swelled this volume too much. Theyare to be found in page 355 of the Military Appendix P, of the papers recently printed for Parliament.

Military. ceeded in a great degree from its separation from the European, and being deemed inferior. I also gave my opinion that the European branch of the Indian army should be increased instead of being reduced. Alluding to this point in my examination before the House of Commons, in 1813, I observed, " that I was convinced " the feelings cherished by the Company's officers were " for a system that would produce emulation with his " Majesty's troops, not jealousy; and that if they felt " the loss of Europeans, it was because they had lost, " among other things, the power and opportunity of " competing for honest fame, in the front of battle and " in the breach, with his Majesty's officers serving in " India, from which they were in some degree ex- " cluded, as European troops were in general em- " ployed upon services of the greatest glory and danger. " It seems impossible (I added) but that officers, with " that advantage which the circumstance of their com- " manding Europeans gives them, must feel a supe- " riority, and the other service must feel a consequent " depression. I conceive (I added) that the bad " effects which I have pointed out, from any service " in India being exclusively native, would be equally " felt whether that service belonged to the Crown or " to the Company."

The opinions I gave on this occasion were subsequently confirmed by other evidences, and most decidedly by Sir Thomas Munro. The same sentiments were entertained by the late Sir Barry Close, than whom no man was more competent to pronounce a sound judgment upon such a question.

Many causes have recently * operated to the disadvantage of the Company's European regiments. Into these it is unnecessary to enter: suffice it to say, that if placed and maintained on a footing which their importance as a branch of the Indian army demands, there is no reason whatever why they should not be as efficient in every respect as his Majesty's regiments; and it is in my opinion most essential that the local part of the European infantry employed in India should be increased to at least twelve regiments, and it would be very expedient to add one of cavalry. These corps should not be attached to any presidency. They would be employed, as required, in every part of our territories; they would serve—and in this point of view the regiment of cavalry is essential—as a medium for officers of the King's and Company's army to exchange under the regulations I have elsewhere suggested †: and as a preliminary to the formation of that link of union between the two services which this branch would become, the additional corps raised to complete them might be composed, in the first in- Military.

* The measure lately adopted by the Supreme Government, of forming two regiments of the Company's European infantry into one corps, was dictated, I believe, by considerations of economy, and was deemed practicable from these regiments being so weak in privates. The officers, though doing duty together, have distinct rise in their respective regiments. The consequences have been inequalities of promotion, changes, and supercession, which have led to much discontent and embarrassment in the incorporated corps at Bombay, many of whose officers have recently sent memorials, stating their own grievances, and the bad effects on the discipline of the corps, consequent on an arrangement which I do hope will probably be of short duration.

† Vide Political History of India, vol. ii. p. 211.

Military. stance, of half King's and half Company's * officers. As the permanent establishment of this corps would make a diminution of his Majesty's regiments, I can see no solid objection to the Commander-in-chief of his Majesty's forces having half the patronage of cadets to this branch of the Indian army, though he could have no further interference with its details or promotions. It would be another great recommendation of this arrangement, that it opened a path for officers of his Majesty's army, who were competent, from knowledge of the languages and service in India, to attain staff situations, in a mode that would not affect the interests of the Indian army, which would be liable to the most serious injury if the claims of King's officers were generally admitted to such appointments. The reasons of this I have stated at full in the Political History† of India. It arises out of the different constitution of the two services; and while it must be admitted that cases continually occur which operate very hardly upon the officers of the King's army, those of the Company have a just ground for watching with an extreme of jealousy every attempt at encroachment which might open the door to their fair claims being set aside for those who had more advantages from favour and connexion.

When in England, during the agitation of the Charter in 1813, and at subsequent periods, I urged several measures connected with the improvement of

* This plan was adopted when four regiments—the 74th, 75th, 76th, and 77th—were sent to India.

† Vide Political History, vol. ii. p. 212.

the military service in India, some of which have since been adopted, but others, to which I attached much consequence, have not. Among these was that of admitting the right of being employed on general service in every quarter of the globe, of the officers of the Company's army after they had attained the rank of Colonel. This was proposed more than forty years ago by Lord Cornwallis. It was known to be quite accordant with the opinions of the Duke of Wellington; and the Duke of York, in the plan he prepared for the regulation of the local army in India, in the event of its transfer to the crown, suggested this measure as one essential to maintain its elevation. Assuredly the operation of this principle is much more required, should it be determined that the national interests demand the army to be continued under the authority of the Company. This boon would greatly elevate the Indian army—it could inflict no injury upon that of his Majesty. The employment of such officers on general service would be most rare, and could hardly be contemplated as likely to occur, unless in cases when their exclusion would be a public misfortune*. Military.

In 1816, I suggested to the Duke of York, through Sir Henry Torrens, the expediency of nominating an Aid-de-camp to the Prince Regent from the Company's service. It is unnecessary to enter upon the minute

* Supposing the Duke of Wellington had been in the Company's army, and had established his military reputation, as he actually did, in India, his sovereign could not have employed him on the continent of Europe, and his country (I might say the world) would have lost the incalculable benefits of his great achievements.

Military. parts of this proposition. I detailed its objects, and the mode in which this distinction might be conferred without violating that principle of the Indian army which guarded its officers from supercession through the means of interest and favour.

The following paragraph of a letter from Sir Henry Torrens to me will sufficiently show the liberal view which the Duke of York took of this subject. "His "Royal Highness feels," Sir Henry observed, "that "every proper attention is due to the Company's army; "and although, on the first view of the question, it oc- "curred to him that an awkwardness might attend the "appointment of an Aid-de-camp to the King from that "service, while the rank in his Majesty's service was "limited to the eastward of the Cape of Good Hope, "still he thought it so important to hold out the feather "of distinction to the service, as to obviate any such "objection, and to preclude him from opposing it."

It is to be regretted that this measure has not been adopted, for it would, as a mark of royal favour, elevate the Indian army. The share the officers of that service have attained in the Order of the Bath has been attended with the happiest effect; but regulations are required which will secure the distribution of that military honour upon principles which efficiently guard against any errors being committed in its just allotment. If not, inattention or want of information may convert what is a source of pride and gratification into one of discontent and disappointment. Statements of comparative claims should come from the Commanders-in-chief of the armies in India, through Government, to

the authorities in England. These reports might be subject to the examination of his Majesty's Commander-in-chief in England, whose opinion should have great weight, regulated as it would of course be by the principles on which similar honours were conferred on his Majesty's officers. Military.

About the same period I made the proposition regarding an aid-de-camp to his Royal Highness the Duke of York. I suggested to some of the principal Directors the nomination of an adjutant-general with a limited establishment at the India House. This suggestion was not adopted; but as subsequent experience has confirmed my impressions of the expediency of such an arrangement, I shall state the heads of the plan I proposed.

The object stated was to remedy a common and just complaint of officers who have business at the India House, that they know not where to go; that they are often kept waiting in the lobby or porters' rooms; and that, though they were treated with kindness by gentlemen at the heads of offices to whom they were introduced, or made themselves known, their claims to official attention from their rank or services were in no shape whatever recognized. They felt, in short, even the notice they received, and the attention paid them, more as the result of individual favour than as a right.

This defect, and others, affecting the tone and temper of the Company's officers in England, as well as improvements in the management of military details, would be effected by constituting a military office at the India House, consisting of an adjutant-general of the

Military. Company's army in England; a deputy adjutant-general, and an assistant deputy adjutant-general; the adjutant-general to be an officer on the effective list not under the rank of colonel. This officer to hold his station for a period of three or five years, as might be settled; and to receive a staff allowance, independent of the pay of his rank.

The deputy adjutant-general to be an officer either on the effective or retired list, not under the rank of lieutenant-colonel; to hold his station for three or five years, and to receive a staff allowance.

A regulation to be made to prevent any officer holding the appointment of adjutant-general or deputy adjutant-general, that had been absent, at the period of his nomination, more than five or seven years from India; otherwise one of the chief objects of this establishment might be defeated, which is to obtain a succession of persons at the head of the office who were fully acquainted with the actual condition of the army, and the character and pretensions of its officers. To prevent, however, any inconvenience that might arise from the removals which this regulation would occasion, or the possible inexperience of the principals in the forms of current business, it is proposed that the assistant deputy adjutant-general be selected from the half-pay, or retired list. This officer not to be under the rank of captain; to have a staff allowance, and to hold his station * as long as he is capable of performing its duties.

* If the offices of paymaster of Clive's Fund, and inspector of the recruiting department, as well as that of inspector of stores, were combined with the adjutant-general's department, it would make the increased

The proposed duties of this office were as follows :— To contain in its records all military regulations at home and abroad, and copies of all government and general orders published in India. Military.

To be at the head of the military depot at Chatham; to supervise all establishments connected with the military branch in England, and especially that of furlough of officers; and furnishing returns, statements, &c., in these branches, to be laid before the Court by the secretary in the military department, who would be relieved by this office of many details.

There should be attached to this office a convenient waiting-room for military officers who had business at the India House. It should be the official duty of the adjutant-general, or, in his absence, of the deputy, to introduce all officers who required it to the Chairman of the Court of Directors, at such stated periods as the Chairman deemed proper to appoint for that purpose.

These points, I concluded, were not alone of consequence as they would gratify the feelings and proper pride of meritorious individuals,—they are calculated to promote the general reputation and character of the service, which must rise in proportion with every means taken to bring into notice and regard in their native country those who have distinguished themselves in India.

All official applications from officers on furlough were proposed to come through this office, and the Adjutant-General might also be made the medium of

expense very trifling; as the officers now filling such stations would have no additional duty which would require increase of salary.

Military. communication with the Governor of the Military Seminary at Addiscombe, and his Majesty's officer at Chatham, with whom the engineers educated at that institution are placed previous to their embarkation for India. Nothing can be better regulated or more completely meet the objects for which they were instituted, than these excellent establishments, as well as the recruiting depot; and it is far from my intention to detract from the efficiency of the military department at the India House. No office can better perform than it does its various and important duties, but those I have suggested for the Adjutant-General's office are of a nature it cannot fulfil. An able and experienced officer, at the head of such an office as was proposed, would, from the information he possessed, and his knowledge of the character of officers and of all military arrangements, be a great aid to the Court in this branch; for while he efficiently checked irregular or improper applications, he would, by giving attention where it was due and answering references, be able to preserve temper in a class of individuals whose feelings and habits render them prompt to construe inattention or strict observance of rules into indifference or neglect.

Considering the changes that have occurred since this proposition was made, and those that are contemplated, my suggestions will, I trust, meet with more attention than they formerly did. The plan proposed would involve very slight expense, for the officers now employed, as well as the clerks in the departments it embraced, would be sufficient. Its establishment would relieve the office of the Military Secretary from nume-

rous petty details, and those at its head would be more at liberty to give their undivided attention to the important questions constantly before them relating to an army of 240,000 men. Military.

I have, in the Appendix as elsewhere, stated my opinion, that the Indian army can never be in a healthy state till the commandant of a corps is made, in point of allowance, superior to every situation on the staff, except the head of a department, and I have also recommended, that a certain portion of regimental service be indispensable to the attainment of such command, and the enjoyment of off-reckonings; but the point to which I attach most importance in the actual condition of the Indian army is that of an arrangement by which the senior officers of the Company's army may attain high command at a period of life when they are able to discharge its duties in an efficient manner. The character of the local army, and, as associated with it, the interests of the State, require this to be effected, and it has, I am happy to think, attracted very serious attention.

I suggested that lieutenant-colonels of twelve years standing should be made eligible to be employed on the general staff, and that the same promotion might be given to His Majesty's officers of similar rank. This object may perhaps be effected in other and less objectionable modes; but until it is, the Company's service will be seriously depressed, and particularly as long as old lieutenant-colonels are appointed to His Majesty's regiments in India. It is, as I stated in my evidence before the committee of the House of Commons, essential that an European regiment of 1000

Military. men should have a full complement of field-officers, but unless some steps are taken to prevent the supercession of the Company's officers, this, however necessary it may be, as connected with the discipline of the corps, will operate as an aggravation of injury to the Company's officers.

With regard to the native army, my sentiments are given very fully in my History of India*, and the Appendix†. The evidence given before the committee of the House of Commons, regarding the policy and necessity of improving the condition and elevating native officers, will, I trust, lead to a confirmation of what has been done and proposed for this object at Bombay. At Madras, the subject has always met the greatest attention. The circumstances under which the Bengal army is recruited, and other causes, have prevented the same consideration being given to this point at that presidency; but having commanded a native force of that establishment, and being for many years familiar with the character of the excellent soldiers of whom it is composed, I can decidedly pronounce, that there is no class of men among whom rewards and honours would have more effect in exciting their zeal and confirming their attachment. Measures calculated to encourage this class of our army are more necessary at a moment when a wise and liberal policy has led to our elevating, by every means within our power, the native officers employed in the civil branch of the administration. That the latter should, from the character of their *duties, have higher pay, I am ready to* admit, but cer-

* Vide vol. ii. p. 255. † Vide Appendix.

tainly they are not more entitled to distinction than vete- Military.
ran soldiers who have become prominent by their conduct and valour. We are greatly deceived if we think that native officers do not feel the comparative neglect with which they are treated; a sense of it produces discontent in some, indifference in others, and an anxiety in all to escape the toils of duty whenever the period of their service permits. I shall only add upon this subject, that if we desire to secure the main link by which we hold the attachment of the native army, we must lose no opportunity of noticing and rewarding those among them who are most distinguished, and these rewards and honours it will be more necessary to extend, when the three armies of Bengal, Madras, and Bombay are formed, as I trust they soon will be, into one service. I have elsewhere so fully stated my opinion of the great political advantages that would attend this amalgamation of our native forces that I shall not dwell upon it in this place. Numbers who admit that it is, on many grounds, desirable, have an impression that such general employment would be hostile to the feelings and habits of the native troops. In answer to this objection, suffice it to state, that native Bengal corps served in our campaigns on the coast of Coromandel. They long furnished the subsidiary forces at Hyderabad and Nagpore. They are now on the Nerbudda and the frontier of Guzerat. The Bombay army is chiefly composed of natives of Hindostan, and the Madras army has numbers of those men in its ranks. The Madras and Bombay native infantry and cavalry were as satisfied in Malwa, and the Deccan, and Nagpore, and would have

Military. been so in Hindostan, as in the Concan or Carnatic. Almost all the regular infantry of D. R. Scindia, amounting to 40,000 or 50,000 Hindostanees, as well as those of Holkar, were in the Deccan nine or ten years, from 1794 to 1807, and I never heard from our troops or those of native forces a murmur on the ground of distance from home. It is, in my opinion, politically expedient that our native army be in the habit of serving in every part of India, and far from desirable that they should remain in the vicinity of the provinces of which they are natives.

Many persons are disposed to think that the native branch of the army has of late been deteriorated, but I am not of this opinion. Taking a general view of its actual condition, I think it never was more efficient; but I must add, that to preserve it in that state was never more difficult. The necessary economy which has been introduced into all branches of military expenditure has lessened numbers, and increased duty. Those exciting events which animate armies have, happily for the peace of the country, in a great degree ceased; but we must not repose too securely upon that state of tranquillity. In an empire like that of India we are always in danger, and it is impossible to conjecture the form in which that may approach; but secure of the fidelity of our native troops we may bid it defiance: if that support ever failed us, our power would soon be at an end.

I cannot better conclude this part of the subject than by repeating the opinions I formerly * gave upon the

* Vide Pol. Hist. of India, vol. ii. p. 236.

character of our native troops, and the means by which we can best preserve their fidelity and attachment. Military.

" The men who form the native army of the Com-
" pany are almost all sober, and of good conduct in
" private life. Drunkenness, as a general vice, is, in-
" deed, unknown; and notorious immorality is rare.
" But their virtues are more of a passive than an active
" nature. They consist more in forbearance, from fear
" of offending against their civil institutions and the
" rigid tenets of their religion, than from any sense of
" the beauty of virtue, or the deformity of vice. These
" men appear, in many cases, hardly to consider them-
" selves as free moral agents; they often blindly resign
" their judgment to the law of usage, the dictates of
" their priest, or the influence of their superiors in
" cast or station; and under such influence, they
" change, in an instant, their mild, inoffensive, and
" pliant character, for that of the most determined ob-
" stinacy and savage ferocity.

" All the natives of India, but particularly those of
" military classes, are fond of show and of high titles;
" and they often seem to prize the semblance almost
" as much as the reality of power. It is indeed sur-
" prising to see the consequence which they attach to
" every mark of outward respect, especially when be-
" stowed by their superiors: and, partaking of the
" character of his countrymen, the native soldier of the
" Company, intelligent and quick in his conception,
" full of vanity and a love of pre-eminence, if not of
" glory, is of all men the most sensible to attention
" or neglect. Though the climate disposes him to in-

Military. "ertness, and his frame is seldom very robust*, he "may be flattered and encouraged to make the most "extraordinary exertions; while harshness or cruelty "serves only to subdue his spirit, and sink him into "apathy, if it does not rouse him to resentment.

"It may be stated as the result of the fullest expe- "rience, that the native troops of India depend more "than any in the world upon the officers who com- "mand them: when treated by these with notice and "kindness, and when marked consideration is shown "to their usages, they become attached, and evince, on "all occasions, a zeal and valour that can hardly be "surpassed; but when they have not confidence in "those who command them, when they are made "secondary, or treated in any manner indicating a "want of reliance on them; much more when any act "of their commanders betrays ignorance or contempt "of their prejudices or religion, they become spiritless "or discontented. This is the natural consequence of "their condition, as mercenaries of a nation with whom "they have no ties beyond those that compel them to a "cold performance of their duty, and such as they form "with their immediate officers; but able leaders, who "understand how to infuse their own spirit into those "they command, find no difficulty in making what "impressions they desire on the minds of men, whose "education and sentiments predispose them to partici- "pate in every feeling associated with military fame "and distinction.

"An army so constituted, and formed of men of

* The Bengal native soldier is an exception.

" such tempers, may appear very susceptible of being Military
" corrupted, and made instrumental to the destruction
" of that power which it is employed to protect; but of
" this there is no danger, unless in the improbable
" case of our becoming too presumptuous in what we
" may deem our intrinsic strength, confiding too ex-
" clusively in our European troops, and undervaluing
" our native army. From the day of that fatal error,
" (should we ever commit it,) we may date the downfal
" of our eastern empire. Its finances would not only
" sink under the expense of a greatly-increased Euro-
" pean force, but the natives of India in our ranks
" would lose the opinion which they entertain of their
" own consequence to the government they serve, and
" their whole tone as an army would be lowered in a
" degree that would impair our strength far beyond
" any addition it could receive from the superior effi-
" ciency and energy of a few more English regiments.

" The employment of native troops associated with
" Europeans is a point that merits the most serious
" attention. The ablest of those commanders who
" have led them to victory, however impressed with a
" just sense of the superior courage and energy of a
" British soldier, have carefully abstained from every
" act that could show the least want of confidence in
" the native part of their force, or convey to the latter
" an impression that they were viewed in a secondary
" light. By mixing them in every operation with
" English troops, they have succeeded not only in ex-
" citing an emulation and pride in the minds of the
" native soldiers, which greatly added to their efficiency,

Military. " but diffused a spirit of cordiality and good feeling, " not more calculated to promote the success of their " immediate operations than the general interests of " the empire."

Public. The benefits to be derived from rapid communication with India, the improvement of the commerce with that country, and its financial state, are subjects better understood, and of more immediate interest to the generality of English readers, than its local administration.

I have, in the Appendix *, given my opinion on the employment of steam-vessels in India. There is no country in which more advantages may be anticipated from the introduction of this species of navigation, and no time should be lost in establishing it as a means of rapid communication between India and England. The policy of this measure being undoubted, it is reduced to a question of expense†. It should certainly be carried into execution in the most economical manner that it can be, consistent with efficiency; but the expense should not prevent, or even delay, its establishment, for no calculation can reach the advantages which may occasionally be obtained, or the evils which

* Vide Appendix A, p. 37.

† Though the efforts of the Bombay Government to find useful coal in the country of Cutch have not been as yet successful, the last report by Mr. Macculloch, a scientific young officer, who died in the prosecution of this discovery, gives reason to hope that the object will still be accomplished. Whenever it is, it will greatly reduce the cost of steam communication with India, as the coals would be conveyed from Cutch to the coast of Arabia or the Red Sea, at a very trifling cost.

may be averted, by having intelligence brought from India, or conveyed to that country, in seven or eight weeks, instead of four or five months, as at present. But setting aside even the probability of such emergency, the nature of that minute supervision which the controlling authorities in England have, of late, exercised over every branch of the Indian Government, requires, on account of the public interests, the most rapid communication; and that is equally necessary to promote those of individuals engaged in commercial concerns, which, under contemplated changes, may be expected to increase, though probably not in that ratio which sanguine speculators anticipate. Public.

Many persons, in considering the recent extension of our commerce with India, are apt to forget the influence which the extraordinary political changes in that country, during the last thirty-five years, have had on the trade. They also give less weight than they ought to the increase of the produce of raw materials, and the equally surprising improvement of machinery within the same period, both of which have tended, in an extraordinary degree, to lower prices. These operative causes of the increase of our commerce with India are not dwelt upon by those who desire to throw an odium upon the Company's monopoly, which they represent as the sole cause of trade being formerly limited, while they ascribe all improvement to the relaxation of the exclusive privileges of that Corporation, leading excited and deceived numbers to anticipate mines of wealth from their abolition. Though I have no intention to deny the benefits which

Public. have resulted, and those that may be hereafter expected, from opening the trade to India, I deem it important to examine the various causes to which it has recently owed its increase: among the most prominent of these are the extraordinary reduction of prices in England, and the great extension of the market in India, owing, not to the efforts of individual speculation, but the result of political measures. I particularly allude to those adopted during the administration of the Marquis Wellesley, and of Lord Hastings, and that general tranquillity of all parts of India which has been their consequence.

The wars of 1799 and 1803, in which the English Government became involved, from the hostile spirit of Tippoo Sultan, and some of the principal Mahratta chiefs, terminated in greatly adding to our territorial possessions in every quarter of India, and by establishing our paramount power, opened the whole of that continent to British commerce, which the jealous restrictions of native states had before, in a great degree, excluded. Missions were sent to the King of Cabul, to the King of Persia, and other Princes, with instructions to those who were charged with them, to combine the accomplishment of political with commercial objects. The extent of the success of these embassies and others, in obtaining information, and in disposing the rulers and the inhabitants of these distant countries to an amicable and beneficial intercourse, need not be detailed: suffice it to say, the result, even in a financial view, soon evinced the shortsightedness of those who condemned, on the ground of expense, missions which were equipped in a style of splendour, that was,

from many circumstances, and particularly the character of the courts to which they were deputed, indispensable to their success. Charged with that to Persia, my attention was as much directed to commercial as political objects. I carried with me specimens of the printed goods, the hardware, and various manufactures of England, into every part of Persia and Arabia that I visited. I also distributed among the dyers at Ispahan, and other cities, samples of Bengal indigo, which I had brought for the purpose, and was fortunate in convincing them that its quality was much better, and its price (freight included) lower than that which they were in the habit of receiving through other channels. The trade from Bengal with Persia in this article*, and others, increased rapidly, and the subjoined extract † of my Minute of the 28th October, Public.

* Mr. Brown, the reporter of external commerce at Calcutta, observes in his Report for 1802-3, that "To the ambassador deputed by his Excellency the Most Noble the Governor-General to the Court of Persia, "British India is indebted, not only for a renewal of this ancient commercial intercourse, but also for suggesting many new articles of commerce, which might be exported with advantage to the Persian Gulf, "particularly indigo from Bengal, with which Persia had been heretofore "supplied either from Korachey or the Gulf of Cutch, or by most expensive land-carriage, from many parts of the Dooab, and vicinity of "Agra. The quality of the indigo required is the middling copper, which "may generally be purchased in Calcutta, from 100 to 120 rupees per "maund of 74*lbs.* The demand is annually increasing."

† In a minute dated the 28th of October, 1830, I observe, "The "increase of customs upon our trade to the Red Sea and the Gulf of "Persia, I find has increased, within the last two years, to forty-four "lacs of rupees per annum from Calcutta, while at Bombay the "imports from the Red Sea were, in 1809-10, only 7,19,549, and "are now 14,87,888 rupees. The exports were, in 1809-10, 4,80,759 "rupees, and in 1830, 8,90,145 rupees. From the Persian Gulf im-

Public. 1830, shows the amount of the actual commerce with the Persian Gulf and Red Sea, a great proportion of which had its origin during the administration of Lord Wellesley; but it is necessary to add, that this profitable trade would have been lost to the country but for the vigorous measures which have been adopted,

" ports were increased in 1809, by the missions to that country, and the " impressions of our naval force, which kept down piracy, to 30,64,687. " This fell afterwards, when the Gulf was unprotected, to below half this " amount, but is now 40,34,247. The exports to the Persian Gulf " have had a far greater increase: in 1809-10 they were only 17,71,476, " and in 1829-30 they amounted to 55,62,260 rupees. From these " results, it appears that from the ports of Calcutta and Bombay alone " there is a trade with the Red Sea and the Gulf of Persia to the amount " of above one crore and sixty lacs, which is not even half the amount of " what is carried on with these quarters from the coast of Cutch, Kat- " teywar, Guzerat, Cannara, Malabar, Coromandel, the Mauritius, and " countries to the eastward, to the inhabitants of all which we are bound " by our duty, as rulers, to grant protection in their commercial inter- " course with distant countries. According to a statement lately received " from the resident in the Persian Gulf, it appears that imports into " Bushire from India amounted, in 1829-30, to 85,91,798 rupees, and " the exports from that place, for the same period, to 33,21,376 rupees. " The annual amount of the trade, therefore, between India and the " ports of Bushire, is 1,19,13,370 rupees; if to this sum be added sixty " lacs, as the probable estimate of imports and exports between Busso- " rah and the former country, and seventy lacs more for those between our " Indian possessions and the commercial ports of Muscat, Bunderabass, " Lingah, Congoon, Bahrein, and Grane, the total of the trade between " the Persian Gulf and India will be about two crores and forty-nine lacs " of rupees. The imports and exports between Bombay and the Red " Sea last year amounted to nearly twenty-four lacs; and assuming that " sum to be about the estimate of those between the latter quarter and " Calcutta, we shall find the aggregate trade between India and the two " Gulfs to be about two crores and ninety-seven lacs of rupees."

The above extract was quoted by Mr. Cabell in his evidence before a committee of the House of Commons. Vide Parliamentary Papers, II. Finance, p. 138.

and continue in operation, for the suppression of piracy in the Persian Gulf. Public.

The wise and liberal measures adopted and recommended by Lord Wellesley, to increase the commerce between India and England, are very fully illustrated in his letter to the Court of Directors, under date the 30th September, 1800. The mode in which the act of 1793, for extending the privileges of private merchants, was carried into execution, appeared to him to fetter that trade which its object was to promote, and to have the effect of throwing into the hands of foreigners the benefits of a commerce which it proposed to extend to British subjects. The grounds on which he adopted measures to remedy this evil are forcibly stated in the following paragraphs of the letter to which I have alluded.

" It must ever be impracticable, if it were justifiable " or politic, by any restrictions or penalties on the " trade of the British subjects, to prevent the increasing " produce and manufactures of India from being con- " veyed to the markets in Europe, where a demand for " such articles shall exist. Such restrictions tend to " throw the trade into the hands of foreign nations, and " to enable them to supply the markets of Europe, on " terms which must equally affect the Company's sales " in England. If the same goods which now pass to " the continent of Europe through foreign hands were " brought to the Company's sales in England, the effect " on the general price of articles exposed to sale at the " Company's warehouses would be less prejudicial than " that now experienced from the sale of those goods in

Public. " the markets on the continent of Europe. The Com-
" pany and the private British merchants would equally
" feel the advantage in the improvement of the general
" sales in England, and the private trade of India
" would become a fertile source of wealth and strength
" to the British nation, instead of contributing to the
" opulence and aggrandisement of foreign powers.

" The interests of the Company and of the British
" nation are undivided and inseparable with relation to
" this important question. Every principle of justice
" and policy demands the extension of the utmost prac-
" ticable facility to the British merchants in India, for
" the export from India to the port of London, of the
" largest possible proportion of the manufactures and
" produce of India, not required for the Company's in-
" vestment. Such advantageous terms of freight, and
" such other benefits, should be opened to the British
" merchants in India, as should not only remove every
" inducement to conduct the trade through foreign
" channels, but should enable the British merchants in
" India to enter into a competition in the markets of
" Europe, with merchants trading in goods of similar
" produce or manufacture, provided by foreign capital."

Lord Wellesley deemed himself justified, by circumstances of the moment, in permitting India-built ships to proceed to England, leaving the proprietors of the vessels and merchants (if both were not united in one person) to settle as they chose, both as to freight, cargo, and period of sailing. This incurred the marked disapprobation of the Court of Directors. They viewed it as at variance with the established system, and as being

calculated to give exclusive advantages to Indian agents. Their alarm at its consequences was shared by the shipbuilders and all those concerned in vessels freighted by them in England. It is not meant to go into the discussions which took place upon this occasion regarding the trade to India, which was opened at the renewal of the charter in 1813. That to China continued a monopoly; but the same question, as to the advantages enjoyed by foreign ships being extended to British vessels, was brought, by a petition, before the House of Lords, in 1821; and a committee of that House, after investigating its merits, reported in favour of a relaxation of the system; but to this the Court of Directors would not agree, which appears, as far as the interests of the Corporation, as well as British merchants, were concerned, to have been most injudicious; for assuredly the claim of the latter to be upon an equal footing with foreigners was, at the period, and under the circumstances it was made, both reasonable and just. Public.

I shall not enter upon any discussion of the commercial questions involved in the opening the trade to China. These have been fully examined by persons who are better informed and more equal to treat such a subject. It is on political grounds alone that I have stated my apprehension of the effect of this change; which, leaving its possible if not probable serious results in China out of the question, will, without bringing, as far as I can understand, any adequate benefit to the people of England, unsettle and change the character of the home Government of India. With regard to the trade of India, I deem that to be so free already, that

Public. little more is required; that little however should be conceded. There appears no utility in the Company sending any ships to India, or purchasing investments; and the conveyance of troops and stores would be profitable to individuals and give encouragement to this branch of national commerce. This encouragement it will be found to require; for, after making every allowance for the benefits derived from individual enterprise, and that fair competition to which the field has been opened, we shall find other and strong causes powerfully combined to produce its recent great increase.

From 1815 to the present date has been a period of peace in Europe, and that of India has only been disturbed by the Mahratta and Pindaree war*, which terminated, in little more than a twelvemonth, in opening to British goods the provinces of the centre and western parts of that country.

The extraordinary changes which have taken place since 1813 in cotton goods have been already noticed. They account, in a great degree, for their increased import into India.

The same observations may be applied to copper and iron. The extraordinary increase of the quantity in both these articles, from the introduction of steam-engines in the mines and improvement of manufactories, has reduced their cost, in a degree that has, beyond all causes, caused their augmented sale in India. Copper has fallen in price, since 1814, twenty per cent., and the ton of iron, which was formerly 12*l.* and 14*l.* fell six years ago to 8*l.* and 9*l.* and is now about 5*l.* The

* *This occurred in 1817-18.*

consequence of this low cost and the extended market has been the increased sale, in a country where these are in great demand, but that would cease on the rise of prices, for India possesses for these articles, as well as cotton goods, other sources of supply. Public.

These few general observations are meant to show that, as far as the exports to India are concerned, other causes have combined with the opening of the trade to promote their increase, and among these we must reckon the export of indigo from Calcutta, which has doubled its amount since 1814. This valuable produce, in the manufacture of which India derives the greatest benefit from English settlers of science and capital, has greatly contributed to the increase of trade, which cannot be profitably carried on between countries like India and England without the benefits are reciprocal.

A cotton mill has been established in Bengal, with the object of underselling the printed goods and yarn sent from England; but there are, in my opinion, causes which for a long period must operate against the success of such an establishment. It cannot keep pace with the continual improvements of machinery in this country, which reduce labour and cost, and are the almost annual produce of that inventive genius of numbers of able men which is constantly in action. The better ability also of the establishments at home of bearing the vicissitudes of trade, from their greater capital and more extended vents for their manufactures, with other advantages, will probably overbalance the saving of freight, which is in favour of the Indian manufactures, and the difference

Public. of cost of labour will be met by the superior skill and energy of the workmen and mechanics in England.

I have, in the preceding chapter, made some observations on the financial system of India as it affects the presidency of Bombay. I shall merely add some general observations upon this subject.

The following statement comprises, in a very condensed form, the area, population and revenue of the Company's territories, with that of their establishments, civil, military, and marine. It is a useful document, shewing at one glance the comparative extent and value of our Eastern Empire.

Statement of the Charges of the Civil and Military Administration of the Three Presidencies of India, together with those of Prince of Wales Island, Singapore, and Malacca, and St. Helena.

Government.	Area.	Population.	Number of					Revenue.	Charges exclusive of Debt.			
			Districts.	Civil and Uncovenanted Servants, European.	Military.		Marine.		Civil.	Military.	Marine.	Total.
					European.	Native.						
	Square Miles.								£.	£.	£.	£.
Bengal..	306,012	69,710,071	57	579	16,068	96,654	136	13,825,280	4,8 84,559	4,432,792	128,448	9,445,799
Prince of Wales Island, &c. ...	1,317	107,054	—	13	—	—	—	32,897	123,233	18,800	11,165	153,198
Both ..	307,329	69,817,125	57	592	16,068	96,654	136	13,858,177	5,007,792	4,451,592	139,613	9,598,997
Madras ..	141,923½	13,508,535	21	261	12,832	57,531	European 20 / Native 265	5,415,587	2,051,710	3,179,924	22,441	5,254,075
Bombay..	64,938¼	6,251,546	10	215	7,728	32,508	European 542 / Native 618	2,421,443	1,660,422	1,741,095	199,324	3,600,841
India	514,190¾	89,577,206	88	1,068	36,628	186,693	1,581	21,695,207	*8,719,924	9,372,611	361,378	18,453,913
St.Helena	47½	4,766	—	15	800	—	—	—	—	—	—	93,004
Total	514,238	89,581,972	88	1,083	37,428	186,693	1,581	21,695,207	*8,719,924	9,372,611	361,378	18,546,917

* These sums include Stipends and Pensions chargeable upon the Revenues.

Public.

By the prospective estimate for 1834, which is prepared in order to show the condition of the Company's affairs at the expiration of the charter, after allowing for home charges connected with the territory, there is an annual defect of 560,924*l.**

This prospective estimate is after great reductions; how far these may be still in progress I am not aware: but it is quite impossible to enter upon any exact calculation of figures regarding an empire, the charges and resources of which are so liable to fluctuation as that of India.

The territory is the chief source from which an increase of the income of the State can be expected. That will depend upon the knowledge we possess of its value, moderate assessment, and the encouragement of every species of produce calculated to benefit trade and manufactures. We can expect no prosperity in our financial state to be permanent, without internal tranquillity, as well as exemption from foreign attacks: we must maintain therefore our army on an economical, but an efficient footing; every departure from this rule will have consequences opposite to economy.

It is no doubt desirable to reduce and consolidate offices and establishments as far as possible; but the very reverse of economy will prove the consequence of the reduction of the salaries of those who have high and responsible charge. The choice to such stations will be limited, and men suited to the task will not be found prompt to undertake arduous and invidious duties;

* See Finance, Appendix, No. 23, p. 357.

and if appointed, they will be satisfied with a cold performance of their official functions, and Government will lose the aid of that ardent zeal with which it is necessary to inspire those who have not only to supervise others, but to check and prevent, by every means, the growth of public expenditure. Public.

My former experience, combined with the late opportunities I enjoyed from the duties I had to perform as Governor of Bombay, when every department was revised, has satisfied me that there is one principle connected with the integrity of the public service, which, if strictly attended to, will be found, in practice, to promote the interests of the state as well as the prosperity of the finance beyond all others,—which is, the continuing, or assigning to those at the head of its governments, and the highest officers these employ, salaries that are not only adequate to the expenses unavoidable from their stations in society, but which afford means of accumulating a moderate independence. This principle was fully recognised when the India Board * was established under Mr. Pitt's Bill; and Lord Cornwallis, acting on the plan of its first president, the late Lord Melville, gave liberal salaries to all high and responsible officers, assigning at the same time limited but sufficient allowances to the subordinate public servants. The effects of this wise and liberal policy was a happy change in the tone and character of the service. But though a sense of the benefits derived from the introduction of this principle has led to its maintenance, there have been latterly

* In 1784.

Public. many deviations that will, in my opinion, if not corrected, seriously diminish its good operation. The salaries of junior European functionaries were, in many cases, disproportionally augmented, while that of senior servants, even when apparently raised, suffered a real and serious reduction, as far as the principal object is concerned for which these were granted—that of enabling an individual to return to his native country. The great reduction of the interest of money in India, and the loss on remittance to England, have operated against the attainment of this object. Pensions have been resorted to, formed of contributions from individuals, liberally aided by Government, to remedy this evil; but the good effect of these will be lost, if other means are not adopted: for though they may afford comfort to an individual for the few remaining years he may expect to live, after thirty or forty years service in India, they make no provision for his family; and it is to this cause we are to ascribe the annuities not being accepted in the manner anticipated, and the consequent failure of one of the principal objects, that of giving promotion to the service.

The more extensive introduction of native agency in the civil administration, besides its other good effects, will be most beneficial to the finance, as it reduces the number of junior servants. The salaries of the latter have been within the last two years considerably lessened, and Government will not benefit more than individuals by this measure, provided those higher situations to which their views are pointed are continued on an improved scale; but if the latter principle

is not maintained, and a narrow view of this subject leads to the reduction of apparently large salaries from men in high and responsible stations, objects of ambition will cease to exist, indifference will take place of zeal, and while an appearance of economy is displayed, its substance will be sacrificed. Public.

I have, in the preceding chapter, when treating of the finance of Bombay, noticed recent instances of a departure from this essential principle in the late orders to that Presidency. If, however, I was desired to state two examples connected with the Indian Government, in which principles of true economy were violated, I should select the recent reduction of the salary of the President of the Board of Control, and of the Governor of Madras. By the first, a station which demands the highest talent in the kingdom, and the duties of which, under the actual frame of the Indian Government, rank next in responsibility to those of prime minister, is made, in point of remuneration, a secondary appointment. With regard to the Governor of Madras, the reduction of his allowance below the scale on which it had been placed for sixty years, is to me incomprehensible*. It was made when his duties were increased fifty-fold from what they were when it was first granted, and when not only the value of money was less, but the remittance to England twenty-five per cent. worse than it was thirty years ago.

To judge from what passed in the House of Commons on this subject, it may be supposed that the

* This reduction was, I understand, brought forward by the India Board, and not carried without opposition in the Court of Directors.

Public. reduction of about one-third of the salary of the Governor of Madras was made with a view either to a general system of reduction or of a contemplated change in the system that would lessen his charge and responsibility; but in either case, while the individual was informed of the reduction to which his allowances would eventually become subject, intended measures might have been awaited before he was made the solitary instance of their anticipated operation. His salary was, probably from its amount, brought forward as an example of the resolution of Government to save the public money. On this I can only state, in reference to such a station, that I deem the principle acted on completely at variance with true economy, and calculated to defeat its professed objects.

Chapter IV.

OBSERVATIONS ON THE HOME GOVERNMENT OF INDIA AND PROPOSED CHANGES.—CONCLUDING REMARKS.

The facts and opinions stated in the preceding chapters regarding the different branches of Indian administration, illustrated, as they are, by documents in the Appendix, will sufficiently prove that the general government of our Indian possessions is good. The changes and modifications made in the system of rule by the local government, (though often exclaimed against as an evil,) have been the inevitable consequence of the change of the character of our power and the extraordinary increase of our territories; but it is of much importance that a spirit of speculative improvement should not be allowed an action which incurs a risk of disturbing the peace of the country, by interfering with the usages or offending the prejudices of our native subjects, whose continued happiness and prosperity, it is admitted by all, should form the primary consideration in every measure we adopt.

Whatever may be the defects of the present system, its operation has, on the whole, been beneficial; the home government has been accused of being more prone to censure than to praise; but, though its constitution has operated to depress when it ought to elevate, and it has been wanting in that tone and feeling which

stimulate the highest minds beyond all other motives, it is admitted to have been alike free from intrigue and corruption. It has been studious to do justice to fair claims, and has ever evinced an anxious desire of promoting the prosperity and happiness of the natives of India.

Under such circumstances the adoption of any measures that may, in their operation, effect a change, if not in the shape, in the character, and efficiency, of the existing government, requires the most serious consideration. My opinions upon this subject were published nearly seven years ago, and as they remain in all material points unchanged, I shall bring them under the notice of the reader—believing that they may have more weight, as having been formed when it was not possible my mind could receive a bias from those political events which have recently occurred, and which have, no doubt, a tendency to influence the judgment in this momentous question.

"The merits of every species of government are "comparative, and it can be no ground for rejecting "any form or substance of rule, that it is incompatible "with received ideas; that it is contrary to general "opinion, or even inconsistent with common maxims of "rule: all these are good grounds for not establishing "a particular government, but they are not conclusive "for destroying one that is established. If we had to "*constitute an administration for British India, as it* "now exists, the man would justly be deemed insane "*who should propose the present system.* But the "case is widely altered when we recollect, that it has

" grown with our empire; that the managing partners " of a body of merchants have gradually risen from the " details of a factory to the charge of kingdoms: that " their departments, in every branch of government, " have kept pace with their enlarged functions; and " that the result of the whole has been success and " prosperity. Those, indeed, who are hostile to the " Company, ascribe this result to the interference of " the legislature, and the institution of a board of con- " trol. Much, no doubt, of the great reform that has " been effected is to be attributed to those causes; but " because the board of control has proved a good instru- " ment for the purposes for which it was instituted, we " must not conclude that it is a safe depositary for " greater power. In the exercise of all with which it " has hitherto been intrusted, it has acted under a " restraint as great as it has imposed. The court of " directors, rendered jealous and vigilant by their " reduced condition, have scrutinized every proceeding " of the board, in a manner that has rendered them a " very efficacious check against the abuse of its influ- " ence or authority.

" When the pretensions of the East India Company " to have continued to them the share they now enjoy " in the civil, military, and political government of " India were discussed, previous to the last renewal of " their privileges*, several members of both houses of

* " *The charter of the Company is perpetual. The Act of 1813 renewed* " to a further term certain territorial and commercial privileges of the " chartered Company, but the charter does not expire with that term. " *This is a distinction not unimportant, in reference to any arrangement* " that may be contemplated for altering the system.

" parliament were against that renewal; but the reasons
" they adduced for the abolition of the powers of this
" body were very different from the arguments brought
" forward thirty years before. They could no longer
" charge the Company, or their servants, with acts of
" tyranny or corruption; there was a happy and ac-
" knowledged change in the whole system: but the
" incompetency of the court of directors to their enlarged
" duties, the anomaly of the whole frame of the govern-
" ment, and the magnitude of the evils likely to arise
" from continuing to rule so great an empire through
" such an inadequate body, were strongly urged. The
" opponents of the Company admitted that there was a
" difficulty in disposing of the patronage enjoyed by the
" directors, which (they were agreed) it would be unwise
" to give to the crown; but various expedients were
" suggested, which, it was believed, would obviate any
" injury to the public interests from this cause. It was
" not difficult to reply to such general reasoning. The
" first admission made, namely, that a great change
" had taken place in the Company's government, proved
" that the defects of the system were not irremediable;
" and it is a maxim congenial to English legislation,
" not to destroy what is capable of improvement. With
" regard to the anomalous nature of this branch of our
" Indian government, it shared that character with all
" other parts of our free constitution; and as to its in-
" adequacy to its enlarged duties, all that had occurred
" within the last twenty years was assuredly encourage-
" ment to proceed with ameliorations and reforms, in-
" stead of rushing upon the work of demolition, uncer-

" tain whether any authority could be substituted equally " efficient."

" Serious changes have taken place in the constitu- " tion of the Company, subsequent to the act of 1784; " but none require more of our attention than those " which have affected the court of proprietors. As long " as the court of directors acted independently of the " control of ministers, the proprietors interfered on " almost all occasions, and frequently influenced nomi- " nations to high stations in India, as well as important " political measures. But when the government be- " came a party in the administration of Indian affairs, " it was deemed necessary to prevent their arrange- " ments being embarrassed by the general court, which " was done by clauses in the enactments* of the legis- " lature, very seriously curtailing its power. Other " circumstances have contributed, in no slight degree, " to alter the views and principles of a great proportion " of the proprietors, amongst which we may consider " the opening of the trade with India as the most pro- " minent. The directors used to recommend to the " proprietors a candidate on any vacancy that occurred " in the direction; this recommendation, supported as " it was by their individual and collective efforts, " usually succeeded; and the new director came in " with a strong feeling of gratitude towards the body " of which he was a member, and with a disposition to " maintain that principle of unity by which he had " profited. For several years past the case has been

* " The first of these passed in 1784, 24 Geo. III., cap. 25, sec. 29. The " second in 1793, 33 Geo. III., cap. 25, sec. 23.

" very different; and candidates, who are supported by " some members of the direction, are frequently opposed " by others. They consequently enter upon their duties " with party feelings, which must have a tendency to " break that union which was once the strength of this " body. * * * *

" According to the established form of the Indian " government in England, the board of control consists " of a president, two active members*, a secretary, who " is in parliament, and clerks in every department. We " may assume the four first stations of this board, to all " of which liberal salaries are attached, are appoint- " ments which, generally speaking, will be given with " more attention to the claims of those who form or " support the administration, than with any reference to " their peculiar qualifications for the situation. The " office of president, though often filled by men of " eminence, has not been considered as among the " first in his majesty's cabinet. This is unfortunate, " for it leads to frequent changes; and few persons " have held the office long enough to attain the know- " ledge necessary for the fulfilment of its import- " ant functions†. It happened lately at a critical

* " There are several others, inclusive of the principal ministers; but " all, except the president and two members, may be deemed honorary, " as they neither receive salary nor perform any duty.

† " From the passing of the Act 24 Geo. III., 1784, the following se- " cretaries of state for the Home Department were presidents of the " India Board, *ex-officio*, and without salary: Lord Viscount Sydney; " Lord (then Mr.) Grenville; Lord Melville (then Mr. Dundas.)

" The system was changed in 1793, when the presidentship was made a " separate appointment, with a salary; since which it has been filled by " Henry Viscount Melville (then Mr. Dundas); 1801, Lord Viscount

" period, (and the occurrence was favorable to the " public interests) that a distinguished nobleman*, " who had filled a high station in India, presided at this " board, and that he was ably aided by a near relative† " who had passed the early part of his life in the Com- " pany's service; but these nominations were to be " referred to other causes than the competence of the " individuals in point of personal knowledge and expe- " rience. Generally speaking, the president of this " board, on entering upon his duty, is compelled to look " to others. The members are usually in the same " situation as the president; they, like him, have their " lesson to learn, and sometimes commence in complete " ignorance of Indian affairs.

" The parliamentary secretary‡ of the board, being " nominated on the same principle as the president and " members, is not likely to be better informed. It is " the clerks at the heads of departments on whom the " board must depend. These are fixed: their sole

" Lewisham (afterwards Earl of Dartmouth); 1802, Viscount Castlereagh; " 1806, Earl Minto; Mr. Thomas Grenville; Mr. Tierney; 1807, Mr. " Robert Dundas; 1809, Earl of Harrowby (about three months); Mr. " Robert Dundas (now Viscount Melville); 1812, Earl of Buckingham- " shire; 1816, Mr. Canning; 1820, Mr. Bathurst (about a year); 1822, " Mr. Williams Wynne.

* " The late Lord Buckinghamshire.

† " The Right Honourable John Sullivan.

‡ " No deduction is to be drawn from the circumstance of the highly- " respectable person now in that office having held it during a period of " thirteen years. His remaining so long in the situation, where the expe- " rience he has gained is so useful, is solely referrible to the long continua- tion in office of the present ministers, and his not being nominated to another situation. In other words, the knowledge and experience which " this public officer has gained is to be ascribed more to accident than to " system.

" attention is given to the duties of their respective " offices, and the affairs under their superintendence " are understood as well as it is possible to be by men " who have only records to guide them: but supposing " their industry and ability in their stations to be equal to " that of any public functionaries in England, (and this " is supposing no more than the truth,) still that system " must be bad where the recognised depositaries of " information are subordinate and irresponsible. This, " it will be asserted, is to a great extent the case in " other offices of the state. But a knowledge of the " duties of other offices is familiar, easily attained, and " may be said to belong to the education of every Eng- " lish statesman, which is not the case with Indian " affairs; they are foreign to the common studies of " such persons, and, from their remote interest, can " never be otherwise. It is consequently most desirable " that there should be such a change in the composition " of this board as would ensure to the state a greater " portion of experience, and more accurate knowledge " of Indian affairs. That can be done only by an " arrangement which shall direct the hopes of those " who have served with ability and distinction in India " to the attainment of a share in this branch of the " administration.

" It will be urged, that the board of control is as " open to those who have acquired experience and " knowledge in our eastern empire as to any others; " that there is no declared bar to their attainment of a " seat, or even presiding at it, when returned from " service in India, enjoying as they do the same rights

" as any other of his Majesty's subjects. But what " are the facts?—for it is by these we must be guided " in deciding upon practical questions. Those who " enter the Indian service are seldom men of high " family connexion. Their early life is devoted to " their public duties abroad, and they can therefore en- " joy but few opportunities of forming those friendships " with individuals, or those ties with parties, which so " often help to bring into useful action men of informa- " tion and talent. In former times the servants of the " Company exclusively filled all the high stations* " in India, and the large and rapid fortunes they " made in those stations, or in the exercise of mili- " tary command, enabled them to come forward in " parliament, and to establish influence through the " means of wealth; but this is no longer the case. " Riches are attained in India, as elsewhere, by com- " mercial men, by agents, and by some few of the " servants of the Company, who make that their chief " or sole object. But it is a remarkable fact, that, " amongst all who have been most distinguished during " the last forty years, there is not one who possesses a " fortune which can be deemed more than a compe- " tence; and several of them, after more than thirty " years' service, have not acquired that. The reasons " are obvious. Men seldom reach high office till after " many years' service, and then their salaries, though

* " Lord Macartney, who was nominated governor of Fort St. " George, in 1782, was the first appointment of any British subject, not " a Company's servant, to such a station.

" liberal *, are not so considerable as to enable them ' to accumulate a large fortune, were that to become " their pursuit: but their duties are of a character " which raises the mind above the accumulation of " money; and this high tone in those who fill the first " stations in India has been wisely cherished; for the " integrity of the service † depends on their example.

" What has been stated will sufficiently account for " persons of local experience and knowledge being " most unlikely to attain any share in that branch of " the administration of India which belongs to the " crown; but the very circumstances which place them " at a distance from such objects of ambition are those " which, if the public interests were consulted, ought " to approximate these objects. It is not more neces- " sary to have naval lords at the Admiralty than " to have Indian members of the board of control, " nor indeed so much so; and, should a sense of its " expedience ever introduce such a usage, its benefits " would be very great.

* " The salary of a political resident of the first class, which is one of " the highest in India, does not exceed 3500*l.* per annum; and, though " his establishment and expenses are paid to a certain extent, he cannot " calculate on a less disbursement from it than 1000*l.*, which leaves him " an annual saving of 2500*l.*, in a station which he is not likely to have " attained before a service of from twenty to twenty-five years.

† " It is difficult to make those who are locally unacquainted with " India understand the vital importance of the preservation of this high " tone in all who fill prominent political situations in that country; " but in no government is the truth of the Persian adage more appli- " cable, which says, ' If the king takes an egg, there will not be a fowl " *left in the land.*'

"Besides the aid which the minister of Indian affairs "would receive from well-selected Indian members, "the very prospect, however distant, of attaining such "honourable stations at home would stimulate to action "all the best talent in the Indian service. Those who "obtained such distinction would receive and impart "knowledge; and while they enjoyed an opportunity "of bringing themselves into a notice that might be at- "tended with further preferment, if they were fit for it, "they would be placed in a situation which would en- "able them to preserve and improve the information "they had acquired in India, and to offer useful infor- "mation and advice daily to those who are called upon "to decide on the most important questions connected "with our eastern empire.

"The president and members of the board of con- "trol may, and no doubt often do, seek information and "counsel from the most experienced of the Company's "servants in England; but these are only casually "and partially consulted. Their judgment is asked on "insulated points, affected by many circumstances and "events of which they have no knowledge. It is also "to be recollected that our Indian empire is, and, from "its composition, must be, always in a state of change. "Men who retire from the service, and do not, either "from want of inclination or of means, keep up their "information, may be said to be out of date in a very "few years; but being naturally tenacious of pre- "conceived opinions, we may assert, with the fullest "*respect for well-acquired reputation, that such persons* "are often the most misleading advisers; and an ap-

" peal to such may become the more pernicious, from " error being sanctioned by high name and authority.

" The adoption of the measure suggested would " do more than remedy this defect. It would produce " a succession of men thoroughly informed, and with " the opportunity as well as the ability of imparting " their information to others. No good government " can wish for mystery or concealment; such can be " desirable only as veils to weakness and mismanage- " ment. There never was a state to which publicity is " calculated to be of more benefit, both as a check and " an encouragement to those by whom it is adminis- " tered, than that we have established for India; but " in order that the wise and just principles upon which " it is conducted should be understood and appreciated, " its real condition, and the nature of those peculiar " circumstances under which it acts, should be fully " before the public.

" With reference to this principle, it is to be re- " gretted that questions relating to India are so seldom " agitated in parliament, and that the annual budget " for the financial affairs of that empire, which it was " long the usage to bring before the House of Com- " mons, has been discontinued. This practice might " have been attended with inconvenience, and perhaps " occasional embarrassment, to the ministers of the " crown; but its disuse, inasmuch as it has a tendency " to perpetuate ignorance and apathy on all that re- " lates to Indian administration, is unfavourable to the " interests of that country, and, consequently, to those " of Great Britain. Without speculating upon the

" reasons which have led to past proceedings, it may be " assumed, that men in official situations in England, " who added to their practical knowledge of India the " advantage of direct reference to the most authentic " information in England concerning that country, " would be able not only to correct errors and expose " misstatements, but to convey, when required, the " most useful knowledge. Their minute acquaintance " with persons, places, and circumstances in India " would give them a confidence in the performance of " such a duty far beyond what the mere study of " records can ever impart; and on all such subjects " they would receive an attention proportionate to the " impression of their local experience, information, and " judgment.

" It has been asserted that the directors are more " disposed to nominate, to the first civil and mili- " tary stations, persons who have acquired character " at home, in the West Indies, or on the continent of " Europe, than the officers of the Company. This be- " lief, which is very general among their servants " abroad, is not exactly grounded in fact. In such " appointments, the directors alluded to are generally " overruled by his Majesty's ministers, though there " can be no doubt that the victory is in most cases not " very difficult. This arises from their participation " in the greater admiration which the public bestow on " services performed on scenes that are near, than on " those which are remote; from their yielding more " respect to men whom they have seen, or met in " the highest sphere of society in England, than they

" do to persons whom, from their original nomination " and career, they almost deem beings of their own " creation, and in some respects below them; from their " habits and feelings making them less attentive to the " qualities which fit individuals for high stations, than " to those which give them a value as subordinate in- " struments; and from being restrained, particularly in " recommending for appointments to high military com- " mand, by a consideration of seniority *, which must, " while persevered in, be fatal to the hopes of the " Indian army.

" Whatever may be the solid advantages of the " Company's service, and they are neither few in num- " ber nor small in amount, all those who aspire at " distinction must be hostile to a system which they " believe unfavourable to their hopes of future elevation. " Men of high and disinterested minds may occa- " sionally divest themselves of self, so far as to advo- " cate on general grounds what they feel as personally " injurious; but such instances will be rare, and the " ordinary motives of human nature will lead men to " desire the abolition of an authority which they deem " to be, either from its want of power or of disposition " to support them, unfavourable to their advancement.

* * * * *

" From the mode in which the duties of the court of

* " Not one Commander-in-Chief has been chosen from the Com- " pany's army since Mr. Pitt's Bill. On an occasion when the Court of " Directors sought to do away with this injustice, they brought forward " the name of one of their oldest officers who had not served for many " years; his character was highly respectable; but the objections taken " against such a recommendation were just and unanswerable.

" directors are at present allotted, it is obvious that the " election of an individual who, from the stations he " may have filled abroad, possesses full and valuable " information respecting the actual condition and govern- " ment of that empire is, as far as the political interests " of India are concerned, of little or no benefit to the " public. On entering the direction, he is almost ex- " clusively employed on duties of a totally opposite cha- " racter to those which have occupied his past life; and " when seniority advances him to a place in the com- " mittee of correspondence, or secret department, he " carries with him, not that fresh and useful knowledge " which he would have done had his mind gone along " with events, but the bias of an attachment to old opi- " nions, many of which may have become obsolete.

" These facts cannot be controverted; and it follows " as a consequence, that a minute knowledge of the " affairs of India, and of the political interests of that " country, is rarely possessed by any of the senior " directors. It is possessed by the secretaries and head " clerks, many of whom are men distinguished by " talent, as well as industry; but to them, as the prin- " cipal depositaries of knowledge, there exists the same " objection as that which applies to the constitution of " the board of control.

" There are many causes which give a vacillating " character to the proceedings of the court of directors, " and tend, at times, to precipitate, and at others, to " retard, measures of vital importance; but one of the " most prominent is the shortness of the period that " each chairman fills the chair. His business during

" during that period is overwhelming, and much of it " must be hurried through, or neglected, or transferred, " half done, to his successor; who, very possibly, has " different sentiments upon several of the points under " consideration. We may add to this cause of frequent " and sudden changes in their views, that of the annual " retirement and re-election of six members* of this " body. The ex-directors for the year having no right " to see any papers, or to have access to official docu- " ments during their recess, they return to their duties " ignorant of the measures under discussion, or at least " with the disadvantage of having the chain of informa- " tion entirely broken.

" The government of the court of directors is marked " by strict attention to rule, and alarm at every measure " contrary to usage, or that can create a precedent for " future deviation from it. These are good general " maxims of ordinary administration, for limited and " unchanging states; but, in an empire like that of " India, their constant and cold observance must be " fatal to that life and animation which ought to pervade " the whole system. Every latent spark of honourable

* " Those six ex-directors must be re-elected; they form what is termed " the house list; their re-election, except in extraordinary cases, is almost " certain: it is most desirable it should be so, for were it otherwise, the " situation of a director, which it is politic to raise, would be greatly de- " creased in value. Many respectable and highly-qualified individuals are " deterred, by the nature of the first canvass, from seeking a seat in the " direction. If this canvass was to be repeated every six years, some of " the most useful members might be lost to this body; and among those " that remained, a greater spirit of conciliation towards their constituents " might be introduced than was consistent with the impartial performance " of their public duties.

" ambition should be kindled, and the anxiety should
" be to promote, by encouragement and by reward, the
" efforts of individuals to attain distinction in the public
" service. No government can be highly respected
" which, entrenching itself in forms, is more solicitous
" to avoid the reproach of injustice, than to inspire
" zealous exertion. Its acts may be just, and even
" liberal; but unless they are suited to the character of
" the individuals and classes subject to its authority, and
" evince complete competence in the rulers to go along
" with the rapid changes of the peculiar empire they
" have to rule, such government must fall into disrepute
" with those by whom they are served. That this has
" been the case with the court of directors, no man
" acquainted with facts can deny; and an increase of
" information and knowledge is not more necessary in
" that court to enable it to withstand the daily attempts
" made in England to lessen and degrade it, than to
" maintain its reputation with its servants abroad, many
" of whom, under the influence of personal feelings,
" contemplate the termination of the power of the
" Company with little reflection on the probable con-
" sequences of such an event to India, and to Great
" Britain.

" This is not the place, nor is it, perhaps, the period
" to suggest the details of any plan of reform; but those
" who desire the continuance of the Company may be
" satisfied, that all who aim at its destruction will be
" enemies to any change in the constitution of the court
" of directors which shall tend to raise that body, by
" making it more efficient to the performance of its

" large and increasing duties. It is to a system of " depression they trust for ultimate success; but nothing " can be more hazardous to the interests of the Indian " empire than this mode of killing, as it were, by inches, " the body through whom it is governed. The court of " directors should not only be maintained in all their " rights and privileges, but elevated, if it is desired to " render it a useful and efficient branch of the Indian " government: if not, the sooner it is abolished the " better. To understand this question, let us look to " its actual condition. The character of this court has " undergone great alterations; the changes which have " taken place in the views and sentiments of the pro- " prietors have extended to the directors. A separate " and extensive commercial interest has already gained " the greater part of the trade of the Company, and " threatens the remainder. That service, which once " exclusively looked to them, no longer does so; the " public press, which is every day becoming a more " powerful engine of change, is, from many reasons, far " from favorable to them: that all these causes have " combined to lower the court of directors in public " estimation cannot be denied; but there are others of " equal, if not greater force. The acts of 1793 and " 1813, by transferring almost all real territorial and " political powers to the ministers of the crown, deprived " the court of directors of much of that consequence " which they before enjoyed; and their unpopularity " has been recently increased by the growing dislike of " all monopolies, and an increasing desire for new " openings of trade. This desire, so far from being

" lessened, has been greatly augmented by the partial " opening of the India trade; the benefit of which, to " the public, is considered to be much impaired by the " command which the Company still maintain over the " foreign market. The consequence has been, that the " Company, by ceasing to be rulers, and by remaining " monopolists, have lost the consideration which be- " longed to their former character; while the odium " ever attached to the latter has been increased.

" No person, possessing a knowledge of the constitu- " tion of England, can desire to change the composition " of the court of directors in any manner that would " more approximate them to his Majesty's ministers. " Their separation from the latter, even in the common " intercourse of life, owing to their different occupation " and connexions, has its importance; but the useful " check which it constitutes must be weakened, if not " destroyed, unless it is supported by personal character, " and acknowledged information and talent. The dete- " rioration of the court in public estimation must de- " teriorate it as respects the talent and character of its " individual members. The office of director will every " day become less an object of ambition to men of high " feeling, and who have already obtained distinction.

" Under the present circumstances, it appears diffi- " cult for the Company to maintain their ground as an " efficient branch of the administration of India; per- " haps, indeed, impossible, unless changes take place " which shall give to the court of directors, as a body, " more weight and consideration than they now enjoy " with the public: this weight and consideration all

" who are favourable to their existence must desire to " see them attain.

" The limitation of the Company's monopoly in trade " has produced considerable changes as to persons " chosen for directors: but still no qualifications are " required beyond the possession of a certain amount " of stock; and the condition and avocation of a great " majority of the voters of both sexes offer no security " as to the fitness of a candidate for the direction. " There existed, until lately, restrictions which barred " any person* who continued in the service from being " a director, notwithstanding he had acquired a right, " unless specially called upon to reside in his native " country. Such restrictions, which had their birth in " that spirit of narrow and jealous policy that charac- " terized the early days of the Company, are ill suited " to its present condition, and at variance with the " usage of the government of England. The latter " admits unemployed officers to every office† of the " state, wisely obtaining all the advantage it can from " that increased knowledge and experience which the

* " The exclusion of such persons from being directors was continued " by a bye-law, which has been lately expunged, as being contrary to the " provisions of the legislature, from which it appears there is no restric- " tion against officers so situated, as commandants of regiments residing " in England, entering the direction. The only pretext on which an objec- " tion could be raised is, their liability to be called upon for foreign ser- " vice; but every officer of his Majesty's service, in civil or political em- " ploy in England, is in the same situation, and the usage of the Com- " pany's service since 1796, when colonels of corps were entitled to live " in England, establishes that their return to India is deemed optional.

† " There are several situations in England in which the employment " of officers, who continue in the Indian army, would be alike honour- " able to the service and beneficial to government.

" duties of their profession enable them to acquire; and " even when these are not publicly employed, they are " often officially called upon to give their opinions indi- " vidually, or collectively in committees, upon points on " which their professional experience, or recent know- " ledge, enables them to judge with accuracy. Such " calls are seldom, if ever, made upon Indian civil or " military officers who are retired, or on furlough in " England; and yet it would be difficult to point out " any government in the world, which, from the cha- " racter of its duties, stands so much in need of this " kind of aid. But until considerable changes are made " in the construction, both of the India board and the " court of directors, this assistance will never be at- " tained in any degree that can render it beneficial to " the country.

" The increasing difficulties of governing such an " empire as that we have established in the East impe- " riously call upon us to avail ourselves of all the means " we possess to enable us to overcome them: but we " must not deceive ourselves as to the real cause of op- " position to measures of alteration, such as have here " been suggested. It is the alarm of individuals and " classes of men lest injury should arise to their own " interests; but in this conclusion they are assuredly " deceived. The effect would be the reverse, for the " admixture of men who have a knowledge of India " with those who have a knowledge of England would " early destroy those baneful prejudices which both par- " ties entertain towards each other; and, while it diffused " correct information and just principles, would give

" strength and permanence to a system which cannot " much longer exist on its present foundation.

" In the actual condition of our Asiatic possessions, " there is no principle in their administration of such " consequence as that of keeping those who are em- " ployed abroad as much European as possible, con- " sistent with their attainment of the qualities essential " to fit them for their local duties in India. We can " contemplate no danger equal to their looking to the " latter as the country in which they are to pass their " lives; such a sentiment, if ever it becomes prevalent " amongst the public servants, must ultimately prove as " fatal to the interests of England as of India. This is " fully understood by the government at home; and " whilst they have very properly done away those " means of accumulating wealth which were at variance " with our improved system of rule, they have recently " made liberal arrangements to facilitate the return of " those who have served a certain period, either in the " civil or military service; but one effect of this branch " of expenditure will be, to make numbers (many of " whom are in the prime of life) pass the remainder of " their days in an unprofitable manner, unless objects* " are presented to their ambition both in India and in " England. In the pursuit† of these in the latter

* " The liberal measures lately adopted are so far a benefit, as they " prevent men fixing in India, and accelerate promotion; but their utility " stops here; and it will probably be found, that measures will be here- " after necessary to regain services which will be lost by the effect of this " liberality, unless some objects are held out to lead men of talent to con- " tinue to serve their country in India after they have attained a title to " return on a competence to England.

† " It has been sometimes stated, that men generally return from India

" country, men of information and talent would soon " lose their limited and local feelings. Their import- " ance with themselves and others would rise as the " sphere of their utility became enlarged. Their pa- " triotic attachment to their native land will be strength- " ened, and the weight and influence of their character " will be the means of keeping alive such sentiments in " others, who will give more ready assent to the wisdom " and expediency of measures that are associated with " names to which they have long and habitually given " respect and confidence.

" Some who admit that the mode proposed is the best " by which prejudices can be removed, and attachment " to their native country revived and strengthened, will " perhaps startle at a plan that suggests the necessity " of facilitating to those who have served abroad the " attainment of employment in both branches of the " Indian administration in England; but such objection " stands on narrow, indefensible, and most unconstitu- " tional grounds. Has any officer, political, civil, mili- " tary, or naval, of his majesty's service, when retired " upon pension, half or full pay, ever been considered " as less qualified to enter any department of the state, " because he had been in a particular line of service, or " might again be called upon to act in it if his country " required? Do we not meet with persons of this " description in various offices and stations? Do they

" at an age when they are more fit to retire than to enter on new scenes " of public employment. This assertion is not supported by facts; be- " sides, the employment to which it is proposed to turn their attention " would not be new, but an useful continuance of the labours of their " past lives.

" not often fulfil duties which lead them not merely to
" differ with, but to control and censure those very
" authorities under whom they had formerly acted, and
" may again act? That such is the case cannot be
" denied; and who will contend that there is any prin-
" ciple in the administration of India which should
" constitute a difference to this practice.

" Some will argue, that employment in India is
" reserved for a privileged few, and that those who
" enjoy it should not repine if it, in a great degree,
" throws them out of public life in their native country;
" and they will perhaps add, that the persons with
" whose prospects they might interfere, if such facilities
" were given as have been suggested towards their
" obtaining office in England, might justly complain
" unless the India service was opened to their ambition.
" Such arguments might have force, if the English
" public officers were qualified for stations in India; or
" if, in the administration at home, we could dispense
" with that information and knowledge which is alone
" possessed by India public officers. But we must not
" try this important question by a reference to the
" claims or privileges of individuals, or classes of men.
" It is one of state policy, and intimately connected
" with the preservation and good government of one of
" the most extraordinary empires that ever was founded
" in the universe. With all the means we can prepare
" and employ, we shall be too likely to fail in these
" objects; but that failure will be certain, if we allow
" our efforts for their attainment to be circumscribed
" by ordinary maxims, and rules adapted to the routine

" administration of petty colonies, or the regulated " forms of the most admired national constitutions, " which differ from that in question either by the " temper and genius of the governed, or the principles " and system of the government.

" The education of the youths who enter the service " in India is liberal: their occupations abroad are of a " character to enlarge their minds. The evils and " misfortunes they continually contemplate as arising " from despotic rule must render them more attached " to the free government of their native country; and " no great class of men can be placed under circum- " stances more calculated to give them extended views " of national policy, or to qualify them for different " public duties. Acting in countries remote from each " other, and whose inhabitants differ in language and " customs as much as the nations of Europe, some " members of this class rise to the exercise of almost " kingly rule; others fill political, civil, judicial, fiscal, " and military stations. Such a variety of occupation " must in India, as elsewhere, produce an infinite " variety of character, and qualify men to pursue the " most opposite courses, if such are opened to them in " England. It is a sense of injury alone, at the operation " of causes which virtually almost exclude them from " public life, that can unite them in hostility against a " system, which, under other circumstances, it must be " their interest to support: nor would the prejudices " they may have imbibed from a residence in India " long survive their return to England, unless they " found themselves placed under circumstances dis-

" couraging to their ambition, and almost compelled " into a community of sentiments and feelings by being " considered as a distinct class. This is, to a great " degree, their present situation, and no reflecting man " can doubt its injurious effects on the public interests, " which require a mixture of Indian and European " knowledge that can only be effectually obtained, by " the union in public office, as well as general society, " of those whose lives, though passed in different hemi- " spheres, have been directed to one object, the good of " their country. The useful approximation of such " persons to each other must, however, depend on a " parity of condition, which, while it promotes inter- " course, gives birth to that respect and attention which " men do not readily entertain for the opinions of those " whom they consider to be their inferiors in rank or " in knowledge.

" Amongst those whose industry and talent have " contributed to the good government of India subse- " quent to the establishment of the Board of Control, " the secretaries and clerks at the heads of depart- " ments of that board, as well as those of the India- " House, must not be passed over. It would be diffi- " cult to point out any class of men in similar situations " who have laboured harder, or more to the benefit of " the public, or who have preserved a higher character " for integrity and ability. The information and " minute knowledge of Indian affairs which some of " these have attained from the huge volumes of the " records of our Eastern empire, is quite surprising; " but the good that the public might derive from their

" labour and talents is diminished, not only (as noticed " before) from the disadvantages inseparable from their " own want of local knowledge and experience, but also " from their superiors often but imperfectly understand- " ing the details of the matter laid before them. The " latter, even when they have the disposition and the " leisure, must wade through a mass of writing on " subjects, of which a minute knowledge is rendered " more unattainable by the local references, and the " very names of persons, places, and things, as foreign " to the ear as confusing to the sense of the English " reader. Any change of system, giving increase of " knowledge to their superiors, must ultimately prove " most beneficial to the interests of this class. Men " who had confidence in their own competency could " have no reserve as to the resources from which they " derive assistance, and their experience and discrimi- " nating judgment would be favourable to the rise * of " all whose industry and talent rendered them conspi- " cuous.

" Existing establishments must always be liable to " attack, and in a free and enlightened nation like " England we may trace much of their excellence to

* " The duties of the subordinate officers at the Board of Control and " the India House are quite distinct from those of any other offices in " England. The great application and study necessary to attain that " competent knowledge which it is essential the heads of departments " should possess must withdraw the persons filling such stations from " all other studies and views. This consideration demands that such " functionaries should be placed on as high a footing as the nature of " their situation will permit. Their elevation, while it rewards their " efforts, will stimulate that of others, and be every way productive of " public benefit.

" this cause. They are kept in a state of vigilance and " activity by their assailants: the public opinion must " go along with them, or they would soon cease to " exist; but that public opinion is not to be taken from " the speeches of members of parliament contending " for victory; nor from the daily effusions of contradic- " tory papers and publications; nor from the clamour " of numbers acting under some momentary impulse; " nor from the pages of philosophers, who theorize " upon institutions that are to give a new character to " the human race: but though no one of these is the " representation of public opinion, they all influence " and help to form it, and as education is diffused they " will daily gain more strength. Let us hope, however, " that, as knowledge advances, the sound national sense " of an English public will keep pace with it, and " judge all questions that are constitutionally important, " free from the party feeling, the interests, the passions, " or the theories of those, from the active exercise of " whose ambition, industry, talnet and enthusiasm, it " derives its best lights.

" Notwithstanding that happy tenacity of usage and " respect, even for the forms of establishments, which " characterizes the majority of Englishmen, their exists " in the present state of society an expectation of their " progressive improvement. Such improvements, how- " ever, must be made with great caution, lest more be " sacrificed than gained; and we may lay it down as " an axiom, that the true value of all institutions " depends upon their being in unison with the commu- " nity and government to which they belong. If we

" desire their stability, we must adapt them to the " strength, the weakness, the prejudices, the virtues, " the vices, all the qualities, in short, of those human " beings for whose benefit they are founded.

" That sound public opinion, which it is so essential " to carry along with every branch of our free govern- " ment, has been very partially exercised in respect to " the administration of India affairs. The problem of " the best mode of governing that country is so difficult " to be solved, the interests affected by it so remote and " complicated, that few have given it any deep atten- " tion. When the privileges of the Company were last " renewed, the question was considered as being at rest " for twenty years. The expiration of this term is not " yet sufficiently near to excite the activity of those " parties which that event will bring into collision; " but it is most desirable that, before the arrival of that " period, the subject should undergo the fullest inves- " tigation, for it involves questions of great national im- " portance, the consideration and decision upon which " should not be left to the hurried moment of a conflict " between parties swayed by their respective interests, " and striving to attain their objects through every " means that temporary impressions can make upon " minds uninformed of the nature and merits of the " question which they are called to decide.

" Viewing the actual establishments with reference " to the facts and principles which have been stated, " it should be calmly examined how far they are, or " can be, rendered efficient to the purposes for which " they were intended; considering that, of all govern-

" ments, that is least likely to command respect and " gain strength, over which a sword is always sus- " pended, and which holds existence under respite, it " would be better either to abolish the Company as a " medium of governing India, or to give to that body a " broader, more solid, and more permanent foundation. " To judge this point, it would be necessary to look " minutely to the benefits which might be anticipated " from its preservation; to its defects as an organ of " rule; to the possibility of remedying these defects; " to the practicability of substituting a better medium; " and, lastly, to the probable consequences of placing " our vast territories in the East under the direct rule " of the king's government. In forming our judgment " upon these important questions, we must never for " one moment lose sight of the peculiar character of " our empire in India, which bears little analogy to any " power that ever existed in the universe. This com- " pels us to look almost exclusively to its own history " for those lessons which are to guide us through the " difficulties we must expect to encounter in its future " administration; and the experience which that affords " is limited, for the government we have established " has hardly one feature in common with that of former " conquerors, most of whom became inhabitants of the " land they had subdued. It would, however, fill a volume " to treat these subjects in the manner their importance " merits; and it is, perhaps, impossible at this distance " of time to anticipate the changes in Europe or in India " that may influence the question. It will suffice, " therefore, for the present, to offer some general ob-

" servations on the more prominent points which have " been brought under notice.

" No government has ever evinced a greater dispo- " sition towards a just and humane rule than that of " the East India Company. It has been as prompt to " correct abuses as zealous and liberal in the support " of all acts of the local authorities that promised " benefit to the natives of its vast territories. An " anxious desire to improve the finances has, at times, " given a direction to the zeal of its servants not " favourable to the increasing prosperity of the country, " from many parts of which too large a revenue has " been exacted; but this desire has never led to the " countenance of any violence or injustice. The same " principle has given the authorities in England a " strong but salutary prejudice against all those con- " tests with native princes into which the governments " abroad have been compelled to enter. This has had " a happy operation; for though neither their instruc- " tions nor orders could prevent our attainment of that " power which our condition in India forced upon us as " a law of existence, the known disposition of the di- " rectors and the legislature certainly impeded the " progress of conquest, and, by doing so, has, in all " probability, given our dominion more solidity than it " would have had if its conquest had been effected, as " it might have been, in half the period.

" The Court of Directors are in a great degree inde- " pendent of the favours of the ministers of the *crown*, " who find it difficult to bend them to any purposes " which they deem *injurious to their reputation, or to*

" the rights or privileges of those whom they consider
" as immediately under their protection. This ren-
" ders them an invaluable shield, to guard from attack
" and encroachment the rights of the service abroad;
" but it is a remarkable fact that those whose interests,
" as a body, they are so prompt to defend, are not so
" sensible, as might be expected, of the safety they
" derive from this intermediate authority. The causes
" of this are obvious: the highest and most distin-
" guished of these public officers, whose opinions and
" actions have a great influence over the rest, are too
" often discontented at their condition, and hostile to
" this branch of the Indian administration. The sup-
" posed disposition of the court to look chiefly to ex-
" penditure *, occasions every reduction either to be
" ascribed to them, or to a desire of conciliating their
" favour; while all acts of grace or liberality are re-
" ferred either to the representations of local superiors
" in India, or to the interference of his Majesty's go-
" vernment. These conclusions are often unjust, but
" they are always made; and they operate to prevent
" those feelings of respect and attachment which it is
" so desirable men should entertain for that authority

* " There is no service in which pay is so good, and the means of
" retirement so liberally provided for, as that of the Company. The
" nature of this service requires that it should be so. Money long con-
" stituted the only reward to which those who went to India could
" look; and it still constitutes the leading object of the great majority.
" The desire of attaining this object produces many ungrounded accu-
" sations against the Court of Directors, all of whose economical mea-
" sures are invariably ascribed to narrowness of commercial feeling, from
" their being a commercial body.

" under which they are placed: those feelings, however, " never can be maintained in large classes by a system " that employs no means but those of circumscribed " rules, and cold, inanimate justice. There must be " parts of the community kindled into warmer senti- " ments than such means can ever inspire, or a govern- " ment will never acquire the popularity which it is " essential for it to possess. This ingredient of rule " is singularly wanting in the Company's government. " It has few if any zealous and active advocates, to " meet those attacks with which it is continually " assailed; and the consequence is that, though serious " reflection should teach the great body of those who " are in its service that no change is likely to be " for their advantage, all that they are in the daily " habit of hearing and reading is calculated to make a " different impression upon their minds.

" The manner in which the directors exercise their " great patronage has satisfied the public, that it could " not be in safer or more honourable hands; but it is " to be regretted that this patronage should form the " principal object in seeking the direction, and the chief " reward after having attained it. The first circum- " stance induces some to become candidates for the " office of director whose views are limited to the " attainment of a provision for their families, relations, " and friends; and the second deprives this government " of one of the greatest means which all other govern- " ments possess, that of encouraging, rewarding, and " attaching those by whom they are served, by admit- " ting, to a certain extent, the claims of sons and near

" connexions of persons who have been distinguished in " the public service. These are not only rejected by " the directors in their corporate capacity, but their " advancement is considered as an infringement of their " most valued privilege. This is the fault of the system, " not of the directors; they are paid in patronage, and " a deduction from its amount would operate as a de- " duction from the wages of their labour. This fact " clears them of all blame, but it does not render the " evil less. It may, perhaps, be asserted that the " interest and connexions of men in the service, com- " bined with the humanity and consideration of indi- " vidual directors, palliates, if it does not remedy, this " defect of the system; but this is a mistake, for the " very mode in which such favour is bestowed, though " it may raise the reputation of him who confers it, " lowers that of the body to which he belongs: besides, " it is not seemly to see the sons of those who have " stood the highest in the civil service of the Company, " or of officers who have fallen in some memorable " engagement, enter the list of common solicitors, or " carrying their petitions from door to door of those " who preside for the season over the interests of that " empire, the prosperity of which the parents of the " supplicants have laboured with distinction, or died " with glory, to promote.

" The court of directors are often very generous to " the widows and families of deceased officers of dis- " tinction left in distress, and they have always given a " most liberal support to the funds instituted for their " relief; but this liberality imparts little if any of that

" feeling which would be spread throughout the service " by the son * receiving such notice and protection on " account of the services of his father. To estimate " the value of this principle, we have only to look to its " effects in the navy or army of England. Notwith- " standing that eagerness for patronage which pervades " these services, hereditary claims are seldom neglected " or rejected, and the attention known to be given to " them stimulates the highest minds to action in a " degree beyond all other motives.

" There is no part of the conduct of the directors in " which they merit more praise than the attention paid " of late years to the education of youth for the different " branches of the service abroad. Different opinions " may exist as to the modes they have taken of promot- " ing that important object, but all are agreed in com- " mending the spirit of liberality in which it has been " pursued.

" The court of proprietors is necessarily a popular " body, and will always consist principally of that class " which are termed the monied interest; but with this " advantage, that almost all who return from India with " fortunes purchase India stock, from the interest they " take in the affairs of that country; and we may " always look to this class as favourable to the preten- " sions of candidates for the direction whose claims are " grounded on acknowledged talents and high reputa- " tion in the public service. The privilege possessed

* " *If any part of the patronage of India is ever allotted to this purpose* " care must be taken to make arrangements that would secure the " *greatest possible benefit from its exercise.*

" by the court of proprietors of investigating every act " of the court of directors, or of those they employ " abroad, which may in any way affect the prosperity " of the corporation, gives a wide and useful range to " their debates. Their confirmation being necessary " to all pecuniary grants, above a small amount, renders " their opinion of importance on all such measures; " and there is a decided benefit in the publicity which " the proceedings of the proprietors give to such ques- " tions. The utility of this body, as a check upon the " abuse of power, should be calculated, like other parts " of our free constitution, less with reference to what " they do, than to what they prevent others from doing. " A great majority of the proprietors stands alike inde- " pendent of ministers and the court of directors, and " this position gives them much value as a branch of " Indian legislature.

" Many objections have been taken to the composi- " tion and form of the court of proprietors, and some of " them are no doubt well-grounded. Every question " is discussed in open court, and decided by the majority " of those present; but the minority may call for a " ballot *, at which all proprietors, whatever be their " sex or condition, are entitled to vote.

" Sufficient has been said to enable us to judge, first, " whether the government of the Company, as at pre-

* " The usage of secret ballot, which is that resorted to on such occa- " sions, is not limited to the court of proprietors. It continues to be " practised by the directors whenever they are divided in opinion, and " must tend to diminish in that body the personal responsibility which it " is desirable to impose upon every man having such public duties to " perform.

" sent established, is competent to its increasing civil " and political duties; and, secondly, if it is not, how " far its form and constitution will admit of improve- " ments which will better fit it for its sovereign func- ' tions. If it be determined, as it probably will be, " that some alterations are indispensable, we may " assume that the changes which have lately occurred, " and those which are to be anticipated in its character, " are most favourable to the making of any reforms that " may be deemed expedient, either in the mode of " election, the necessary qualification of candidates, or " in the allotment of their duties after being nominated " directors. Suffice it to say, that any plan for effect- " ing such reforms will be incomplete, that does not " unite the objects of improving the direction without " taking from it that distinctive character which gives " it a particular value, as part of our Indian legislature.

" It is presumed that increase of knowledge, and " more competence to the particular duties allotted to " the different members of this body, would give them " more weight and consequence, not only with all under " their authority but with the public, than they enjoy at " present; and it is believed this might be effected " without any changes of a violent nature. Many " motives which at present lead men to desire a seat in " the direction might be lost, but others would be " created, more suited to the altered condition of the " Company and the Indian empire. Nor is there any " part of such a reform that would materially affect the " principles of the actual government, though it would

" gradually introduce a considerable change in the " duties of those by whom it was administered.

" However we may be disposed to think that the " Indian government in England, as now constituted, " is not adequate to its increasing duties, we should not " hurry to the extreme of its abolition, without calmly " considering whether it is not capable of reform; but " the consequence of preserving it under an improved " system will be best established by a view of the most " prominent of those evils which must inevitably result " from its destruction.

" It is not necessary to dwell upon the character and " composition of any intermediate body that might be " established in its place. The ingenuity of our ablest " statesmen has been exhausted to devise plans for such " an authority, and we should no doubt have a repeti- " tion of such expedients: but no rational being can " doubt that the ministers who could desire the annihi- " lation of the Company, and had strength to carry " that measure into effect, would take care, in whatever " manner they might mould their departments for the " rule of India, to make the whole subservient to their " own power. It is therefore necessary at present to " offer some observations upon the probable conse- " quences that would result from our vast Eastern terri- " tories coming under the direct authority or influence " of the crown.

" The first inevitable change on such an event " would be in the different view taken of the Indian " empire by the authority under which it was then

" placed. With the Company's government it has " always been, and must remain, a primary considera- " tion; with his Majesty's government it must be a " secondary one. This has been too often shown, in " cases where the latter had a right to interfere, to " leave a doubt of the fact; and who can calculate the " injury that would arise in India, when every measure " which regarded that empire should be considered " with reference to other and more immediate ques- " tions of expediency?

" The urgent desire of satisfying friends, and of dis- " arming opponents, of conciliating the public, or of " avoiding parliamentary discussions, would often out- " weigh all interests connected with our remote pos- " sessions in the minds of the wisest and strongest " ministers; and at a period of weakness, the most " serious evils might justly be apprehended from this " source: nor could we look to the House of Commons " as that check which they form upon other occasions " to any abuse or unwise exercise of power. Questions " of a magnitude to excite the attention of that body " would seldom be brought forward; and when they " were, they would be so enveloped in details, that few " would understand them; for a general and familiar " acquaintance with the affairs of India can never be " anticipated.

" Under such circumstances, that great country " might be treated as a colony, without having those " defences against misgovernment which colonies in " general possess. The West Indies, for instance " besides their local colonial assemblies, have an

" embodied interest, which is strong in parliament *,
" and can advocate their rights whenever these are
" assailed; but we can look to no period when there
" can be any representation of the nations of India.
" On the contrary, we may look for associated interests
" against them, particularly when a system is adopted
" that will make every question connected with that
" country secondary to numerous other considerations.

" The alarm taken by the public at the transfer of
" the patronage now enjoyed by the directors to the
" ministers of the crown, has hitherto contributed, more
" than all the other reasons, to the preservation of the
" Company; and this is a rational and constitutional
" ground of fear, both as to its probable effects in India
" and England. The general view that has been
" taken of this subject is, however, very limited. The
" actual patronage of the Company has been taken as
" that which, in the event of the abolition of the corpo-
" ration, would fall to the crown; but those who have
" computed in this manner, have forgotten the weak-
" ness of one party, and the strength of the other. It
" would not be difficult to arrange, without much in-
" crease of the influence of the crown, for the disposal
" of the appointments of writers and cadets; nor is it of
" much consequence by whom, or how, these are se-
" lected, provided means are taken to ensure their
" possessing the requisite qualifications: but who will
" pretend to find a sufficient guard against the en-
" croachments of the ministers on the rights and inte-

* This interest no longer exists. It was destroyed by the Reform Bill, and the West India Islands are now in fact unrepresented in parliament.

" rests of the service abroad; and who, that understands " this subject, but must be satisfied that the very " existence of the empire depends upon every branch of " that service being sufficiently protected? It will be " asserted, that if India was under the direct authority " of the crown, men of superior talent, who distin- " guished themselves in the country, would be brought " much more forward, both at home and abroad, than " they are at present, and that such a change would " remedy this prominent defect in the actual system. " This might be true; but though it is not meant to " deny that his Majesty's ministers, as enlightened " statesmen, would seek, through such instruments, to " promote the good administration of our Eastern em- " pire, can there be a doubt that they would also use " this mean in aid of those efforts which their condition " must compel them to make in order to extend their " patronage?

" The Indian government, when transferred entirely " to the ministers of the crown, would, even in England, " present a much greater number of places than is at " present imagined; and supposing, as no doubt would " be the case, the departments abroad were defended by " regulations and acts of parliament, numerous inroads " nevertheless might, and would be, made upon them. " There are many appointments, civil and military, " which can hardly be said to belong to any particular " branch of the service; these are dependent upon " events, and the exigencies of the moment, and must " *be left, in a great degree, to the discretion of the local* " authorities. The latter, supposing such motives to

" exist at the fountain-head as those under which " ministers are likely to act, might be multiplied to " almost any extent; sinecures, now unknown, might " be gradually introduced, and pensions multiplied. It " may be asked, why all these abuses do not now take " place: the reason is obvious; the local governments " are checked in the exercise of every power that tends " to the creation of such patronage, by the directors, " who, in their turn, are controlled by the India Board, " over which they watch with a vigilance that has in it " almost a spirit of retaliation. Besides these checks, " the ablest servants of the Company are forward to " take alarm at the slightest acts of the local govern- " ments, or the authorities in England, which trench, in " the most remote degree, upon what are deemed the " exclusive rights of the different branches of the India " service. This forms a chain of defence against the " increase or abuse of patronage that cannot be broken; " but there is no doubt that the Company is the most " important link in this chain. If that intermediate " body did not exist, there would not be the smallest " difficulty in reconciling those who filled the highest " stations abroad to give their cordial aid to advance a " system in the benefits of which they would partici- " pate, and which would be favourable to their views " of wealth and ambition; nor would this aid be limited " to persons appointed from England. The price of " distinction and high employment to men who had " risen in the service in India, might often be the " sanction of their names, and efforts to promote mea- " sures calculated to depress and injure that body to

" which they belonged, but from which their personal " interests were separated.

" With such aids to protect their patronage in a " distant and ill-understood scene, who can believe " that parliamentary interference would constitute an " efficient check upon the proceedings of the ministers " of the day, to defend which they had gained those " who possessed the best talent and the most authentic " sources of information.

" It will not seem unfair to draw a conclusion of " what would happen to our territories in India, if " transferred to the crown, from the history of those " colonies which have been, and are, under its direct " authority. It is believed that an investigation as to " the mode in which patronage has been exercised in " those distant possessions would not be favourable to " the arguments of persons who advocate this change " in our Indian government.

" If we desire that our rule over India should be per- " manent, we must take care that its constitution shall " suit that of England; and we must view the operation " of the latter, not at any moment when extraordinary " causes produce extraordinary effects, but as it is in " ordinary times. We cannot, for instance, calculate " upon ministers remaining so long in office, and being so " strongly supported by public opinion, as the present are. " These circumstances may render them less dependent " on patronage than any of their predecessors have been, " or any of their successors are likely to be; but sup- " pose opposing parties nearly balanced, will the suc- " cessful party hesitate at any means within their power

" to maintain themselves? and when their adversaries " prevail, what changes might we not anticipate? Such " changes habit has rendered not merely familiar, but " beneficial to England; but if they extended to India, " their frequent occurrence would sap the very founda- " tions of our power; for it is not too much to add, that " our hopes of preserving that empire must rest chiefly " on our being able to keep its administration free from " the certain injury consequent on its being subject to " the influence of politics in England.

" The foregoing arguments are meant to show the " evil effects which we may anticipate to India, and " eventually to England, from the abolishing of the " East India Company as a medium for the govern- " ment of India; but the danger to be apprehended is " not so much from the amount of patronage that would " fall into the hands of the ministers of the crown, as " the manner in which the latter, from their obliga- " tions, and the frequent changes to which they are " subject, would be likely to exercise it. The patron- " age of the crown has, of late years, apparently greatly " increased; but the strength gained by this part of " our constitution has been more than counterbalanced " by the increased influence of public opinion on every " measure of the state. We have seen, however, that " the salutary check which this constitutes neither does " nor can apply in any efficient degree to the adminis- " tration of India, that country being too remote, and " its interests too imperfectly understood to admit a " hope of advantage from such influence. On the con- " trary, there is cause to fear that the action of public

" opinion at home might give rise to measures which, " while they brought partial and doubtful benefit to " Great Britain, would be productive of serious injury " to India."

It only remains to make some observations upon the actual state of the important question regarding the renewal of the charter, which is expected to be brought forward in parliament at an early date.

His Majesty's ministers propose* to open the trade to China, but it is understood that the name of the East India Company is still intended to exist, and the directors of that body are to be elected as usual, by the proprietors of India Stock; and the court so formed, or rather continued, will exercise, under the control of the India Board, the same power which it now possesses over all departments except commerce.

I have already stated my opinion that the Court of Directors should have disarmed, as they might have done to a considerable degree, that hostility which was excited by their continuing to refuse to British merchants the same privileges in the China trade as were enjoyed by foreigners. To these causes it is perhaps to be ascribed that they are now assailed with a violence, which, under the actual condition of the pre-

* I assume Ministers having made this proposition to the Court of Directors as a fact, from what is stated in the public papers, and its being generally reported and believed. It is expected that a communication will be made to the proprietors on the subject in a few days.

sent administration, it may not have the power, whatever are its wishes or opinions, successfully to resist; but if the China monopoly be abolished, and they are also excluded from trading as a company to that quarter, their trade with India being already abandoned, their charter as a corporation of united merchants trading to the East Indies is in fact, whatever it may be in form, done away.

It is not necessary, nor is it suited to the limits of this volume, to enter upon the large question of the China trade. I am one of those who can see no advantages in the throwing wholly open this trade either to individuals or the state, to balance the hazards which are incurred. These may be found considerable, both in a political and financial view; and among others it is not one of the slightest to disturb, if not destroy, the existing rule of our Eastern possessions, which has grown out of events into a shape, which however incompatible it may be with the reasoning of philosophers, and the maxims of economists, has, in its practical working, attained all the ends of a mild, good and efficient government.

After the extinction of the monopoly, if that measure is carried, it will no doubt be expedient to use much of the material that is now employed for the administration of our Indian empire, but there must be many changes. It is said, that the name of the Company is to be preserved, as it is believed by many to have, from long usage, a value both with Europeans and natives, that will give strength to the new arrangement. This might formerly have been the case. It is no longer so. The

European inhabitants of the presidencies, including those attached to his Majesty's courts of law, and principal merchants, have, it is well known, no bias in favour of either the name or authority of the Company. That deference and respect once given to it by the civil and military services is greatly diminished: numbers, indeed, acting from private feeling or excitement, desire to be placed under a different authority; in this they are, as a body, most unwise, for they will never act under a system of government by which their interests will be more vigilantly guarded or more liberally promoted. With regard to the natives of India, they are not now as formerly, when a comparative few knew no other name but that of the Company; opposite impressions to those of respect have been too successfully made upon numbers of the inhabitants at the presidencies; and with regard to the millions who have become subject to our authority during the last thirty years, they are too completely ignorant of the character of the government in England to make any change of the name or substance of authority in this country a matter of the slightest consequence, further than as it may hereafter affect their happiness or prosperity.

This being the case, it only remains under the anticipated annihilation of the commerce and consequent remodelling of the actual administration of India, to consider what is to be substituted for that now in existence. If attention to popular feeling or other causes produce an alteration of the system, the principle acted upon should be, to disturb as little as possible the

subordinate parts of the Indian administration, either at home or abroad, and more especially with regard to the latter; as those changes and modifications which are necessary to give that unity of shape, and, by consolidation of duties and concentration of authority, to add at once to its economy and efficiency, are either in progress, or under the consideration of the home government.

The important and difficult part of the change will be the maintenance of an intermediate body in England, sufficiently powerful, from its constitution, independence, and the character of its members, to maintain the same check which now exists upon the ministers of the crown; for it may be received as an undeniable position, that if the latter ever act without such restraint, the existence of our Indian empire will be of short duration.

Whatever changes become consequent to the taking away of the Company's trade to India and China, the public offices in England, as now established, for the details of our Eastern executive, should be as little altered as possible. These offices are the depositaries of all records, and they are conducted with an information and talent, which, if preserved, leaves no care about the formation of the higher parts of the system, except so far as these are grounded and maintained on the strict observance of those constitutional principles of jealousy, which, operating as they have done in the existing system, have rendered the Directors as complete a check upon the India Board as the latter are upon them.

It has been stated by persons, whose opinions are entitled to attention, that the collision and delay which this mutual check occasions requires to be removed. From this opinion I most decidedly dissent, for while I admit the injury and embarrassment it may at times produce, I am positive the public interest would suffer in a tenfold degree, if such checks did not exist. We must not judge such a point from what appears on record. The cases may be few where these checks have operated to benefit, but who can calculate the abuse of power they have prevented. The India Board, and the Court of Directors, since the first day of the Institution of the former, have vigilantly watched each other; and even when acting cordially, every suggestion or proposition made by the one, has been scrutinized by the other with the most careful minuteness. The value of this part of the existing constitution is proved by the most unexceptionable evidence*. It requires,

* Mr. Jones, assistant-secretary of the India Board, whose experience and ability of judging such a subject is surpassed by no individual, in his evidence before the Committee of the House of Commons, states, "With "a view to promptitude and despatch, there can be no doubt that it is "in a great measure affected by the circumstance that at least two sets "of minds must travel over the same ground; but," he added, "unless "that can be done, there can be no check; and as all proceedings of the "Local Governments are examined and investigated most minutely, "both at the East India House and at the Board, it is obvious that more "delay arises in giving orders and instructions to the governments of "India, than would occur if the government rested solely either on the "Board or on the Court; but then you would lose the advantage of that "check which, if I may presume to say so, I consider as invaluable, with "reference to the distance of India, and to the diversities of the lan-"guages, customs, manners, and religions of the people. I think that

however, no proof, for it is in accord with the principles of the British constitution; and is singularly required in a government like that of India; the nature and working of which is so imperfectly known in England, where the questions connected with it, generally speaking, excite little interest. India would, therefore, be exposed to much misrule and danger, if left to the sole management of those who, influenced by the political interests and collisions of parties in England, must often deem it an object of secondary consideration.

If any measure is adopted which takes from the Court of Directors those duties they now perform, as managers of the commercial concerns of the East India Company, it will involve changes in their constitution and establishments, that must cause this body, if the whole or any part is preserved, to be re-modelled; and in effecting this, many and serious questions would arise as to the just settlement with the various individuals and bodies of men affected by the change; the apportioning of its future labours; the extent of its patronage, and the degree in which it would command the same respect and consideration it has hitherto done from the local services in India, when its character was entirely altered, and it had lost by its new frame the benefit of those associations which connected it

" when arrangements ordered from home are likely to affect the interests " of a people so situated and circumstanced, too much caution cannot " be exercised in framing those arrangements; and that the mutual check " of the Board upon the Court, and of the Court upon the Board, is ex- " ceedingly desirable; yet in order to preserve that check, and to render " it effectual, you must put up with the disadvantages of delay."

with the origin and growth of a government the various incongruities of which, springing as they did from events, had become familiar and were reconciled to men's minds by the contemplation of the practical good effects of the whole system.

If the constitution of the Court of Directors be changed, that of the Court of Proprietors must be changed also. This court is at present composed of numbers who are connected with that trade and shipping, with which those they elect will hereafter have no concern. Objects of patronage which lead numbers to purchase this stock will be much diminished; for appointments to China will be done away, as well as all that belonged to the shipping and commercial department. Those to the civil service in India are by late economical arrangements in that quarter greatly lessened; and both to these and the military appointments the claims of public officers, who have served long and well, in behalf of their children, must, on public grounds, be admitted to more attention than they have hitherto received. The directors, or whatever they are termed, will no longer have the same power they have had of serving friends, who will cease to have an interest in giving that active support to candidates, on the ground of expected favours in return. Those motives, which in future may be expected to actuate the stock-holders, will be the value of the stock, the mode in which it is settled that the interest should be paid, and the fluctuations to which it may be supposed liable. But under the change contemplated, this body of electors (for such they are)

will require other motives to be substituted for those which are lost. Modifications will be required in the system, to secure to the public the election of men qualified for the important duties of an intermediate court or board, which, having no longer concern in commercial affairs, will lose much of the weight it has hitherto derived from the numerous individuals, whose connexion with that interest led to their taking an active share in the concerns of the Company. These have at various times, and particularly at an early period, been among the most laborious and the most useful members of the court of directors. It is evident that, under the proposed changes, the same qualifications will not be required. Persons who combine a knowledge of India with high reputation, who can devote their whole time to their arduous duties as directors or commissioners, are those whom it will be most desirable should be elected. I shall not go into the detail of the departments into which such a body when formed should be divided; but it would be necessary to the object I have stated, that when new members were chosen, it should be with reference to certain qualifications in the candidates for the particular branch in which there was a vacancy. This principle I have long advocated as essential to the good formation of the Court of Directors, and it will be more requisite if that authority is re-modelled. The diminished patronage of the intermediate body would cease to be a remuneration of services as it is at present. Adequate salaries, therefore, should be assigned to them, particularly to the chairman and deputy, whose continuance in office should

not be under five years. If, added to the right of electing directors, the court of proprietors had that of electing members to represent the interests of India in the House of Commons, that body would assume a political influence in Indian affairs which would greatly aid in securing to these that constant attention and that fair and open consideration which they require. I am positive that, under the operation of the proposed measure, unless some such system is adopted, the Court of Proprietors will fall altogether into disrepute and inutility as a part of the Indian government. Whereas, if such privileges are bestowed, it will early become a numerous as well as a most valuable constituency, composed of persons of all classes who from any cause take an interest in our Indian empire; but no proprietor, under such arrangement as has been suggested, should have more than one vote, either for a member of parliament or a director.

The name as well as the present privileges of this body should cease when those I have proposed are granted. Their principal function, that of confirming pecuniary grants for remuneration of losses, or reward of services beyond a certain amount, might be transferred to the India Board. They would remain as a respectable constituency in the exercise of their rights of franchise as relates to the election of Directors and members of Parliament, and conform in voting for the latter to those rules established in other constituencies. The numbers and weight of the proprietors or stockholders would be greatly increased by adding to them the holders of all Indian bonds, who had pos-

sessed such for a period of more than one or two years. The want of every analogy to any part of our established constitution will occur on the first reading of this suggestion; but a moment's reflection will show, that there is not the smallest similarity of character between our Indian Government and that of England; and when, from any causes, those who have power resolve to alter a system, to which, however incongruous in all its parts, usage has given salutary action, it becomes necessary to examine the whole question with reference to the chief object, the future stability, peace and prosperity of our Eastern empire.

If the Court of Directors are to be changed in the manner proposed, it will become necessary that both it and the proprietors of stock should be so modelled, that men of high reputation should be induced desire a share in the future administration of the British interests of India. It is only in this mode we can hope that constitutional checks may be maintained; the rights of the local services in India supported against the attacks to which they are subject; and public opinion conciliated by the admitted knowledge and experience of a part of the Indian government in England. Objections may be offered to this plan, on the ground of its being an anomaly; but these cannot merit attention, when we reflect that it is only suggested in the supposed event of Ministers carrying a measure which virtually annihilates the Company; and that the case is a complete exception to all the practice of our ordinary rule, and requires to be provided *for, on considerations altogether distinct from those*

which must regulate every measure which relates only to legislation for England. I can only add, that I know of no other mode, in the extreme supposed, by which a knowledge of Indian affairs can be diffused, and that publicity given to them which all good government requires. By the adoption of a plan which gave more power and permanence to the Directors, and gave to India the aid of persons in Parliament competent to advocate its interests, many of the evils likely to attend projected changes may be averted; otherwise I shall believe that a part of Burke's prophecy will be early fulfilled, and that the Directors will, as he stated, "*dwindle into clerks of the Board of Control.*"

Under any alteration of system, the present Board of Control would be better changed into a secretary of state's office, with two under secretaries, one parliamentary, the other stationary, and all its subordinate establishments. The paid, as well as honorary, members would, in such case, be dispensed with. The former are changed with every administration; and they are nominated more with the object of serving individuals than from any knowledge they may have of the affairs of India. They have neither defined nor responsible duties; and I believe this Board (as it is called) very rarely, if ever, sits for the transaction of business. This reform of the Board of Control will, under the proposed change, not only be economical, but it will maintain the important principle of the personal and direct responsibility of the individual in whose hands undivided power is, at present, actually, though not nominally, lodged. In short, if a measure

be adopted which virtually (whatever be its professed intention) changes, in character and construction, the principal authority in England for the government of our Eastern empire, the more complete it is made the better.

If Ministers are not prepared to put this great question to rest by some final arrangement, it will be far better to make a short delay in its adoption, than to hazard the evil consequences which will be the certain result of temporary expedients. The various interests in England affected or threatened by such a course would be kept in continued agitation. Numbers of all ranks and classes, connected with the public services abroad, would be disturbed and divided; and a state of affairs would certainly ensue, which would not only prove immediately injurious to the public interests, but ultimately embarrass, in the greatest degree, the future deliberation and decision of Parliament upon this important subject.

I have before stated, that of all governments, that is least likely to command respect over which a sword is always suspended, and which holds existence under respite; and that it would be better either to abolish the Company altogether, or to give to that body a broader, more solid, and more permanent foundation. The Court of Directors themselves must be convinced of this fact; and requiring, as they will do, additional power to supply the place of the weight and influence they now derive from their commercial concerns, they will compromise their own character, and the interests committed to their charge, if they are led from any

consideration to acquiesce in arrangements which leave the intermediate body betwixt the Throne and India too weak for its great responsible duties.

The changes proposed both with regard to the extension of privileges of trade, and the settlement of Europeans in India, will require more attention than has been hitherto bestowed on these points; but unless some such measures as those which I have suggested are adopted, we shall neither be able to keep alive that sympathy and feeling with regard to Indian affairs, nor diffuse that true knowledge of our Eastern empire, which is necessary to prevent its government falling gradually into the hands of the Ministers of the Crown. These, by complying with the short-sighted views of mercantile men, whose minds are absorbed in their own concerns; by yielding to popular clamour in England, increased by misrepresentations from India, circulated through a free press, which may be said to be already established in that country, will soon silently usurp whatever degree of authority and patronage they may for the period leave to a body which, though it has the name, will not possess the character and influence of the former Court of Directors.

The concessions which Ministers must make to accomplish their objects will be attended with consequences that may be little understood, or slightly appreciated, in England. The remoteness of the scene, and events nearer home, will combine to prevent attention being given to the probable result of sacrifices at the shrine of popularity, but they may, nevertheless, prove fatal to the existence of our power in India, and, what

is of more consequence, to the peace and happiness of more than eighty millions of men; for though we may be certain that the permanent national interests of England must always be associated with those of India, we shall find frequent and often embarrassing collision between those of our European and native subjects in that quarter, and particularly when the former increase in number, as they will under contemplated arrangements. Such settlers, acting under proper restraints, may be expected to prove most useful in developing and increasing the resources of our Indian empire; but they will, as a class, seek dominant influence. In their endeavours to effect this object, they will be supported by numbers both in India and England. Their acquisition of such influence will defeat the recent efforts made to elevate the natives. It will also tend to depress the European branch of the civil administration, and consequently to weaken the whole frame of the local government.

It has long been a complaint that the interests of India were ill understood; and it is a serious defect of the present system, that both in principle and practice it is unfavourable to that publicity which is essential to all good rule. It was never easy for persons who had attained a knowledge of its affairs, but who were neither possessed of large fortune, nor disposed to compromise their character of independence, to obtain a seat in Parliament: yet these are the persons from whom, when recently returned from India, and acquainted with its actual condition, much benefit is to be expected; for they are alike qualified to correct misrepre-

sentation, and to elucidate by their information and experience all points in which the welfare of our Eastern empire is concerned; but the door has been, in a great degree, if not entirely, closed upon such men by the operation of the Reform Bill *. Looking to the combined effect of that measure, and of the proposed changes in the system of Indian administration, I dare affirm that there is not a borough in England with 2000 inhabitants, which will not be more assured of a fair hearing and better defence when its interests are assailed, whether by ignorance or design, than eighty millions of our subjects in India, who have assuredly an equal right to our protection. I know no plan for remedying this evil less objectionable than that which I have proposed. The formation of a constituency in India which should elect members to sit in the British Parliament, I consider, for a variety of obvious reasons, to be at present, and probably for half a century, wholly impracticable; but if the necessity of some measure calculated to give to the House of Commons a supply,

* I stated my opinion, when in the House of Commons, that no candidate at an election, on his immediate return from India, however high his reputation, and full and fresh his information of that empire, would be able, after the Reform Bill passed, to attain a seat in Parliament, because the representatives would either be men who had local claims on a constituency, or persons who owed their return to popular excitement on particular questions. The former, the Indian candidate was neither likely to possess nor to acquire, till a period had elapsed that decreased his value, as far as his knowledge of the interests and actual condition of that country were concerned. With regard to the latter, it was obvious that a member who owed his return to such feeling would not be likely to take (even if he was able to do so) a calm and impartial view of the real interests of British India.

however limited, of men with a competent knowledge of Indian affairs, be recognized, I care little for the mode in which so desirable an end is effected.

I cannot better convey my reasons for pressing this subject upon attention, than by quoting from my speech on the second reading of the Reform Bill, in which I urged the necessity of a remedial measure, to prevent the injury which that bill was, in my opinion, likely to inflict upon the national interests as connected with India.

"I am quite satisfied (I observed) that in the pre-
"sent condition of that empire, neither the English
"public, nor the members of this House, can obtain
"accurate and minute information regarding its true
"interests, except from those who, from long residence
"and employment in that country, have become con-
"versant with the character, the institutions, and the
"condition of its inhabitants; nor can we continue to
"legislate for this extensive empire, containing a popu-
"lation of 80,000,000 souls, without every facility is
"afforded to the most eminent of those who have ob-
"tained distinction abroad, to enter this House, and to
"be employed in high stations in England. Without
"these facilities, the means of administering the affairs
"of India will be defective.

"European agency (I added, when adverting to the
"actual condition of the administration abroad) has
"been diminished, and that of natives extended. The
"effect in some parts, and the tendency in all, of these
"changes, is to render our rule in India more one of
"control, under high officers, in whom great local

" power is concentrated, than it was before ; but this " change, which I deem useful and salutary, gives " great increased powers to those who are selected to " fill high stations ;—men who formerly had charge of " districts, are now intrusted with provinces of the " extent almost of kingdoms ; and it is upon the en- " larged knowledge and talent of these local adminis- " trators, that we must depend for the future preserva- " tion of our empire, and, what is of more consequence, " for the amelioration and improvement of the condition " of its inhabitants. The highest qualifications are " required in those who have to perform such duties. " The highest motives that can elevate the minds of " public men are consequently indispensable. Their " ambition must be stimulated ; and if the service no " longer enables them to look to those fortunes which " were formerly acquired in India, their attention " should be directed to England as well as to India, " as a quarter in which they may acquire fame and " advancement. The present bill will shut the last " gate, if I may so say, through which those who have " spent the better part of their lives in India have " hitherto, with a very few exceptions, been able to " enter this House. I do not say that persons, after " being eight or ten years at home, settled on estates, " or in towns, may not, under the new system, be able " to enter this House ; but their information with re- " gard to India will, from the rapid succession of events " in that country, have become obsolete on many im- " portant points, and they will no longer have the fresh- " ness of mind and information on the subject, that

" men will retain who have more recently returned " from that quarter of the globe.

" I did expect that the subject would have received " the attention of Ministers, but, as far as I can see, it " has been quite overlooked. If the bill passes into a " law, I do not hesitate to say, it would be indispen- " sable to provide some way by which persons who " had gained distinction abroad should enter this " House. A constituency for that purpose could not " be formed in India. It might be formed of those " who, residing in this country, possessed a deep stake " in the continued prosperity of our Asiatic empire. " The task of preserving India will be found much " more arduous than that of conquering it. But those " to whom it is committed, from the character of their " great and useful labours, and the remoteness of the " land in which they are employed, will attract no " attention in England, and consequently, the ambition " of the most able and distinguished public officers " must be deadened. They look, with others, to the " mere discharge of local duties, and to retiring upon " the pensions of their appointments when they have " served a prescribed period. Such a course may, " perhaps, more promote their personal happiness and " comfort; but I advocate the interests of this country " and of India, when I state the necessity which exists " for stimulating them to greater efforts, by enlarging " the sphere of their utility, and affording them the " means of serving their country at home as well as " abroad. Many conclude, from the notice and dis- " tinction which some officers, like the late Sir Thomas

" Munro and others, attained by services in India,
" that men of equal talent would be equally successful;
" but this conclusion is erroneous. The former, and I
" might include in their number myself, have risen
" amid wars and revolutions; and to these stirring
" events is it owing that our names have been brought
" before the public in a manner that the latter cannot
" expect. But this is the ground which renders the
" necessity stronger for every means being permitted
" to exist, or if destroyed, being created for bringing
" them forward. The increasing knowledge of our na-
" tive subjects, through education, more frequent inter-
" course with Europeans, and more constant and rapid
" communication with England, have led to the views
" of many of the inhabitants of India being directed to
" this country. Petitions on all subjects have increased:
" I shall not enlarge upon their character, nor upon
" the propositions frequently brought forward regarding
" India, further than to state, that without a succession
" of men of the character and qualities I have described,
" in England as well as India,—I do not think that
" country can be well governed. I speak prospectively,
" and with no view nor reference as to my own career,
" which will probably be very short as a member of this
" House. I contend that every facility should be given
" to such men becoming members, instead of the door
" of access being closed upon them—as it will be by the
" operation of this bill; for how can such persons suc-
" cessfully canvass any city or town, or even borough
" with three hundred 10*l.* voters, with a chance of be-
" ing elected? Will not these voters look out for some

"person residing in their vicinity, or with whom they "are acquainted? Assuredly the shopkeeper will look "to the excellent man who deals with him, and who pays "his bills liberally; whilst the operatives will look to "those who have the means to employ them. No doubt "those usual feelings may be changed in a moment of "excitement, but moments of excitement are short—the "fever soon passes, and human nature, as far as I can "judge of it, will again have dominion, and ordinary "motives will govern men in their ordinary manner; "that is to say, men will look to their own interests; "and all that a good and wise government can ration-"ally expect is, to combine and reconcile individual "interests as far as possible with those calculated to "promote the general welfare."

There are, I am aware, serious obstacles to the plan I have suggested, and some of a character which may, I fear, defy every effort to surmount them; for they are grounded on the prejudices and self-interest of influential men and classes of men in England. These will represent the proposed measure as a hazardous inroad upon established usage; and those who have not hesitated to subvert the long-established constituency of England, will be startled at the predicted danger from this slight effort to repair the injury their innovations may inflict upon India. Persons who seek to exclude those whose claims to serve their country at home are grounded upon the character they have established abroad, will challenge the competency of men whom they will describe as having no recommendation but a mere knowledge of Indian affairs. Let it, how-

ever, be recollected such knowledge is the very article required; and, allowing that there is justice in this under-estimate of their character, would not the qualifications and views of able and ambitious men change with the opening prospects presented to them in their native country, as well as in India? Assuredly they would; and from their very struggles with each other, in efforts at pre-eminence in a new field, advantages would be obtained, and a lively interest and real knowledge of the affairs of India would become more generally diffused.

I have not deemed it necessary on this occasion to allude to the situation in which late measures have placed the West Indian Islands. These, which have more able and better informed advocates, have no point of similarity to our possessions in the East, except that both have a claim to have their interests better represented in Parliament than they now are; but here the comparison ends. India is not a colony: it is a great state, created by concurring events which have given it a shape as extraordinary as its origin and rise. The history of the world furnishes no precedent to guide us in our efforts for its improvement or preservation. The affairs of the other distant possessions of England are comparatively well understood, and lie within a limited compass: they cannot, therefore, be forced into analogy with this wonderful empire; and if it is admitted that the vast majority of those who are to decide its future destinies are imperfectly informed of its condition and extended relations, we should assuredly accumulate every means within our power to aid in its administra-

tion, otherwise the combined action of ignorance and prejudice will prevent, on various and specious pleas, the adoption of measures calculated to promote the future happiness and security of that vast population, spread over the Continent of India, who have, through a series of unparalleled events, fallen under the dominion of the islands of Great Britain.

The opinions I have given on the administration of our Eastern territories, both abroad and at home, may be erroneous; but they are formed after much attention to the subject, added to long experience of the working of every branch of a system of rule which, though defective, has been generally successful in attaining its ends. I can only add, that, at a period when that system is likely to undergo serious changes, I have deemed it a duty to offer to those who have to decide upon the important questions submitted to their judgment, my mite of information and opinions. The latter will, I trust, be received as those of a man whose sole object is to promote the interests of his country, and, associated with them, the peace and prosperity of India.

APPENDIX.

APPENDIX.

A.

Minute by the Honourable the GOVERNOR, *dated 30th of November,* 1830.

INTRODUCTION.

1. AT a period when I am leaving a government over which I have presided for three years, it may be useful to those who succeed, and satisfactory to my superiors, to take a general review of the different measures I have proposed, the reforms and changes which have been made, as well as their financial results; and to offer my opinion as to the means which appear best adapted to maintain what has been done, and further to promote economy as far as practicable, without injury to the efficiency of the public service.

POLITICAL.

2. The principal measures in the political department have been those connected with the Guicowar state. A reform has been effected in the conduct of the political duties, which, while attended with considerable reductions, has, as far as I can judge, added to the efficiency of this branch of administration in Guzeerat. It would far exceed the limits I have prescribed to myself to enter upon the detail of the various arrangements proposed and adopted: suffice it to say, they appeared to me indispensable to root out evils more inveterate than I had ever found in any political connexion with a native state in India; and when all past efforts to remedy these evils had but tended to increase them, by adding to the debts of the prince, and to our embarrassing obligations, there seemed to me to be no option between allowing an ill-managed and distracted native state to hasten to dissolution, or to adopt measures which might save it from the baneful effects of its own impolicy and weakness.

3. The most marked feature in the first arrangement was the sequestration of districts, to the amount of about twenty lacs of rupees, to discharge loans for which we had recently become guarantee, in order to promote a beneficial settlement of the debts of the Guicowar, which had been impeded and broken by Syajee, with the view of enriching his private purse, and of adding to his power of conferring boons upon his low and unworthy parasites and favourites. This measure was too necessary for the

protection of the Baroda state, and the vindication of the honour and maintenance of the good faith of the British Government, to permit attention to the violent and continued remonstrances of Syajee against its adoption. The sequestration was carried peaceably into effect; and we have a prospect, by the liquidation of the principal debts, of being early released from our guarantee engagements, which, however recommended by expedience at the time they were adopted, were of a character that associated our acts as much, if not more, with the bazar, than the durbar at Baroda. We shall also be freed by this arrangement from that recurring necessity for a constant fretting interference, which, in its every day's exercise through the agency of subordinate instruments, limits the sphere of action, and depresses the spirit of good princes, while it irritates and renders worse those that are bad, and terminates in both cases in what it is our policy and professed desire to avoid, the subjection of the countries of its dependent allies to the direct rule of the British government.

4. The Court of Directors, I am happy to state, have, in their despatch of the 28th April, 1830, fully approved of the measures to which I have alluded. Nothing can be more clear or more comprehensive than their letter upon this subject.

5. Referring to the effects which the increasing embarrassments, and our Bhundaree or guarantee engagements, have had upon the Baroda state, the Court justly observes, "Under a "native government, the near approach of total bankruptcy does "not generally produce reform. It rather produces increased "exactions from the people. Predatory habits are engendered "by distress, and civil and military functionaries equally, without "regular pay, introduce corruption and violence into every part "of the government. Under these circumstances, our Bhandarry engagements render it incumbent on us to interfere. Our interference can hardly be exerted with efficacy, consistently with the maintenance in the native government of the shadow of independent authority; and we are driven at last to a virtual assumption of the government, apparently not by any desire to alleviate the sufferings of the people, but by the consideration of our own pecuniary interests, and our engagements to individuals. We thus exhibit our government under circumstances of disparagement, and injure our character."

6. In a subsequent paragraph of the same despatch, the history of our pecuniary concerns with the Guicowar, and the successive failures of our plans to relieve that state are concisely and ably given. "When the British government first affixed its "guarantee to the Guicowar debt, the receipts and expenses of "that state were prospectively calculated *, and an arrangement

* Receipts estimated at 65,66,663 rupees. Disbursements at 54,49,350 rupees, leaving a surplus of 11,77,313 rupees, applicable to the payment of interest and the liquidation of the principal of the debt.

" framed, by which it was predicted that the whole of the guaran-
" teed debt would be extinguished in a certain, and that a small,
" number of years. These predictions, however, were not veri-
" fied; and the time having expired without any material dimi-
" nution of the Bhandarry debt, new calculations were made, and
" new arrangements were grounded on them, by which it was pre-
" dicted with the same confidence as before, that the whole debt
" would be paid off within a very limited period; and in this state
" things have remained; the failure of each successive arrangement
" having been followed up by the adoption of another, which
" promised as much, and effected as little*. These arrangements
" failed, because in none of the calculations which were the basis
" of them had sufficient allowances been made for adverse con-
" tingencies. But a new cause of failure, which no accuracy of
" calculation could have guarded against, has arisen since 1820,
" when Syajee Row was placed in the full exercise of the powers
" of government. His highness diverted to his private coffers a
" large portion of the public revenues, in the form of bribes for
" annually underletting the land, and for granting, under various
" pretexts, remission of revenue. While, therefore, Syajee accu-
" mulated a private treasure of more than thirty lacs, the revenues
" of the state fell short of its expenses, the pay of the army, and
" various other public charges, fell into arrears. As often as these
" arrears became, from their amount, a source of serious incon-
" venience to his highness, and should have induced him to part
" with a portion of his hoard for their liquidation, our government
" relieved him from the pressure by guaranteeing a further loan
" to pay off the arrears. Under this system, the guaranteed debts,
" instead of diminishing, naturally increased, and rose at length
" to a greater amount † than that of the incumbrances of the
" Guicowar government in 1804-5, before our Bhundarry system
" had commenced."

7. On this view of facts, the court, after detailing the failure from similar causes of the septennial leases made by the resident, gave their approbation of the measure which the government was compelled to adopt of a temporary sequestration of territory.

* The year 1816-17 was fixed by Major Walker, in his report of the 10th January, 1809, as the period at which the Guicowar government would be out of debt. On the 29th November, 1816, the debt was stated to be 54,97,690 rupees, but there is reason to believe that its real amount was much greater. The year 1818-19 was fixed by Major Caruac as the period at which the debt would probably be extinct. In April 1820, it amounted to more than a crore of rupees, while the pay of the army was from three to five years in arrears. In that year Mr. Elphinstone visited Baroda, and guaranteed loans to the amount of a crore of rupees, at a reduced interest. According to Mr. Elphinstone's calculations, fifteen lacs were to be annually appropriated to the redemption of a debt now amounting to 13,22,7,981 rupees. In 1825-6, notwithstanding considerable payments made in liquidation, and a further reduction of the interest from 10½ to 6 per cent, it amounted to 1,33,81,319 rupees.

† 1,33,81,389 rupees.

"Nothing therefore remained," they observe, when commenting on Syajee's conduct, "but that the British government "should take the fulfilment of the obligations to which its faith "was pledged into its own hands, either by assuming the tem- "porary management of the whole of the Guicowar's dominions, "by exacting a permanent cession of such parts of his territories "and other resources as should be equivalent to the interests of "the Bhandarry debt, or by temporarily sequestrating such larger "portion of them as should enable you to pay off the principal as "well as the interest within a certain period.

"To the first of these three modes of action, it was a sufficient "objection that it involved a greater assumption of power on our "part, and a more extensive alteration in the existing order of "things than was necessary for the preservation of our faith, and "the speedy redemption of the Bhundarry debt. Your choice, "therefore, lay between the other two measures; and we think "you acted wisely in adopting the alternative of a temporary "sequestration in preference to that of a permanent assumption "of territory. We likewise entirely approve of your having de- "termined to make no essential change in the mode of adminis- "tering the district you have sequestered, and of your having "declared to the Guicowar government that these districts would "be restored to it immediately upon the discharge of the loans "we had guaran'teed."

8. The measures subsequently adopted to secure the benefits we have a right to expect from our alliance with the Guicowar state were suggested by me when on a tour through Guzeerat, where observation on the spot, added to my previous information, led to my proposing plans which appeared to me to combine the increase of political and military strength in our northern provinces with future benefits to our allies, and considerable reduction of expense.

9. These plans embraced the objects of removing the residency from the city of Baroda, and vesting extended power * in a political commissioner, whose residence was fixed at Ahmedabad; at which central spot the general officer commanding the northern division was also stationed, and the whole of the troops placed under his command. All former separation of our troops (such as the Guicowar subsidiary force, &c.) was to cease, and the whole force consolidated became the northern division of the army, leaving, however, the number of men, stipulated in the various treaties, within the Guicowar's territories, at the disposal of the Commissioner, under whom all the political agents in Guzerat were placed.

10. That our future connexion with the Guicowar state will be free from trouble it would be folly to expect. We must recon-

* Kattywar has been placed under his general control.

cile ourselves to many evils and embarrassments in this, as in all similar alliances; we have only a choice of difficulties, but these will be found fewer than they have been, if we have wisdom to persevere with undeviating firmness in the plan we have adopted. It is, I am assured, the only one by which we can keep alive the native state; but I must here observe, that while I am decidedly adverse to that continued interference which debases and destroys native princes and chiefs, I can never approve a course of policy which abstains from the exercise of that general control vested in us by treaties, until those, whom our counsels and salutary warnings might have saved, plunge themselves into irretrievable ruin.

11. I must, in concluding this short record of Baroda affairs, state, that the evils attending them, both as affecting Syajee and the government, have been greatly aggravated by corrupt agents instilling into his mind false hopes of his receiving support from his Majesty's courts of law at Bombay, and afterwards from the visits of one of his principal agents to Calcutta. Proofs will be found of these facts in the records; and they are worthy of the serious attention of the authorities in England. They may not be capable of complete remedy, but that should be applied as far as practicable; for there exists not, amid the difficulties which must ever attend the administration of the empire, one more likely to generate corruption and intrigue, or which is more calculated to hurry princes and chiefs to their ruin, than that impression which low and interested men create and maintain of their being able to appeal, in political matters, beyond the local government under whom they are placed.

KATTYWAR.

12. The countries of Kattywar and Mahee Caunta are divided among tributary princes and chiefs, each exercising independent power in the internal rule of his own limits. Some of these are under our direct authority, but the greater part are subject to the Guicowar, but placed under our control and management, as we collect the tributes, accounting for them to the prince.

13. This arrangement is indispensable to preserve the general peace of the country, and, on the whole, works well, though often attended with embarrassment; but this chiefly arises from our not being content with the great benefit bestowed on these countries by the comparative mildness of our rule, and the good done our own provinces, by the additional means we have acquired of saving them from the continued attacks of predatory neighbours. Instead of dwelling upon these real benefits, and of receiving occasional outrages with that toleration it is necessary to do in such countries when under progress of improvement, we often hurry to condemn the whole system, from its wanting some of those forms which we have introduced into more settled districts

under our direct rule; and we doubt, on legal grounds, our right of interposing our authority to alleviate, when we cannot altogether remove, evils of much magnitude. But our non-interference, if continued, will lead to unhappy results. Many chiefs have contracted to maintain the local peace, and failing in this obligation, they are liable to forfeiture of their lands; but cases continually occur, when they really have not the power of fulfilling such terms, and it appears harsh to punish men for not doing what they cannot do: but I have treated this point very fully in my minute on Kattiwar, under date the 24th September, 1830, with the last paragraphs of which I shall conclude this part of my subject.

14. "The permanent control over these countries must, I "conceive, carry with it a power to fulfil the guarantees, and to "maintain the general peace of the peninsula of Kattywar. It is "to me quite evident, that we can only do so by acting, in these "instances, as our predecessors did. Their interference to punish "outrages committed by outlaws and insurgents, which the injured "parties had not power to do, formed a part of the existing "usages of the country that we guaranteed; and to adopt another "course appears to me contrary to the letter and spirit of our "engagements.

15. "It may be stated that, though a regard to our public "faith recommended such a course, legal difficulties which arise "out of a strict construction of these tenures must render the "exercise of such a power by us highly objectionable. These "objections, probably, did not occur when our guarantee was "pledged, and the chiefs who concurred in our arrangements, no "doubt, expected that we would act in the same manner as their "former superiors had done. Besides, they were at that period "under the rule of native princes, and never could have antici-"pated events which would subject them to forfeiture of their "lands, to which they now are liable for the non-performance of "engagements which, from the actual condition of their power, "they may be unable to perform. Of this I am convinced, that "if we do not interpose our authority, more than we have hitherto "done, to terminate the recurring outrages against the public peace, this country will either remain infested, as at present, by plunderers, or its chiefs will fall one by one into the vortex of our ordinary rule. An event, I think, much to be deprecated, as it will in every view, financial and political, be attended with evils. The change, in its commencement, will spread alarm, and we shall have impressions of our meditated encroachments spread along the whole of our western frontier, where, from the nature of the soil and the population, it is most essential we should be regarded as protectors and supporters of

" the princes and chiefs who enjoy their power from, perhaps, an " older line of ancestry than any in India, if not in the world.

16. " There is no escape from such a consequence that I can contemplate, except we either abandon Kattywar to anarchy, or introduce a special authority suited to our obligations, to the actual condition of the country, and to the usages and character of its inhabitants. To those who assume that we are restrained from framing the exercise of our controlling rule over such countries as Kattywar, according to its condition, by the attention we are bound to pay to established regulations or legal enactments, I can only reply, that if such are found to be inconsistent with the diversified character of our power over the different natives of India, they should be changed, or so modified as to admit exceptions. The period is arrived when, if this is not done, all India must shortly become subject to our courts of Adawlut: for if there is no medium between these and the opposite extreme of non-interference, no native state, in the present condition of India, can long exist. The anarchy that will prevail, from constant warfare in territories contiguous to our own, or the follies or crimes of their uncontrolled princes or chiefs, must, sooner or later, make them become subject to " our direct rule,—an event which is assuredly not desirable; and " every effort, therefore, should be made by which it can be " averted."

17. Referring to Kattywar, I proposed *, in the first instance, that the political agent in that country should be placed under the general authority of the commissioner of Guzeerat, and that the latter should visit Kattywar twice annually; and all criminals who had been guilty of capital crimes, such as robbery and murder, in the territories of these petty states, in which the chiefs might be too weak to punish them, should be tried and acquitted, or sentenced by a court in which the commissioner should preside, aided by the political agent and three or four chiefs as assessors.

18. The sentence, when death, should require the confirmation of government. I had much communication on the subject of a trial like the above, while in Kattywar, with the acting political agent, Mr. Blane, and with natives the most conversant with the habits and actual situation of that country, and found all of the same opinion upon this point, which they deemed quite essential to the preservation of peace and order: and they thought, as I do, that without some such arrangement we could not fulfil our guarantee of preserving the peace of the country, or promote its general improvements. It would, no doubt, add greatly to our influence and power: but that is desirable as long as it does not supersede the authority of the princes and chiefs of Kattywar in their internal administration.

* This has been done.

CUTCH.

19. There has been no change in our existing relation with Cutch: but the force maintained in that country, as well as the political agency, have been reduced so as to exceed, in a very small degree *, our receipts from it. The whole of the late proceedings of government, regarding that country, are fully stated in my minute of June, 1830.

SATTARAH.

20. I have in my minute, dated the 9th September, 1830, entered fully upon the subject of the Rajah of Sattarah and the northern jagheerdars, whose relations have undergone no change since first established in 1818, and finally settled in 1822. The expense of the political agency has been greatly reduced, by an arrangement that vests the commandant of troops at Sattarah (as at Bhooj) with political powers. I have stated in a minute, that it is necessary to hold out objects of ambition to military officers who render themselves acquainted with the languages, the manners, and usages of our native subjects: "I know no greater "advantage (I added) that government can derive from their "success, than being able, when they attain rank, to combine, in "one person, military and political duties. Under ordinary cir- "cumstances this is of the greatest utility; and on the occurrence "of war on an extended scale, the benefits which may result from "it are incalculable†."

21. A recent rupture between the Rajah of Sattarah and the family and adherents of the minor chief of Ukulcote, who was under his care as guardian, occasioned his garrison to be expelled from that strong fortress; but my being in the Deccan at the period, and instantly moving troops from every quarter, produced the early termination of an affair, which, had less prompt measures been adopted, might have been attended with great expense and much loss of life. I state this fact, because it is the second time (the first instance occurred in Guzeerat ‡), within this year, that my presence in the provinces has remedied the great defects of our system, which subdivides power in a degree that creates delays, which are alike injurious to the financial and political interests of government.

MUSCAT.

22. None of our subsisting engagements with the Imaum of

* See Minute, &c., "Cutch."

† The late Sir Thomas Munro, Sir Barry Close, Sir David Ochterlony, Colonel Walker, and myself, may be adduced as instances of the advantage that may be derived from this combination of political power with military command.

‡ An impostor invaded the north-eastern district with nearly 6000 plunderers, who were speedily discomfited by my being within forty miles of the scene, and issuing orders to the different corps to move.

Muscat, or Arab chiefs, have been modified or changed. Interference in their internal disputes has been carefully avoided, while piracy has been repressed, and the increasing trade now carried on in Arab buglas*, announces the success of that humane and wise policy which sought the reform of these predatory tribes, by opening to them honest and profitable employment.

In conformity with my minute, noted in the *margin* † (the measures suggested in which were sanctioned by the supreme government), Lieutenant Burnes has been directed to proceed up the Indus with presents for Runjeet Singh: and he may be expected to add to his political labours a much more complete account than we yet possess of the navigation of that river, particularly its "Delta."

PRIVILEGED CLASSES.

24. There are few considerations more connected with the political prosperity of the territories of Bombay than the maintenance of the privileged classes of the Deccan, and the further extension of an order which gives such hope of forming a respectable and attached native aristocracy. My attention was early directed to this subject; and having visited Poona soon after my arrival, I brought to the notice of the board ‡, and proposed arrangements to which my colleagues agreed. To understand these arrangements, however, it is necessary to trace the rise and progress of this order, and its present condition, as well as the means by which it has been maintained.

25. In the beginning of the year 1822 registers were appointed to the Deccan, and the nobility and gentry became alarmed lest they should be made liable to the forms and process of such English courts as they had already heard of in the Concan. In the middle of the same year Mr. Elphinstone visited the Deccan, and received remonstrances on the subject from the Vinchorekur and other chiefs, who quoted his proclamation of the 11th of February, 1818, by which, they said, all the privileges enjoyed under the Maharatta government had been guaranteed; that the revolution had burdened them with debts, which they never could pay; and that it would therefore be a breach of faith, and ruinous to their character and comfort, to subject them to adawluts. In consequence of these remonstrances, when courts of justice were introduced into the Deccan, the same order which announced their appointment and jurisdiction contained "a list of persons of "rank to whom some exemption from strict process was intended;" which measure, and the further refuge that the commissioner afforded to these persons, by hearing representations and petitions daily, prevented for the moment further complaint.

* *These vessels carry from 50 to 200 tons.* † *Survey of the Indus.*
‡ Vide Minute of the Governor entered in Council, Jan. 30th, 1828.

26. Mr. Chaplin wrote * to government that the Surdars must not only be exempt from ordinary process, but that the judges should be strictly enjoined not to drag up to court unnecessarily men of rank and respectability on even criminal charges; and government accordingly ordered without reservation that causes against Surdars were to be reported to the "commissioner, "who would take measures himself for settling them, or furnish "the judge with special instructions in each case." The judges were also directed to treat men of rank with the consideration to which they were entitled by usage, and received a full direction to set aside forms that were harsh and derogatory to their character. The commissioner accordingly divided † the privileged orders into three classes, exempting some persons entirely, and others partially, from the strict process of the courts.

27. A new difficulty arose. Suits had been filed, and, in some, decrees passed by the registers ‡, against Surdars, which could never have been forced without ruining them; and their creditors gave them no rest in the adawlut, and no intermission of private tukaza §. To meet this evil, the judge was empowered to execute such cases partially in reference to the debtor's rank and means, and tukaza was declared illegal by proclamation.

28. In two months afterwards the commission was abolished. The political duties of that officer were transferred to government, the vakeels of the Surdars to the Persian secretary's office, and the Poona and revenue duftars (by which last the commissioner had exercised a check over collectors) to a sub-secretary in the territorial department. Mr. Elphinstone, however, having at the same time repaired to Poona, his presence weakened the effect of the evils produced by the loss of the commissioner, but it soon became apparent that something more than a judge and a collector was required in the Deccan; and the delicacy of the duty entrusted to the judge in respect to claims against Surdars, and the striking contrast it presented to the rigid and uncompromising routine of an adawlut, suggested the propriety of establishing a separate jurisdiction for its performance. The agent for Surdars was appointed. This was the state of affairs when I came to India. I was easily convinced of the evil of retaining the native vakeels of chiefs in a society constituted as that of the island of Bombay is, and that the records of the Poonah office could not be conveniently referred to if kept at the presidency, and that the revenue duftars without a competent superintendent would be quite useless; and that the heavy adawlut duties of the agent left him but little leisure for the trial of suits against Surdars, which

* Letter of October, 1825. † Circular letter, January 9th, 1826.

‡ Letter from Poona Judge to commissioner, dated April 15th, 1826. His answer May 4th, 1826.

§ Continued and violent importunity.—Letter of November, 1825.

had fallen into great arrears. This combination of causes led to my proposing several modifications of the system. One of the most important was the appointment of a deputy-agent of Surdars, acting under the agent, but with the undermentioned specific duties :—

To hear original and appealed suits against Surdars ;

To be the medium of communication between them and government ;

To receive their vakeels, and to pay themselves all the courteous attention which they derive from the representative of government ;

And lastly (though not specified in the instructions), to form a complete substitute for the Persian secretary's office whenever the *government* was in the Deccan. I am decidedly of opinion that, for many years, and until those that belong to the privileged classes fully understand their condition, an experienced and able deputy-agent cannot be dispensed with. It is quite impossible that the agent for Surdars, with high judicial duties to perform, could give that minute attention to the arbitration of differences which occur to any of these classes ; much less could he accompany the governor when on a tour in the Deccan, Candeish, or the southern Mahratta country.

29. The general reasons for maintaining this appointment will be found in my minute noted in the margin *. But it is on its superior economy, as well as utility, I ground my opinion for the necessity of its continuance.

30. The deputy-agent has attended me at Dapooree, and throughout all my tours in the Deccan. He has completely supplied the place of the Persian secretary, having conducted all my intercourse with princes and chiefs. He has during that period translated and disposed of seventeen hundred and four petitions, all of which have been submitted by him, and orders given regarding them by me. Nor has this prevented the execution of other duties. Four hundred and fifty-six suits and arbitrations have been decided and adjusted during the period of the last two years and a half. The cost of the whole charge of the agent's department, including the agent, his deputy, and office, is 24,417 rupees per annum. Since it was established, the Persian secretary's duty has been performed with the governor, during twenty months that I have been in the Deccan, at an extra charge only of 4000 rupees, and this includes a very long tour through the southern Mahratta country.

31. The extra disbursements of these twenty months are little more than one-half of what that part of the Persian office cost that attended Mr. Elphinstone four months in 1826, when

* August 3rd, 1829.

his tour did not extend beyond Sattara; but there cannot be a doubt as to the superior economy, as well as efficiency, of the governor, when in the Deccan, being aided by his office, instead of that of the Persian secretary.

32. I stated in a minute noted on the margin * the policy of maintaining the privileged classes (particularly the third class). "That there is nothing in the new code that creates inconveni- "ence or embarrassment from the existence or extension of the "privileged classes of the Deccan; and I confidently state that, "during my whole experience in India, I have known no institu- "tion so prized by those who enjoy its exemptions, or more gra- "tifying to the whole people among whom it was established." "It is recognised (as I have elsewhere stated) by the lowest "orders as a concession in forms to those whom they deem their "superiors, and as such is received as a boon by a community "who, from their condition, neither understand nor appreciate "those unyielding forms that deny alike advantage of birth or "the claims of rank and of service; and when one of my col- "leagues deprecated what he termed a departure from an even "course of justice, wherein all injurious distinctions are unknown, "and expressed doubts of the soundness of the policy which "'confers the privileges that have been conferred on the third "class of the order,' 'I will ask (I observed, in reply) if privileges "and exemptions, similar in principle to those from which argu- "ments that have been brought forward on the occasion go to "exclude our native subjects, are not familiar to every govern- "ment of the known world? Have the principles of equality, as "to the substance of justice, banished from England privileges "and exemptions that mark in the forms and processes of law "the distinctions of birth, of rank, of office? Has not the peer "the privilege to be tried by his peers? Is he not exempt from "personal arrest, except in criminal matters? And does he not "in certain cases claim distinction even in death, by asserting a "right to resign his life on the block, not on the gallows? Mem- "bers of parliament have many privileges: that of freedom from "arrest is a principal one. Judges and the clergy have privileges; "and to all these, and to officers high in the civil and military "employ of their country, usage has granted a courteous treat- "ment which confers distinction even where the right is not "established. All this existing under our government, and in a "country where man is more upon a par with man in reality than "in any nation in the universe, proves how natural the desire of "such distinction is to the human breast. Yet, when we became, "through a combination of extraordinary causes and events, "sovereigns of India, whose population cherish distinctions in the "various branches of the community more than any people of

* September 4th, 1829.

" the earth, we desire to lay it down as a principle to admit no " privileges or exemptions even in the form of the judicial branch " of our administration. The inhabitants of this vast empire are " all to be reduced to one level. The same writ, the same mes- " senger, is to summon noble and peasant to our court of adaw- " lut, and, beyond what the courtesy of an English * judge may " choose to bestow, not one man is to have a privilege that marks " the high family of which he is the representative, the honour- " able place he holds in the community, the name he may have " acquired by public works or charities, or the obligations the " state owes him for his civil or military services.

33. " There are reasons," I added, " why, as foreign rulers, " we cannot elevate the natives of India to a level with their " conquerors. We are compelled by policy to limit their ambi- " tion, both in the civil government and in the army, to inferior " grades; but this necessity constitutes, in my opinion, the " strongest of reasons for granting them all that we can with " safety. Their vanity and love of distinction are excessive; and " a politic gratification of such feelings may be made a powerful " means of creating and preserving a native aristocracy, worthy of " the name, and exciting to honourable action men, whom a " contrary system must degrade in their own estimation and in " that of the community, and who, instead of being the most " efficient of all ranks to preserve order, and give dignity to " the society to which they belong, and strength to the govern- " ment to which they owe allegiance, are depressed by our level- " ling system into a useless and discontented class. Many, " judging from results, ascribe to the want of virtue and good " feeling and to rooted discontent in this class, what appears to " me to be distinctly attributable to our conduct as rulers. We " shape our system to suit our own ideas. The constitution of " our government requires in all its branches an efficient check, " and great regularity; but in our attention to forms and routine, " we too often forget the most essential maxims of state policy; " and every deviation is arraigned that disturbs the uniform usages " of our offices or courts of justice. No motives suited to their " prejudices and their habits are supplied to awaken the inert to " action, to kindle the embers of virtue, or to excite an honour- " able ambition, among our native subjects. Yet, pursuing this " system, our records teem with eulogies on the excellencies of " our establishments, and the degeneracy of all, and particularly " the higher, classes of India, whom, in the case before me, it is " desired (from no cause that I can understand, but rigid adher- " ence to system) to exclude from a few unimportant privileges,

* From the nature of the service, and the effect of climate on the health of Europeans, a youth but a few years from school often officiates as a judge of a Zillah court.

" which, though little more than a shadow of distinction, are " sought for with an eagerness that singularly shows the character " of the community, and confirms me in the belief I have long " entertained, that by our neglect in conciliating and honouring " the higher and more respectable class of our native subjects, " we cast away the most powerful means we possess of promoting " the prosperity and permanence of this empire. The mainte- " nance of the privileged classes in the Deccan, and the extension " of that excellent institution to our northern provinces, where it " is most particularly required, will greatly depend upon the esta- " blishment of a high local authority. I have fully treated this sub- " ject in a letter * to Lord William Bentinck, upon the revision of " the general administration of this presidency. In enumerating the many advantages, financial as well as political, that would result from the appointment of a commission to the different divisions of our territory, I have stated my opinion that this form of rule was essential to enable us to preserve the privileged classes in the Deccan and the southern Maharatta country, as well as to introduce them to Guzerat."

34. " It appears (I added) to me desirable, that employment " and means of distinguishing themselves in the public service " should be early afforded to this class. That we cannot do, " without they have confidence in support and protection from " some high local authority. Their alarm at our regulations, " which are few and easy to be understood, will gradually sub- " side ; a complete knowledge of them will be acquired ; but men " of rank can only be encouraged to engage in public duties by a " belief, grounded on personal feelings, that they are safe in their " honour and character, which they never can while the construc- " tion of our provincial administration exposes them to the daily " hazard of being placed under superiors often changing, and " sometimes of comparative junior standing, and at the head of " distinct departments."

35. " The privileged classes in the Deccan (I observed in " the letter to which I have alluded) were instituted by Mr. El- " phinstone. This order was regarded by him with anxious soli- " citude till the day of his embarkation ; and he went to his native " country accompanied by the strongest testimonies of their re- " gard and gratitude." I have, in my treatment of individuals, and in every arrangement connected with this class, endeavoured to follow the steps of my predecessor; and my previous knowledge of many of those who belong to it, and other circumstances, have given me many advantages in allaying their fears, and confirming their confidence in the preservation of an order, to which recent events have shown they attach importance, and are

* 7th Nov. 1830.

prompt to resist every change * of that administration of the laws which, modified as they are with reference to their feelings and condition, they recognize as the best that could be established.

NUZERANA.

36. As connected with the maintenance of the privileged orders, and still more with the preservation and creation of a landed aristocracy, I must consider the question of establishing Nuzerana, now under reference to the Honourable the Court of Directors, as one of much importance; and I shall be pardoned, therefore, if I recapitulate at some length the reasons which make me so anxious upon a subject which, in my opinion, so seriously involves the prosperity of the political interest of this quarter of India.

37. My minutes, noted in the margin †, upon the subject of Nuzerana (or fine upon succession), are too voluminous to give an abstract of them. Suffice it to state, that early after my arrival at Bombay, I took up this subject on the ground of a minute of Mr. Chaplins, formerly commissioner of the Deccan, whose local knowledge and general experience well qualified him to judge such a question. It had in its favour that of being a tax that was, one way or another, familiar to all holders of grants of lands throughout India; it was recommended in the quarter where I proposed to introduce it by the peculiar circumstance of our largest landholders (the Mahratta Jagheerdars) holding a considerable proportion of their lands as serinjams, or military service tenures. To the inheritance of these lands, their direct heirs were admitted to have undoubted right; but that of adoption, though granted to several, was refused to others; and this, I found, threw doubt and distress upon the minds of all, unfavourable to their happiness, to the prosperity of their estates, and to the peace of the country.

38. The imposition of Nuzerana was of course popular with them, because it secured an inheritance which had been rendered uncertain; but, on the other hand, our refusing it because they had no positive right, included an annihilation of their family, which, under all the vicissitudes of fortune to which they were exposed under a native government, they could but little dread.

39. It has been argued that Bajee Row, in several cases, resumed their estates. In the early part of Bajee Row's reign this was not his policy: in latter times, he became alarmed at the increasing power of his nobles, and certainly did so; but his

* The address presented to the Governor at Poona, the day after they heard of the false allegation of the natives of Bombay, relating to their desire to have the jurisdiction of the supreme court extended to the provinces, is a remarkable proof of the value they attach to their condition.

† June 10th, 1828; Sept. 15th, 1828; January 11th, 1829: Nov. 12th, 1829.

conduct in this particular is believed to have been one of the chief causes of his downfall. It excited not only discontent, but the defection of those who had been attached to his family; and it cannot, therefore, be adduced as an example worthy of our imitation.

40. The proposition for establishing Nuzerana, owing to a previous order that restricted the Bombay government from making any changes affecting the condition of the Maharatta Jagheerdars, was referred to the Supreme Government, who took a different view of many parts of the subject, on the ground of its being financially as well as politically inexpedient. The first was no doubt grounded partly on a mistake; for it was evidently thought by the Supreme Government that revenues to the amount of forty-one lacs of rupees would be sacrificed, if Sirenjam lands, to which there were no direct heirs, were not sequestered; and though this profitable result could not be anticipated to occur in less than sixty or seventy years, it appeared too much to abandon even in prospect. A clear statement, however, from Mr. Nisbett, the principal collector, enabled me to show that, under no circumstance, could one half the amount calculated revert to government, the remainder being alienated for ever. It was also clear, that if the resolution of government, not to admit of adoption, was decidedly taken, few estates would be long without an heir; and as I observed in my minute of 12th November 1829, "spurious children would be imposed upon government; "and no country presents such means of fraud in this particular "as India; these frauds I found practised to a great extent "throughout Malwa and Rajpootna. They were seldom detected, "though it was the interest of the collateral heir to do so. In the "present case no one will have an interest in seeking to reveal "the secrets of the harem, because no one but a direct heir male "will be allowed to succeed."

41. "As yet (I added) men have been unwilling to believe "we would refuse to admit adoptions, and attempts have not "been made to deceive; but let it be decided that they are not "to be admitted—(and it will be cruel, if not unjust, to keep "individuals in doubt on such a point)—and every art will be "practised to prevent a lapse in the succession. Can it be "otherwise when so many are interested in the event?—for our "resumption of a large jagheer is a complete revolution among "all who have influence or office; the village officers and ryots "may remain, but all others are generally displaced."

42. If the principal jagheerdars and others whose grants depend upon direct heirs male, and to whom we deny the right (sacred amongst Hindoos) of adoption, had been admitted on paying nuzerana, the government of Bombay would this last year have had its treasury enriched with eight or ten lacs of rupees;—

limited as it is, we have not received a lac and a half. I consider, however, that circumstances gave one of the chiefs, Chintamun Row Putwurdhun, so full a right to the confirmation of his adoption, that I have not hesitated to give him a letter to that effect, stating that the whole subject being before the Court of Directors was the only ground which led me to refrain from complying with his earnest request, so strongly supported as it was by the fact and claims, and so earnestly recommended by the political agent.

Appah Dessye Nepankur is another case in which leave to adopt cannot, I think, be refused. He is most anxious from being in very infirm health ; and the whole of his country is in a state of agitation from fear of the consequences that will attend his death.

43. In reference to this chief and Chintamun Row, who are the greatest of the jagheerdars, I have, in my remarks on the probable result of the views of the Supreme Government on this point being adopted, observed—" I cannot know how far the " Supreme Government would consider the case of both or either " of these chiefs as exceptions to the operation of the principles " they have stated ; but it is proper I should here observe, that " if either takes place while I am at the head of this presidency, I shall entreat the Governor-General in Council to pause before he direct the resumption of lands of chiefs who have acted so prominent a part during the last thirty years. Their reputation is known throughout all the southern parts of India ; and these chiefs, whatever has been their conduct at various periods of their history, have had their names associated with our first successes in the Deccan, having co-operated, in 1800 and 1803, as allies of the British troops, and having subsequently, with their numerous dependants, been settled by us in the jagheers they now enjoy."

44. The resumption, on the ground that we are not compelled by treaty to admit of them or their widows adopting a son according to the usages of Hindoos, might be no injustice, but it would nevertheless be deeply injurious to our interests. It would add to the impression, already too common, of our grasping policy. Men who would applaud our seizing upon lands by conquest, or who would not be startled by our arbitrarily imprisoning, or even putting to death, those we deem hostile, would consider the annexation, during a period of peace, of the estates of chiefs above-stated to our territories, as an act which violated implied, if not direct, pledges of favour and protection ; and it would bereave of all hope those who held property in land, that was liable under any pretext to be attached by government. The legal right we had to attach such lands in the failure of direct heirs was much dwelt upon ; to which I replied,—" With respect

" to the legal rights of the parties proposed to be subject to " Nuzerana in this quarter of India, it is a question into which I " have never entered. The legal right to lands, power, or office " of a conquered people, appears to me to be such as the con- " querors may choose to continue to them at the period of con- " quest, or afterwards confer." In examining their claims and rights when subsequently brought into discussion, it has ever appeared to me that we were bound to consider more how our acts, words, and engagements were received and understood by the native parties concerned, than how they might be interpreted by our strict rules of judging and deciding upon such questions. Reasoning upon this question I will affirm, that no class of men had more right to expect the consideration that I have proposed should be granted to them, than the principal Maharatta Jagheerdars. The mode in which they have for thirty years been viewed by the British government; the manner in which their submission to our authority was received; and the great attention with which they have always been treated by the governor in person, and the highest functionaries of government; combined with the leave already granted to numbers to adopt,—had, I am sure, conveyed an impression that the estates we left in their possession, however designated, would not be resumed. They judged this question with no reference to legal rights, but to the usages to which they had been habituated; and they expected the same motives which had induced the British government to confirm them in their states, during a struggle in which their secession from their prince was of importance and gave it reputation at a period of victory, when peace and order were advanced by acts of grace and generosity, would continue to operate to the benefit of their families, friends and dependents, who submitted at the same time they did to our authority. Such, I have not a doubt, were the impressions of these chiefs, and such they continued to entertain, till the resumption of the lands of one of the branches of the Poorundaree family created a great sensation; but that has been much allayed by its being considered a case of doubt whether the adoption of the late chief was complete before he expired, and from their continuing to cherish hopes that the appeal of this family will still meet with attention.

45. The supreme government, from the tenor of their reply, appeared to attach little importance to the Jagheerdars being obliged to furnish a quota of eleven hundred and fifty horse: this horse it was concluded from a former report of Mr. Chaplin's, continued in a state of complete inefficiency, and in fact a mere name of a subsidiary. I stated in reply, that such bodies of men were exactly what those by whom they were employed choose to make them, and that I meant to carry into execution an arrangement by which four hundred of them well commanded would be con-

stantly on duty with the political agent; and the remainder would be kept up, and called for on emergency. With the power we had from treaties to enforce this obligation, I could entertain no doubt of rendering the contingent efficient. It has already become so; and the reports of Mr. Nesbitt of the character and conduct of this body have fully verified all my anticipations. They are now, as they have been for the last twelve months, employed in preserving the general peace of the country.

46. I have asserted that this tax might be greatly extended, and that it would be most productive and not unpopular. The reasons for these opinions are fully given in my minute. The payment of Nuzerana is in conformity with ancient and established usage; it is associated with the confirmation of hereditary claims, and as a tax it is peculiarly appropriate to the actual condition and feelings of a number of the inhabitants of the provinces which have recently become subject to British rule in this quarter of India. The same view of this question has been taken by nearly all the most able revenue officers at this presidency; but as was to be expected, very different opinions were formed by some of the civil functionaries of other settlements to whom his Lordship in council thought proper to refer the subject for consideration. Some of these saw no prospect of success in the proposed maintenance and reforms in the higher classes of our subjects; others viewed the whole plan as unfavourable, from its interference with the established forms and processes of our courts; while numbers could not anticipate attachment in any class of natives except those who grew rich and great in our offices and establishments; and the latter looked to create from them a native aristocracy in our Indian administration.

47. In remarking upon arguments like the above, I have stated *:—"It is a too common usage to abandon in despair "our efforts to reform petty princes and chiefs from their idle "and lawless habits, and to consider them irreclaimable from "their condition to that of good and attached subjects and "dependents. There is no branch of our Indian administration "in which I have had more experience or have more studied, "and I must affirm my belief that we have failed more from "causes on which I shall here only shortly remark, than from "the impossibility or indeed difficulty of effecting the object. "We are generally fixed in the belief of our own superiority, "and repose too great confidence in our own native servants, to "have that patience and forbearance and to make the allowances "that are required for the errors of those we desire to reclaim. "We too often expect and enforce a sudden conformity to a "system of rule, that is opposed to every existing feeling and "prejudice of the party from whom it is exacted. Were this

* See Minute, 12th Nov., Parag. 28.

" not the case, and a more tolerant system is established, still " men's faults and crimes are from the nature of our government " recorded against them; and men are often, on the statement of " an agent who may be inexperienced in such matters or misin- " formed, driven to acts of contumacy and opposition to govern- " ment; and these acts, which according to their knowledge or " experience were but venial offences, are construed, by the more " severe maxim of our rule, into *inexpiable* crimes. In this mode " I have known chief after chief fall before our unbending sys- " tem. In some parts of our extended dominions this may have " been necessary. I neither mean to impugn the wisdom nor " the policy of those who have had to reduce such countries to " a state of order, and render their inhabitants (whatever was " their rank) subordinate to our principles and obedient to the " very letter of our laws and regulations: but as a desire of " avoiding these results has suggested the measures which have " been adopted to maintain the superior classes, and particularly " the higher Jagheerdars in the Deccan,—and as I believe these " measures, if successful, will ultimately tend to promote the " permanent peace and prosperity of this quarter of India, and " in so doing to increase instead of diminishing our resources,— " I must contend that peculiar circumstances require that the " question as it affects this presidency be decided not as to its " general but local merits."

48. The chiefs and natives of rank, under this presidency, are not liable to come into collision with our provincial courts of justice, as they have done in other parts of India, almost immediately after they recognized our power, and before they could understand or brook the forms and principles by which these courts are regulated. Several are wholly exempt from the jurisdiction of the Adawlut. The establishment of the privileged classes has secured others exemptions in our law proceedings, that prevent their pride being offended; and our short and simple code is becoming every day more known, and the way is gradually paving for its more general introduction. Civil suits under this code will be almost entirely in the hands of respectable natives *, which will greatly tend to our laws becoming popular. From all these causes combined, we may expect that men of the highest rank will soon be reconciled to a system, in which we sacrifice so much of form and of our own prejudices to meet theirs. Though several of the great Jagheerdars are exempt from the operation of the laws, it is provided that their descendants (maintaining their personal privileges) shall become subject to them; but as those who are not exempt, as well as large proprietors, are magistrates within their own estates, they may be

* Since this Minute was written they have been made entirely so by a new regulation.

pronounced as gradually becoming associated with us in the administration of the country; and no result can tend more to promote the future peace and prosperity of this part of India.

49. These are the grounds * on which I must pray the Court of Directors to hesitate, before they direct the resumption of the estates of the Jagheerdars (subject to this presidency) on failures of their heirs-male. It is on these grounds that I desire that adoption should be permitted and Nuzerana taken. I am fearful to disturb the actual condition of the principal countries possessed by these chiefs. I can see no profit to the state from the measure; and I am certain, however lawful we may deem it, we shall suffer greatly in our local reputation, and destroy the fairest prospect I have yet seen in India, of not only preserving a high and intelligent aristocracy, but of gaining their attachment by associating them in the administration of the country.

50. I have in the minute referred to, enumerated the claims of those high families upon whom the resolution of the Supreme Government would operate most severely, and shall close these observations with some further extracts from my last minute on this subject.

51. "I am quite sensible I may be accused † by many of mixing, on this and other occasions, too much of feelings for individuals with questions of policy; but, if this is a crime, I can only state it is one to which I attribute much of that success that has attended my efforts in the public service. I have endeavoured through life (and shall as long as I am employed) to mitigate what I deem the evil effects produced by a cold and inflexible policy, which, substituting in almost all cases attention to principle for consideration of persons, runs counter to the feelings and usages of natives. I know the change must take place, but I desire it should be gradual; and I cannot convince myself, that either our financial or political interest will be promoted, by the adoption of measures that would consign to early extinction the family of the Jagheerdar of Vinchoor, or that of a man of rank and character like Balla Sahib Rastia, or Rajah Bahadar, and several others belonging to that class, whose estates, it is the opinion of the Right Honourable the Governor General in Council should be resumed. The revenue to be obtained by this measure would be eventual, and never would be great; and we should lose the impression which our consideration of these chiefs would make upon all classes, and which would be, for reasons stated, particularly useful on the introduction of the Nuzerana on an extended scale.

52. "On all these grounds I must hope that this class will meet with the liberal consideration of the Honourable the Court of Directors, and that they will, at least, give to the government of

* Vide Minute, 12th Nov., Parag. 30. † Ibid. Parag. 34.

" this presidency a latitude that will enable it to exempt some of " the most meritorious from the fate which will otherwise await " them. As regards the whole, I think it is to be regretted these " chiefs were ever placed in possession of estates not intended to " be conferred on their heirs, according to the laws and usages " of their tribes; or when this was done, that it was not specifically " stated in their grants, that no collateral succession or adoption " would in any case be admitted, and a resolution taken, never to " deviate from the rule laid down. Expedience, no doubt, dictated a " reserve which prevented discontent; and particular considera- " tions have led to subsequent deviations from an intended re- " sumption of their tenures; but the future evil resulting from our " proceeding in this case will be great. The parties concerned, and " our native subjects, will only refer it to a cautious policy, which " seeks to deprive all we can of rank and possessions, but waits " an opportunity of effecting its object without danger. These " impressions may be unfounded, and our official records will, no " doubt, refute them, but they have prevailed over parts of India " on many occasions, and they will, if we resume the estates of " the principal Maharatta chiefs, prevail in this quarter. Their " tendency is to shake that confidence in our promises, profes- " sions, and acts, which my experience leads me to believe is " beyond all resources essential to our rule in India, both as a " means of maintaining peace, and of promoting success in war.

53. " The points agitated in the course of this minute *, are " much limited as to local effects, but most important principles " have become involved in the discussion. These, indeed, " are connected with considerations of policy that relate to the " present and future welfare of the Indian empire. Various opi- " nions prevail as to the mode in which that can be best governed " and maintained. Some look to increase of revenue, from its " furnishing the means of paying a great and adequate force, as " being the simplest and surest mode of preserving our power; " but an army, chiefly composed of the natives of the country ' we desire to keep in subjection, may prove a two-edged sword; ' and, besides, history informs us, that though armies are the ' sole means of conquering a country, they never were the sole, ' or even the chief means of preserving it; others look to colo- ' nization as a source of great strength. India has benefited, " and will benefit still further, from the introduction into its " ports, and some of its most fruitful provinces, of the capital, " enterprise, and science of Europeans; but no sprinkling of our " countrymen and their descendants (if allowed to colonize) to " which we can ever look, would render them a support upon " which we could rely for the preservation of the empire. That " must ever depend upon our success in attaching our native

* Middle of Parag. 39.

" subjects, and above all the higher and more influential classes. " The task is for many reasons arduous and difficult, but it must " be accomplished, or our empire, on its present extended basis, " will be weak and insecure. No sacrifices can, in my opinion, be " too great to effect this object; and it must be pursued with un- " remitting perseverance in every quarter of our dominions, vary- " ing in its mode according to the actual character and situation " of the community.

54. " With regard to the effects of this measure upon our " local and general interest*, it would certainly retard the fulfil- " ment of, if it did not altogether destroy those hopes which we " now entertain of our being able to preserve a native aristocracy " in this part of India. The maintenance of the Jagheerdars and " Sirdars, in their present stations, besides other advantages, is " quite essential to enable us to raise to that rank and considera- " tion we desire those who distinguish themselves in the public " service; for if the representatives of the high families, who now " belong to the first and second classes of the privileged orders of " the Deccan, fall one by one before our system of rule, that insti- " tution will lose what gives it value and elevation. The Jagheer- " dars and Sirdars are, in the estimation of their countrymen, an " hereditary nobility, to whom proud ancestry and possession of " land for generations give consequence; and it is the association " with them that is prized† by those we raise to inferior grades " of the same order. Is not this natural? what is the principal " charm of the peerage in our own country? Is it not to be of " the same order with the Howards and the Percies? Did the " wonderful successes of Buonaparte, or the heroic achievements " of his generals, raise them above this feeling? Associations " and alliances were sought with conquered princes and impover- " ished but noble and ancient families. It was in them an extorted " compliance with feelings and prejudices which all the boasted " philosophy of the age have, fortunately for society, not been " able to eradicate.

55. " This Minute (I observed, in concluding it) is much " longer than I intended; but the subject has, in my mind, much " importance. The Supreme Government, to whom I wish it to " be transmitted, will, I am sure, view with indulgence the free- " dom with which I have expressed sentiments that are in so " many parts so opposed to those entertained by his lordship in " council. I am most gratified for the attention and considera- " tion the Supreme Government have given to my former Minutes,

* Parag. 42.

† I have stated in my minute how strong this feeling operated on the recent occasion of investing native officers with the rank of killadars. The seniors were raised to the third class of the privileged classes, and prized it in the highest degree. " I am " now (said Subadar-Major Purseramsing, one of the oldest and bravest soldiers in the " army) on a footing with Jagheerdars and Sirdars."

and for the solicitude that has been evinced to collect every information that could throw light upon the subject. Facts and opinions have been obtained from local officers of high talent, with full knowledge of those parts of India in which they have been employed. These are no doubt valuable; but, in noticing them, as I do, under the belief that they are almost all opposed to the plan I have suggested, I must repeat what I before stated on the ground of my personal acquaintance with Bengal and Madras, that the territories of those presidencies have little affinity, either in their condition or the character of "the inhabitants to those under this government; and so far "therefore as the points under discussion referred to the feelings, "prejudices, and usages, with which they were familiar, the "ablest civil servants of Bengal, Madras, and Bombay, would be "likely to come to very opposite conclusions, and with regard to "opinions that relate to the degree in which the decision of the "question might affect the general financial and political interest "of British India, I must state, that while I entertain the highest "deference and respect for the superior judgment of the Governor "General in Council, fully informed as they are on every branch "of the administration of India, I cannot consider that any per- "son, however distinguished for talent, whose residence or em- "ployment has been local, or confined to the duties of a presi- "dency or its provinces, can have the knowledge or experience "necessary to judge correctly, in all their bearings, questions that "go beyond the bounds that can be settled by fixed calculations, "or by any general conclusions drawn from limited premises. "This subject, as considered on narrow grounds, presents few "difficulties; but in a more extended view, it embraces the "whole economy and policy of our eastern empire."

MILITARY.

56. Soon after my arrival in India in 1827, my attention was given to effect the necessary reforms in the Bombay army, and to suggest such measures as I deemed necessary to promote its efficiency. I recorded my sentiments most fully on its actual condition *, and made such suggestions as appeared expedient to promote its discipline, to reward merit, and to maintain the high feeling and character which it had established. The subjects to which I recommended the attention of the Court of Directors in this minute are still before them, and will, I trust, receive their early notice. They embrace matter which I must consider of much importance as connected with the efficiency of this army.

APPOINTMENT OF KILLAHDARS, &c.

57. At a period that it became my duty to effect reduction

* Vide Minute, 25th March, 1828.

of numbers and establishments in the army of the Presidency, I was anxious to temper such reforms with measures that gave every encouragement to the native officers, facilitated recruiting, and prevented desertion, at the same time that they confirmed the attachment of the sepoys to government. The modification of the commands of the Hill Forts in the Deccan presented an opportunity of raising some of the old and most meritorious native officers to distinction, at a very trifling expense*. The claim of this class of men, to whom we have owed and must continue to owe much, to honorary reward, had been treated with more neglect than at Madras, where distinctions were frequently conferred with a parade and ceremony that gratified their feelings, and was no doubt one of the causes of that military spirit and attachment to their colours which distinguishes that army, from which desertion, under any circumstances, is almost unknown. Certainty of provision in his old age, or when disabled by wounds, and a prospect of reward for long and distinguished service, must ever be the principal motives of attachment of a soldier to the government under which he serves: and in no service are those feelings so necessary to the welfare of the empire, and in none can they be more easily engendered and maintained than in the native armies of India.

58. At the same time that there was an anxiety to reward merit, every care was taken to avoid abuses, and not to create unnecessary expense, and the Commander-in-chief was requested to be particular in his selections of the persons destined for the purposed honours. None under thirty years' service were admitted. They were divided into three classes. The first only was admitted into the privileged order of the Deccan†; most of those promoted had served the Honourable Company for forty years, and one subadar, of very distinguished character, had eaten and earned their salt, as he expressed it, for fifty years.

59. The anniversary of "Assaye" was chosen for the ceremony of investing the killahdars in their commands. His Excellency the Commander-in-chief attended; the brigade at Poonah were drawn out, and the honours were conferred by me in person in a manner that made a deep impression upon the troops present, and rapidly spread a spirit of exultation and rejoicing through the Bombay army. This was effected at an increased expense not exceeding 800 rupees per mensem. A still greater encouragement was given to native officers, by granting their sons (limited to a certain number per battalion) a higher rate of pay ‡ than the other sepoy boys, and granting them an exemption from corporal punishment §.

* Vide Minute, 2d Nov. 1828; 3d Jan. 1829; 3d Oct. 1829.

† This class have exemption from personal arrest in civil suits, and are called upon as evidences by a letter instead of a common summons.

‡ One rupee per mensem was the increase sanctioned.

§ Vide Minute, 14th Sept. 1829.

60. Deserving and old native officers have been appointed to the command of the local sebundies of the Concans, and also of the Ahmednuggur provincial corps, a measure which promises, in many ways, to be attended with beneficial results *.

61. To allow the sepoys greater means of providing for their children, and to bring up a race of men attached to corps, and to consider it as their home, I concurred in a proposition of His Excellency the late Commander-in-chief, for making a small increase of boys to each corps †, from a conviction that it would not only add to the efficiency of the army, and increase its attachment, but be an ultimate saving, from preventing desertions. All these hopes have been realized through this and similar arrangements.

NATIVE MILITARY FUND ‡.

62. I proposed, in order to render stronger the attachment of the native army towards government, the establishment of a Native Military Fund, "to provide pensions to the widows of na-"tive officers." I considered that this measure would induce the Hindoostanees, and other foreigners in our ranks, to settle in the Bombay territories, thereby benefiting them by a considerable expenditure, which is at present sent out of our provinces, and also that it would in due time afford facilities of recruiting a fine body of men in our own districts. This measure, however, though including no additional expense, has not been sanctioned by the Supreme Government, the objection being that no such fund exists in Bengal, and that it is expedient to avoid distinctions of rewards and institutions of the native armies of the three presidencies.

63. I have particularly dwelt, in a letter to the Governor General, which is upon record, upon the subject of encouraging our native armies, and the difficulty of rendering uniform those rewards which it may be expedient to confer upon the natives of whom they are composed.

64. "I have of late (I observed in this letter) noticed this "subject in several minutes, in reply to suggestions and instruc-"tions from your lordship in council, founded on general prin-"ciples of making our arrangements respecting native troops "similar at the three presidencies, and expressing apprehension "lest giving encouragement to the native army at one presidency "might create discontent in another. That this consideration "has not before met with attention is to be referred to the dis-"tance at which the armies of Bengal, Madras, and Bombay "acted, the different races of whom they were formed, and their "different habits of life. There has been no occasion to give "that encouragement to the frugal rajpoots, who are the cultiva-

* Vide Minute, 12th Nov. 1828. † See Sir Thomas Bradford's Minute.
‡ Vide Minute, 27th Jan. 1830.

" tors of the provinces of Hindoostan, that has been found neces-
" sary to attach the Mahomedans of the Carnatic and the Hin-
" doos of the northern Circars at Madras, and to induce the
" inhabitants of the northern Concan and Deccan to enter the
" ranks at Bombay; but there can be no doubt that the pensions
" of native officers of distinction, the fine establishment of boys
" attached to their corps, and the regimental depot formed at the
" recruiting stations at Madras, have accomplished their object
" in fixing the attachment of the army to their colours, and their
" forwardness to march and embark in every service, as singularly
" evinced on the late occasion of the war in Burma *.

65. " Desertions, as I have already remarked, are almost
" unknown in that army; and I have shewn that the same causes
" have produced the same effect at Bombay. Recent and most
" minute examination into this and other subjects connected with
" the public service of this presidency, has quite convinced me
" that if the principles upon which measures are founded, and
" the effects produced by them, are not very carefully considered,
" the objects of true economy may be often sacrificed; and I have
" seldom known this fact more clearly elucidated than by the
" papers I have had to examine, regarding the past and present
" condition of the army of this presidency, the general results of
" which I have already noticed.

" The late approximation of our native armies certainly requires
" more attention than was formerly given to similarity of mea-
" sures in regard to them; but there are so many opposite usages
" and feelings, as well as local circumstances to be considered,
" that this object must be the work of time. Great care and
" caution are also necessary, for most serious injury may be in-
" flicted by an order that apparently rests upon indisputable general
" grounds, but is inapplicable to the particular case. Before any
" measure connected with the improvement of our native army is
" rejected at one presidency because it has not been found neces-
" sary in another, it should be ascertained, in the first place,
" whether there are not local causes and considerations that
" render it wise and expedient where it has been adopted, and in
" the next, whether, judging the principles upon which it is
" founded. and the effects it is calculated to produce, it is not
" worthy of imitation."

POONAH AUXILIARY HORSE †.

66. I found the irregular corps of " Poonah Auxiliary Horse" still retained on their original establishment of men. They were reduced immediately to 1000 men, and prospectively to 800, as had been proposed by my predecessor.

* Vide Sir Thomas Munroe's correspondence.

† Vide Cons. 14th May, 1828, and Minute of 17th Oct. 1827.

67. With my intimate knowledge of the utility, not only in a military but in a political view, of men who are admirably fitted for all the duties of irregular troops, as well as for acting under the civil authority as police corps, it was with great regret that I carried this reduction into effect; but the necessity of decreasing the expense of our military establishments left me no alternative. In my minute (as per margin)* I have fully entered into the consideration of our force. They are most useful, as saving our regular cavalry from many of those harassing duties which so frequently destroy their efficiency before they are brought into contact with the enemy. They afford employment to natives of higher rank than those who enter on regular service; and this adds in a great degree to the value of such corps in a political view.

68. In the same Minute I have shown the happy results that, on like occasions, enabled government to avail themselves of the services of Colonel Skinner's corps in Hindostan, in consequence of according enams † of government lands on certain conditions of service, &c., to the reduced men of that corps, and proposed a similar experiment here, for inducing men of good character and who had claim from service to locate in the Deccan on the frontier of Guzerat, and in Candeish.

EXTRA BATTALIONS ABOLISHED

69. The brigade at Poonah had formed their light companies into a light infantry battalion, to which a commandant and adjutant were attached. The continuance of such a corps not being required by any necessity that warranted the expense, it was discontinued, and at the same period a considerable reduction was effected by the conversion of the Ahmednuggur provincial battalion into police corps, and placing it at the disposal of the civil authorities—a measure by which their efficiency for their actual duties was greatly promoted.

ARTILLERY §.

70. The battalion of artillery at Matoonga being unhealthy, that and other considerations led me to propose its being removed to the central and healthy station of Ahmednuggur; a measure that, besides other beneficial results, was attended with reduction of expense.

71. ‖ The troops of horse artillery have been reduced from six guns to four, and the mules and horses of the foot artillery disposed of, and replaced by bullocks, animals that experience has proved equal to the service, and that are not so expensive as horses, or so difficult to be procured as mules.

* Vide Minute, 26th Oct. 1828. † *Enam* is a hereditary grant.
‡ Vide Cons., 12th Nov. 1828. § Cons., 10th Sept. 1828.
‖ Cons., 18th Sept. 1829.

72. In my minute referred to in the margin, I have made several observations upon the chief engineer's revised code of that department. I have there shown that the greatest benefit will result from engineers being only employed on works requiring scientific knowledge; and that common repairs, and even the erection of ordinary buildings of limited cost, may be made over to the heads of departments. The advantages of this system are more fully stated in the reply of the letter of the Honourable the Court of Directors of the 31st of March last. I have fully detailed in my minute noted in the margin*, the measure adopted for the revision of the engineer department, modifying it in conformity with the directions of the Honourable Court, and can only add, that I consider the good of the service has been promoted, at the same time that a very considerable saving has been made, by uniting the pioneers with the sappers and miners. This body of men combined, form an engineer corps of artificers, sappers and miners, and pioneers, whose different branches will be competent to every duty of that department, in peace and war. The head-quarters of the engineer corps is fixed at Seroor, where all the young officers arriving from Europe will join it, and be well qualified in this practical school of instruction for executive duties at out-stations.

GUN-CARRIAGE DEPARTMENT †.

73. In the gun-carriage department, great reductions of expenditure have been carried into effect, at the same time that I conceive the establishment of this branch of the ordnance to be quite equal to the present demand for supply, and it can be promptly increased on the occurrence of emergency. My minute noted on the margin ‡ exhibits very fully the modifications of the ordnance department. These may be stated to form a re-organization of that and the store departments in all their parts, including the distribution of arsenals and depôts, and of the different establishments connected with them. This measure I was only able to propose after a complete personal investigation of the details of this branch of the service, and by the inspection of every establishment. In making this reform, I was aided by the officers at the heads of their respective branches of the department; and the results will, I trust, be found to be the introduction of a more prompt and efficient check, a simplification of accounts and establishments, together with a considerable reduction of expenditure; but that reduction will be still greater progressively than immediately.

INVALID PENSIONERS §.

74. The invalid establishments afforded much scope for

* Minute, 16th Aug., 1830.
† Minute, 19th Oct., 1829.
‡ Minute, 21st Aug., 1830.
§ 8th Oct., 1829.

modification and retrenchment. The office of superintendent of invalids was abolished, and also the allowance for office establishment, drawn by the adjutant. This was followed up by a measure of considerable economy*, the transfer of the inefficient men of the invalid corps to the pension establishments, holding out to the latter inducements to settle in their native districts, and engage in agriculture. Those that were still fit for ordinary duty were placed in a veteran battalion.

COMMISSARIAT †.

75. From my first arrival in India, in 1827, I was aware the commissariat department called for minute investigation, and a considerable reform of its establishments; and I anticipated great reductions of expenditure might be most beneficially introduced. In prosecution of the reforms made in this branch ‡, the commissary was relieved from the detail duties at the presidency.

76. All branches of the commissariat, including supplies, labourers, carriage and dooley establishments, were reduced § to a more economical scale, and great improvements introduced by a revision of office forms ||, of returns, correspondence, &c. ¶, simplifying the routine of business; but in the minute referred to in the margin **, my views upon the organization of this department are fully detailed; and I can now assert, that a saving of nearly 30 per cent. has been made, upon an average, of its whole expenditure.

STORES AND CAMP EQUIPAGE ††.

77. My attention having been called to the general revision in the establishments of stores and camp equipage, reductions were made in the number of store artificers, and of pay to tent and store Lascars. Of the respectable classes of Syrangs and Tindals, however, it did not appear expedient to reduce the pay, although the number was lessened. But in the whole of the above-mentioned reductions, notwithstanding the saving of expenditure to government, the just claims of individuals to exemption from reduction, or reward from government on account of service or good conduct, have never been sacrificed to measures of economy.

78. It is impossible in this place to give even an abstract of the modifications and changes made in the store department. These were rendered more necessary by the suspension of the Military Board. In referring for particulars to my minute quoted in the margin ‡‡, I can only affirm, that no subject gave me so much anxiety and personal labour; and I am assured it will be

* 14th Oct., 1829. † 22d March, 1830. ‡ 21st Nov., 1827.
§ *14th May.* || *20th May.* ¶ *11th June.*
** *Minute, 15th July, 1829.* †† *22d Jan., 1830.*
‡‡ Minute in the Military Department, dated 21st Aug. 1830.

found that in none has that labour been more successfully applied to check and diminish expenditure.

REDUCTION OF SALARIES OF OFFICE-CLERKS *.

79. A reduction of fifteen per cent. was effected on the salaries of clerks in military and other offices and establishments.

REDUCTION OF REMOUNTS, &c †.

80. A reduction of grain to the horses, and of dragoons, cavalry and artillery horses, made a saving to government of 40,000 rupees per annum. The subject had previously attracted my attention, and I had long wished to bring that article of supply to its present footing, which is that of the other presidencies: but erroneous representations that the forage generally of this presidency was inferior, had long prevented this measure being carried into effect.

81. Another considerable saving has been made in this branch of the army. The change recently made in the remount is now in successful operation. Its principles are fully explained in the minute noted in the margin ‡. The prospective saving cannot be estimated at less than 30 per cent. upon this heavy charge.

REDUCTION OF BALTA AT DEESA AND BHOOJ.

82. Full balta and other field allowances to the troops stationed at Deesa and Bhooj was abolished; but, in conformity to the usage in Bengal, the European officers were exempted from the operation of this reduction, on a consideration of the greater expense of the European articles of consumption with which it was necessary they should supply themselves.

SUSPENSION OF THE MILITARY BOARD §.

83. My most serious attention was called to the constitution of the military board of this establishment. That it had been an useful institution there could be no doubt; but during the present well understood system of detail, it had become a real source of expense, and caused a multiplication of business which I thought would be much more effectually transacted by throwing direct responsibility upon the heads of departments, and causing them to correspond with government or the commander-in-chief.

84. The functions of the board have now ceased more than a twelvemonth; and the manner in which departments conduct their duties as now laid down, shews the system to be generally improved, and that the longer continuance of the Board would have been injurious instead of useful. Every good effect that I

* 5th July, 1830. † 23d May, 1830. ‡ Minute of the 25th Sept., 1829.
§ 1st Dec., 1829.

anticipated, in my minute noted in the margin, from its abolition, has resulted, and no inconvenience has been found from that measure in any branch of the service. On the contrary, both efficiency and economy have been essentially promoted, while a much more operative check has been placed upon public expenditure; and that check is in all cases, except on emergency, upon demand, not upon supply. This subject, however, is now before the Court of Directors, who will find in its result full proof of its expediency; and that is fully confirmed by the able report lately made to government of the comparative merits of the military departments of Bengal, Madras, and Bombay, by Lieut.-Colonel Frederic, from authentic materials laid before the Military Commission assembled at Calcutta, of which he was a member.

85. The stud was established by my predecessor, on most excellent principles. It has had my full support; and I look forward to its being the means of supplying the army with a superior breed of horses, at a lower rate of expense than is at present incurred, besides its possessing the invaluable recommendation of rendering us independent of a foreign market. This was more necessary, as the various expedients resorted to had greatly increased the charge of remount; and though this plan has been improved, and the expenses of remount much reduced, it is to its economical and excellent stud this presidency must look for its future independence in that valuable military resource, an excellent breed of horses. The whole annual cost of this excellent establishment is only 20,000 rupees; and a great proportion of that will be defrayed by the sale of colts and fillies when only a year old †.

GENERAL STATE OF THE INDIAN ARMY ‡.

86. Lord William Bentinck having desired my sentiments on the pay, composition, and distribution of the armies of India, with a view to place it upon record, I have given them very fully, and have recorded them at Bombay. It contains my opinions upon the whole of the subjects on which the governor-general desires them, but more particularly upon the composition and character of our native armies. This document cannot be given in abstract; but the opinions I have stated will perhaps be deemed to merit attention, as *formed by one who, during a period of more than*

* 3d January, 1828.

† *The superintendent has under his charge sixty-four stallions* and sixty fine mares *belonging to the government; and there are within this last year upwards of nine* hundred brood mares expected to have produce by English and Arabian horses. *The* prizes for the best colts, and races at fairs, have proved a great encouragement to breeders.

‡ Letter to Lord William Bentinck.

forty years, has served with and commanded troops of all the presidencies, and been employed in every part of our Indian empire.

87. I cannot conclude this part of my subject without pressing upon the attention of the authorities in England the early remedy of some of the most serious defects of the present system of the Indian army. I cannot too often repeat that the command of corps should be a more desired * station than any staff appointment, except the head of a department. A certain number of years' service with a corps should be indispensable (prospectively) to the enjoyment of the offreckonings of the regiment. The brigade and line staff should be changed with triennial reliefs; and having passed in the language, as well as having done duty for a certain period with a corps, should be requisite before any officer could hold such appointments. To this might be added, as a further rule, that the commanding officer of a corps was to recommend officially to the commander-in-chief for all regimental staff, stating in such recommendation the character and qualifications of those whose names be brought forward as candidates for the vacant appointments, that his Excellency might decide with full information on the person he deemed entitled to a preference.

88. There is no loss of patronage that could be effected by these arrangements that could be regretted by any officer at the head of the Indian army, who was desirous of promoting its efficiency: and there is not one proposition I have made in my Minutes to which I have alluded, or that is here stated, that is not in conformity with the usage of his Majesty's army, and, in my opinion, essential to the efficiency of that of India.

INDIAN NAVY.

89. The orders of the Court of Directors regarding the organization of the Indian navy, with the nomination of a captain of the Royal Navy as superintendent, have effected a very complete reform in this branch of the service. The measures which have been adopted, and the success which has attended them, will be found in the several minutes I have recorded on the letters of the superintendent. Suffice it here to observe, that a greater and more beneficial change was never made in a shorter period. The vessels are in an excellent state; their crews are orderly, and the officers of every class have been placed upon a footing calculated to excite a high professional tone, and to elevate the character and the respectability of the service.

90. Regulations have been introduced which have greatly improved the efficiency of the service; and where that has been promoted by granting a more adequate remuneration to those

* At present, excellent officers prefer being paymasters and holding subordinate stations in the commissariat and other departments, to commanding their regiments.

who have trust and responsibility, the expense has been already more than met by the great saving made in the purchase of provisions, the expenditure of stores, and other items, all of which have been placed under a check and control, which, combined with that honourable feeling which now pervades the service, will prevent the recurrence of any of those abuses that have been remedied.

91. The Honourable Court of Directors, in their despatch of October 1st, 1827, ordered that the establishment of the Indian navy should consist of

1 frigate of	30 guns.
3 sloops, each of	24 „
4 ditto of	16 „
2 brigs of	10 „
2 steamers of	5 „

It has been found practicable to fulfil the duties of the Indian navy with less than this establishment; and it now consists of

4 sloops, each of	18 guns.
3 vessels of	10 „
1 steamer.	

This does not include the Hastings, converted into a hulk, in the harbour of Bombay; the Aurora, now a floating chapel; the Palinurus, pilot vessel, now employed with the Benares on survey, nor the two old brigs, Thetis and Nautilus, which are still in the public employ, though not officered or equipped like those in the regular line of the service, the former having the commodore's flag at Surat, and the latter, which is not commanded by an officer of the Indian navy, being used to carry coal, and for such other purposes as occur when a ship of war is not required.

92. The expenses of the Indian navy have been greatly swelled, not only by survey vessels, and others in no way connected with this branch in particular, but by being mixed up with those of the dock-yard, naval stores, and the whole supply of timber for Bombay. Separated from these, however, its cost will, by a statement which accompanies this minute, appear very moderate for an arm of strength, which it is so essential to maintain in efficiency; and which, if the measures that have been taken are supported, will prove, (as I have elsewhere stated,) as a local force, useful in any future service the British navy may have to perform in India.

93. The Finance Committee have suggested, and the Supreme Government have recommended, on the ground of economy and their view of the actual state of the piratical tribes in the Persian Gulf, the reduction of the Indian navy to

2 vessels, each of	18 guns
1 vessel of	10 „
1 steamer	

On the measures which were recommended by the committee connected with this reduction, I shall make at present no remark: these embrace details which can only be understood by a perusal of their letter to the supreme government, reference to the data on which this is grounded, the letter of the superintendent in answer to the communication of their plan, and my minute noted in the margin *.

94. I have, on grounds that cannot, I think, be controverted, questioned the whole of the data on which the Finance Committee have arrived at the conclusion that trade would be efficiently protected, and our interests not injured, by relaxing our measures to keep down piracy in the Persian Gulf.

95. It is to me clear, that if attention to our pledges of faith as well as policy are neglected, and we cease to keep down that predatory spirit, which we have suppressed, but not yet destroyed, we shall improvidently cast away all the fruits of years of war and expenditure, and that loss of customs and the interruption of commerce, combined with insults and outrages upon our subjects, would soon compel us to have recourse to those expeditions which, without adequate benefit, would early render the measure recommended by the committee one of increased expense, instead of saving.

96. Since writing the minute to which I have alluded, I have conversed with some of the most intelligent European agents, on the trade with the Gulf of Persia, who informed me, that a great portion of the piece goods, before sent in English vessels from Calcutta, are now conveyed in small Arab and Indian craft from Bombay, and being at cheaper freight, the sale of such articles is increased, while the primary object of government is answered in gradually reducing predatory tribes, by giving to men and vessels formerly employed in piracy, honest and profitable occupation.

97. This fact, which is satisfactory as showing a cause for increasing sale of British manufacture, and as tending to change the habits of lawless men, is confessedly contrary to the interests of the owners of British ships formerly occupied in this trade; according to the evidence of Mr. Bruce †, (now a merchant at Calcutta,) these had formerly all that freight which he states is now carried on by Arabs. Though this change must be to the advantage of our manufactures, and is an object in which policy and humanity are united, as it tends to reclaim a race of barbarous men to order and civilization, it has, no doubt, in its commercial effects, been injurious to the interest of the port of Calcutta in the same ratio that it has been beneficial to that of Bombay and to the Arab merchants.

* Minute, 28th Oct., 1830.

† Vide 6th para. of this gentleman's letter to the secretary to the commission.

98. On the proposition of the committee to employ his Majesty's ships of war in many of the services now allotted to the Indian navy, as stated in the tenth paragraph of their report, I have already given my opinion*, that beyond sending or aiding expeditions, that plan cannot be carried into execution without alterations in the naval service of Great Britain and the government in India, which I believe are not likely to take place: but a comparative statement, which accompanies this minute, will show with what a great increase of expense this measure would be attended. It may be urged that this would be more than compensated by the superiority of British vessels of war, but it is my decided opinion, that for all purposes except actual fighting, his Majesty's ships would be less efficient than those of the Indian navy; they would, in fact, be hazardous instruments to use for either conciliation or intimidation. Perfectly ignorant of the language, customs, and manners of those countries, their officers and men would be coming in constant collision with the most cherished feelings and prejudices of the rude inhabitants of the Arabian and Persian shores; and such causes, when combined with the irritability of temper and susceptibility to insult of these people, would be constantly committing our government and compromising its character. When, in addition to these considerations, due weight is given to the manifold evils and inconveniences likely to arise from divided authority, constant changes, and the youth and inexperience of commanders, and, above all, to the baneful and deleterious effects of the climate of the Persian Gulf, for many months of the year upon European constitutions—it is impossible to come to any other conclusion, than that the constant employment of his Majesty's ships would be attended with any thing but advantage to the public service. I have elsewhere stated my opinion of the progress that may be anticipated in the Indian navy, supposing it maintained (as it ought to be, if maintained at all) as a high and honourable service; its merits will early be recognized by his Majesty's navy, as fully as those of the Company's army are by the King's troops with whom they serve; its European officers will have the advantage of the continued pursuit of the duties of their profession, and I see no reason why the native part of the crew should not in time be equal, in courage and discipline, to our native troops on shore.

99. On war breaking out, these vessels could be soon manned, as they have been before on emergencies occurring, with the whole or greater part of their crew Europeans; and built and fitted out as the vessels of the Indian navy would be, at a port whose resources for equipment of a naval force are not surpassed by any in the world, there is no just ground to assume future

* Vide Minute, August 24, 1830.

inferiority. There has been, I admit, such inferiority, owing to causes which no longer operate, but which the plan recommended by the committee would restore in full force: I therefore trust that, if it be adopted, the opinion of the superintendent will be acted upon, and that the service in its present state will be abolished, and one of armed packets be substituted.

100. I have on several occasions stated the great importance of having an establishment of steam-vessels attached to the Indian navy, both for purposes of war, and for keeping up the communication with Europe. There is yet only one steamer in the service, the "Hugh Lindsay:" there cannot be a finer vessel for the purpose for which she was built, that of an armed steamer; she has two engines of eighty-horse power each, can carry eight guns, with coals for six or seven days, and goes very fast, and against any sea. This vessel, though too expensive and too large to take packets to Suez, has been used for that purpose, and performed the voyage at a season of the year not the most favourable, in twenty-one days' steaming. She actually steamed at as high a pressure as could be applied, the first stage to Aden, (one thousand six hundred and forty miles) in ten days and nineteen hours, and that with a contrary wind; she went, when deeply laden with coal, five and a half knots, but increased her rate to full nine knots when light.

101. It is the opinion of the superintendent of the Indian navy, and has been transmitted as such to the Honourable the Court of Directors, that a class of small vessels, like those employed in packet service from Milford Haven to Ireland, would be the best to keep up a communication with Europe by the Red Sea. This is also, I observe, from his Minute upon the subject, the opinion of the Governor General and Captain Wilson; the commander of the "Hugh Lindsay," on whose judgment, from his full knowledge of the seas, and experience of navigation by steam, I would implicitly rely, thinks that a vessel of two hundred and seventy tons, built more with a view to the capacity of stowing coals than very rapid steaming, would make Suez in two stages, taking in coals only at Mocha, where, if she did not draw more than ten feet, she could lie at all seasons in smooth water, and with security against every wind. This voyage would require that she should carry thirteen days' coals, as it is a distance of one thousand seven hundred and eighty miles, and cannot be expected to be performed in less than eleven or twelve days.

102 If this quantity of coal cannot be carried, the first stage must be Maculla, and the second Jeddah as at present. These are both excellent ports for shipping coals, as a vessel can lie close to the shore; but having three stages instead of two, would cause a delay of at least two days, and with two, Captain Wilson calculates that the voyage from Bombay to Suez cannot be

performed, to a certainty, under twenty-five days. It appears to me, that if one of these vessels was to be kept at Mocha and had her furnace lighted as another hove in sight, this voyage would be reduced to three weeks, an ample opportunity given to the steamers to put in order or repair any slight injury to the machinery, as well as to procure supplies. With this establishment of packets the communication might be kept up, by vessels sailing every five or six weeks from Bombay and from Suez, nine months of the year. In June, July, and August, a steamer would easily come from the Red Sea, but could not return against the violence of the south-west monsoon. There would be a great advantage in keeping a small steamer at Mocha, from the power the Indian government would possess of sending, on emergency, a sailing vessel or boat, during five months of the year, which, having a fair wind, would be certain of that passage in fifteen or sixteen days.

103. With this number of packets, and another armed steamer carrying four or six guns, and not drawing more than eight feet water, Bombay would be complete in this essential branch of naval establishment. Besides keeping up a rapid communication with Europe by the Red Sea, that by the Persian Gulf would be improved; and we should, beyond ordinary services and putting down piracy, be prepared to give efficient aid in every naval service in India; nor is it being too speculative to suppose that emergencies may arise on which the ready application of this powerful arm of our force, on the Indus or the Euphrates, might be of the most essential service to the general interests of the empire.

104. To secure all these objects, it is indispensable, in my opinion, that in whatever way steamers are employed in this quarter, they should be exclusively navigated by the Indian navy; for it is of much importance that a scientific knowledge of the engines, and of their management, should be generally diffused throughout this service. We must not omit the opportunity to form men capable of performing and directing all the duties which belong to such vessels. With the able and intelligent officers this navy can boast, and the number of fine youths it contains, I cannot have a doubt but they will very early attain a proficiency in this line of service, that may prove of much consequence to the general interests; and I must further expect, that through the instruction given to European and East Indian boys, at the Mint, and in the steamers, we shall be early independent of those engineers now sent from England at such expense, and which have proved themselves, in several cases, so unworthy of the liberal treatment and confidence placed in them.

105. *Much revision and reduction have taken place in different* branches of the Indian navy. An investigation into some

irregularities and alleged abuses by subordinate clerks and others in the Indian naval stores, has led to the nomination of a special committee, which, from the instructions given, will, no doubt, make a report that will become the ground of a thorough reform, and much saving of expenditure in a department, the state of which has for many years been a subject of just complaint with the Court of Directors.

106. An attempt that was made two years ago, to man the vessels of the Indian navy by native seamen, regularly entered from Gogo in Guzerat, having failed, the superintendent proposed to send a cruiser to the coast of Africa, near Zanzibar, to enrol any youths who came as volunteers. This proposition was fully approved, and the "Clive" (the vessel employed) returned in a few months with thirty-four African lads entered in the books, clothed, fed, and doing duty as European sailor-boys. Some time after the "Clive" reached Bombay harbour, rumours were spread, and acted upon by his Majesty's Supreme Court, of the slave act having been infringed by this proceeding. The trial of a gallant and zealous officer, whom malice has not even accused of more than an error in judgment, and want of knowledge of the clause of a statute, has not yet taken place. More therefore cannot be said, than that clamour was excited, and the British law called into action, in a manner that has injured the efficiency of the public service, and for a period prevented numbers of human beings from being raised from the lowest and darkest condition of human existence, into one of freedom, usefulness, and independence, through means that were and are still believed to be quite legal, and to which it is impossible to affix the slightest particle of that stain which has so justly brought public indignation upon the slave-trade.

JUDICIAL ADMINISTRATION.—CODE OF REGULATIONS.

107. The first subject connected with the judicial administration of this presidency which came under my notice, was a proposition of the Sudder Adawlut at Surat, to make a considerable alteration in the code of laws which had been established in 1827, and pointing out inconveniences which, in their opinion, had resulted from some of its provisions and regulations. Satisfied as I was that the new code of Bombay was a great improvement upon the system of our provincial judicature in India; that it was concise, clear, and singularly free of technicalities, I could, neither upon this occasion nor upon any other, (and questions often arose,) consent to any modification or change of its enactments that were not proved to be absolutely necessary. I deemed it also unwise to encumber the code with any forms that could be dispensed with, much less with those minute distinctions necessary, perhaps, for a society in a more artificial and advanced state, but certainly not

for one in the state of that for which we had to legislate. I further thought that enlarging the volume of our laws, and rendering them more difficult to be understood by those for whose benefit they were intended, was in itself an evil. I considered, therefore, the measure proposed as altogether inexpedient. These were the feelings and principles on which my minute of the 25th of March, 1828, was written; and I state them in this place to prevent the necessity of recurring again to a subject which came before the board on many subsequent occasions.

REMOVAL OF THE SUDDER ADAWLUT FROM SURAT TO BOMBAY.

108. The subject of removing the court of the Sudder Adawlut from Surat to Bombay was brought before the board. Many reasons, stated in the minute recorded at the period the question was discussed, made me adverse to deprive our northern provinces of an appellant court; and when the Adawlut was established at Bombay, a court of circuit was left at Surat. This was not approved by the court of directors; but before their orders were received, a very extensive modification of the judicial system, which gave the powers of session-judge to those of Guzerat, as well as the Deccan, had rendered the court of circuit to the northward unnecessary, part of its duties being executed by the session-judges, and part by a visiting commissioner.

109. In a minute * founded on the contents of a letter from the Sudder Dewanee Adawlut to the acting judicial secretary, I recorded my opinion on a proposition by the session-judge of the zillah of Ahmednuggur for dividing Candeish and Ahmednuggur into separete zillahs, and on various important subjects connected with the administration of the zillah of Ahmednuggur.

PROCEEDINGS IN THE CASE OF OMIAH.

110. A Ramoosee chief, named Omiah, after having, with his followers, for a considerable period disturbed the tranquillity of the country in the collectorate of Poonah, and evaded every attempt to apprehend him, had submitted himself to the authority of government, and furnished information and evidence which led to the conviction before the session-judge of one of the principal public servants under the collector of Poonah, (Dhundoo Punt,) on charges of corruption and treason. I availed myself of the opportunity furnished by a letter from the acting collector of Poonah, proposing plans for the employment of Omiah, to record at considerable length the grounds on which I deemed it expedient to overlook the past offences of that individual, and endeavour to secure his services in aid of the police. The conduct of Dhundoo Punt's friends, by whom the justice of his sentence was impugned, obliged me repeatedly to put upon record minutes

* Vide Minute, 17th Aug., 1828.

connected with this subject, the perusal of which will show in how great a degree the public peace has been hazarded by the persevering efforts of these persons.

CASE OF NUJEEF ALI KHAN.

111. Nujeef Ali Khan, a prince of Persia, of the tribe of Zund, (to whom, when compelled to seek refuge at Bombay from the apprehended designs against him of the reigning king of Persia, an honourable reception had been given by Mr. Duncan,) having at this period, when travelling through our territories, put to death one man, and wounded another, in an affray with some peons of the farmer of land customs, a question arose as to the necessity and policy of subjecting him to be tried for murder in our zillah courts, on which some of my colleagues differed from me in opinion. Deeming the case to be of a nature involving considerations of the highest importance, in the decision of which it was desirable a full council should meet, and Mr. Sparrow being unable to attend, in consequence of ill health, the chief secretary, Mr. Newnham, was, by virtue of the power vested in me by act of parliament, called to take a seat in council for the consideration of this subject only. I had previously circulated a minute *, in which I reviewed the nature of the evidence against this prince, and stated at large my reasons for considering that he should not be brought to trial for the crime alleged to have been committed by him; and Mr. Newnham's opinion coinciding with mine on this subject, Nujeef Ali Khan was confined as a state-prisoner in the fort of Tannah, until orders regarding the disposal of him should be received from the Supreme Government. The measures adopted with regard to this person were afterwards approved of by the governor-general in council, and the prince was subsequently sent to Bussorah.

REDUCTIONS AND MODIFICATIONS IN THE CIVIL ADMINISTRATION †.

112. The urgent necessity for immediate reduction in the expenses of the civil administration of this government induced me to lay before the board a scheme of administration in the judicial and territorial departments, which was subsequently, as far as an observance of the principle of not injuring incumbents would admit, carried into execution.

113. Although this proposition was brought forward principally on the grounds of economy, it possessed an advantage which I had long desired to introduce, that of admitting a more extensive employment of natives, and the limitation of duties of civil servants, in a greater degree than heretofore, to the supervision and control of inferior agents. It provided also a liberal remuneration

* Vide Minute, 25th April, 1829. † Vide Minute, 1st Dec., 1829.

for high duties by means of the consolidation of offices, and the abolition of some inferior appointments.

114. One of the arrangements proposed in this place was to bring the southern Mahratta country under regulations, leaving, however, the offices of political agent, principal collector, judge, and session-judge, under one person, and giving the assistant judge at Darwar the powers of an assistant at a detached station elsewhere. My reasons for proposing this arrangement are fully described in a separate minute *.

115. The grounds upon which the latter arrangement was made have been more than once questioned; but it is a subject on which I am most earnest, as I have stated on record †, that no change should be made until the opinion of the court of directors is known.

116. There is no country subject to Bombay of which the charge is more arduous, or that is better managed, both in its revenue and judicial branches of administration, than the southern Mahratta territories; and I ascribe this, in a great degree, to power being much concentrated in the principal collector and the political agent. The southern Mahratta country is in its administration considerably the most economical of any province under the presidency; and any change would, in my opinion, increase expense, without any adequate benefit: on the contrary, I think it would weaken local authority, augment duties, and be injurious to the public interests.

117. A twelvemonth nearly has elapsed since almost all original civil suits were made over to natives; and there have neither been any complaints nor charges of delinquency to throw a stain upon the equity or purity of their proceedings. I am quite satisfied that if they are liberally paid, and have proper incentives to action in the prospect of honourable rewards, there cannot be the slightest doubt of the complete success of this measure. It is recognized by the higher classes as a boon: and while their pride is gratified by the confidence government reposes in them, that confidence must aid in producing the virtue and integrity which it anticipated. The lower orders, who are saved by an efficient appellant jurisdiction from fear of injury, must deem it a great relief to have their causes tried near their homes, and without those delays which, added to a journey that occupied weeks, and was sometimes impracticable at an inclement season, was felt and complained of as a great hardship ‡. The inconvenience was not limited to the parties concerned in suits, but to all the evidences,

* Vide Minute, dated 14th Dec., 1829. † Vide Minute.

‡ Several complaints were made by the inhabitants of Bhownugger and Gogo to government, on the hardship of their attendance at Ahmedabad as witnesses during the rains. Their complaints were referred to the judge, whose opinion was, that they must attend.

whose complaints were frequent and just, that they were taken from their occupations, and exposed to great fatigue and hazard of health, when compelled to attend on a summons, at a distance often exceeding one hundred miles, during the monsoon.

118. The nomination of special judicial commissioners to Guzerat and the Deccan, who receive on their circuit all complaints connected with the administration of justice, must prove an efficient check against the operation of influence, by providing that if the local native commissioner has any personal interest in the case, or connexion with the parties, he cannot try it, but must refer it to the English judge, who hears the case himself, or gives it to an assistant.

119. I have before brought the incorrectness of the translations of the regulations to the notice of government, and it appears, under the change which has occurred, most urgent that these should be early revised and corrected. They form the only rules by which the native local commissioners can be guided; if there are so many omissions and inaccuracies, as I am assured there are, frequent mistakes must occur. Mr. Boradaile is, I believe, engaged in this work; but the other occupations of this public officer can give him personally little leisure, and he should have every aid afforded to him to facilitate him in his labours.

120. In closing my remarks on the judicial administration of the provinces of this presidency, I cannot refrain from stating my opinion, that it is as purely and efficiently administered as any code can be. I quite coincide with Mr. Anderson, an able judge of the Sudder Adawlut, who, in commenting upon the address of the natives of Bombay to Sir John Grant, observes, "infallibility "can never be attained. Erroneous judgment with us, as with "others, will occasionally be formed; but this I do say, that no "system that we are acquainted with, offers more checks to guard "that justice in the end is done, and that wrong is not suffered."

121. The great objects to be sought in every system of judicature, are publicity, and that the laws, by which they are protected or punished, should be understood and appreciated by those for whose benefit they are intended. This requires a code to be adapted to the habits, information, and knowledge of those for whom it is framed. If we legislate in advance of the community all will be doubt and confusion.

122. It was in attention to these facts that the former bulky regulations of Bombay were revised, and the short and excellent code of 1827 substituted. It has been translated into the vernacular languages of our provinces, and the proceedings of our courts, from being conducted in the native languages, are understood by all who attend them. I have elsewhere expressed an opinion, that in parts of our dominions, inhabited or infested by predatory tribes, this system, even, must be locally modified, in

order to effect the great object of all laws,—the maintenance of the public peace and the security of life and property. I feel assured, however, that the present system will, in our more settled provinces, be very early sufficiently understood to make it the best that could have been introduced; but we must never forget, that we shall owe its success to its simplicity, it being singularly clear of technicalities, and being adapted, as far as the forms and principles of English government will admit, to the condition and habits of the natives of India. It is so framed as to admit these into a full share of every branch of the administration of the country.

123. From the information I collected, and particularly from a list of trials given me by Mr. Dunlop, session-judge at Poonah, in which he had, as far as the Bombay regulations admitted, used native juries, I am perfectly satisfied that, in criminal cases, this system will be found to further the ends of justice very materially, while it greatly elevates the most respectable inhabitants of the country. The extent to which we have given natives jurisdiction in civil suits has been already noticed, and there is no measure from which more advantage, financial and political, may be anticipated. But all these fair hopes depend, in a great degree, upon our code being unaltered, and not even enlarged, except where positive necessity demands, and still more upon the superiors being a class of men to whom, from personal knowledge and established local character, the natives look up, as they do at present, with respect and affection. They confide implicitly in the justice of their superiors, though they may often believe these are deceived. They also view them as persons who are, from education, long residence in India, and habit, tolerant of their prejudices, and considerate of their usages and religion. They see in them the heads of a system of judicature, which, though some of its forms may be at variance with their customs and impressions, is every day becoming more intelligible to them, and has been carefully framed in conformity with their feelings and condition. This system, as established at this Presidency, has fully met expectation. It may be deemed, on some occasions, that forms are neglected; but I am not aware that it has not proved sufficient to meet every end of justice.

124. That it is susceptible of improvement may be said of every similar institution in the universe; but such improvement can alone be safely made when a necessity arises which absolutely requires it. Any theoretical change will be dangerous; and, most of all, one that introduces more conformity with British laws, or the employment, in any way associated with the administration of justice in the provinces, (beyond cognizance of criminal acts of Europeans,) of English judges or English lawyers.

125. I shall not dwell upon recent events at this Presidency:

they are elsewhere fully stated. In my minute on the subject of the addresses presented to Sir John Grant by the natives of Bombay, I have recorded my opinion upon the character * of the inhabitants of this town, and its being completely distinct from that of the population of all other parts of our territory and provinces. The calumnious and groundless assumptions in this address, regarding the desire of the inhabitants of the provinces for the extension of the jurisdiction of the supreme court, have been fully exposed, and the address received by me from the natives of the Deccan and Guzerat, which declare their contentment with the actual system, and their dread of change, speak, I am assured, the sentiments of the whole native population of this presidency beyond the precinct of the island of Bombay, within which long usage, their commercial concerns, their knowledge of the English language, their intercourse with Europeans and with Europe, makes it as expedient they should be subject to British laws, as it would be inexpedient to extend that law beyond its present limits.

126. Much has been written on the subject of an amended system of jurisprudence for India. Those whose local experience has been greatest, have seen the true path of improvement, in conceding to the feelings and habits of the natives; and it is upon this principle that such successful changes have been made in the administration of justice at this Presidency. Others desire to introduce British law beyond its present limits: and at a moment when the ablest men in England are labouring to revise and reform the law in that country, they would inflict it upon one in which it must, from the language in which it is written, and its multiplied forms and provisions, be unintelligible for at least a century, and where its introduction could prove beneficial to none but those members of the legal profession, to whom it opened wide the door of high and profitable employment.

127. It appears by a late communication from the Supreme Government, that discussions have taken place between his Lord-

* Treating of the character and condition of the inhabitants of Bombay in a recent letter to Lord W. Bentinck, I observed, "the character of its inhabitants is essentially "different from that of the natives of our provinces. Those of the latter, after re- "maining a few years in Bombay, adopt many of the usages and all the sentiments "of the old residents. Government, within the circle of the island, has neither the "power of employing them, nor of granting them any particular notice or protection. "Their concerns are generally commercial, their disputes regarding them, or their "property, which consists of houses and lands, are settled by his Majesty's Court of "Justice, which becomes (as far as any authority over them is recognized) the object "of their exclusive attention and respect. Circumstances considered, it cannot be "otherwise, and it is no doubt desirable, that in the principal sea-port of western "India, which is the residence and resort of so many British subjects, his Majesty's "court should command that respect and consideration necessary to its functions; "but when the effects produced by the exercise of these are injurious to the good ad- "ministration of external countries, under a locally different form of rule, the subject "demands our most serious consideration."

ship in Council and his Majesty's judges at Calcutta, regarding the improvement of the present system, with the object of forming one that will blend more than they now are the powers of the supreme court and those of government. Having seen no particulars of the propositions made, or the reasons by which they are supported, it would be premature to offer any opinion: but as far as the presidency of Bombay is concerned, I can anticipate no good that would not be far out-weighed by the evils. Collision might, no doubt, be avoided, and courts of British law might be disarmed of many feelings that were unfriendly to the local authorities, if English judges and lawyers were admitted to a share in the judicial branch of administration in the provinces: but their education and their whole turn of mind would be at variance with many parts of the established system, and the changes they would seek must be with a leaning to the extension of the forms and principles of the law they best understood.

128. They would be slow to admit the value of many of the institutions of the natives, or the inflexibility of their usages. They would judge of the character of the inhabitants of distant provinces by those of the presidency where they dwelt. All this is natural. Men cannot resign, as circumstances require, feelings and opinions imbibed in youth and cherished to age. After a certain period of life, neither languages nor knowledge of a novel character are easily attained, and much less when the laborious pursuit of a profession like that of law, affords not one moment of leisure. Notwithstanding these facts, however, the knowledge such persons attained and the opinions they gave would have more weight in England with numbers, than those of the most experienced public servants in India. They would be more suited to the minds of all who were not minutely acquainted with the details of Indian government and the character of its subjects; but beyond all these results I must think that the introduction of such persons into the higher branches of the administration would progressively depress and deteriorate the civil service. The reasons which induce me to entertain this opinion are numerous, and to my mind conclusive. I shall state them if ever called upon to examine this subject; in the mean time I can only repeat that the actual system of jurisprudence established in the provinces of this presidency works well; that the only changes required in it are to modify in certain instances those parts of our code which are borrowed from British law, and are alike offensive and unintelligible to rude and proud classes of men; and that the only measure wanting to allay the alarm, and secure the confidence and content of our subjects in the interior, is to draw a clear and distinct line of separation between Courts of Adawlut and that of his Majesty's judges at Bombay. If this is done, and measures are taken effectually to protect the civil

government against attacks calculated to weaken its character and authority,—nothing further can be required to secure to the inhabitants of this part of India a provincial judicature, which, in whatever light it may be viewed by English judges or English lawyers, familiarized to another system, has, in my opinion, no defects that would not be greatly aggravated by any change that approximated it nearer to British law, or made any serious alteration in the present form of its administration.

JAILS.

129. Much attention had been paid by this government, before my arrival, to the improvement of the jails and prison discipline in the capitals of the provinces of this Presidency. Some of these were constructed from former buildings, adapted by judicious alterations for the purpose to which they were applied; while several were constructed new on the most approved plans, two (those of Poonah and Rutnagherry) being panopticons. Much pains has also been taken to render these prisons healthy, and to give work to all who are confined in them. The success which has attended these latter arrangements has been very great. Employment on the road has been almost wholly discontinued. It was found comparatively unprofitable, and diminished the effect of punishment, by the liberty of intercourse it gave to prisoners with their friends; besides it required strong guards to watch them. In-door labour has been greatly increased, and several jails fully pay their expenses by their manufactories, which, through able and scientific supervision, are frequently superior in quality to any in the market. Independent of such results, prisoners of all classes are compelled to learn useful trades, and must, in many instances, be reclaimed from an idle and vicious life to habits of industry, from their daily instruction and employment.

130. I lately proposed, and my colleagues fully concurred in the expediency of the measure of fixing a large depôt jail in the Fort of Tannah, which, from its security, its vicinity to Bombay, and having water-carriage from its gates, is singularly calculated for this purpose. There would be a ready sale for all its produce, and the experience we have of what has been effected at this station with a small number of prisoners, warrants a conclusion that this depôt jail, when complete, and when all its manufactures, but particularly its * rope-walks, are established, will produce a revenue, instead of being an expense to government.

* The experience of two years' trial in the Indian navy has fully established the excellence of the coir-rope, when manufactured with the science and care of that furnished by Mr. Renny, at Bancoote. The use of this rope is gradually superseding that from England in all running gear, and in some instances standing rigging. The saving to government is very great.

The calculations upon which this conclusion is made, are founded on facts and experience, and cannot, therefore, be erroneous. The amount laid out in the construction of this jail, however, was estimated to exceed one lack of rupees, and it was deemed necessary*, therefore, under the recent order of the court, to have the sanction of the Court of Directors before the expenditure was incurred; but this will, I trust, be early granted, for besides economical results, it will relieve the jails of Gazerat, the Deccan, and Southern Conçans, from prisoners of the most dangerous character, whose influence in the countries where they are now confined makes it necessary to employ many more of our regular army as jail guards than can be spared for such duties. The removal of such criminals to the depôt would make the most salutary impression, as it would be regarded by predatory men, who have ceased to dread a few years' confinement near their native districts, and amid their relations, as a species of transportation; and interrupting their intercourse with their connexions for a period of years, it would impair, if it did not destroy, those ties by which such bands of freebooters are united, and become formidable to the peace of the country.

REVENUE.

131. Soon after my arrival at Bombay, the claims advanced by the class of persons styled "Pandrapeshas †" (who are principally Brahmins, and extensive holders of land in the Concan), which had previously undergone much discussion, came again before the board, on a report from the collector, on petitions which several of this class had preferred to government.

132. The Pandrapeshas claimed a partial exemption from revenue, and some other privileges, their title to which the collector‡ did not consider well supported, or that the principles of government required us to acknowledge them. A summary of the former proceedings of government was prepared, but it did not throw much light upon the question.

133. To enable me to give an opinion on a subject so deeply affecting the rights of numerous and respectable individuals, and one of the most important principles of our revenue administration, I required minute information, grounded on facts and usages, beyond what was upon record. I therefore suggested that a competent revenue officer, unconnected with the province, should be

* These orders are, not to expend any amount exceeding 10,000 rupees, without previous sanction, unless on urgent necessity.

† *Vide Minute in Council, 12th Dec. 1827, No. 139.* "*Pandrapeshas,*" means literally "*wearers of clean clothes,*" or, *in other words, men of higher rank than the* common peasantry.

‡ Mr. James Simson. This gentleman succeeded Mr. Marriott, of the North Concan, who entertained similar opinions on the claims and rights of these persons.

directed to examine the merits of the Pandrapeshas' claims, and to report the result to government *.

134. Mr. Williamson, collector of Kaira, (who was then on leave at Bombay,) was appointed to this duty, and the facts adduced in his report, which were clear, satisfactory, and conclusive, proved the right † of the Pandrapeshas to lighter assessment than the other inhabitants ‡, under usages which, on taking possession of the country, we had promised to respect §, and that the granting of the immunities claimed by them would be attended with little or no loss to government in a pecuniary point of view. In every other respect it appeared to me that it would be a gain to protect and encourage this respectable class of the population, and the admission of their claims was a measure alike due to justice and recommended by good policy.

135. A settlement of their claims was consequently ordered, on principles conformable to former usage; and, since that period, the complaints of the Pandrapeshas, which were formerly numerous, loud, and frequent, have altogether ceased. The benefits both to government and the community, resulting from granting to this class the favourable rates (about one-fourth or one-third less than those fixed for the common ryot) enjoyed by them under former governments, are described by Mr. Giberne in his Jumnabundy Report of the Northern Concan, dated the 1st of August, 1829. He there notices the extension of cultivation by the redemption of wastes, a diminution in the amount of the outstanding balances, as compared with former years, and an improvement in the condition of the common cultivators, as consequences already apparent from the agency of the Pandrapeshas.

136. I have known few cases that exhibited more than that which I have noticed the necessity of government being constantly on its guard against the adoption or perseverance in any measure that is contrary to the feelings and customs of any part of the inhabitants of a province. These being at variance with what we deem sound general principles of administration or received maxims of political economy, is no ground whatever of an infringement of established usages or admitted privileges.

SEA CUSTOMS—NORTHERN CONCANS LET IN FARM.

137. A variety of considerations recommended the letting of the sea-customs of the Northern Concan in farm, and the result has realized the anticipations that were indulged of advantage to government. This year a profit has been made of nearly 93,000 rupees, (Vide Mr. Williamson's letter of the 4th of May) and that

* Minute in Council, 12th Dec. 1827, No. 141.
† Minutes, Cons. 26th March, 1828, No. 71.
‡ 28th April, 1825, Nos. 125 and 128. § 28th May, No. 30.

derived from letting the customs of Caranjah, amounted to 10,500 rupees. My Minutes * (noticed in the margin) will show in what manner I considered it expedient to provide for the payment of the dues of the huckdars †, and the measures that were adopted in regard to the duties upon tobacco, to prevent loss in that branch of the revenue.

TOBACCO ‡.

138. There having appeared indications of diminished cultivation of tobacco in some of our districts, in consequence of the imposition in the preceding year of a duty of three rupees per maund on the import or export of tobacco, at every port subordinate to the presidency, while at the same time the revenue exhibited no increase, information was called for from the collectors of sea-customs and land-revenue, to ascertain the real effect of the modified rate of duty.

139. The question was attempted to be mixed up with one respecting spirituous liquors, the duty on which had been increased at the same time; but I could discover no connexion between them: and the replies to the references which were made satisfied me that when the regulation (xxxiii. of 1827, imposing the duty of three rupees per maund) came into full operation, it would seriously affect the profits of the cultivators, and the land-revenue as well as the sea-customs derived from tobacco. To prevent the consequences which were certain to follow from continuing that rate of duty, I proposed its reduction to half a rupee per maund, which I have every reason to believe has been attended with the best effects, not only as regards the revenue, but also as it affects the cultivation and commerce in the article.

140. This experiment of imposing a high duty on tobacco, on the ground of general reasoning, without reference to local circumstances, and to all the details in the traffic of this article, conveys a salutary lesson, how very cautious government ought to be in such modifications of established systems; as nothing but reducing this duty from three rupees per maund to eight annas, could have prevented a serious defalcation of revenue.

OPIUM PASSPORT SYSTEM §.

141. In July, 1829, the Supreme Government having, for political reasons, set aside the arrangements under treaties with the states in Central India, under which the opium monopoly was maintained, it became necessary to adopt a plan with the view of preserving for the future a portion of the revenues derived from Malwa opiums.

* Cons. 28th April, 1828, No. 170. 4th June, 1828, No. 32.
† Possessors of heritable rights.
‡ Cons. 11th June, 1828, No. 61. 10th Sept. 1829, No. 13.
§ Minutes, Rev. Con. 23d June, 1830, Nos. 835 and 836.

142. The restoration of the great profit upon this drug, which had been realized by previous restrictions upon its growth and sale, could not be expected; but in order to lessen the loss from the change as much as possible, it was proposed that passes should be issued, upon which the drug might be brought to Bombay by a direct route, a consideration being taken for the privilege of free transit through the Honourable Company's territories, which the passes would confer. Besides the pecuniary profits this scheme was calculated to realize, there were other considerations of a general nature which strongly recommended it. One of the most important of these was, that it promised to check (if not altogether put a stop to) the illicit traffic in the drug carried on at the neighbouring Portuguese settlement of Demaun, and of attracting all traffic in it to Bombay. Some idea of the injury the interests of government sustained in consequence of the smuggling trade, may be formed from a comparison of the quantity of opium put up at the government sale, and that imported into Demaun.

143. It may be sufficient here to state, that while the latter amounted, in 1829, to more than 10,000 chests, only 3600 chests were sold by government at Bombay.

The Supreme Government not concurring with the views taken by the Governor in Council of Bombay, the season passed over without the plan having been adopted. In the Minute referred to in the margin *, I have entered fully into a review of all the considerations which, in my opinion, rendered the proposed scheme the most desirable and advantageous that could be adopted under our altered relations with the states in Malwa.

144. The plan so strenuously advocated by this government for issuing passes for a consideration, on which opium from Malwa might be allowed to be brought by the direct route to Bombay, was at length sanctioned by the Governor-General in Council, in July, 1830 †. Adverting to the favourable season for introducing the system having passed over, I took occasion to record my sentiments on the subject, and to state my opinion as to the course which government should pursue to secure, under actual circumstances, as large a revenue as could be derived from the trade in opium.

145. When the Bombay government recommended the pass-port system, the market was by no means in the depressed state to which it was reduced by unfavourable accounts received from China, shortly before the receipt of the orders from the Supreme Government, authorizing the adoption of the system. The same pecuniary advantages which were formerly expected could not, therefore, be looked for; and, indeed, the success of the plan, to such an extent as to supersede altogether that of purchase and

* Minute, 6th May, 1830. † Minutes, Rev. Con., 29th Sept., 1830, No. 20.

sale of the drug by government, seemed to me so problematical, that I felt no hesitation in recommending that, in the event of the passes not being generally sought, at the lowest prices at which they ought to be sold, the suggestion of the Supreme Government should be immediately entered upon, and the opium agent requested to make purchases on account of government. I further considered, that a continuance of government sales, if not on the former scale, at least on a reduced one, was desirable as a check against combinations by the dealers under the pass-port system; and, for these reasons, I deemed it expedient to keep up part of the establishment in the opium department on an efficient footing, and to defer making any further reduction until we saw our way more clearly, and were enabled, from experience, to determine our future arrangements.

CUSTOMS—REGULATIONS.

146. The reasons for delaying the introduction of the regulations for remodelling the customs and duties levied under the presidency, forming the subject of the Honourable Court's dispatch, dated the 10th December, 1828, are recorded in the Minute quoted in the margin *.

147. That regulation, which goes to abolish the rahdaree, or transit land duty, and increase the sea-customs and taxes on principal towns, completely changes the present system, which is founded on ancient usage modified by our regulations.

I expressed my opinion that, from the narrowness of our territories on many parts near the coast, the abolition of the transit duties, particularly in Guzerat, where the valuable European foreign produce, which is in great demand in the rich cities of Central India, pass the limits of our territories, two or three stages from the place of import, would neither be attended with any adequate advantage to government for the loss it would occasion, nor very materially benefit the merchants, who would still continue liable to the existing, if not the increasing, imposts in foreign territories, with which we cannot interfere. I stated, that though the frequency of payments, with the number of petty agents employed in their collection, and the arbitrary mode of their realization, may often render the rahdaree duties a great drawback to internal commerce, yet, on the other hand, they secure to government some recompense for its extensive police establishments, in the shape of a tax, which, sanctioned by immemorial usage common to all parts of India, and lightly distributed, is not generally unpopular, and is realized with much facility, and comparatively with so little dissatisfaction, that none of the collectors argue in favour of its abolition, while the more experienced of

* Dated 26th November, 1830.

them are averse to such a measure, which they show would occasion a great loss of revenue, without any proportional benefit.

148. Although I have not estimated the amount of revenue to be derived from the impost meant to be substituted for the rahdaree duties, which is to flow from sources yet to be created, I apprehend it would be found a very insufficient compensation for those to be given up; and as involving a serious change, their imposition would, in my opinion, excite much discontent and alarm. It is here of importance to remark, that although the inhabitants of our Indian provinces submit cheerfully to impositions to which habit and usage have reconciled them, and are grateful for these being lightened, they are jealous of that relief being afforded by any commutation on the levy of another tax; nor does that being less than the one they before paid, reconcile them to the change. Their apprehension arises (a very sensible native with whom I spoke on this subject informed me) from no want of sense of the benefit of a lighter payment, but from an aversion to the introduction of any system of taxation to which they were not accustomed.

The objections which I conceive to exist to other parts of the regulation are stated in the Minute to which I have before alluded; and though all the reports of the different collectors on whom I have called have not been received, I find the opinions of some of the most experienced are quite in conformity with mine.

149. It certainly appears to me of importance, that government should always have the power of modifying this branch of its revenue, as favourable opportunities offered, or circumstances rendered necessary, as it furnishes the most legitimate and least objectionable means it possesses of improving the country by means of roads and other works; and I have stated my opinion, and that most decidedly, that we should not, by legislative enactments or otherwise, debar ourselves from extending existing rates, or establishing new ones.

150. The extension of town duties, as a remuneration for the loss sustained by abolishing the rahdaree customs, would not, as I have stated, add much increase to the revenue, and, considering the character of the population as principally agricultural, the increase of these taxes would probably have the effect of making many of the inhabitants leave towns to dwell in villages, where they would be free from many duties that would fall heavy on articles of consumption.

151. The Court of Directors will have before them all that has passed regarding this question, and will decide with every additional information this government can afford. They will, I think, discover, from the evidence of those best qualified, from local knowledge, to form an opinion on the subject, that the realization of this branch of revenue is not attended with those

vexations, delays, and abuses which appear to a general observer to be inevitable; that it does not, in fact, (as Mr. Borradaile states in a letter recently received,) "give more trouble in its col- "lection than any other branch of the customs: nay, so well "are the different loads or vehicles ascertained, and the rates so "well aranged for each, and so perfectly are the carrier and "people employed in the transport of goods, acquainted with the "rates and rules, that delay, if it occurs, must be as much the "fault of the trader as of the system: until acquainted (he adds) "by practice with the nature of these dues, I thought them a "mass of confusion, and from their intricacy, calculated to per- "plex the trader; but I am now satisfied that they are not, as a "whole, onerous, and that with a few alleviations which I have "pointed out, they will answer the end of affording a moderate "revenue at the least possible cost and trouble."

NEW REVENUE ARRANGEMENTS.

152. The plans I submitted, and which were adopted by the board, for reducing the expenses of the civil administration of the territories subject to the Bombay presidency, with a view of relieving the financial pressure, so seriously felt at this time, are detailed in my minutes quoted in the margin*. This object had become a paramount consideration, in consequence of the orders received from the Honourable the Court of Directors. The plans I proposed were chiefly recommended by me on the grounds of economy, but they were calculated at the same time to attain other advantages to which I have always attached importance, particularly the more extensive employment of natives; the limitation of the duties of civil servants in a great degree to those of supervision and control, with more liberal remuneration to those who had stations of high trust and responsibility, by means of the consolidation of offices and the abolition of some of the inferior appointments.

153. As a remedy to some serious defects in the revenue administration, the following arrangements were proposed and carried into execution.

154. A revenue commissioner was appointed to supervise this branch of the administration, and make annual circuits of the provinces. The utility of this appointment is shown by the Minutes in the margin. There is no part of our administration that requires such strict supervision as the revenue, and one of the primary duties of the commissioners is to investigate all abuses of which government may receive complaints; but in this, as in similar appointments of control, we should judge their value

* 19th Dec., 1829, and 15th Jan., 1830.

† Minutes recorded in the Fin. Com. No. 31, Dec., 1829. No. 1., and in the Fin. Com., 24th Feb., 1830. No. 18.

more by the evils they prevent, than by the apparent benefits resulting from them.

155. The northern and southern concans, which were separate zillahs, were consolidated and formed into a principal collectorate; Surat and Broach were formed into one, and Ahmedabad and Kaira into another principal collectorate; Ahmednuggur and Sholapore, also, were formed into a principal collectorate—the collectorship of Poonah* and Candeish, and the principal collectorship of Dharwar remaining as before.

156. The rates at which salaries of civil servants in the revenue branch were fixed, and the reductions made, will be seen by the statements that accompany this Minute; suffice it to say, that while this branch of the service was elevated, and in my opinion improved in its constitution, the saving (chiefly prospective) will amount to more than two lacs and a half of rupees.

CANDEISH IRRIGATION.

157. Peculiar circumstances relating to the actual condition of Candeish, mentioned by Mr. Giberne in his Jummabundy Report of the province, induced me to authorize the renting of lands (at one-third less than the full rate) to Brahmins and Mussèlmans, who, though they did not themselves cultivate, were willing to rent dry land and bring it under irrigation, by employing other persons for that purpose. The sacrifice of revenue could, I knew, be but small, while many advantages would result from encouraging that species of cultivation, the success of which does not depend so much upon the season and weather, which, in respect to dry land, so seriously affect the harvest.

158. The measure, however, was not introduced without great caution; and the grants were directed to be made, more with reference to individuals who had property which they were willing to invest in the soil, than to any specific classes; and no lands but those which the ryots were not willing, from want of means or other causes, to cultivate on the same terms, were granted. Such departures from general rules, when local circumstances or the condition of classes of men require it, are often most essential to the prosperity of a province.

*Minutes of Council, 8th Oct, 1829. No. 29.

* I have recommended that Poona should become a principal collectorate, and when either "Candeish" or "Ahmednuggur" becomes vacant, that the greatest part of the latter, with two sub-collectorates, should be attached to Poona, while the principal collector of Candeish should have under him a sub-collector for "Nassuck" and the "Gungaturee" territories. The pay of the two junior and principal collectors would be the same as that of a collector, and they would rise by seniority to higher allowances without being subject, as at present, to be removed on promotion to another station, which is often attended with the most injurious effects to the public interests.

CANDEISH PATELLS AND VILLAGE OFFICERS.

159. In the same report the condition of the zemindars was brought by Mr. Giberne to the notice of government. Captain Hodges, the first assistant, being at Poonah, I gladly availed myself of the aid of his experience and intimate knowledge of the circumstances and condition of Candeish, in reviewing the subject. The remarks of this officer on that vital part of our fiscal system, the maintenance of the patells or village officers, in a respectable and efficient condition, I had the pleasure of laying before the board annexed to my minute, with the expression of my entire concurrence in them. The plan suggested by the collector, which, with some modifications, Captain Hodges thought would best answer the purpose, could not, for many reasons, be generally introduced; but considering this no reason for delaying a partial improvement in an essential and important branch of our system, I proposed its immediate introduction in those districts where circumstances were favourable to its operation. A boon has been conferred on the officiating patells, of the value of which they must be sensible, and which I anticipate will tend greatly to render them the useful instruments we wish to make them in our police and revenue arrangements; indeed every day's experience shows that the village system must become (as it was formerly) the foundation of the prosperity and general tranquillity of the country, and that every part of the revenue and judicial regulations which tends to lessen the respect and authority due to patells and heads of villages must be injurious.

DECCAN REVENUE SURVEY AND ASSESSMENT.

160. My opinion on some of the principal points connected with the revenue survey of the Deccan was recorded when Mr. Pringle's Report of the 6th of September, 1828, of the progress of the survey, came before the board: I then stated that the reasons assigned by that officer for fixing the assessment with reference to the net produce of the lands and first collections were satisfactory; that though the rates were fixed in complicated calculations, which furnish but imperfect data, and the plan had many deficiencies, still I considered it as the nearest approximation to correctness that could be made, and that any effort at greater accuracy would, in all probability, not be successful, while it would greatly delay, if not altogether impede, the progress of this work. The rates fixed for the purgunnahs Pabbul-Somneir and Indrapoor, in the Poonah district, which were then surveyed, appeared moderate. In respect to the latter, however, they were found too high to be at once introduced into the district, so that it became necessary to leave it to the discretion of the collector

* Minutes of Council, 24th Dec., 1828. No. 55.

to make such temporary abatements in the survey-rates as would prevent the ill consequences of assessing the land beyond its means; those rates, however, being considered as the maximum assessment to be imposed when the state of the district admitted of it. The lands of Meerasdars were (and I think properly) included in the survey of the assessment; but the justice and expediency of taxing their wells, or imposing a higher rate than they formerly paid on the lands watered by them, appeared to me to admit of a question, the decision of which rests on the knowledge we may be able to acquire of the grounds on which the wells have hitherto been exempted from taxation.

161. Anticipating much advancement from the survey embracing a settlement of the claims of the huckdars *, zemindars, &c., many of whom collected their dues direct from the village,—and considering from the opposition and trouble they frequently encounter, they deemed the enjoyment of their hucks precarious, and would regard a settlement entered on the records of so general a work as the survey as confirming them in their possession of their rights,—I authorized that measure, as also the grant of enam lands to patells, a simplification of amuls or allowance to district officers, and the regulation of the gaumkhuruck (or village expenses) under the conviction that the adjustment of all points relating to these matters would, without occasioning increased expense or much loss of time, greatly enhance the future value of the survey.

162. The financial committee have suggested that Mr. Pringle's survey be abolished. This measure, which was recommended to this government for adoption by the Supreme Government, was chiefly grounded upon the benefits to be anticipated from the survey being inadequate, in the opinion of the committee, to the expense incurred. It was further agreed that the period at which Mr Elphinstone expected this survey to terminate had nearly expired, and that twenty years would probably not finish the work. I have, in my Minute † noted in the margin, strongly remonstrated against its abolition before the assessment of the Ahmednuggur collectorate (part of which has been surveyed) is added to that of Poonah, which has been completed. To stop short before that has been completed would be to hazard, if not to lose, all that has been done. The causes of past delays have been pointed out. What I have proposed will be finished in two years, and at a cost of about three lacs, in monthly payments, of 1200 rupees.

163. The knowledge gained will be alike valuable to the government and the ryot; for local revenue officers will be able to

* Possessors of hereditary rights.
† Vide Minute, Rev. Com., 24th Sept., 1830.

deceive neither as to the maximum value of the land, the fixing of which will be found in every way advantageous. Above all, the information which this survey must give of the contents of each district, its soil, its means of irrigation, and the manners and usages of its inhabitants, must be most useful. In the Deccan, a century of wars and changes have led to the loss of all records and authentic accounts. This, in my opinion, renders a survey indispensable, to substitute light for darkness; and reasons are stated by Mr. Pringle that quite satisfy my mind this survey will be better and more economically done by his establishment than by one under the collector, as proposed by the financial committee. Many objections have been taken to different parts of this survey by local officers of experience, and modifications may be required; but none of these objections appear to me to affect the utility and benefit of the work; nor is it possible, in my judgment, to do so, unless it can be clearly shown that we already possess that information, which it is doubtless the best and surest means of attaining in a manner which will enable us to ameliorate and improve the future revenue administration of the country in which the survey is made.

ADOPTION BY ENAMDARS.

164. Among the numerous claims to succession to property, there are none that require more attention than those of adoption. This question came under discussion in consequence of two widows of a deceased enamdar in the Northern Concan having agreed about the adoption by one of them of a boy, who in consequence entered upon the enjoyment of the enam. A question arose as to the validity of the transfer of an enam, by an adoption to which the sanction of government had not been previously obtained. In the instance alluded to, the adoption had not received such sanction; and the collector therefore thought the enam escheated to government. Permission, however, had never been refused, having never been applied for; and I was of a different opinion from the collector, in whose view of the case one of my colleagues, Mr. Warden, coincided. The result of inquiries that were instituted confirmed the conclusions I had drawn from my observations in different parts of India,—which were, that though adoption was, as regarded surunjamee and jagheer lands, vitiated by the want of permission from the ruling authority, the same consequences did not follow in respect to enams, which are often subject to nuzzur; but on discharge of specific obligations stated in the sunnud *, or established by long usage, are confirmed as property in inheritance; and that when an enam is so held, the right exists to transfer it by adoption, according to the Hindoo law. Upon this principle the right of inheritance to the enam was not disputed, and the adopted son continued in possession. It

* Grant.

may be added, that there is no right which, among Hindoos, is held more sacred than that of adoption. It is a sin not to adopt; and, among other obligations of duty, when there are no direct heirs, the adopted son lights the funeral pile of his deceased father.

SOUTHERN MAHRATTA COUNTRY.

165. On my return from a tour in the Southern Mahratta country, after laying before the Board a review of the political condition of its territories, I placed on record a Minute containing observations on their geographical position and extent, with an account of their former and present fiscal and judicial administration *.

166. One of the first objects brought to the notice of the Board in this Minute was the expediency of availing ourselves of every opportunity that may offer, in future arrangements with the state of Hydrabad, to render the Toonghoodra river, until its junction with the Kistna, our eastern boundary, instead of the undefined line which at present divides the two states, and of including in the Southern Mahratta country the two talooks of Soopa and Soonda, at present belonging to the province of Canara. By these arrangements the frontier of the Southern Mahratta country would be distinctly marked by the Toonghoodra, Krishna, and the western ghauts; the impediment to the establishment of an efficient police, by the intermixture and contiguity of the villages of the ill-managed and disturbed districts of the Nizam, would be removed, and the ryots of the talookahs of Soopa and Soonda would be no longer exposed to the intolerable inconvenience of making a journey of nearly a thousand miles backwards and forwards on every occasion they may become prosecutors or witnesses in criminal cases †.

167. The necessity of effecting a revenue survey and assessment of the whole Southern Mahratta territories, similar to what has been completed in the districts of Budamee, was brought in this Minute to the notice of the Board. After mentioning in detail the circumstances which had hitherto been unfavourable to a full and satisfactory settlement of its revenues, I stated my opinion that, though a settlement on survey might no doubt, in its first effects, lower the revenue, I was confident it would early tend to increase the resources of the country.

168. A subject of considerable importance, but much difficulty, was pressed upon my attention during the tour, the nature of which is minutely described in my Minute, the assessment of the Joodee, or quit-rent lands, in the equitable settlement of

* Vide Minute on the Revenue and Judicial Administration of the Southern Mahratta country, 3d April. 1829.

† A native judge has recently been appointed to the districts of Canara that lie above the ghauts.

which the prosperity, and even existence, of the district and village officers in a great degree depend. The great importance of that branch of the cultivating class, which is effected by the settlement of the question, calls for particular attention to the subject. It should be progressively and fully investigated, and settled upon terms that are liberal to those who enjoy such grants, and just to government.

169. Measures were taken for the improvement of the breed of horses in the southern Mahratta country, in some parts of which numbers were formerly produced well suited for cavalry purposes. I also suggested in my Minute, that annual fairs should be held, and prizes be distributed, with the object of promoting the breed of horned cattle, in the same way as had been done in the Deccan and Candeish.

170. The general conclusions to be drawn (as I have stated in the 65th paragraph of my Minute) from the observations made of the revenue management of the countries south of Poonah, are, that those subject to the Rajah of Sattara are progressively recovering from the effects of frequent changes of local officers, and want of confidence in a new government; that the hereditary lands in the hands of Jagheerdars, and particularly those belonging to the putwurduns, maintain a superior condition, through the complete local knowledge of managers, and that intermixture of ties and obligations amongst all ranks, which unite good and check bad rule, while the territories of the British government are tranquil, and have improved, but not so rapidly as was anticipated.

171. The judicial administration of the Rajah of Sattarah, and of the Jagheerdars of the first class of privileged persons; the mode adopted by the principal collector in his capacity as political agent, in adjusting the disputes of the Jagheerdars with their subjects; the mode of administering civil and criminal justice in the territories under the direct management of the collector and his assistant; and the system of police maintained throughout the Southern Mahratta country, are topics that are fully discussed in my Minute. It will here be sufficient to repeat from that document, that if I could depend upon my own observations during my visit to the different provinces of the Deccan, I should say, that every substantial justice was obtained as fully by the system in operation in the Southern Mahratta country, as in that of Poonah, and that by a much more economical system of government, and one decidedly more satisfactory and popular with the inhabitants, to whose habits and prejudices it was in many points much more conformable. Since my tour, the regulations have been ordered to be introduced, but no change has been made (and none in my opinion is required) in the European branch of the administration of this country, except that the judicial powers

of the principal collector and political agent are extended to those of a session judge: he is aided in this branch by an assistant judge, and in the revenue line by two sub-collectors, whose powers as magistrates are those of collectors. For reasons connected both with the economy and simplicity of our provincial rule, I give great importance to the continuance of a system of administration which yields to none in efficiency, and is ten and a half per cent. less than the average charge of the other districts of the Bombay presidency.

GUZERAT.

172. I made a tour through Guzerat in the beginning of this year, and, visiting every district of that fertile country, directed much of my attention to the civil administration, and particularly the revenue branch. The results of my observations will be found in my Minutes of the 15th October, 1830*; they cannot be abridged. I had few changes to suggest; the foundation of our revenue system in this fine province was well laid, and the subsequent errors into which we have fallen have either been or are in progress to be amended.

PENSIONS AND CHARITABLE ALLOWANCES.

173. My attention having been directed to the charges under those heads which embrace Wurshashuns †, Dewasthunes ‡, Dhurmadoes §, &c., annually amounting to several lacs of rupees, many reasons presented themselves to induce me to propose that they should undergo a systematic and thorough investigation, besides the ordinary revision to which they are subject in the course of business in a Cutchery. Anticipating great public advantage from such an investigation being immediately instituted, Mr. Lumsden, who, besides being well qualified, was in receipt of salary from an abolished office, was appointed to conduct it. Rules and instructions were issued for his guidance, calculated to lead to the attainment of the object of the inquiry, which was as much to confirm the just rights of individuals as to detect pretended ones, and check misappropriation.

174. But as the above inquiry, which extended to all the districts under the Bombay government, would, from its nature, occupy a considerable period, and it was likely to be some time before collectors could prepare the documents required to enable him to proceed in it, I deemed it expedient to employ Mr. Lumsden, in the mean time, to inquire into the complaints with which I was assailed during my tour in Guzerat, by numerous petitioners of all classes, but particularly by Bhats|| and Brahmins,

* Minutes, 15th Oct. 1830. † Grant in money to a religious Brahmin.
‡ Grant in land to a temple. § A charity grant.
|| Bhats are at once bards and genealogists, and are greatly respected throughout the western parts of India.

of injury and wrong sustained through the operation of our rules and regulations respecting their free lands, especially those that came under the description of vichania grania *.

175. The complaints alluded to had been preferred principally in the Kaira and Ahmudabad districts. In a separate Minute †, I offered an opinion, to which my colleagues assented, as to the principles which should guide Mr. Lumsden in the performance of this part of the duties assigned to him,—although the rules, whose operations were complained of, may in principle be just, they are, as applied to a society like that affected by them in these districts, open to considerable objection; and in practice are not, I think, consistent with those liberal principles which the Honourable the Court of Directors have expressed their desire should regulate our revenue officers in their proceedings connected with the landed tenures of Guzerat.

176. These were points to which Mr. Lumsden's attention was specially directed, and with a view of allaying the agitation and fears the resumption of lands under regulation XVII. had occasioned, he was directed to extend his inquiries in the districts of Kaira and Ahmudabad, to all the lands which are not considered recognized or confirmed by our regulations.

177. In the minute above alluded to, I have stated at large my reasons for considering that, with reference to the Bhats, whose lands have in some instances been assessed in consequence of their contumacious conduct, all acts should be considered with indulgence, which have arisen from inattention to official forms and processes, on the part of a class of men who, from their peculiar habits and customs, were distinct from the rest of the community.

178. The nature of the landed possession of the Bhats, as stated in an extract of a letter from Mr. Williamson, quoted in my "Minutes," is analogous to that of the Mehwasies. "They obtained by personal consequence, as respectable mediators in disputes, as sureties for the payment of revenue, and the fulfilment of promises and contracts, and by the general deference paid their religious character, what the Mehwasies acquired by local power."

179. The effect of our administration has been to overthrow the influence of the Bhats, and consequently to deprive them of their profit. This circumstance renders their families, more than ever before, dependent on their rent-free lands for their subsistence, and affords the strongest grounds for their claims to such lands being examined with indulgent consideration. The question to be considered is, indeed, not so much whether we have a

* "Vichania" means sale, and "grania" mortgage, and the compound term means, probably, sold in mortgage.

† Vide Minute.

right to assess the lands held by such persons, as whether, under all the circumstances of the case, it is expedient to do so, and is one, therefore, that cannot be decided by any judicial process. Some rules are laid down in my Minute to guide Mr. Lumsden in the performance of the duty assigned to him, but much is left to his discretion, and in the exercise of it the principles of humanity and policy, no less than those of equity, are recommended to be studiously kept in mind.

IMPROVEMENTS IN SALSETTE.

180. Among the measures which I have adopted, there are none to which I have looked with more interest, nor are there any which give better prospects of success, than those recently adopted regarding lands in Salsette. There had been before some grants to Europeans and opulent natives, which had partial success; but there is now a spirit of improvement in that island, which cannot fail of rendering it very early the resort of the most wealthy inhabitants of Bombay, who will be gradually tempted to agricultural pursuits. Acting upon this principle, when the Povy estate * was to be leased, it became an object to induce a man of character and enterprise to embark capital in its improvement, and a preference was, on these grounds, given to the offer of Framjee Cawasjee, one of the principal and most wealthy of the Parsee merchants, who had on several occasions evinced great public spirit, and was a leading man in his tribe. A grant was given him of this fine estate in perpetuity, at a moderate quit-rent, on an understanding that certain improvements were to be made. My Minute of the 30th November, 1830, fully explains how far that good and able man has realized these expectations. I shall, therefore, quote it as the best illustration of the consequences that have already resulted from the measures adopted to promote the prosperity of Salsette.

181. "I lately paid a visit to the estate of Framjee Cawasjee, "at Povy, and never was more gratified. This highly respectable native has laid out much money in a variety of useful improvements; he has sunk a number of wells, has built houses, made an excellent road, planted a great quantity of sugar cane, indigo, and mulberries for silk-worms; he has erected an excellent sugar-mill, which I saw at work, and all the necessary buildings of an indigo manufacture. But what I was most delighted with was, the passionate fondness Framjee appeared to have for his estate. His projected improvements of a tank, a garden full of fruit-trees of every country, the erection of a bangalow for English travellers, and a serai and stables at the spot where the road to his estate leaves the Tan-

* This was formerly the estate of Dr. Helenus Scott.

" nah great road, will be most useful to the public, as it is exactly " halfway between Bombay and Tannah, and mark the liberal " spirit in which he has determined to fulfil the obligations of his " lease. He evidently thinks less of profit than of being the first " native improver of the soil on a scale that will match the science " and enterprise of a European settler. His ambition is directed, " by the possession of this fine estate, to the objects of being a " country gentleman ; and, whatever be the pecuniary result to " him of this speculation, he will gain much in health, reputation, " and enjoyment, while government will, eventually, have a return " of a hundredfold for any petty immediate or prospective sacri- " fices it may have made in the mere value of the land, or of its " produce."

182. I was so gratified by what Framjee showed me of his actual improvements, and the plans he had in contemplation, that I regretted not having provided myself with an appropriate token of my marked approbation of his public spirit, and of the benefits that might be derived from his example. To remedy this forgetfulness, I presented him on the spot with my own valuable watch and chain, expressing at the same time, before the gentlemen who accompanied me, and a crowd of the natives employed or settled on his estate, my delight with what I had witnessed, and the gratification I should have in conveying to the Board, and to my superiors in England, information of all I had seen, and my sense of the value of such improvements as he had made and projected, both to the governments and the country. Framjee Cawasjee was delighted with the approbation I gave him. He would persevere, he said, whatever discouragement he might at first meet with in his plans. My watch, he added, should be preserved in his family, and he deemed the gift bestowed on the spot, and in the manner it was, as rendering stronger than ever the pledge he had given to government to improve, in every way, the lands they had granted him.

183. I have stated in the same minute, that there are several considerations of a very forcible nature, which dispose me to grant every possible encouragement to the respectable and opulent natives of Bombay settling in Salsette.

184. The change of our system of administration has dissolved many of those ties of mutual interest and dependence which formerly existed between the government of Bombay and the principal inhabitants of that island. They are no longer employed, or have that influence they once possessed. Their concerns being commercial, their disputes relating to them are settled by the Supreme Court, to which they naturally look more than to the civil government. The consequences of this are evil in many ways, but in none more than as they daily weaken, and ultimately destroy, that zeal and attachment to the government,

by which this class of its subjects have been for a century distinguished. Besides this, there is no body of natives in India so remarkable for their intelligence and enterprise as the Parsees. Bombay has owed its advancement in a great degree to this class, and in the actual condition of this presidency it appears to me a political consideration of much importance to restore and strengthen their attachment to the civil government, by new ties which are of a nature calculated to combine the promotion of their interests with those of the state.

185. Salsette is recommended to them by its vicinity to Bombay, its excellent roads, and security. It may not yield the profit they anticipate, but they will render it a garden, and free us from trouble and expense in its management; and, above all, it will give to wealthy and public-spirited men that interest in the soil, and that knowledge of the benefits of works like roads, canals, and bridges, which may be of the greatest use, both as it disposes them to embark in works that will advance the interests of government and the general prosperity of this presidency. The feelings which will be inspired and the knowledge attained by men of this class, being landholders in Salsette, will gradually lead them to the Concan and Deccan, where such persons are much required to promote plans of improvement, without which these countries will never pay the expenses of their occupation and management.

COLONY OF EAST INDIANS AT PHOOLSHAIR.

186. There is another establishment to which I look with great hope for much eventual improvement in the provinces,—that formed at Phoolshair. My Minutes * noted in the margin fully state the progress of this colony of East Indians. They are happily planted, and they will, by blending the frugal habits of natives with the minds of Englishmen, early take a place in the community, which will tend to the elevation of their class upon solid grounds; and while they promote improvements they will hereafter become most useful aids to government in the branches of its revenue and magisterial administration.

187. When the East Indians of Bombay formed themselves into an association for the purpose of aiding respectable persons of their class in agricultural and other pursuits, a grant was made to them of a palace, built by Badjerow, at Phoolshair, on the banks of the Beema, with forty-two acres of land, including a large and productive fruit-garden. This place was recommended by its salubrity, and by its vicinity to Poonah, and to the great road from Bombay to Ahmednuggur. The colony now settled there consists of a head person, who has the powers of a village magistrate,—a schoolmaster, a schoolmistress, a doctor, and ten or

* The last Minute on this subject is dated 14th January, 1830.

twelve apprentices. The settlement has not been made above a twelvemonth, but much more is in progress. The palace, through means of the association and a small donation from government, has been put into excellent order. Many new trees have been introduced into the garden, and the fruits, which meet a ready sale at the Poonah and other markets, are improved by grafting. Some of the fields are allotted to Virginia tobacco *, while in the remainder a new species of cotton and other plants are raised; more ground will be easily obtained by the association when required; but what they possess furnishes enough at present for the occupation and instruction of the youths in horticulture and agriculture.

188. This establishment has a small library of useful works, including an encyclopedia; it has also a turning-machine, and a lithographic press. The boys are well clothed and fed, and their whole expense is not above eight rupees each. They rise at daylight, and work in the garden till half-past seven, when they return to breakfast, before which a short prayer is read by the senior boy; after breakfast they attend school till dinner-time, and learn reading, writing, and arithmetic; after dinner some of the best instructed aid at the lithographic press, whilst others turn articles of furniture, which they learn to make up. In this and other occupations they pass the week days: Sunday is carefully observed, the schoolmaster reading the service. Great attention is paid to the morals of these youths. Through the arrangement of the collector, under whose supervision the establishment is placed, no liquor is sold within several miles of the place, and drunkenness is consequeutly unknown.

189. There is no part of the arrangement regarding this colony by which its success has been more promoted, than by making some rooms of the palace the office of the deputy-surveyor-general, whose draftsmen are East Indians of much respectability, and have, in consequence of this measure, settled at that place, where they have brought their families, and repaired houses, for which they pay a ground-rent to the association: maps and papers are copied and lithographed, under the immediate superintendence of the deputy-surveyor-general, which tends to advance the general improvement of this important settlement; while the expenditure of the salaries and pensions of those belonging to the survey and the colony, renders it of the greatest benefit to the village of Phoolshair, which is daily increasing in inhabitants; and I was pleased to see some of their children benefiting by the instruction which the institution gives freely to all who desire to receive it.

190. Much of that rapid advance which this colony has made, is owing to the extraordinary ingenuity and ability of Mr. Sundt,

* This appears to thrive remarkably well.

who is its head; and the aid he receives from others, particularly Mr. Webb, the principal draftsman of the deputy-surveyor-general's office, who is himself remarkable for virtue and talent, as well as for long and faithful services as a surveyor throughout India and Persia. The association at Bombay, sensible of the value of these persons, shows a respect for their opinions, and a confidence in their character, which, if continued, will tend greatly to the future welfare of this colony, which has derived, and will derive, further advantages from the published reports of the annual committee of East Indians, of high consideration in their class, by whom it is visited.

COTTON IMPROVEMENTS.

191. The despatch of the Honourable the Court of Directors, of the 18th of February, 1829, having called the attention of this government to the great importance of improving the quality of cotton grown in India, and having suggested, with this object in view, that an experimental plantation should be established at the expense of government, I recorded my opinion as to the mode in which the instructions of the Honourable Court, on this head, should be carried into execution *.

192. In the despatch of the Courts, it is observed, that their attention has been directed in a special manner to this subject, and to look to India for the means of rendering Great Britain independent of foreign countries for a considerable portion of a raw material, upon which her most valuable manufactures depend. But it is not as relates to England alone that this country is one of paramount interest. Cotton is the staple produce of some of our most valuable districts, to the improvement of which we must look, in a great degree, for any addition to the agricultural resources of our possessions, and consequently to any increase of the public revenue.

193. In execution of the measures proposed by me, a farm, of two hundred acres in extent, was established in the vicinity of Broach, and placed under the management of Mr. Finney, a gentleman who had been brought to my notice as being, from residence and occupation in an indigo plantation in Bengal, well qualified to superintend a farm; an allowance of five hundred rupees per mensem, and forty rupees for house-rent, was granted to Mr. Finney, and he was placed in correspondence with, and under the general control of the collector of the district in which the farms are situated. He was furnished also with instructions founded on the information and observation contained in the Court's despatch, and also several important suggestions from Mr. Romer.

194. In further attention to the objects of the Court's de-

* Vide Minute, 16th July, 1829.

spatch, similar farms in the Southern Mahratta country and the Deccan were intrusted to Dr. Lush, the superintendent of the Botanical Garden at Dapooree, who was likewise authorized to carry into execution a plan suggested by himself for introducing the cultivation of the Bombon cotton into the garden of Dapooree.

195. Under the impression that the scientific knowledge of Dr. Lush might be rendered further instrumental in promoting the success of the proposed experiment, he was directed to establish a correspondence with the collectors and with Mr. Finney in all points connected with the process of culture, supplying each other with seeds, &c. &c.

196. With reference to the last paragraph of the Honourable Court's despatch, and with reference also to what had recently been done in Bengal, and to the benefits to be expected from the application of skill and capital to the improvement of the soil, letters were sent to all the principal houses of agency, announcing to the members of them that both for establishment of cotton plantations and for the purpose of raising indigo, or any particular kind of produce, Europeans would be allowed to hold lands on leasehold tenure. Almost exclusively occupied as the small European community of this presidency is with mercantile transactions, it is probable that few of its present members will be desirous of embarking in agricultural speculations; but still I considered it advisable that they should know that government is not adverse to their undertaking them.

SUGAR-MILL AT BASSAIN.

197. A sugar-mill has been erected at Bassain, to which government have given every support; and I cannot doubt but the example of Mr. Lingard, to whom it belongs, will stimulate many to follow his example.

CULTIVATION OF SILK.

198. The success with which the culture of silk has been introduced in the Deccan will be seen in my Minutes.* Several Italians (particularly Mr. Mutti) have shown a zeal and skill which have met with the most liberal encouragement; and natives of capital have come forward to support speculations which they perceive must be attended with success. †

199. Mr. Graham, the civil surgeon at Ahmudnuggur, has had a lease for fifteen years of several hundred acres of ground granted him, which, from being capable of easy irrigation, is most favourable to the plantation of mulberries, with which he has filled it.

* *Vide* Minutes, August, No. 30; October, Nos. 19 and 28.

† Surabja, a respectable Parsee inhabitant of Poonah, having built some public works, and advanced upwards of 1500 rupees in joining Mr. Mutti's silk manufactory, has been raised to the third class, an honour which, as elevating him in the community, he highly prizes.

From his science, the money he embarks, and the ready sale there is for the produce in the flourishing town of Ahmudnuggur, there can be little doubt of his success; and wealthy natives will by that be stimulated to imitate his example. Mr. Owen, the surgeon at Seroor, has commenced to manufacture silk upon a more limited scale; but the growth of his mulberries, and the fineness of the fibre which he has obtained, show that the soil and climate of that place are most favourable to the object; but this appears the case with many parts of the Deccan and the Southern Mahratta country. At the jail of Poonah, as well as that of Dharwar, excellent silk is produced; and in the latter collectorate several natives have established manufactories, upon a small scale; but the demand there for this produce shows that the speculation is profitable, and is only prevented from being extended by the poverty of the inhabitants, and the want of enterprise, or perhaps of credit. As, however, the fact seems perfectly established, that the silk produced in this country and in the Deccan will soon, with proper encouragement, drive both the China and Persian out of the market; and as the consumption of this article will be great when the interior of the southern parts of the peninsula can be supplied from silks produced in our provinces, it is worthy of the most serious attention of government. The opinion of the principal collector at Dharwar should be required as to the degree of encouragement he deems necessary to promote this object. If my information is correct, and it is derived* from a source on which I have every reliance, the attainment of this object will be secured by a lease for nine or ten years, on liberal terms, of grounds favourable for mulberries, and a moderate advance of money in the first instance to men of respectability, who have proved their knowledge of the culture and manufacture of silks. I must add that it is only by the introduction of produce like silk, by our improvement of the staple of cotton, and the success of our recent efforts to make and refine sugar, that we can restore heart to many of our districts, and maintain our territorial resources.

200. The machinery in England has greatly lessened manufactures in cotton cloths; commerce is languid, and a state of internal peace prevents employment of men as well as extra demand. From this combination of causes, the population has become almost wholly agricultural; and the supply of grain (which is the principal produce) so far exceeds the consumption, that there has been a glut in the market for the last two or three years in this quarter of India: to that cause is chiefly ascribed the alarming failure of our territorial revenue last year, which exceeded thirty lacs of rupees. The accounts of the collectors have not been received for this year, but I am led to hope the deficit will not be

* I derived my information from Mr. Stevenson, late sub-collector at Dharwar.

above half as much as it was in 1829; still it is by only encouraging richer produce, such as that to which I have alluded, and other articles besides grain, reviving commerce, and inducing men of wealth and enterprise to remain or settle in the interior, that we can give heart to the country to enable it to pay its revenue. There is no want either of talent or spirit among the native population, subject to our rule and control, to accomplish this object; but it requires to be drawn forth; and to effect this it is necessary to exert all the activity and energy and enlarged policy of a government which understands how to combine its own prosperity with that of the community subject to its authority.

POLICE.

201. The magisterial duties are combined with the territorial, and there are good reasons for their continuing to be so; for under the actual form of the administration, the collector can alone possess full information of the state of the districts subject to his authority, and to the character and condition of their inhabitants. I have, since I came to Bombay, recorded several Minutes on the subject of the police. Many improvements have been made, and are now in progress, in this most essential branch of civil administration. My sentiments upon the police of the Southern Mahratta country are given in my Minute upon the judicial and revenue administration of that province; and I have recently recorded my opinion upon what has been effected, and what remains to be done in Guzerat. The restoration of the efficiency of the native police in the Southern Concan has been attended with the happiest result; and the Northern Concan is likely to derive much benefit from the means which are now in progress to effect the same object.

202. The hilly and woody parts of the provinces of Candeish and the Deccan, inhabited by Bheels and Ramooses, are, and will continue, liable to frequent disturbances; and also the same tracts on the eastern part of Guzerat, which are infested by Coolies and other predatory tribes. The establishment of a good police is most difficult, and it has been rendered more so by the extension of our laws, in their minutest forms and processes, to districts and communities, to whose condition, character, and habits they are not adapted, and whom they often furnish with increased means of evading the punishment of their crimes. This subject has been noticed by me in repeated Minutes. I shall in this place sum up in a general manner what I have recommended and propose as the best means of establishing a good police through the provinces subject to this presidency.

203. The village system should be strictly maintained, and restored where it has decayed; and, above all, the patell ought to be well supported, and rendered responsible within his circle.

This, in all settled countries where it is practicable, will be found the very foundation of all good police; and many sacrifices should be made before it is abandoned, for it is familiar to the people and efficient to the object. Where the inhabitants of a rugged and mountainous tract of country are hereditary plunderers (and this is the case in many parts of the Bombay territories), as great a proportion of them as is required should be employed in preserving the peace; for it is only by giving parts of such predatory communities a stake in the general welfare, that we can ever hope to make them real converts to the cause of good order. This system, with liberal encouragement to all who are disposed to cultivate, or to change a rude and hazardous course of life for one of honest and peaceful occupation, will gradually reform this class; and that desirable end can be effected by no other means; for success in severe measures, though it may obtain tranquillity for a period, only aggravates by the distress it causes, and the spirit of revenge it excites, the motives of this race of men to continue in their habits of warfare and plunder.

204. There is one maxim, beyond all others, that appears to me of importance in the establishment of a good provincial police, which is the employment of the natives of the district in this duty, to the exclusion of strangers. I have treated this part of the subject in many of my Minutes, but particularly in that on the revenue and judicial administration of Guzerat*. "Much practical experience "on this part (I observe in that minute) enables me to pronounce, "that unless we go to great expense and watch every hamlet, the "peace of such countries can only be preserved by their own "inhabitants. To suppress or to subdue rebellion, we must send "regular troops, but for police duties we should ever look to the "natives of the soil."

"The common argument, of giving service to robbers and thieves "encouraging others, has no weight with me: it is by providing "for them honest occupation that they can alone be reformed; and the lead they have taken in predatory courses, when such were prevalent throughout the country, proves that they possess an influence and superiority of character which is calculated to render them, in the hands of those who have talent to use them, the most valuable of all instruments to effect the reform "or repress the excesses of others. But the fact is, few collectors "can spare that time and attention, even when they have sufficient "knowledge and energy of character, to institute and manage a "good local police, and many of the principal native officers they "employ will always be adverse to the establishment except their "own; and if they practise any abuse they will particularly dislike "the employment of persons who, from being natives of the dis-

* *Vide* Minute, 15th October, 1830.

" trict and having many relations and connexions in it, must " possess the fullest information of their proceedings.

205. " I was pleased, however, to find among the most respect- " able native servants that I consulted, several whose sentiments " were very decided upon this subject. Naroba, Kummavisdar " of Koorund, gave me a sensible paper on the police, in which " he states the great aid which might be derived from employ- " ing the Mehwassie chiefs and the natives of the purgunnahs " in that branch.

206. " A considerable body of police horse is employed in the " Ahmedabad and Kaira collectorates, which are divided into pagas, " or small parties, commanded by jemadars. I saw and heard " sufficient of this establishment to satisfy me it was far from effi- " cient. The men were chiefly Bargeers, mounted on horses not " belonging to themselves; and, from some inquiries I made, I must " think the horses are in many cases the property of natives in the " public service, or of their connexions or dependents. Whether " this was the case or not, the horsemen, like the foot, were gene- " rally inhabitants of towns, and unconnected with the districts " in which they were employed. This might be a recommendation " to an efficient military body of men; but for maintaining an " internal police of such countries as I have described, it would be " far preferable that in districts which were the residence of " Mehwassie chiefs, and possessed by Coolies, as the Chawul and " the Sabur Rhanta, the horse employed in them should be natives " of the districts.

207. " To give practical effect to these views, which have been " formed after a long experience of the feelings and habits of similar " tribes in central India, I would propose that the principal collector " at Ahmedabad be directed to fill up vacancies in this portion of " his police by men of the class to which I have alluded, if past " offences are not deemed a bar to such employment, and these " men are invited by pardon and forbearance to reform. I have " little doubt that satisfied as they are now of the strength of our " rule, we should early benefit from their services. This measure " may be gradually introduced; and the situations of jemadars, " when opportunities offer, be given to tackoors* or their relations, " many of whom are enterprising characters and excellent horse- " men. Were this system carefully pursued, and encouragement " and support given to the Mehwassies to enter the service, success " would in my opinion be certain. They should at first be employed " in circles within a moderate distance of their native villages.

208. " The change in our police system appeared to me, from " local observation, peculiarly required in protecting the peace of " the frontier pergunnahs of Purante, Morassa, Verepore, and

* Chiefs.

" Balasinore to the north-east of Veerumgaum, and Dholka on " the western frontier of Guzerat."

209. " The chief impediment to such a plan would be found in " occasional deviation from the strict letter of the regulations; but " these would be treated with indulgence, and knowledge would " soon correct them. The district police would, in many cases, " be under detached assistants, who would soon find the great " advantage in having it formed of the adherents and connexions " of the Mehwassie chiefs; but where it could be done, the charge " of the peace of the districts should be committed to the chiefs " themselves.

210. " The thackoor of Goorassur, formerly a most trouble- " some Mehwassie chief*, has now an extensive range of country " under his charge, and every inquiry led me to believe a far better " police was maintained in it than in any of the neighbouring dis- " tricts. There can be no doubt that when natives are qualified " by personal influence and character, and when they are animated " and supported by the regard and confidence of their superiors, " they can much better direct and superintend the police of their " native country, than any European officer. This applies to " every part of our territories. In no city is our civil government " better established than at Surat; yet every person, who knows " the fact, is satisfied that Ardaseer Buhadur †, who has been " recently honoured and rewarded by government, conducts the " duties of police with an influence and knowledge, and conse- " quently with an efficiency, far beyond what could be expected " from the most active and zealous European agency."

211. The police of the provinces, situated like those I have described, will never be complete until there is some modification in its administration.

212. The collector's powers, as a magistrate, has been recently increased, as well as those of his first assistant, and of the kam- mavisdar, as native managers of the districts, but much remains to be done ere we can effect our object in such communities as are subject to our rule. The end of all systems of justice is the decrease, if not the suppression of crime: at present the task of seizing the most notorious criminals is easy, compared to that of proving their guilt according to the forms and principle of our courts of justice. There is seldom that full evidence they require; and the consequence is, the annual discharge of well-known plunderers to recommence their career of guilt, and to take ample vengeance on those whom they suspect of having aided in their apprehension.

* I made this chief a present in a crowded durbar, and took occasion to express to him, personally, the great satisfaction his conduct and the police had given government.

† I had great satisfaction in conferring personally, and with every ceremony that could gratify his pride, a grant of land from government to this distinguished native, who was at the same time honoured with the title of buhadur and received a gold medal.

If our laws are not modified to meet this great evil, it can alone be mitigated by a change in the executive branch of the police in those provinces that are inhabited or subject to the inroads of predatory tribes.

213. The duties of a collector are too heavy to admit of his giving the police of such countries that personal attention which they require; and the changes or promotion, and other causes, prevent the assistant being sufficient aid to him in a branch which particularly demands constant residence in disturbed and often unhealthy districts, jungles, &c. Add to this what I have stated, that the regulations which are found a serious bar to the establishment of a good police, in our well-cultivated and tranquil province, present obstacles that are almost insurmountable to its establishment amid mountains and jungles, inhabited by races of rude and uncivilized men, and we need not be surprised, until some change is made, either at the increase of crime, or that hardly one year should pass without our being compelled to employ part of our regular army in suppressing bodies of plunderers who are too strong to be put down by the civil power.

214. I have elsewhere stated my sentiments on the subject of an improved system of magistracy *; but limiting myself to the actual condition of this presidency, I can only state, that had I remained at Bombay, it was my intention to have proposed that magisterial power, to a limited extent, should be given to military officers, acting under the collector and magistrate, in the command of revenue corps, or detachments of regular troops, and stationed in districts that are inhabited or disturbed by predatory classes—a measure from which I am satisfied the greatest benefits to the public peace would result.

215. In concluding the review of the revenue administration at Bombay, during the period I was governor of that presidency, I must state my decided opinion, that all efforts to promote the happiness of the people, and prosperity of the country, and to combine these objects with the increase of our resources, must chiefly depend upon the character and qualifications of those who fill high offices in this branch of the service. The duties of collectors and magistrates require activity of both body and mind, great kindness of disposition, unwearied application, and much zeal. These, united with moderate ability, will make a good revenue officer; but special duties in this line, and its highest stations, demand the best talent in the service, and there is no branch in which successful efforts require to be more stimulated and rewarded. This is particularly the case at Bombay, where a great proportion of the provinces have but very recently come under British rule, and are still in a very unsettled state. I am very sensible of the high qualities required in the judicial department;

* Vide Political History of India.

but where those that are essential are possessed by an individual, his duties are so defined, and his path so clear, that he can hardly go wrong, and his acts affect but a small proportion of the community; but on those of a collector and magistrate, the happiness and interest of every man in the province under him may be said to be more or less dependent. I have, from this conviction, been most careful in my selection for all fiscal duties, and have strictly refrained from making any appointment, however urged by claims of length of service or personal consideration, that I thought calculated, from circumstances, to hazard the benefits to be derived from the peculiar qualification required in those who are employed in this branch, or to depress the tone, or impair by an alarm at supercession, the zeal of the able men who now occupy the highest stations in the line, and who will, I am assured, if care is taken in this essential point, fully justify all the hopes I entertain from the result of their useful and unwearied labours.

216. The native branch of the revenue administration of Bombay has had and merits much consideration: I have seldom met more intelligent and able natives than among the duftedars and kamavisdars of the provinces of this presidency. Their pay is liberal, and delinquency rare in consequence; for they fear to sacrifice what they enjoy, and the pension to which they are entitled from fund by any bad conduct. They have also full confidence in the permanence of their stations, by a regulation which prohibits local officers dismissing any native public servant who enjoys a salary above thirty rupees per mensem, without reporting to government, and transmitting the result of the investigation he has made into his delinquency.

217. We have not as yet been successful in prevailing upon natives of high rank in our provinces to engage in revenue duties. Measures * have been recently taken that will, it is expected, facilitate this object; collectors have been desired to give them every encouragement, and not to withhold, or allow others to withhold, on account of the grade in which he may serve, that respect and consideration to which an individual may be entitled from birth and rank in the community. It is most politic to attach and improve the condition of such persons, through the means of employment in the public service; and when men add to experience in the revenue line personal rank and talent, I make no doubt we shall be early able to elevate the natives in this branch still higher, and to employ them as assistants.

I know no measures that would be attended with better consequences; for their minds will become improved and elevated by their advancement, and they would have, when thoroughly acquainted with our system, a power of adapting or of modifying it

* Vide Mr. Williamson's Memorandum, and my Minute, 24th October, 1830.

to local circumstances, far beyond what an European could ever attain.

218. The pressure of financial difficulties has recently compelled government to make reductions from the pay of native servants in every branch; but in the revenue, as in others, the distinction of the class of merit (established in the resolution of government in my Minute) has been introduced; and in addition to an increase of salary to an individual with superior claims, I have recommended a medal should be given, which, though of trifling cost, will be greatly prized by those on whom such honour is conferred.

GENERAL.

219. Previous to my arrival education had received great encouragement at Bombay. Schools and institutions had been established, upon the most liberal principles, to promote the improvement of all classes of the community, and individuals had vied with government in their effort to effect this object. The progress which had been made attracted the attention of the court of directors, who, giving general approbation to the measures which had been adopted, expressed an opinion of the expediency of modifying some part of the system which had been introduced. Their despatch called my attention to the whole subject, and I have given my sentiments at considerable length upon it in the Minute * noted in the margin, in which I proposed some alterations, and a connexion between our schools and public offices that would, I thought, be beneficial to both, while it promoted economy and advanced general improvement. This plan has been carried into successful execution. Its nature and object will be best elucidated by quotations from the Minute on which it was grounded. It proceeded, in its commencement, upon the principle, that

220. "Though our schools may give the elements of know-
"ledge, it is only in its application, and in the opportunity for the
"development of that talent we cultivate, that success can be
"ensured to the efforts made for the improvement of our Indian
"subjects. It follows, therefore, that their education, and the
"manner in which youth are brought up, should be suited to
"those occupations which the government have the power of
"enabling them to pursue, and to the character and construction
"of the community among whom they are expected, through
"their better education, to obtain a respectable livelihood."

221. In adverting to the East Indians, I observed, "The prin-
"cipal persons of this class have hitherto had their views much
"limited to employment in the public offices as writers and
"accountants, as sub-assistants and dressers in hospitals, or in

* Vide Minute on Education and Establishments, 10th Oct., 1829.

" the quarter-master-general's, or survey branch, as subordinate " assistants. Those are very respectable lines of life, but not cal- " culated to raise a community to that rank in society to which " every class has a right to aspire. Far less is that to be attained " through meetings, speeches, or memorials, or by any grant of " privileges, or any equality of rights which can be conferred on " this class : they must win that honourable place in the popula- " tion of our Indian territories to which they should be encou- " raged to look, and aided to attain through persevering industry, " frugality, and industry. These qualities, displayed in all the " toil and hazard of agricultural and commercial pursuits, as well " as in the various branches of art and science, will lead to the " attainment of a wealth and reputation which will soon give them " a weight and consideration in the community which it is not in " their power to obtain by other means.

222. " Several measures" * (I remarked) " have recently been " carried into effect, that tend to open new paths to this class of " our subjects.

223. " I shall early propose" (I added) " others that will, I " trust, still further extend their means of employment, and I am " quite gratified by the conduct of the association of East Indians " at Bombay, whose proceedings have hitherto been marked by " moderation and good sense ; and they will, I make no doubt, " aided by the liberal policy of government, succeed in their " rational and laudable means of gradually raising the community " to which they belong.

224. " The proper place" (I gave my opinion) " for the East " Indian to strive for in the population of India, is to become a " useful and connecting link between the Europeans and natives, " for which they are by their birth, their education, and their " religion, well suited. If they should remain, from difference of " climate or other causes, a shade inferior to Europeans with " whom they may have to compete in energy of character and " knowledge, their education and means of adding to their infor- " mation will generally give them many advantages over the " natives engaged in similar pursuits. The acquaintance of the " East Indian, from infancy, with the English language will " enable him to refer to every improvement of art and science in " Europe ; and these, until translations are greatly multiplied, " must remain almost a dead letter to the other inhabitants of " India.

225. " The East Indian, though he may be in some point " inferior to the European with whom he may have to compete " in labour or in art, will have many advantages. His know-

* Admitting them as clerks and pursers in the marine ; placing them at the mint to be instructed in working a steam-engine, and in the dock-yard to be educated as joiners.

'ledge of the native languages, and of the manners and usages 'of India will be greater, and his habits of life will render his 'expenses of living much less. This latter advantage it is of 'great importance to the lower classes of this community to pre-'serve; for nothing but simplicity of clothing, and diet, that 'approximates their mode of living much more to the natives "than the Europeans, can ever enable them to keep their place "as mechanics and workmen in any branch of arts and manu-"facture."

226. The principal change made in the system of education of the natives, was the abolition of the engineer institution at Bombay, and the converting it into a government institution at Poonah, under the same head and supervision, but with modifications suited to the alterations made in other branches. The reasons for these changes are stated at length in the Minute referred to; and the covenants given to boys on their entry into this institution seemed to them an increase of allowances and pensions as they rose in the service, which would, it was feared, interfere with general plans which went to promote economy as well as other objects of the public service; this related chiefly to those bred to survey and scientific pursuits; and, as far as such students were concerned, the institution as it is modified is less of a school to prepare, than an establishment to perfect them, and to give annual examination certificates to candidates for public employment, educated privately or at the various other schools and seminaries of the presidency and provinces.

227. The plan of educating, at Bombay, natives for the revenue line, was objected to by the court of directors, and in my opinion on just grounds; but practically it had been found impossible to induce natives, of that rank and influence in the provinces whose sons it was desirable to employ in this branch, to send them to the presidency for examination.

228. "The promises" (I observed, in noticing this part of the "subject) "given to parents, and a desire to conform with the "wishes of government, made numbers send children, on the "first establishment of the schools and institution at Bombay, who "under other circumstances would have been reluctant to do so; "but still none of any rank could be tempted even by the flat-"tering prospect of future employment in the public service. "The Mahomedan and Hindoo mothers are alike averse to part "even for a period from their sons. It is to them they look for "enjoyment and importance in life; a wife is often neglected; "a mother is always respected: in this state of society there can "be nothing more hurtful to the feelings than such separation, "and the pain they create is aggravated by the just alarm parents "have of their children being brought up in a large and dissolute "town like Bombay, where the mixture of all tribes causes much

" uneasiness to parents of high caste, lest their children should be " polluted by improper intercourse."

229. The establishment of the engineer institution upon the liberal scale it had been placed, had given a great impulse to education; many East Indians and natives had made considerable progress in science, while some of the latter had been well qualified, and sent to the districts to teach others. It had so far answered its objects, and it had shown a quickness of acquiring knowledge and of its application, that left no fear of success in a plan which reduced charge and opened a wider field for the acquisition of all branches of education, except the very highest; and to afford instruction in these the institution was still open, while its being planted at Poonah approximated it to natives of rank, and gave those who from birth, caste, and condition must, in a great degree, be the leaders of the community, an opportunity of attaining knowledge which they could not otherwise have enjoyed.

230. The engineer institution had formerly both the English and native lithographic presses; the former, much reduced, has been placed in the secretary's office; the latter is continued to the government institution; and owing to the labour and talent of its superintendent *, and the liberal pay given to writers, the native works lithographed (particularly Persian) are unequalled for beauty and correctness: many useful and scientific works have been disseminated, by the institution, in the vernacular languages of the provinces,—a measure from which great benefit has arisen and will arise. The institution, as at present constituted, possesses within itself many means, in books and apparatus, of explaining and teaching science and natural philosophy: and when we add the fact, that several of the natives, who have been educated and now belong to the establishment, are Bramins of learning and respectability, who are alike distinguished for knowledge in Sanscrit and for their attainments in science, we may anticipate every benefit from the institution, planted as it now is in a situation the most favourable for promoting the object of improving the natives in all branches of useful knowledge.

231. East Indians, educated by officers employed on surveys, and by the engineer institution, are now teaching natives with the greatest success in the provinces; and, as I have noted in another place †, accurate surveys are carrying on at very small comparative expense ‡. But when we dwell on such happy results, we must never forget that it is to those liberal establishments, which were instituted when we first came into possession

* Captain Jervis. † Vide Minute on Guzerat, October 15th, 1830.

‡ This survey, which some years ago cost nearly a lac of rupees, and latterly upwards of 30,000, is now carried on by two well qualified East Indians and a number of natives, at an expense of about 6000 rupees per annum.

of the provinces in which those surveys are made, to which we owe our present means of attaining important objects at very trifling expense, at the same time that we diffuse useful knowledge.

232. The engineer corps has, under modifications before noticed, become an excellent school of instruction in science. The establishment of East Indians at Phoolshair will soon become the same, and promote knowledge in all the useful arts of life. The elements of education in English, arithmetic, writing, and accounts, are excellently given at the central school at Bombay. The regimental schools of the European corps, which teach the same, are well regulated. The schools of the native society at Bombay are upon excellent principles. They are liberally supported; and, besides the useful knowledge they impart to numbers, they send schoolmasters throughout the provinces. The missionaries of the different societies who dwell at Bombay and the provinces are zealous and successful in promoting education and knowledge among the natives; and that is promulgated still more generally by large schools at every principal town, that are under the immediate inspection of the collector, and one of the principal masters of them gives circuits throughout the village schools of the district.

233. There is no part of the instruction of natives that has been deemed more important than that of the "Native Medical School," which was placed under a highly-qualified superintendent, whose excellent knowledge of the language enables him not only to attend to his pupils, but to circulate valuable medical tracts throughout the provinces. There are many and serious obstacles, however, to the imparting of a knowledge of physic and surgery to the natives; but these will be gradually overcome. Modifications have been made in the system of this school of instruction, but none that affect the principles of the establishment.

234. I was quite satisfied that sufficient had been done at this presidency to facilitate instruction in every branch of useful knowledge; and that, with the establishment of the "Elphinstone Professorships," for which funds are provided, the system will be complete: but more was required to induce numbers to pursue an object which, when attained, might leave the person who had acquired the learning and knowledge so liberally given with nothing but qualities that, if not called into action, would to them be useless, and more likely to prove a source of discontent than of happiness. Besides, it must be evident to every man of experience that schools and colleges never have done and never can do more than furnish the elements which so materially aid in forming men for every condition of life. We must add to the knowledge acquired the power of applying it, or it is useless.

This, and the maturing of all the lessons that youth receive, must depend on the situations in which they are afterwards placed, the habits that are formed on their entrance into life, the checks imposed on vice, and the rewards offered to good conduct. It is only in the progress of their career that men can develop those qualities that are to render them valuable to their families, to the community to which they belong, or to the state of which they are subjects. It becomes, therefore, of as much importance, if not more, to provide a field for the full display of the energy, the virtues, and the talents of such persons, as to give them instruction. If we do not, few, if any, will have an opportunity of gaining that confidence and respect on which their future claims to employment will depend; and the labour and money expended in education will be worse than wasted, for it will impart information and knowledge which, if not secured to the aid of government, will be against it. These are the reflections which led me to recommend the plan I did for the reform of public offices, and constituting them upon principles that would embrace the object of employing usefully numbers of those we instructed. I cannot better illustrate this part of the subject than by quoting from the concluding paragraphs of the Minute to which I have so often referred.

235. "The fundamental principle upon which I proceeded was "that offices and other establishments should be so constituted "as to become a regular service, governed by rules that admitted "a latitude of selection, but debarred all introduction (unless in "extraordinary and special cases) of persons to the higher places "who had not gone through the lower grades of official science.

236. "To effect this it would" (I observed) "be necessary to "class all offices, civil, military, and marine; and the pay of each "class should be fixed with reference to the nature of the duties "to be performed, and the qualities necessary for the persons "employed, the demand upon their time and talent, and the "degree of trust and responsibility attached to the station they "occupied.

237. "I proposed that there should be in each department a "first and second class, with pupils and boys.

238. "The pay of each class to be fixed on a moderate scale; "but, in order to reward talent and good conduct, and excite to "exertion, I would institute" (I stated) "a separate list, entitled the "Class of Merit, with an increase of allowance, to which men of "all classes may entitle themselves by individual claims. These at "present it is often difficult to reward without burdening the office "with an increase of expense, and establishing a precedent that "renders, in nine cases out of ten, that expense permanent.

239. "The number of boys will depend upon the extent of the "office. They should be entertained by the heads of offices,

" and he should have, until two years of their service had expired, " the right to discharge them for bad conduct, idleness, or incom- " petency.

240. " The pay of these boys, who might be taken as young as " ten or twelve, should not be more than is sufficient for their " subsistence and clothing. After a service of two years they " would become pupils, in which grade they should serve two or " three years at least. They should not be liable to be discharged " from this grade by persons in charge of subordinate offices, " without the sanction of the head of the department; and no person filling a place in the first or second classes in offices should be promoted or discharged without the approbation or sanction of government. This usage already obtains in regard to the discharge of persons whose pay is above 30 rupees per mensem; but it must be made equally strict as to promotion, " or the objects of government will be disappointed.

241. " By instituting public offices upon the above principles, " many and serious advantages will be obtained.

242. " A great saving will accrue to the public: for men, when " guarded from these supercessions, which too often follow the " change of heads of offices, and are certain of rise in proportion " to their merits (for it is far from my intention to recommend " the dull routine of seniority), will be contented with less pay, " and particularly as a class of merit will be open to their ambi- " tion. They will also, from entering younger, and having been " compelled to live upon small means, have more frugal habits " than at present: but one of the most important results will be " the stimulus it must give to education; for, while admission " into public offices as boys may be the prize for which the youth " at the central and other schools contend, those that aspire to " promotion in the more scientific departments, which require " instruction beyond mere writing and accounts, will have to " prove their competency by their performances, or by the exa- " minations they have passed and the prizes they have obtained " at the government institution. There will be another and great " advantage in the former which government will possess of form- " ing new establishments on emergency for any department that it " is necessary to increase or create. Those who have any expe- " rience in India must know how often and how deeply the public " interests are exposed to suffer from the defects of our pay- " departments and others in this particular.

243. " It may be argued by some that this plan will diminish " the influence of the head of a department. It will not, I am " positive, diminish it in any manner injurious to the public in- " terest. Patronage will be limited, but a latitude will be given " to the selection of merit; and, from the little connexion there " is between the European heads of departments and those em-

" ployed under them, we may always, under the rules I have " proposed, anticipate that being exercised with a fair view of " the public service and a just consideration of the claims of " individuals. It is not meant that this plan should affect incum- " bents who have claims for their character or service. Its ope- " ration will be in a great degree prospective. That will no doubt " exclude, except on extraordinary occasions, Europeans from " the public offices and departments; but this I deem an advan- " tage. It affects patronage, and may defeat the hopes of some " meritorious and able men, but it will prevent many from suffer- " ing serious disappointment by coming to India for employment " that cannot be given.

244. " A few situations may, if thought expedient, be left open " for this class; but they should be so under the distinct appel- " lation of uncovenanted assistants, and be quite separate from " the classes I have stated. The high pay European writers " require, and no doubt very often merit, in offices, from their " superior energy and talent, has tended more than any cause I " know to introduce higher rates in all our offices, and too often " to encourage ruinous habits of expense in those belonging to " them.

" East Indians and natives of connexion and influence will no " longer be able to obtain at once the high stations they now do " in offices. This I consider will not be more beneficial to " government than to individuals, who will hereafter have to work " their way gradually to the employment at which they aim, " and their characters will be formed by the effort they are com- " pelled to make before they can attain the object of their " ambition.

245. " The above are the general outlines of a plan by which " the progress of useful education and improvement of offices and " establishments will, I am satisfied, be combined so as most " essentially to promote the economy, integrity, and efficiency of " the public service "

246. I have given this plan in detail, as I desire most earnestly to draw the attention of my successor to it. My personal efforts, continued unremittingly for two years, have hardly enabled me to give it full operation. The prejudices and habits of many belonging to public offices are against it. It interferes with the prospect in which subordinate persons in offices had before indulged of the speedy rise of their relatives and connexions; the great good it is calculated to effect can only be understood by those who view it as a measure of state policy. With me it has, as such, the greatest importance: but I am quite aware that if it is not vigilantly supervised and rigidly enforced it will fail; and in its failure I cannot but contemplate the most serious injury, not only to the

government, but to the progress of education and to the moral improvement and elevation of the classes of men it affects.

ABOLITION OF SUTTEE.

247. The abolition of suttee, through gradual means, and with the aid of influential natives, occupied my attention from the day of my arrival at Bombay; and I had, as recorded in my minute, made some progress towards effecting this object in the manner I deemed best calculated to accomplish the end without hazard, or alarming the feelings, by any attack on the superstitious usages of our native subjects.

248. On a regulation being published for the abolition of this horrid practice at Bengal, which was followed by a similar measure at Madras, I recommended (and my recommendation was adopted) to put an end to suttee within the territories of Bombay, not by any enactment, which might, I thought, attract notice and cause bad feeling, but by repealing a short clause of the Regulations which declared "assistance at the rites of self-"immolation not to subject any one to the penalty of murder." I doubted, and expressed my doubts on this occasion, of the policy of suppressing suttee by an act of legislature, and added, "I earnestly pray I may be in error in the opinion I have formed "on this subject, but it is one that has engaged my attention." Wherever I had influence and authority I laboured to effect the decrease and ultimate abolition of this horrid rite. A very decided measure, from which I confess I have always shrunk, has been adopted by the Governor-General in Council; and many able and experienced persons do not participate in the fears I have entertained. I shall, therefore, hope these have been exaggerated, and at all events my utmost efforts shall be given, during my short stay in India, to support the course of proceeding which has been adopted. The obstacles which may present themselves must be overcome. These are not likely, as far as I can judge, to appear in popular tumult or any violent act of resistance to our power; but dangerous impressions regarding the mode in which we mean to exercise that power, may sink deep into the minds of our Hindoo subjects. These it must be our future care to prevent or remove; and while we defend the measure we have adopted on the ground of our abhorrence of suttee, its abolition must ever be represented as an extreme act, upon which, independent of such feelings, those of the people of England, expressed in numerous petitions to parliament, have forced the rulers of India.

249. This measure must be quoted to our native subjects as an exception to that rigid rule we had prescribed to ourselves, and meant scrupulously to maintain, as a general principle, of not

interfering on any point connected with their religious usages. Such sentiments, promulgated through the local officers and proved by acts, may restore confidence where it is impaired or lost; but we must, if we wish to avoid the dangerous agitation of men's minds, refrain more cautiously than ever from every proceeding that superstitious or seditious men could interpret in a manner that may induce them to believe, or make others believe, that our designs are further; and this caution is more necessary, as the zeal and want of knowledge of many may lead them to think there is no danger in further strides to improvement in matters where the prejudices and usages of natives are opposed to our progress, from there being no opposition to the present measure. Such persons may not understand what those entrusted with the administration of India must never forget, that our power is so constructed that its very foundation may be sapped and destroyed before the superficial observer can detect the appearance of danger.

250. The press at Bombay can hardly be said to be under any restriction. The office of censor was abolished by government before my arrival, and the regulations granting licences, which had been adopted at Calcutta, were intended to be substituted. But his Majesty's Court of Law refused to register it, and it could not be enforced. The consequence is, that while there is a censor at Madras, and a press regulation at Bengal, there is no check or control over the press at Bombay, except by having recourse to acts of arbitrary power. This cannot continue, for it places government in a very embarrassing situation. On articles being published in the newspapers which are contrary to the terms prescribed when licences are granted, and calculated to have evil or dangerous political consequences, the Governor and Council of Bombay have no option between that of passing them over in silence, or, if repeated warnings are neglected, of sending the offending editor to England, an extreme act which, if possible, it is very desirable to avoid.

251. I shall not here advert to the several Minutes I have had occasion to write upon this subject, further than to notice that what has occurred during my last visit to India has confirmed the opinions I have before recorded and published upon this subject, both as relates to the English and native press. The evils against which we have most to guard, in a country like India, are those that are progressive. And, if I am not mistaken, there is none that will be found more dangerously so in India, if not under control.

252. There is no government paper at Bombay, as at Madras or Calcutta. One, I think, should be established: and if the press at which the Gazette was published, containing all advertisements and orders, as well as the most authentic intelligence,

was continued, with the present lithographic press, under the supervision of a well-qualified person,—and if all regulations, as well as the orders of the Commander-in-chief were printed,—it would be a great saving of expenditure, as well as of much utility both to the community and to government. Should no change in the present state of the press at Bombay be deemed expedient, such a paper would provide government with the means of undeceiving the public in many cases, where inaccurate or false statements, made through ignorance or design, may prove injurious to its reputation. I should therefore recommend its establishment.

BUILDINGS AND PUBLIC ROADS.

253. No measures tend more to promote the prosperity of a government, and often to further the ends of true economy, than public works, if judiciously made. None had received more attention than at Bombay, and I found that settlement more forward in these improvements than any in India. Among the many buildings that had been erected, the town-hall and mint, which were in a progress of completion, are alike conspicuous for the elegance and convenience of their construction. Admirable roads had been formed throughout the island of Bombay, the street of the native town widened, and a communication, by a causeway, with Salsette, much increased in breadth, which it required. A great military road, with several bridges, had been constructed from Panwell to Poonah, a distance of seventy miles, over a high range of mountains; and another, surmounting the same range, was in progress, from opposite Tannah to Nassuck; and along those roads, as in other parts of the country, bungalows were erected, and placed upon a footing that give excellent accommodation for travellers.

254. These were the principal works that had been made before my arrival; and notwithstanding the pressure and the reduction to be effected of finance, I have not hesitated to recommend such further improvements as were, in my opinion, calculated to be productive of real use to the country as well as a benefit to government.

255. In Bombay an excellent road has been made to Malabar Point, the temporary bungalows at which (that formerly cost considerable sums in repairs and annual erections) have been made permanent, so as to afford excellent accommodation for the governor. By this arrangement he has been able to make over the large and valuable house in the fort, appropriated, but not used for many years, as his residence, to the purposes of an office for the secretaries' department, for which it has proved to be remarkably well adapted; and it serves also, till the town-hall is finished, for the council-room. Almost all the military offices are in the house formerly occupied by the secretaries, and the

allotment of the lower rooms of the town-hall to the remaining public offices will, besides the great convenience arising from these being concentrated, be attended with a very great saving to government, while the governor is actually better accommodated than he was before, at a cost of little more than the rent for one year of the permanent annual saving this arrangement has enabled him to make.

The roads on Salsette have been improved within the last three years, and that leading from Colsett to the top of the Tull ghaut has been finished; and the ghauts which carry on this road to Mallegaum and Dhoolia made quite practicable for *wheeled* carriages. The great military road to Poonah was at some seasons almost impracticable, from a morass that extended six miles between Karlee and Wargam. This has been made, and the other parts of the road kept in complete repair; but the obstacles to loaded wheel-carriages proceeding by the road still remained, while the Bhore ghaut continued impracticable for them. A full consideration of the subject and personal examination of the levels which had been taken some years ago by an engineer-officer, and the opinion of Captain Hughes, who had been much employed on this road, satisfied me that this work might be effected at one half the expense at which it was estimated; and I was further convinced it would prove not only a saving, but a source of revenue to government. My colleagues coinciding in the view I took of this work, a contract was given to Captain Hughes, who engaged to complete the ghaut for one lac of rupees. I cannot better illustrate what has been done than by quoting my last Minute on the subject *.

257. "On the 10th November I opened the Bhore ghaut, which, though not quite completed, was sufficiently advanced to enabled me to drive down with a party of gentlemen, in several carriages. It is impossible for me to give a correct idea of this splendid work, which may be said to break down the wall between the Concan and the Deccan †. It will give facility to commerce, be the greatest of conveniences to troops and travellers, and lessen the expense of European and other articles to all who reside in the Deccan. This ghaut will positively prove "a creation of revenue; I am satisfied, from a decrease of hamallge ‡, and the offers already made to farm the duties, that the first year will produce twenty thousand rupees, and that the ordinary revenue will hereafter rise to more than thirty thousand, while on any military operations occurring in a quarter "which required the troops in the Deccan to move, the outlay

* 23d. Nov. 1830.

† The height of the mountain is nearly 2000 feet; the length of the road is three miles and three-quarters, and its breadth in no place is less than twenty feet.

‡ Postage.

" would be paid, by the cheap transmission of stores, in a twelve-
" month.

258. " A very excellent bridge has been built over the river at " Poonah, which is a great convenience to the inhabitants and " to the troops. To complete, however, this great line of military " and commercial communication, another bridge over the river " at Dapooree is required, and a road from Panwell to Walwa, a " distance of between five and six miles. This being over a swamp, " would be attended with some cost *, but none that would not be " soon repaid by light duties by it. There would be none of " those delays for tides, which, as long as the Panwell river is " used, must take place, and there being ten feet water at ebb " tide at Wulwa, would render it practicable for a steamer of light " draft at all times; and the passage from the continent to Bom-" bay, which, during four months in the year, often takes twelve " and sometimes twenty-four hours, would be made in two or " three. This is of more consequence, as it delays the post. The " attention of my successor will, I trust, be early called to this " improvement, as well as to that of deepening the channel " near Tamah, or forming a short canal to enable country-craft " from the northward to make passages quicker and safer to " Bombay. This work, which would be of the greatest benefit " to Bombay, would, I am quite satisfied, richly repay any outlay. " It was with me an object to have induced the wealthier among " the inhabitants of Bombay to engage in them, and it would be " politic in government to give them the most liberal encourage-" ment.

259. " In consequence of the Bhore ghaut being practicable, a " contract has been made by an enterprizing East Indian to con-" vey the dawk by a light-wheeled carriage to Poonah, which will " make several hours' difference in its arrival; and this is of more " consequence, as Poonah is the station through which the line " of post runs from Calcutta, Madras, and Hyderabad Adverting " to this and its centrical position in the Deccan, I desired to " establish a communication by a semaphore telegraph to this " city. This was disapproved by the governor-general in coun-" cil, who, probably alarmed at the expense of the telegraph that " had been established at Bengal, concluded it would be attended " with considerable outlay at Bombay, but the fact was exactly " the reverse. From the favourable stations, the original expense " of telegraphs and post would not have been three thousand " rupees, and the monthly expense within three hundred; and " had private communication been admitted, that would have " been reduced to little or nothing: I state these facts, because " I wish them to meet the attention of the court of directors, who

* Captain Hughes gave an estimate, and offered to contract for its completion for 44,000 rupees.

" will see, on the perusal of my Minutes on this subject, the many " important advantages, as well as saving of expenditure, that " might have resulted from the adoption of this measure, of con- " veying rapid intelligence in a country so favourably situated for " it as Bombay, and for communication with vessels in the har- " bour. They save money and labour, and are attended with no " expense whatever; for, from their simple construction, and the " excellent dictionary which an officer * of this establishment has " written, the invalids and lascars of the signal-post, the boatmen " of the harbour, and the peons of the government-house and the " offices are capable of working them, and doing so interferes " but little with their other duties.

260. " The Deccan is peculiarly favourable for roads, and the " collector of Poonah has made them in many directions, at a cost " not exceeding three hundred rupees per mile. When a bridge " is to be built, or a morass passed, he, as well as the principal " collector at Ahmednuggur, will be aided by the engineer corps " stationed at Saroor, a great proportion of which, under scien- " tific direction, will, by recent arrangement, be constantly em- " ployed during peace, on useful public works.

261. " In the Southern Mahratta country the communication " with the sea has been greatly facilitated by the military road " made from Vingorla to Belgaum; another between the latter " place and Darwar will be finished in two months. I have dwelt " much, in a letter to the governor-general, under date the 27th " November, 1830, upon the importance of gradually making " roads along our principal lines of military stations throughout " India. It tends, more than all other measures, to establish " and preserve public peace. It civilizes and wins to order pre- " datory classes of men. The power of rapidly combining our " military resources adds, in an incalculable manner, to our " strength. The value of the produce of the land is increased " when the means of conveying it to distant markets are provided, " and commerce, in all its branches, improved.

262. " I have not proposed to the governor-general any immediate " outlay unsuited to the actual condition of our finances, but that " when the lines are fixed, the roads between our stations should " be gradually made. This plan, in fact, is now in progress in " the Deccan, and its advantages will every day become more " apparent.

263. " An excellent ghaut was made seven years ago from the " Southern Concan to the territories of the Southern Mahratta " chiefs, and the Rajah of Sattara. This line of communication " has proved most beneficial to the commerce of both countries, " but is seldom used for military purposes.

264. " The Rajah of Sattara has made many excellent roads:

* Captain Jacob, of the Artillery.

" the principal one is that to the mountain of Mahabuleshwar, by " which a direct communication is established with Mahar, a " small commercial town on the river Sawitree, which is navigable " from it to the town of Bankote for boats of considerable size.

265. " Since my arrival at Bombay, the rajah has been in- " duced to carry this road over the Table land of Mahabuleshwar, " and down the first range of mountains, making what is termed " the Rotunda Ghaut. The still more difficult pass of Par, which " descends to the Concan, has been made by government, and " the road carried to Mahar, from which to Nogotna, (a distance " of forty miles,) a road is now constructing, which will, in many " respects, be of the greatest use, and in none more than in faci- " litating at all seasons the communications with Malcolm Peyt, " the convalescent station recently formed on the Mahabuleshwar " hills *. This station has more than realized every expectation. " Elevated above 4700 feet above the level of the sea (from which " it is distant forty miles) it possesses a climate whose mean an- " nual temperature is 65½°, with an average daily range of only " 8°, and is further recommended by its great accessibility and " its proximity to Bombay, Poonah, and the principal military " stations. From Bombay the journey may be accomplished in " thirty hours, and from Poonah in twelve."

266. In my Minutes, quoted on the margin, I have fully entered upon this subject. The extraordinary salubrity of Malcolm Peyt, and its beneficial effects in the preservation and restoration of health, have been fully attested by an experience of two years; and should a permanent military station be formed at this place, or in its immediate vicinity, where the monsoon is less severe, I feel confident that it will be the means of saving the health and lives of hundreds of Europeans.

267. Government, in forming this station, built a number of houses; all of which have been rented for more than twelve per cent. of the outlay. Now that the place is fully established, they are sold to individuals, and when disposed of there will not be public property beyond the value of four or five thousand rupees. A medical officer, with a subaltern officer in charge of a detachment of sepoys, is all the establishment that has been found necessary for the station, which is every day becoming a place of more resort.

FINANCIAL RESULTS.

268. The actual reduction of expenditure since my arrival amounts in all in the civil and marine departments to 11,15,860 rupees, and the prospective reduction to 3,48,946 rupees†. From these sums must be deducted an actual increase of 6,59,770 ru-

* Convalescent station at Malcolm Peyt.

† Accountant-general's Statement, Nos. 1, 2.

pees, and a prospective one of 12,000 rupees*. This would leave a nett decrease in the actual charges of 4,56,090 rupees, and in the prospective of 3,33,946 rupees; amounting in all to 793,036 rupees.

269. Under the head of extraordinary charges, there is an additional nett decrease of 9,10,900 rupees † during the course of the three years following November, 1827, as compared with the three preceding that date. It may be observed, that two of the principal items of increase, the audit and mint departments, were adopted at the suggestion of the finance committee; and that the decrease of extraordinary charges, although large, would have been considerably larger, had not the compensation-allowance to civil servants thrown out of employ by the operation of the economical measures, added greatly to the amount of expenditure under this head. This item, together with the expense attending the mission to England consequent on the proceedings of the Supreme Court, amounts to nearly a lac and a half of rupees, but are of course to be received as temporary charges.

270. The actual permanent reduction in military expenses amounts to 40,27,498 rupees‡, from which must be deducted an increase of 7,67,510 rupees, leaving a nett decrease of 32,59,988 rupees. Of the increase, 6,58,281 rupees is permanent, and 1,07,299 rupees is temporary; of the permanent increase, 4,59,405 was in consequence of orders from home, and the remainder, 3,85,618, is the result of the arrangements of the Bombay government. Of this sum, 1,07,229 rupees temporary, and indeed 27,716 rupees have already been discontinued. Of the total decrease, 10,78,757 rupees was by orders from home, 29,48,741 rupees by government §. For the particulars of these items, a reference must be made to accompanying statements, from which it will be observed what sums have actually been reduced, and what are in a prospective state of retrenchment. To the above decrease a considerable amount is to be added, the result of reductions and alterations of establishment ordered in October and November last: but as these are all prospective, they are not included in the total which has been exhibited.

271. The disbursements for extraordinaries in the military department during the three years that I have presided over this government are less than those of the three preceding years by 69,06,609 rupees. The largeness of this sum is attributable to

* Accountant-general's statement, Nos. 3, 4.
† Accountant-general's statement, No. 5.
‡ See Military Auditor-general's statement, Nos. 1, 2.
§ About 12 lacs of this reduction was by instructions from the Supreme Government.

field charges in the former years; but still, excluding these, the reduction of expenditure is very great. The nett decrease in the several departments is nearly as follows:—

	Rupees
Civil Department . . .	5,18,765
Military „ . .	32,59,988
Marine „ . . .	2,74,271
Total .	40,53,024

272. This short notice of financial results will be fully illustrated by the documents which accompany this minute. It is therefore only necessary to add, that many charges, and those of a very heavy nature, must gradually diminish, if the system of check and control over expenditure which has been established is fully supported and rigidly exercised. No attempt can be made at present to estimate prospective reductions; but the accounts of next year will show more fully the effect of recent measures in their operation on the department of commissariat stores, public building, and all contingencies and extraordinaries, civil and military.

GENERAL OBSERVATIONS ON THE ADMINISTRATION OF THE BOMBAY PRESIDENCY.

273. The territories of Bombay are not generally productive, and its revenue is not equal to its expenses. This would not be felt as an evil, if it were not for the usage which, notwithstanding changes that have amalgamated their territories, still keeps distinct the accounts of receipts and disbursements of Bengal, Madras, and Bombay, as in times when independent kingdoms intervened between these presidencies. I have, in the minute, observed upon the injurious effects of this usage. It will, I trust, be early altered, and India be governed as a whole; otherwise, the recent labours of the governor-general in council to produce uniformity of system will prove fruitless, if the rule of comparing receipts and disbursements in the various quarters of our empire continue. Expenses beyond what are calculated will be tolerated in those parts which are richest, and which require least force to guard and least trouble to manage them; while every proposition to improve a rugged and unproductive country, or to preserve its peace, will be rigidly tried and checked with reference to the resources of its government, and the rewards and

salaries to which public officers are entitled for their arduous duties will be judged by the same standard. To illustrate the unfair operation of this rule, as applied to Bombay, it need only be stated, that the Indian navy, which protects an extensive and profitable commerce, from which every part of India benefits, besides keeping up the communication with Europe by the Persian Gulf and Red Sea, is wholly charged to this presidency; and that his Majesty's corps (one regiment of dragoons and four of infantry) consume a great proportion of the revenue. These corps may be necessary to maintain and defend India, but they are not required to preserve the local peace of this quarter, though many circumstances may render it expedient that they should be stationed where they are; but this cannot constitute a reason why this presidency should be debited with a charge for a force which, as it relates to its own territories, it does not require, and which is so disproportionate to its means. It is possible that circumstances may require a still greater proportion of European force in the western parts of India, and an increase of native troops. We have an exposed frontier to defend; and if such additions are made, the complaints of our superiors, regarding the excess of expenditure over receipt, at this presidency, will be increased. It may appear trifling to dwell upon such a palpable absurdity as such distinctions in the financial part of our rule would appear; but when I observe this cause operating in a manner injurious to the public interests, I must desire to call it to the serious and early attention of the authorities in England.

274. Great benefit will result from the commissioners appointed by the governor-general in council The information acquired will of itself be most valuable. Though the military commission was early dissolved, the documents laid before it have enabled Lieut.-Colonel Frederick to submit to government a comparative statement, supported by facts and figures, of the frame and conduct of various military departments of the three presidencies, which will be found most valuable; and I trust this important document will establish, to the full satisfaction of the court of directors, that strict attention has been paid both to economy and efficiency in the reforms which have been recently made in all branches of the military department at Bombay. Equal attention has been paid to the reduction of civil charges, and a prompt and direct check has been instituted upon all the contingent expenses, which has already, and will still further tend to reduce the charge; but these efforts to establish and maintain economy must be rigidly persevered in, or the good produced will be but temporary. There is in all governments a tendency to increase expenditure, which is almost irresistible. There are no means of preventing such increase in India but in the wisdom, vigilance, and integrity of the civil administration. The duty of a governor is

the most arduous, and the one in which success most depends. He is constantly assailed from all quarters, and propositions, including increase, come before him, recommended by every specious argument; but in his firmness in resisting, however trifling the amount, every expenditure that is not proved to be absolutely necessary, success will chiefly depend. In performing this part of his duty, however, true economy requires he should be prompt to reward extraordinary and honourable service, whether in natives or Europeans, and that he should be liberal in the encouragement of those who improve the soil or introduce manufactures; and also that public works, when the good and the profit that would result from them are apparent, should be boldly undertaken. These improvements promote economy; and the wealth of a state and the prosperity of a people will both be advanced by a judicious application of a portion of the revenue to such objects.

275. A governor of Bombay cannot, in my opinion, perform his duty without frequently visiting the provinces. Those visits have been, for causes stated in my Minute of the 29th instant, attended with considerable expense. This has been much diminished, however, and will be more so in future; but no cost that can be incurred will bear any comparison to the benefit produced by such circuits. They give life and animation to all classes; they are a check upon bad conduct, and an encouragement to good. The natives of India refer everything to persons. They are slow to understand the abstract excellence of our system of government. They see in the governor when he visits the provinces the head of the government. The timid acquire confidence, and the turbulent are checked by his presence. Besides these impressions upon the native population, the governor becomes acquainted with the European public officers of the provinces. Removed from the atmosphere and influence of a presidency, he learns the characters of those who administer the law or collect the revenue of the various districts, from the feelings and sentiments of the people. He sees and remedies abuses on the spot, and judges in person of the value of the proposed improvements. It is by such visits also that he can best determine on measures of economy, and prevent useless expenditure in every department. The extraordinary advances made in almost every branch of the government by my predecessor, Mr. Elphinstone, are much to be imputed to his having passed so much of his time in the provinces; and I am certain I may ascribe a great proportion of the reforms and reductions, as well as improvements that have been effected since my arrival, to the same cause. But, above all, it is of importance to remark, that in countries situated like many of those under Bombay, the public peace is often maintained or restored by the presence or vicinity of the governor.

276. There are objections which have been often urged to a governor being, for any period, absent from the seat of his government; and certainly, independent of the extra expense which (though greatly reduced) must attend the circuits of the governor, there are other inconveniences from the frame of the civil government, no member of which, except the president, can exercise his functions beyond the limits of Bombay. But there are many reasons, which it is not here necessary to state, that lead me to think this part of the constitution of the Indian government must undergo some change: and inquiry into this part of the administration will prove, that we cannot, without many and serious evils, continue, on the present enlarged scale of our empire, forms of rule established when the extent of its power was comparatively circumscribed.

277. Economy has been, and will be, promoted and maintained by the high and supervising officers who have recently been appointed in the provinces. The visiting commissioners in the judicial, and the revenue commissioners in the territorial branches, have already shown that these officers are efficient and salutary checks upon extra disbursement. But it is in the secretariate, constituted as that department now is at Bombay, that I must look for most aid in this essential part of the civil administration. The Supreme Government, at the recommendation of the Finance Committee, proposed two secretaries and a deputy, instead of three, as at present, but giving an advance of pay to the second secretary, which, added to that of the deputy, makes little or no saving. The reasons on which I was indisposed to change the existing system are most fully shown in my Minute * noted in the margin. I brought in it the state of the territory of this Presidency to the notice of the Board, and particularly the fact that we had neither revenue, military, nor marine Boards, and that the greater part of the duties that would be allotted to such boards were done by the secretaries, and with an efficiency (particularly in the aid given to government to control expenditure) that rendered them the most valuable of instruments to effect and maintain financial reforms.

278. Adverting to their situation as officers of government, I observed, that I am decidedly adverse to a deputy-secretary. Such a person, if merely subordinate, would not be better than an uncovenanted assistant upon three or four hundred rupees a month. If raised higher, and occasionally performing his principal's duties, his pretensions would rise, and he would adhere to the presidency in the hopes of advancement. To promote such a person after five or six years in an office might be a convenience for mere office-work, but it would limit selection from those ranks,

* August 25th, 1830.

whence under this presidency it is decidedly most advantageous to make it, and depress hopes of advancement from service in the provinces. Supposing the deputy was precluded from the prospect of promotion at the presidency, he would of course go, when that offered, to the provinces; and this would occasion constant changes in an office where it is desirable these should not be frequent. It may also be stated, and with me the argument has great force, that the confidence and deference which I consider a government should (for the benefit of the public interests) give to a secretary in the affairs of his department, can only be given with advantage to one of acknowledged experience as well as talent, responsibly situated, and in fact identified with the government. He cannot transfer it to a youth filling a subordinate situation, whatever be his ability; nor would it be decorous that such should exercise the duties (especially those of check and control) which are now beneficially vested in the secretariate of Bombay. If such deputy is not to aspire to the temporary performance of the duty, and to indulge hopes of promotion in the line, it will never be an object of ambition to a junior servant of superior talent; and to admit of his doing either, is, in my opinion, for reasons already stated, highly objectionable in the present condition of this Presidency.

279. In concluding my remarks on this subject, I observed in the minutes to which I have before alluded, that the arrangement proposed by the Finance Committee rests chiefly upon its economy *. The two secretaries at 45,000 rupees per annum each, and the deputy at 18,000 rupees—aggregating rupees 108,000, while the present establishment amounts to 123,000 rupees. The salaries of the secretaries as they stand at present were fixed on a plan which I think particularly suited to those offices, and so applicable to the civil service generally, that I shall shortly bring† before the board for transmission to the hon. court, a proposition for fixing all civil allowances in the same manner. These salaries were part of a system according to which others were fixed, and the general result of which, as communicated in the despatch to the supreme government in the financial department of the 4th January last, was a saving of 320,709 rupees out of an expenditure of 1,330,509 rupees, or more than twenty-four per cent. The office under consideration is that, above all

* Chief Secretary,	Mr. Norris	45,000
Judicial ,,	Mr. Bax	40,500
Territorial ,,	Mr. Williamson	37,500
	Rupees	123,000
	Proposed	108,000
	Difference	15,000

† This I subsequently d d in a Minute dated 18th September, 1830.

others, in the regulation of which for many reasons the actual circumstances of each presidency and service must be considered, and the sentiments of the local government cannot, I would hope, fail to be allowed peculiar weight. To the preceding detail of my opinion I can only add that I came to my present duties with some experience and knowledge of their nature: circumstances have certainly combined to render them arduous, but though I have personally laboured more for the last three years than I ever did during any period of a long public life, I am confident I could not have fulfilled the work I have done, without the aid I have derived from the Secretariate of this Presidency; and I cannot refrain from repeating my opinion that the success of the measures recently adopted, and above all those which include progressive reduction of expenditure, will depend much upon this branch (as a part of the revised system of our civil administration) being kept upon its present footing. That, in my opinion, does not assign more of salary to the respective Secretaries than it is just and expedient should be given them; but regard for the best interests of the Presidency will reconcile me to a reduction of their salaries to meet the amount required to be saved, rather than to hazard change in the constitution of the department. I should, however, greatly regret such a reduction: the amount prescribed to be saved might be much better obtained in some other way. The present salaries are part of a system which was devised with care, and, I must think, with judgment, and which cannot be partially altered without in some way injuring its general operation.

CIVIL SERVICE.

280. The successful administration of this, as of every other part of India, must greatly depend upon the condition and character of the Civil Service. The late revisions and reductions of this branch of the administration at Bombay have made changes that not only affect incumbents, but the future prospects of the juniors in a degree that requires the immediate and the serious attention of the Court of Directors. In the minute noted in the margin *, I have brought this subject under their consideration, and have elucidated what I have proposed by a statement of a graduated scale of allowances, which would introduce a more just and equitable principle than now obtains of remunerating service, and be at the same time a saving of nine per cent. upon the whole expenditure. The object of the proposed arrangement is to give to civil servants a fixed pay, graduated according to their standing or seniority, without reference to their employment, and the allowances for officers to be fixed with reference to their duties and responsibility. "The principle (I observe in the minute alluded

* September 18th, 1830.

" to) is so fair, that no reasonable objection can be made to it." It renders the employment of public officers when juniors in situations for which they are particularly fitted more easy, and more economical than it now is, and it is assuredly proper that while a fair remuneration is given for the duties of a station, it shall be graduated with reference to the claims from length of service of the person by whom it is filled. This system is further recommended to us by its being an approximation to the plan for giving a certain pay according to seniority of civil servants, and fixing, independent of that, an allowance for the duties of the stations to which they are nominated.

281. The arguments used by Mr. Mackenzie, who brought this plan to the notice of the Supreme Government, are, to my mind, unanswerable; and he has shown, by figured statements, that it could be no increase of expense. Cases must daily happen, when, from the nature of the duties committed to civil servants, the greatest embarrassment, and often much loss, must accrue from the incompetence, or comparative unfitness of an individual to office. Yet, would it not be harsh, and indeed, cruel, to remove a respectable man, against whose integrity there was no charge, from a station, on the ground of his not being equal to its duties, when the effect of that removal is a reduction from two or three thousand per mensem, to less than three hundred rupees*. The same difficulties occur, when civil servants, after taking their furlough (probably on account of bad health), return to India. Is it possible a governor can fulfil, without pain, his duty of selecting, according to his judgment, when by that selection he may leave several old public officers (not one of whom he may deem exactly fitted for the vacant station) on the petty allowance which the regulations now grant to a civil servant, whatever be his rank, that is out of employ, and which is less than what is given to the writer of six months' standing in India, from the date of his passing in Hindoostanee and joining a station.

282. I am aware of the arguments that may be used, of this system enabling a governor to employ juniors with more facility to the injury of the seniors; but, in the present state of the service, which is daily becoming more one of supervision and control, and the duties, consequently, having more of responsibility attached to them, and requiring more of knowledge and talent than when they were upon a more limited scale, every facility to the latitude of selection must be an advantage, considering the nature of the civil service and its duties. I have no fear of abuse of patronage ever producing evils equal to those which the system recommended would remedy.

283. I can only add, that I can contemplate no plan for the

* Two hundred and ninety-six rupees per mensem is the allowance to a senior merchant out of employ.

civil administration of India, which combines economy with efficiency, that does not proceed upon the principle of concentrating high and supervising power in individuals. Such must be competent to their duties, and, consequently, selection must be made for such stations by rules which equally protect the fair pretensions of meritorious individuals and the interests of the public service. A period may be fixed before a civil servant could hold one of those high stations in the provinces. Another rule, which I deem the altered state of the service to demand, will make a more serious change in its constitution. Under the operation of a system that diminishes the number of offices, and gives more ardous and responsible duties to individuals, a period must, in my opinion, be fixed (perhaps twenty-two years), when all claim to appointment must cease, though they must remain eligible for high and specific offices, the number and description of which would be fixed by the Court of Directors, as well as the period of service and qualification that constituted a claim to be selected. Individuals above twenty-two years, and not holding such offices, should vacate those that they held, on becoming entitled to a certain pension, or placed with a fixed pay in succession to such pensions, being allowed, however, to remain upon the pay in India for a period, if they expect promotion. I know of no service, but that of the civil service, where men have from usage a claim to continue for an indefinite period in office, and I know of no country in which the evils attendant upon such a system are more likely to injure the public interests. The unpopularity, and, indeed, harshness of depriving a public servant of office for unfitness, when, perhaps, it is his exertions in the very station that have rendered him incompetent for its duties, need not be pointed out. Such acts will seldom be resorted to while the present system continues, and infirmity as well as incompetence will be a continued cause of injury to government. Such evils will render recent reforms so much aggravated. These by including a combination of the duties of several offices in one person, demand that those employed should possess talent and energy, otherwise there will be a loss from abuses, and, in large establishments, that will destroy all the expected benefit from late reductions.

284. I know no medium between the plan I have suggested and restoring offices which have been lately abolished, and, indeed, constituting others, to which men of good character, though different in the qualities required for the higher and more responsible stations in the service might fill, but this would be a bad expedient; and, if the rule I propose is not adopted, I see no remedy that will sufficiently protect the public interests; and these are, in India, singularly associated, as far as the employment of individuals is concerned, with the prosperity of our provinces, and

the happiness of the inhabitants. The change I have proposed should be gradually introduced. The claims of incumbents should be respected, and its operation might be limited to the future, and to effect those only of a certain standing, perhaps ten or twelve years: otherwise it might press hard upon men who from long usage deemed themselves entitled to cling to an office while they existed, and who had in this expectation been improvident of the future. The several effects of the arrangement suggested would be excellent as it affected junior civil servants. These, knowing that their claims would terminate at the expiration of twenty-two years, unless so qualified as to be required in high station, would either labour incessantly to obtain promotion, or if not possessed of superior talents, they would be more careful than at present to provide the means of returning home at the period when their right to employment, and their prospect of advancement, ceased.

285. By this rule alone can the civil service of this presidency be placed upon a footing, that will enable government to introduce systems essential to combine an economical with an efficient administration. If it is adopted, still further reduction may be made without danger in European agency. If not, we shall soon have to increase instead of diminishing expense, for if seniority in standing is to continue a claim, as at present, for high employ that can hardly be set aside, duties which are now united must again be subdivided, that they may be more suited to the abilities or impaired constitutions of those to whom they are allotted.

286. The greatest care and solicitude has been shown by the Court of Directors in the selection of youth for the civil servants; and I question if there is a service in the universe in which there is more of intelligence, of honourable feeling, or of high qualifications: but their duties, always arduous, have of late become much more so, for the numbers employed have been greatly reduced. The effect of late arrangements at this presidency, with the continued sending out of writers, has been such, that we have now double the number of civil servants to stations in which they can be placed, and making every admission for special duties, casualties or for furloughs, there still remains a load of supernumeraries from which the service must in some mode or another be relieved.

287. A plan for accomplishing this object has been given me by a sensible and well-informed civil servant, and accompanied my minute of the 18th September, 1830. If the calculations in it are correct, the object desired might be adopted with profit instead of loss to government.

288. I have, in the minute already quoted, observed, "It becomes my duty to bring to the notice of the Honourable the "Court of Directors, that the late economical changes at this

" presidency threaten such consequences to the junior branches " of the service as to call for some remedy: for though it may be " stated that the rise of the civil servants at this presidency, for " the last twelve years, has been considerable, it only aggravates " the bad consequences which must now be anticipated from the " junior branches becoming hopeless and discontented; and if the " actual state of the service can be shown to be such that this " must be the inevitable result of measures of reduction recently " adopted, it is of importance to devise a remedy against an evil " that is calculated to impair or destroy that energy and public spirit " in the principal agents of administration, without which no plan " of reform can be permanent or successful. This subject has " long occupied my attention. It is one of the most serious im- " portance. I have no hesitation in stating it to be my opinion, " that all plans, the objects of which are to combine efficiency " with economy in the administration of India, that have been " adopted, or are in progress, will fail if the civil service remains " clogged, as at present, with supernumeraries, and those who " must be the instruments of the introduction, as well as success " of such plans, are not placed in a condition that gives them " heart for their labours, and holds out, within a reasonable period, " prospects of fortune and distinction to those whose performance " of their arduous and responsible duties entitle them to look to " such desirable and honourable rewards."

289. As intimately associated with success in the administration of India, I have given the utmost attention to the instruction and introduction into public business of the junior civil servants. None are allowed to remain at the presidency except for examination in the languages. Of the success which has attended these efforts, as well as of what remains to be done, I have given my sentiments in a very recent minute *. " I have much reason to be satisfied," I observe, " since my arrival, with the conduct " and progress made in attaining the necessary qualifications for " employment of the junior civil servants. Many, not above three " years' standing, have made great progress in several native lan- " guages, and are most useful assistants. Few are in debt, but " though there is in this particular, and in their application to " business, a considerable reform, still much is wanted. There " is not yet that discipline and sense of obligation to perform the " duties to which they are nominated, which the actual condition " of the civil service requires should be introduced. Duties are " often deemed optional, and not prescribed and enforced in that " strict manner they ought. The prospect of a slight advance- " ment, or disliking a station, lead many to seek a change that is " injurious to the public service, and also to individuals becoming " idle and unsettled. This and other evils must be corrected,

* November 23rd, 1830.

" though many circumstances have combined to render the task " of doing so not easy. From the rapid rise in this presidency " some years ago, assistants were so near their principals in years " and standing, that the latter could not be expected to exercise " that authority which belonged to him in a rigid manner, even " when it was necessary; but that impediment to due subordina- " tion is daily decreasing, and government must insist upon every " head of a department finding full employment for his assistants; " and in the revenue line the assistants, when they are qualified, " should be deputed, with specific charge, to the districts, and the " collector obliged to transmit a quarterly return of the work done " by every individual belonging to his establishment."

I proposed in this Minute a government order, which has been published, and which, after giving due praise to those who had distinguished themselves in examinations during the year, and censuring those who had not, concluding with the following paragraph:— " Government has fixed the period of two years as that within " which any civil servant who does not pass an examination, and " cannot produce most satisfactory proof of having been prevented " by illness from study, will be reported to the Court of Directors, " who will, no doubt, take effectual measures to prevent a ser- " vice, in which efficiency is so essentially required, being clogged " with idle and unprofitable public servants."

290. I have dwelt at much length upon the civil service, because I am satisfied it must be elevated, and that every measure should be shunned that tends in any degree to lower or depress a local service, upon which our successful administration of India must so materially depend; but I am, at the same time, persuaded, it never can be so elevated and supported, unless the system be changed, so far as to secure, not merely competence, but zeal, activity, and talent, in all its higher branches. The period is past when a mere routine system and almost exclusive attention to seniority in this service can be safe. There remain few, if any stations, in which public interests must not suffer, if the persons filling them are not fully qualified to their duties. A wide field is opening to the ambition of the civil servants, by arrangements made and proposed, and indeed rendered necessary, by the actual state of the empire. These fair prospects of the service can only be defeated by prejudice in favour of former usages, or mistrust of those who exercise supreme power in India; but there will be, I hope, sufficient evidence to prove, that the changes are as essential to the mere interests and reputation of this branch of the local service of India, as they are to the general good and prosperity of our empire.

291. In concluding my observations upon the civil service of this presidency, it is just to those who belong to it, and will be satisfactory to the board and to our superiors, to state, that in the

three years I have presided over the government, during which I have visited every province, have been accessible at all hours, and inquired personally into every complaint, I have had no charge preferred against any civil servant of want of integrity in the execution of his public duties. On the contrary, I have found the zeal, ability, and kindness, with which these duties were performed by their European superiors, most generally recognized and appreciated by the natives. This service has preserved and cherished the high tone imparted during the administration of my predecessor, Mr. Elphinstone; they received, in their several stations, his confidence and support, as they have mine; and I know no body of men among whom there are more individuals, in proportion to their numbers, qualified for the discharge of high and responsible duties, than will be found among the civil servants at Bombay; nor will they, I am confident, disappoint any expectations that are formed of them, provided a system is established and maintained that gives fair reward to long and approved service, and opens wide the field to the honourable ambition of those who are distinguished by zeal, public virtue, and superior knowledge.

JOHN MALCOLM.

B.

Minute by SIR JOHN MALCOLM, *dated 1st of December,* 1829.

1. I should some months ago have laid before the Board the plans which I think should be adopted for reducing the expenses of the civil administration of the territories subject to this Government, so as to relieve to the utmost of our power the financial pressure felt so seriously at this period, had I not been led to believe that the Civil Finance Committee, whose peculiar province it is, was prepared to submit to the Supreme Government its suggestions on this head.

2. I had, indeed, received a copy of Mr. Bax's Minute of the 10th of June last, which, so far as regarded this Presidency, might be expected to guide, in a great degree, the deliberation of the Committee.

3. From various causes, however, which could not have been anticipated, it appears we are not likely to receive any Report from the Committee for a period of about six months; and as the inconvenience of this delay, in my opinion, preponderates over the disadvantages of the want of the Committee's Report, the more especially as we have Mr. Bax's Minute above adverted to, I have resolved to place before my Colleagues the scheme of administration both in the judicial and territorial departments, which it is my opinion should be introduced as speedily as possibly throughout the territories subordinate to this Presidency.

4. The hesitation which I felt at anticipating the specified recommendations of the Supreme Government upon this subject, has been completely removed by the receipt of the Minute of the Right Honourable the Governor-General, of the 3rd of October, 1829. That Minute calls for great and immediate reduction in terms so urgent, that I should feel it a dereliction of public duty if I did not continue my efforts to decrease the expenditure of this Presidency in every branch; but in effecting this object, which the recent orders of our superiors have made the paramount consideration of all others, we must not allow ourselves to be impeded by attention to established systems or former usages, further than as the observations of these is essential to efficiency, security, and the substantial ends of justice.

5. The scheme I have to propose is, no doubt, chiefly recommended by me on grounds of economy; but it has other and

great advantages, for the attainment of which I have always contended. I allude, particularly, to the more extensive employment of natives *, the limitation of the duties of civil servants in a greater degree than at present, to the supervision and control of inferior servants and authorities, and liberal remuneration of high duties by means of the consolidation of offices, and the abolition of some of the inferior appointments.

6. In this Minute I shall refer to the Secretary's Office at the Presidency, and all the offices in the interior; but having already recorded my sentiments upon the letter from the Supreme Government, dated the 5th of August, 1829, that subject will not now require particular notice.

7. The alterations and reductions which I shall have to propose, will be numerous and extensive. It will be evident, therefore, that they can be introduced only by degrees, as we possess the means of removing incumbents. I shall, in a separate Minute, to avoid confusion, propose for *immediate adoption* such of those measures as I am of opinion may at once be introduced.

8. I shall, also, in another Minute, lay before the Board a plan for a new arrangement of the salaries of the civil service on the principle of allowing more than has hitherto been done to seniority; but it is not my intention, except in a very few instances, which will be noticed in this Minute, to propose the measure for the present or future adoption, unless under the orders of the Honourable Court, to whom I wish it to be forwarded by an early opportunity.

9. The Secretariate is the office, beyond all others, which it is essential for us to maintain in an efficient state,—it is the organ of the communication with our superiors in England; nor can we for a minute imagine that our best measures can be so obviously and conclusively excellent, as not to suffer injury if incorrectly or injuriously reported to England, or carried into execution in this country. To the full knowledge of our Secretaries, and their continued experience of every branch of the service, with their acquaintance with the records of Government, we are indebted for their power of examining and controlling in a minute manner both statements, and charges, and recent measures, which effect great reforms by making the responsibility of heads of departments more direct, will increase the duties of the Secretaries in this branch, the prompt and full performance of which is alike important to the economy and efficiency of the public service.

* Since writing this Minute I have seen the Court's last despatch in the judicial department, dated the 24th June. The sentiments expressed in it are strongly in favour of extending the employment of native agency. In sanctioning the introduction of jury trials by natives, the Honourable Court observes, "The rules which you have "framed for enabling the European Judges to avail themselves of the assistance of "natives in the way of punchayet, or as assessors, or as jury-men in civil or criminal "trials, appear to us to be very judicious."

10. It is through our Secretaries all orders to public functionaries are transmitted, and I need not enlarge on the importance of the Government securing to itself every weight that can be attained by its selection of the individuals through whom its commands are conveyed. When to these considerations we add the fact that, owing to the quantity of business which passes through our hands, and to other causes, we must be much dependent on our Secretaries in their respective departments for information on matters of detail, I cannot but consider the efficiency of the Secretariate as beyond any other department essential to the strength and reputation of Government. It is further my opinion, that much unnecessary expense may be incurred by our want of full aid in this branch of the Public Service; indeed, the minute scrutinies I have lately made into all items of the expenditure, forcibly convinced me that it is this department which, above all others, possesses the power of effectually exposing and promptly checking superfluous charges, and in all the measures which I have recently recommended to the Board I have looked to it as the principal means by which the principles of reform are to be established and maintained.

11. Entertaining those sentiments, I fully concurred in the propriety of the rule laid down by Mr. Elphinstone, to call into the Secretariate those who had been employed in the Administration of the provinces, and to assign such scale of remuneration as would place at his disposal the best qualified of the judicial and revenue functionaries.

12. The Chief Secretary's salary may remain as it is, but as I shall have to propose, that some of the officers of the interior should receive an increase, it would be necessary, in order to maintain the judicious principle followed by Mr. Elphinstone, that the salary of the Junior Secretaries should receive a corresponding augmentation.

13. This is, however, one of the instances in which the mode of regulating allowances, to which I have already adverted, appears to me to be so obviously proper and beneficial to the public service, that I cannot avoid recommending its adoption to the Board.

14. The Secretary's Office is peculiarly one in which vacancies require to be filled by selection, unfettered by rules of seniority; thus at one time the situation will be held by a servant of comparatively junior standing, of whose talents and character Government may on whatever grounds entertain a favourable opinion; at another, by one whose long and honourable services have led to his nomination. The Government should have the means of sufficiently remunerating either of these individuals, but it is evident that the salary required in the two cases is very different; I would therefore propose, that in all future appoint

ments the salary of each of the junior Secretaries to Government be regulated as follows:—

	Rupees.
If twelve years shall not have elapsed from the date of his first arrival in India, his salary to be per annum	33,000
If more than twelve, but less than fifteen years, shall have elapsed	37,500
If more than fifteen years shall have elapsed, the salary to be raised at the rate of 1500 rupees per annum for each additional year, until twenty years shall have elapsed, when the salary will be .	45,000

15. Present incumbents, whether acting or permanent, will not be subject to any reduction of their allowances, but they will have the advantage of increase which the above scale will entitle them.

16. As one of the Secretaries will often require to be absent with the Governor, it will be of advantage to establish it as a rule that the extra allowances should be drawn in equal portions by the remaining two, the division of the business of the absentee being regulated by the senior.

17. The actual administration of justice in the provinces is as follows:—

18. First, as to civil justice, natives try suits to a certain limited amount, which in some parts of the country is higher, and in others lower. Assistants try suits of an amount in like manner in different parts of the country, but generally exceeding the jurisdiction of the natives, from the decrees of both of these classes of functionaries appeals under fixed rules lie to the Zillah Judge, who may, in certain cases, refer appeals from the decision of natives to his assistants for decision. The Judge tries original suits exceeding the jurisdiction of his assistants and appeals from the subordinate tribunals, and from his decree an appeal lies, under certain rules in Guzerat, to the Court of Appeal for that province, and in the Concan and Deccan, to the Sudder Dewanee Adawlut; and again, appeals lie, under certain rules, from the Guzerat Court of Appeal, to the Sudder Adawlut, and from that Court appeals lie to the king in Council.

19. Certain suits regarding land are tried in the first instance by the Officers of the Revenue Department, from whose decisions appeals lie, according to fixed rules, to judicial officers.

20. As to criminal justice, the collector is in some cases the magistrate of the whole collectorship; in others of all but the Sudder station, where the police is administered by the criminal Judge, the same person is the Zillah Judge. The heads of villages take cognizance of petty offences, and in other cases, apprehend offenders and send them to the magistrate, or to the

Kamavisdars and Mamuldars, or native collectors of districts, who take cognizance of matters within their defined penal jurisdiction, which of course exceeds that of the head of a village. Offenders, whom they cannot try are sent by them to the magistrate.

21. The magistrate and his assistants have penal jurisdiction in Guzerat, and the Concan, extending to improvement for (2) two months, and in the Deccan to (2) two years.

22. Cases beyond his jurisdiction the magistrate sends up in Guzerat, and the Concan to the criminal judges; in the Deccan to the session judge.

23. The criminal judge has jurisdiction as far as seven years' imprisonment, but when he passes sentence for more than (2) two years, he must refer the case to the Sudder Foujdaree Adawlut.

24. The session judge has unlimited penal jurisdiction, but if he passes sentence of death, or perpetual imprisonment, or for a term exceeding fourteen years, he must refer the case to the Sudder Foujdaree Adawlut.

25. In Dharwar, which is not yet administered according to the printed regulations, the principal collector has penal jurisdiction, as far as (3) three years' imprisonment, and reserves higher cases for trial by the commissioner on circuit, who is the circuit judge of the Foujdaree Adawlut.

26. The judges of the Guzerat Court of Circuit (the same as the Court of Appeal) hold half-yearly sessions at the stations of Guzerat, and the judge of the Sudder Adawlut holds similar sessions in the Concan, and as criminal commissioner at Dharwar, for the trial of all cases beyond the jurisdiction of the local authorities. Sentences of death and perpetual imprisonment are referred to the Sudder Foujdaree Adawlut, previously to enforcement; others are enforced when passed.

27. This short description of the present judicial administration of our provinces, may be convenient to refer to in considering the propositions which I shall have to make. I am far from disapproving of the system, which, under ordinary circumstances, would have required but few alterations to ensure its continued and beneficial operation; but the present are not ordinary circumstances. The calls for immediate and large reductions, are such as cannot be evaded; and it is not the abolition of one or two offices, nor the diminution of the salary of public officers, that can satisfy these calls. The only effectual means is to provide permanently, by a more economical, and, at the same time, an efficient system, for the dispatch of business; and there cannot be a doubt, that the only mode of doing this is by a more extensive employment of the natives of the country. Entertaining the sentiments which I have on many occasions expressed on this

point, and satisfied as I am of the policy of granting to our native subjects more confidence than we have done, I cannot say that I feel any regret that we are compelled, by considerations of economy, to adopt a measure, which I have long thought recommended by those of policy.

28. In the branch of civil justice, therefore, I propose, 1st. That all original suits, of whatever amount, be tried by native judges, or moonsiffs, who will file their own suits wherever they are stationed, except there be European judicial authority at that place, when they will be filed by him, and referred for trial to the moonsiffs.

29. That there should be a judge and session judge, and an assistant judge and session judge, for each of the following places and Sudder stations:—Ahmedabad,—Surat,—The Concan (Tanna),—Poonah,—Ahmednuggur.

30. That there should be an assistant judge and session judge, at each of the following detached stations, his local jurisdiction extending over such portion of country as may be deemed suitable:—

Broach, under the judge and session judge of Surat.

Rutnagherry, under the judge and session judge of the Concan.

Sholapoor, under the judge and session judge of Poonah.

Dhoolia, under the judge and session judge of Ahmednuggur.

31. The judge will file all the suits instituted at the Sudder station, and will refer them for trial to the moonsiff or moonsiffs of the place.

32. The assistant at the Sudder station may be employed by the judge on any of the ordinary executive duties of his office, such as filing and referring suits, ordering enforcement of decrees, and the like.

33. The assistants at the detached stations, will file the suits instituted there, and refer them to the moonsiff or moonsiffs of the place.

34. These assistants will also file and try appeals from the decrees of the moonsiffs, within their jurisdiction, provided that the amount of the suit does not exceed rupees (5000), five thousand.

35. The judge will file and try all other appeals from the decrees of moonsiffs throughout the Zillah.

36. An appeal of right from the decree of a moonsiff will lie in any case.

37. Appeals from the decrees of the judge or detached assistant judge, will lie to the Sudder Adawlut; a regular appeal will lie when, if the moonsiff's decree was confirmed, the sum in question amounts to rupees, 3000. And if the moonsiff's decree was reversed or modified, the sum in question amounts to rupees, 1000. Special appeals to be granted on good cause shown.

38. The Guzerat Court of Appeal and Circuit to be abolished.

39. The appeal to the king in council will of course remain as at present.

40. Of the suits which collectors and their assistants now try, the collector to be authorized to refer to the kamavisdar any suit in which the value of the matter in dispute does not exceed rupees, 500; and in which the Kamavisdar or his relations are not interested. Appeals in all cases to lie to the collector from the decrees of his assistants and Kamavisdars. Appeals to lie to the Sudder Adawlut from all original decrees of collectors and from all decrees of collectors passed in appeal, wherein if the collector's decree is confirmed, the former one, the sum in question amounts to rupees, 1000, and if the collector's decree be reversed or modified, the former one, the sum in question amounts to rupees, 200; but special appeals to lie on good cause shown. Police and criminal justice.

41. The collectors and Zillah magistrates to have charge of the police of the whole of the Zillah, including the Sudder and other stations, and to have jurisdiction in ordinary cases, as far as (1) one year's imprisonment.

42. The session judge to have the present jurisdiction of those officers; but state crimes, and occasionally other cases, as hereafter provided for, to be tried by the visiting judge of circuit.

43. The assistants to the session judges to have penal jurisdiction as far as (2) two years' imprisonment. Those at detached stations will take cognizance of cases within their jurisdiction, belonging to the division of the country under their control, and will hold all other cases in readiness for trial by the session judge, who will visit the detached stations twice a year, for the purpose of holding a session.

43 A. The allowance which I would propose for the judges and session judges, are as follows:—

43 B. For the judges and session judges of Ahmedabad, the Concan, and Ahmednuggur, each, rupees, 28,000 per annum.

43 C. The session judges of Poonah and Surat will have, besides other duties, very high and important ones of a political nature. The former as agent for Sirdars, the latter as agent for the governor. It will be quite essential that these stations should be maintained, as hitherto, on a footing that will always enable government to select its most experienced and able servants to fill them, and these officers should receive, the former who has no house allowed him, rupees, 6,000; and the latter, who has a house, rupees, 2,000, more than any other, which is further expedient as they will become objects of ambition to the first offices in this line.

43 D. I should also propose that the political allowance of the

agent for the governor at Surat, be reduced from 12,000 to 6,000, while that of the agent for Sirdars continue as at present.

43 E. The salary I would propose for an assistant judge at a detached station is, per annum, rupees 14,400. That for an assistant judge at a Sudder station is, rupees, 8,400.

44. The administration of the southern Mahratta country to be brought under regulation (including the imposition of stamps) on the basis above described, except that the offices of principal collector, and magistrate, and judge, and session judge, are for the present to be held by the same person, unnecessary correspondence between their departments being of course avoided, and that the assistant judge at Dharwar should have the power of an assistant at detached stations elsewhere. I shall lay before my colleagues, at an early period, my reasons for proposing this part of the arrangement.

45. The Sudder Foujdaree Adawlut will probably be composed of men who have gone through a long service in the judicial line; at the same time, I am decidedly of opinion that the principle should be distinctly asserted, and strictly acted upon, of appointing as junior members in that Court gentlemen of eminent talents, rather than of long standing, who may be less distinguished. We cannot otherwise expect to ensure, for the Sudder, the weight and influence which it ought always to possess,—under this impression, and for the reasons previously given by me, in treating of the Secretariate, I think that the allowances of the junior Judges of the Sudder Adawlut should be regulated in the same manner. The Senior Puisne Judges' allowances may be 45,000 rupees per annum; the allowances of the other puisne judges to be regulated exactly in the same manner as those of the junior Secretaries.

46. A judge of the Sudder Adawlut will make an annual circuit to Southern Mahratta country and the Deccan, and another to the Northern Concan and Guzerat, for the purpose of holding state trials, and any other trials of a peculiar or aggravated nature, which from any circumstance, government, on report from the local authority, might wish to be reserved for that purpose; he would also examine into the state of the police, receive petitions, and report to government the general condition of these countries. He would also examine into the condition of buildings, the economy and efficiency of establishments, and exercise a general supervision and control over the whole of the financial concerns of the Judicial Department within his circuit. The nature of these, and the state of our provinces, particularly the Deccan, makes me deem it indispensable that Government should nominate specific members of the Sudder as visiting Commissioners of circuit. This system should operate for at least three

years, after which period it may, perhaps, become a duty of routine.

46 (A). Referring to the possible absence of these Commissioners for a longer period than is usual for circuit judges. It will, I conceive, be expedient to continue a member of Council as chief judge of the Sudder.

47. The visiting judges might have their circuit regulated by future instructions, but the one proceeding to Guzerat would not be expected to be absent beyond three months, while the visiting judge of the Deccan could not perform his duty under six months. I should propose an allowance in lieu of all travelling charges on account of each Guzerat tour, of 1500 rupees, and the tour in the Deccan, &c., 3000 rupees.

48. The present Revenue Administration has two serious defects. It has no high situation to retain in that line individuals whose long experience renders their services particularly valuable, nor has it any local superintendence: also too little encouragement by means of improvement in the situation of public officers.

49. These disadvantages I propose to remove, while economy is also consulted, in the following plan:—

50. An officer, to be called Revenue Commissioner, to have control over all the revenue officers throughout the Bombay territories, shall reside at no fixed spot, but shall visit all the districts.

51. I shall hereafter propose rules defining his duties and powers, which must, in a great measure, be regulated by local considerations, which it is unnecessary to enter into here: suffice it to observe, at present, that the great objects of his appointment will be to inquire into and redress grievances on the spot, to inquire into, and report on all items of expenditure in the territorial department, and extend a general superintendence over the revenue administration of these provinces.

52. He will receive, rupees, 45,000 per annum, and deputation allowance, rupees (300), three hundred per mensem, when on circuit in the provinces. The revenue division of Guzerat to be settled hereafter.

53. The Concans to form a Principal Collectorship.

54. The Collectorship of Poonah to remain such.

55. Ahmednuggur and Shoiapoor to form a Principal Collectorship.

56. The Collectorate of Candush to remain such.

57. Darwar to form a Principal Collectorship.

58. The following to be the establishment of covenanted servants of a Principal Collectorship:—

	Rupees.
Principal Collector, per annum	35,000
Sub-Collector . .	16,800
1st Assistant . .	12,000
2nd Assistant . .	6,600
Rups.	70,400

And the following that of a Collectorship :—

	Rupees.
Collector	28,000
1st Assistant . . .	8,000
2nd Assistant . . .	6,600
Rups.	42,600

Figured Statements, showing the financial results of the propositions as compared with the present expenditure, accompany this Minute.

JOHN MALCOLM.

1*st December*, 1829.

Abstract of the Statement of the Financial Results on the Modification proposed by the Honourable the Governor :—

	Present.	Proposed.	Increase.	Decrease.
Secretary's Office	1,18,600	1,21,100	2,500	. .
Sudder Adawlut	1,36,200	1,93,500	57,300	. .
Guzerat Circuit Court . . .	1,43,151	. .	. .	1,43,151
„ Zillah Courts . . .	[illegible]	95,200	4,400	. .
„ Revenue Establishment .	1,[illegible],772	1,50,000	. .	44,772
Concan Zillah Courts . . .	1,04,901	50,800	. .	54,101
„ Revenue Establishment .	1,36,945	85,400	. .	51,545
Deccan Zillah Courts, exclusive of Dharwar	1,62,200	1,09,600	. .	52,600
„ Revenue Establishment, ditto ditto . . .	1,98,000	1,56,400	. .	41,600
„ Revenue Commissioners .	. .	54,800	54,800	. .
	12,85,569	10,16,800	1,19,000	3,87,769
Deduct Increase . . .				1,19,000
				2,68,769
Add probable reduction in the Native Zillah Court Establishments, in consequence of the enlarged jurisdiction of natives, and the abolition of Assistant's Courts at the Zudder Stations.				30,000
Saving Rupees				2,98,769

C.

UNTO THE KING'S MOST EXCELLENT MAJESTY,

The HUMBLE PETITION of Sir JOHN PETER GRANT, Knight, only surviving Justice of the Supreme Court of Judicature at Bombay,

SHEWETH,

That by letters-patent, bearing date the 8th day of December, in the fourth year of your majesty's reign, your majesty was pleased to grant, direct, ordain, and appoint, that there should be within the settlement of Bombay a court of record, which should be called the Supreme Court of Judicature at Bombay; and your majesty did thereby create, direct, and constitute the said Supreme Court of Judicature at Bombay to be a court of record, and that the same should consist of, and be holden by and before one principal judge, who should be and be called the Chief Justice of the Supreme Court of Judicature at Bombay, and two other judges, who should be and be called the Puisne Justices of the Supreme Court of Judicature at Bombay.

And your majesty was pleased to declare, that it was your further will and pleasure, that the said chief justice and the said puisne justices should severally and respectively be and they were all and every of them thereby appointed to be, justices and conservators of the peace and coroners, within and throughout the settlement of Bombay, and the town and island of Bombay, and the limits thereof, and the factories subordinate thereto, and all the territories which then were, or thereafter might be, subject to or dependent upon the government of Bombay aforesaid, and to have such jurisdiction and authority as your majesty's justices of your majesty's Court of King's Bench have and may lawfully exercise, within that part of Great Britain called England, as far as circumstances will admit.

And your majesty did further grant, ordain, and appoint, that the said Supreme Court of Judicature at Bombay should have and use, as occasion might require, a seal bearing a device or impression of your majesty's royal arms, and that all writs,

summonses, precepts, rules, orders, and other mandatory process to be used, issued, or awarded by the said Supreme Court of Judicature at Bombay, should run and be in the name and style of your majesty, and be sealed with the seal of the said Supreme Court.

And your majesty did, by the said letters-patent, constitute and appoint your majesty's trusty and well beloved Sir Edward West, Knight, then recorder of Bombay, to be the first chief justice, and your majesty's trusty and well beloved Sir Ralph Rice, Knight, then recorder of Prince of Wales' Island, and Sir Charles Harcourt Chambers, Knight, to be the first puisne justices of your majesty's said Supreme Court of Judicature at Bombay.

And your majesty did further direct, ordain, and appoint a certain jurisdiction to appertain to the said Supreme Court of Judicature, for the hearing and determining of suits and actions arising in the territories subject to, or dependent upon, the said government, subject to certain provisoes, exemptions, and declarations in the said letters-patent mentioned, and did appoint a certain form of proceeding for the commencing, prosecuting, hearing, and determining such civil suits and actions, and for the awarding and issuing of execution on the judgments pronounced therein.

And your majesty was also pleased to grant, ordain, and appoint, that the said Supreme Court should be a court of equity, and have equitable jurisdiction over the persons in the said letters-patent described, and should be a court of oyer and terminer and gaol delivery, in and for the town and island of Bombay, and the limits thereof, and the factories subordinate thereto, and also a court of ecclesiastical jurisdiction within and throughout the town and island of Bombay and the limits thereof; and further, that the said Supreme Court should be a court of admiralty in and for the said town and island of Bombay, and the limits thereof, and the factories subordinate thereto, and all the territories which now are or hereafter may be, subject to or dependent upon the said government.

And your majesty was further pleased to direct, establish, and ordain, that if any person or persons should find him, her, or themselves aggrieved by any judgment or determination of the said Supreme Court of Judicature at Bombay, in any case whatsoever, it should and might be lawful for him, her, or them, to appeal to your majesty, your heirs or successors, in your or their privy council, in such manner, and under such restrictions and qualifications as are in the said letters-patent mentioned (that is to say); in all judgments or determinations made by the said Supreme Court of Judicature at Bombay in any civil cause, the party or parties against whom, or to whose immediate prejudice

the said judgment or determination should be or tend, might, by his or their humble petition to be preferred for that purpose to the said court, pray leave to appeal to your majesty, your heirs or successors, in your or their privy council, stating in such petition the cause or causes of appeal; and upon such order or orders of the said court, as in the said letters-patent mentioned, being performed to their satisfaction, the said court should allow the appeal, and the party or parties so thinking him, her, or themselves aggrieved, should be at liberty to prefer and prosecute his, her, or their appeal to your majesty, your heirs or successors, in your or their privy council, in such manner and form, and under such rules as are observed in appeals made to your majesty from your plantations or colonies, or from your islands of Guernsey, Jersey, Sarke, or Alderney.

And it was your majesty's further will and pleasure, that in all indictments, informations, and criminal suits and causes whatsoever, the said Supreme Court of Judicature at Bombay should have the full and absolute power and authority to allow or deny the appeal of the party pretending to be aggrieved, and also to award and order, and regulate the terms upon which appeals should be allowed, in such cases in which the said court may think fit to allow such appeal.

And lastly, your majesty was graciously pleased, by the said letters-patent, strictly to charge and command all governors, and commanders, magistrates, and ministers, civil and military, and all other your faithful and liege subjects whatsoever, in and throughout the British territories and possessions in the East-Indies, and the countries, territories, districts, and places, which then were or should be thereafter dependent thereon, or subject or subordinate to the British government there, that in the execution of the several powers, jurisdictions, and authorites, by the said letters-patent granted, made, given, or created, they be aiding assisting, and obedient in all things, as they should answer the contrary to their peril.

That the said Sir Ralph Rice, Knight, resigned the office of senior puisne justice of the said Supreme Court of Judicature at Bombay in November 1827, when the said Sir Charles Harcourt Chambers became senior puisne justice thereof; and the said Sir Ralph Rice having intimated his desire to return to England, to resign his office, as aforesaid, and your majesty having been graciously pleased to accept his said resignation, your majesty was graciously pleased, in and by your majesty's royal letters-patent, dated on the 30th day of August in the eighth year of your majesty's reign, *Anno Domini* 1827, to constitute and appoint your petitioner, Sir John Peter Grant, Knight, to be one of the puisne justices of your majesty's Supreme Court of Judicature at Bombay, in the room and place of the said Sir Ralph

Rice, Knight: and your petitioner having taken the oaths, and made and subscribed the declaration in and by your majesty's said letters-patent required, did take his seat as one of the puisne justices of the said Supreme Court of Judicature at Bombay, on the 9th day of February, 1828.

And your petitioner further sheweth, that the said Sir Edward West, Knight, chief justice of your majesty's said Supreme Court of Judicature, departed this life on the 18th of August last, 1828.

And your petitioner further most humbly sheweth, that on the 3d day of October instant a letter was addressed:

> "To the Honourable Sir C. H. Chambers, Knight, puisne "justice of the Honourable the Supreme Court of Judi- "cature; the Honourable Sir J. P. Grant, Knight, "puisne justice of the Honourable the Supreme Court of "Judicature;"

dated "Bombay Castle, 3d October 1828," and signed,

"JOHN MALCOLM,
"T. BRADFORD, Lt. Gen.
"J. J. SPARROW,
"JNO. ROMER."

The said signatures being, as your petitioner understands, the signatures of Sir John Malcolm, the governor; of Sir Thomas Bradford, the commander-in-chief, first member of the council; and of James J. Sparrow and John Romer, Esquires, the second and third members of the council of the presidency of Bombay,

Which letter is of the following tenour:

"Honourable Sirs:

"We are quite aware that we transgress upon ordinary forms, "in addressing this letter to you; but the circumstances under "which we are placed will, we trust, justify this departure from "usage, and our knowledge of your private and public characters "leads us to hope, that what we state will be received in that "spirit in which it is written, and that, notwithstanding your "strict obligations to fulfil every part of your high and sacred "duty as British judges, you will, on this extraordinary occasion, "deem yourselves at liberty to consider as much the objects, as "the rules of the court over which you preside; and viewing the "intention of the legislature in its institution as directed to the "aid and support of the government entrusted with the adminis- "tration of this presidency, you will, for a short period, be in- "duced by our representations to abstain from any acts (however "legal you may deem them) which, under the measures we have

" to the interests committed to our charge, must have the effect " of producing open collision between our authority and yours, " and by doing so, not only diminish that respect in the native " population of this country which it is so essential to both to main- " tain, but seriously to weaken, by a supposed division in our in- " ternal rule, those impressions on the minds of our native sub- " jects, the existence of which is indispensable to the peace, " prosperity, and permanence of the Indian empire. This con- " clusion refers to a variety of circumstances, which we are " equally forbid from explaining as you are from attending to " such explanation ; but we deem it necessary to state our con- " viction of the truth of what we have asserted, expecting that it " may have some weight with you, as connected with the preser- " vation of that strength in the government, which in all our " territories, and particularly those we have so recently acquired, " is the chief, if not the only power we possess, for maintaining " that general peace, on the continuance of which the means of " good rule, and of administering law under any form, must " always depend.

" 2. In consequence of recent proceedings in the Supreme " Court, in the cases of Moro Ragonath, and Bappoo Gunness, " we have felt compelled, for reasons which we have fully stated " to our superiors, to direct that no further legal proceedings be " admitted in the case of Moro Ragonath, and that no returns be " made to any writs of *habeas corpus*, of a similiar nature to " those recently issued and directed to any officers of the pro- " vincial courts, or to any of our native subjects not residing in " the island of Bombay.

" 3. We are quite sensible of the deep responsibility we incur " by these measures, but must look for our justification in the " necessity of our situation. The grounds upon which we act " have exclusive reference to considerations of civil government " and of state policy ; but as our resolution cannot be altered " until we receive the commands of those high authorities to " which we are subject, we inform you of them, and we do most " anxiously hope, that the considerations we have before stated " may lead you to limit yourselves to those protests and appeals " against our conduct in the cases specified, that you may deem it " your duty to make, as any other conduct must, for reasons " already stated, prove deeply injurious to the public interests, " and can, under the resolution taken and avowed by govern- " ment, produce no result favourable either to the immediate or " future establishment of the extended jurisdiction you have " claimed. A very short period will elapse before an answer is " received to the full and urgent reference we have made upon " this subject; and we must again express our hope, that even

" the obligations under which we are sensible you act, are not " so imperative as to impel you to proceedings which the govern- " ment has thus explicitly stated its resolution to oppose.

" We have the honour to be, &c. &c. "

That the said letter was delivered by a common servant or messenger at the house of the said Sir Charles Harcourt Chambers, on the said 3d of October instant, unaccompanied by any communication from any of the secretaries or officers of the local government here, authenticating it as a public act of the government, or vouching for its being transmitted by authority.

That on Monday, the 6th October instant, the said Supreme Court being assembled for the despatch of its judicial business, the said Sir Charles H. Chambers caused the said letter to be read to the court by the clerk of the crown; after which, your petitioner concurring with the said Sir Charles Harcourt Chambers in opinion regarding both the form and the substance of the communication, the court directed that the clerk of the crown should inform the chief secretary to the government of the presidency, by letter, that the said letter had been received, and that the judges could take no notice thereof.

Your petitioner further most humbly sheweth, that it was the intention of the said Sir Charles Harcourt Chambers and your petitioner to lay before your majesty, in an humble petition, the circumstances which are above set forth, and most dutifully and submissively to beseech your majesty's royal protection, against what they agreed in considering a most unconstitutional and criminal attempt, on the part of those armed with the whole power, civil and military, of this presidency, to approach your majesty's Supreme Court of Judicature within the same, not by their humble petition, or by motion, by themselves or their counsel, in open court, the only ways in which the law, for the wisest purposes, permits your majesty's judges to be addressed, but by means of such covert and private communication as is strictly forbidden by the forms reared by the wisdom of ages, for the entrenching their persons against the danger, and even the pollution, of undue solicitation or menace, and this for the declared purpose of inducing your majesty's judges, notwithstanding their most sacred obligations to God, to your majesty, and to themselves, to refuse to adminsiter justice according to what they should deem to be law, in compliance with such notions as those who have thus approached them may from time to time entertain of what they shall call state policy, whenever they shall presume to allege to your majesty's judges the existence of a state necessity, whether they put the said judges in possession of the grounds of it or not, enforcing such their desire by the

menace, in case your majesty's judges shall fail to comply with their commands, of an open collision between the authority of the governor and council of this presidency and the authority of your most sacred majesty, which your majesty has been graciously pleased to confide to your judges here for the administration of justice.

Your petitioner most humbly sheweth, that while a petition to the above effect was preparing to be transmitted to England, in order most humbly to be laid at your majesty's feet, the said Sir Charles Harcourt Chambers, then acting as chief justice of your majesty's said Supreme Court, to the inexpressible grief of your petitioner, and to the great loss of your majesty's service in the administration of justice in this presidency, suddenly died on the 13th of October instant, leaving your petitioner alone to sustain the weight of the said administration of justice, which, under any circumstances, your petitioner would regard with much anxiety, but which cannot fail to fill him with alarm, under the uncertainty the members of the local government have placed him in, as to what acts of the court, however legal the court may deem them, as the members of the said government have expressed themselves, they, the said government, have come to the resolution to oppose, under measures they have taken, which measures as they are unexplained, so are they wholly unknown to your petitioner, and which opposition, from the general terms it is expressed in, can mean nothing else than an opposition by the civil and military power they possess, to such as shall be bound under heavy penalties to execute the process of the court when they shall attempt to do their duty, leading, without fail, to breaches of the peace, and, in all human probability, to the effusion of blood.

That it appeared to your petitioner and to his late learned and estimable colleague, since it could not consist with their oaths, "that they will, to the best of their knowledge, skill, and judg-"ment, duly and justly execute the office of justice of the said "Supreme Court of Judicature, and impartially administer justice "in every cause, matter, or thing which shall come before them," to limit their functions to the administering justice in such matters, or to such extent only, as they might conjecture would not have the effect of producing open collision between the authority of the governor and council of Bombay and that of your majesty's Supreme Court here; or, in obedience to the directions of the said governor and council, to refuse to admit farther legal proceedings in the case of Moro Ragonath, a question of private right regarding the personal liberty of the said Moro Ragonath, actually depending before them, or to refuse to direct your majesty's writ of *habeas corpus* to such officers of the provincial courts, or to such native subjects of your majesty, not residing on the island of Bombay, as such writs ought by law, in the judgment

of your majesty's said judges, to be directed to, on application duly made to them by persons desiring justice to be administered to them in that behalf; and since, if they should remain on their tribunal, they must be daily subject to applications for the administering of justice, in cases and to effects most likely to meet with the unlawful opposition of the said governor and council, and to lead to public disturbance and outrage, and perhaps eventually to the shedding of blood, that it was a question for grave and anxious consideration, whether they, your majesty's judges, should not close the doors of your majesty's court, until its peaceful authority should be re-established, and the dangers removed which appear to surround every attempt that may be made to exert it.

But your petitioner and his colleague were of opinion, that of the two evils, great as they are, the encountering these dangers is the least, and notwithstanding the intemperance and the want of knowledge of the laws and constitution displayed in this act of the governor and council of this presidency, it might be reasonably hoped that, when they should see your majesty's judges proceeding in the firm but dispassionate manner which the sacred nature of their office cannot but beget, to fulfil its duties with an entire disregard to everything but their allegiance and the sanctity of their oaths, the said governor and council would be led to pause before carrying into execution their ill-considered threats.

That your petitioner is well aware how great a public calamity it is, that that confidence in the wisdom and efficiency of the local government here should be shaken, which at this distance from the seat of your majesty's empire is so essential to the preservation of peace and due obedience to your majesty's laws in this distant and ill-settled and uncivilized part of your majesty's dominions, and how essentially it is the duty of your majesty's Supreme Court of Judicature to afford the support of the law to the government which is by law actually established here, in all matters which are necessary to the maintenance of that peace and that obedience. But that which is especially confided to your petitioner by your majesty is the administration of justice according to law, and the preserving the purity and the dignity of the court he presides over, in order thereby to retain, in those of your majesty's native subjects who have been accustomed to the benefits of its jurisdiction, and to cultivate in those to whose knowledge it may be more lately brought, that respect for the court and confidence in the law, which are the only sure foundations of such peace and obedience. And that which is especially prohibited to your petitioner, as the humble representative of your majesty, in the administration of justice in this presidency, is, in the words of *Magna Charta* itself, that he shall "sell, deny,

" or delay to any man justice or right," or shall suffer " that by " any means," in the words of my Lord Coke's commentary on that great statute, common right or common law " shall be dis- " turbed or delayed, no, though it be commanded under the great " seal or privie seal, order, writ, letters, message, or command- " ment whatsoever, either from the king or any other ;" and it is enjoined, " that he shall proceed as if no such writ, letters, " order, message, or other commandment were come to him." That, therefore, which your petitioner could not lawfully do if it were commanded him by the king, assuredly it were an unheard-of crime in him to do at the command of a governor and council appointed by the Directors of the Incorporation of the United Company of Merchants of England trading to the East-Indies. It is not by such means as these, or by resting the administration of justice upon grounds " having exclusive reference to consi- " derations of civil government and of state policy," that your majesty's Supreme Court of Judicature can contribute " to the " aid and support of the government entrusted with the adminis- " tration of this presidency ;" and to attribute to the legislature, in its institution, the intention that it should so do, is a gross and scandalous libel upon that legislature. Over the acts of those entrusted with the administration of this presidency, your majesty's Supreme Court of Judicature was intended by the legislature as a wholesome check and control.

The aid and support which it was intended to afford to the government of this presidency, if by *government* be meant the *British rule* over these conquered territories of your majesty's crown, was by its pure and fearless administration of justice, the effects of which, in attaching the inhabitants to your majesty's person and government have been felt, with a rapidity and in a degree equally satisfactory and surprising, where its local and ordinary jurisdiction extends. Yet was it proposed to your petitioner and his lamented colleague, to sacrifice, along with their own consciences and their honour, the well-earned confi- dence in the Supreme Court of all those who are acquainted with its manner of administering justice, by shewing that its judges might be privately dealt with and corrupted (for fear is as corrupt as avarice), and rendered political instruments in the hands of the local government.

That although your petitioner, as a judge, can allow of no authority but that of the law, yet he cannot be ignorant, from his knowledge of the legal and constitutional history of his country, that there may exist occasions when those possessing the supreme civil authority in such parts of your majesty's dominions as such occasion may arise in, may be called on to assume and exercise a power beyond the law for a time, so doing on the peril of their responsibility to your majesty and to your

parliament, without violating the spirit of the constitution, but acting for the public safety.

But such occasions must be rare, and relate to some specific occurrence, or to some particular and designated district, and the question of the justification of such exercise of power courts of justice cannot entertain. They are bound, in the first instance, whatever be the occasion, to pronounce it illegal; and they will be bound to punish it, if the actors shall not be indemnified by parliament.

But what was attempted, in the present instance, by the governor and council of Bombay, was to induce your majesty's judges to refuse to declare the law to be such as it truly is, and to consent to declare the law to be such as it is not, in the exercise of their functions deciding on matters of private right, in order that the said governor and council might be sheltered from the responsibility of assuming a power beyond the law, on occasions which they say are of such importance to the public safety, as to justify their so doing; of which occasions the said governor and council alone possess the means of knowing the circumstances and nature, and are alone to judge.

And what inconvenience, beyond the unavoidable inconvenience of a delay of justice, to be submitted to if necessary to the public safety, can arise from your majesty's court pursuing its ordinary and lawful course as it is bound to do, and the said governor and council interposing on their responsibility, and under such public declarations, and with such precautions as might avoid disrespect to the court and the danger of a breach of the peace, in such particular case as the public safety may truly require, if such case do exist or shall arise, till such time as the opinion of parliament on such interposition may be had, your petitioner is unable to perceive, as no such proceeding could be justified but by paramount considerations of the public safety, *ubi salus populi suprema lex:* the dignity of the court would not be brought in question, the public safety would be provided for, the said governor and council would receive indemnity, if they had only acted as the public safety required; and, on the other hand, if they had acted otherwise, the rights of the private parties would be entire, since they would be entitled to full indemnification at the hands of the said governor and council for the loss they had sustained through the frustration of the process of the court.

That in the times of some of your majesty's royal progenitors, the king's secretaries of state and privy council have detained persons in prison for reasons of state contrary to law, trusting to the circumstances for their justification; but it was never heard of, in the most arbitrary and corrupt times, that it had been proposed by the ministers of the crown to the king's judges, that they

should abstain from acts which they deemed legal, in obedience to the authority or from dread of the opposition of such ministers of the crown; still less was it ever heard of, that any ministers of the crown presumed to dictate to the king's judges what proceeding should be allowed or disallowed in a matter of private right depending before them, or to reprehend them for what they had done in any particular case, or to dictate to them what they should do or abstain from doing in any description of cases that might afterwards occur. Yet this is what has been done by the said governor and council towards your majesty's judges in this instance; and the said governor and council have admitted that they were aware that what they desired of your majesty's said judges was contrary to the duty of the said judges, for they say that, "notwithstanding their strict obligations to fulfil every part "of their high and sacred duty as British judges," which implies that something was desired not in conformity with those obligations, they hope that your majesty's said judges "will consider as "much the *objects* as the *rules* of the court over which they "preside:" whereas the rules of a court are the law of the court, and the objects of a court can be no other than to administer the law.

That the first paragraph of the said letter of the said governor and council is so indefinite in its terms, that your petitioner can assign no meaning to it on which it would be safe to act; unless, indeed, it mean that, before proceeding to any judicial acts, your majesty's judges should enquire of the said governor and council whether such act fell under the measures they there allude to.

That, in the second paragraph of the said letter, the said governor and council are more explicit, referring directly to two separate matters, the one being the directing of writs of *habeas corpus ad subjiciendum* to natives of India, in the said letter of the said governor and council styled "our native subjects" not residing on the island of Bombay, the other being the directing of such writs to officers of the provincial courts.

That the said governor and council, either taking upon themselves to decide on matters of law, constituting themselves of their own authority a court of appeal from the judgments of your majesty's Supreme Court of Judicature in matters of law, or presuming deliberately to set at open defiance your majesty's authority, do therein declare, that they have directed that no returns be made to any writ of *habeas corpus* of either of the said descriptions, issued in your majesty's name by your majesty's said justices.

That natives of India not residing on the island of Bombay, with reference to the jurisdiction of your majesty's Supreme Court, are of two descriptions, namely, such as have been

employed by, or directly or indirectly in the service of the said United Company, or any of the subjects of your majesty; and such as have not been so employed, or directly or indirectly in such service: and power and authority to hear and determine all suits and actions whatsoever against any persons, whether natives of India or not, who at the time when the cause of action shall have arisen shall have been so employed or in such service, such suits or actions being for wrongs or tresspasses, is expressly conferred by your majesty's letters-patent on your majesty's said Supreme Court, following forth the special enactments of several acts of parliament made in that behalf. Yet is it declared by the said governor and council, that they will not suffer any writs of *habeas corpus* to be made effectual, directed to such persons so expressly placed under the jurisdiction of your majesty's said court, in the very matters which such writs of *habeas corpus* may directly relate to.

That the other class of writs of *habeas corpus* to be issued by your majesty's Supreme Court, to which the said governor and council have thought fit to direct that no returns be made, are such as may be directed to any officers of the provincial courts; the object of which direction so given by such governor and council can be no other, than to give to these provincial courts, and to the said governor and council through them, the unlimited power of arbitrary and indefinite imprisonment of all persons, whether British-born or natives or foreigners, whom they shall find in any part of the extensive territories of this presidency beyond the narrow limits of this little island, without any means afforded to the persons so imprisoned of obtaining their liberty, but through the good-will and pleasure of the said governor and council. But the officers of the said provincial courts are not exclusively natives or foreigners, but British-born subjects; and all magisterial officers of the said courts are British-born subjects exclusively, who are expressly declared by the said act of the fifty-third year of the reign of his late majesty to be subject only to the jurisdiction of your majesty's Supreme Court: yet have the said governor and council taken upon themselves to direct that these persons shall not obey the writs issued by the only court to whose jurisdiction they are by law subject. Again, these very magistrates are your majesty's justices of the peace, and it is declared by an act of the thirty-third year of the reign of his said late majesty, intituled "An Act for continuing in the East-"India Company, for a further time, the possession of the British "Territories in India," &c. (33 George III. cap. 52, sec, 153) that "all convictions, judgments, orders, and other proceedings "which shall be had, made, or pronounced by or before any "justice or justices of the peace within any of the British settle-"ments or territories," shall be removable by writ of *certiorari*

into the Supreme Court of the presidency: and how this may be done, where the conviction, judgment, or order complained of, is for imprisonment of the party complaining, without power in your majesty's said Supreme Court to issue your majesty's prerogative writ of *habeas corpus* to bring up the body of the person so complaining, as well as your majesty's prerogative writ of *certiorari*, or why the same reasons which have induced the said governor and council to suspend the issuing of writs of *habeas corpus* should not induce them to spend the issuing of writs of *certiorari* to inferior courts and magistrates, your petitioner is ignorant.

Your petitioner has thus most humbly laid before your majesty the facts that are above set forth, with a degree of reluctance which nothing could have overcome but a deep sense of the importance of the interest committed by your majesty to his charge, now for a considerable time to come unhappily devolved on him alone, and a dutiful persuasion how nearly it concerns your majesty's honour, that the administration of your justice should be esteemed pure and sacred by all men in every part of your majesty's dominions, not only on account of its own intrinsic value, but as directly proceeding from your majesty's authority; that the integrity and independence of your majesty's judges should be respected as unapproachable, and that no men be permitted with impunity to set themselves above your majesty's laws or just prerogative: and this more especially, in countries where there is too little inclination in those who, under circumstances quite new in history, have become invested with the political administration of these countries, to teach the inhabitants to look to your majesty as the true source of justice and power. What the political considerations may be which have weighed with the said governor and council, your petitioner neither ought to know, nor in point of fact does know; nor can he conjecture if they be any other than a desire that the administration of justice by officers of their appointment in the provinces, which, in the instances that have been brought before your petitioner, have been proved to be grossly faulty and unlawful, may be independent of the general superintendence of your majesty's Supreme Court, as is possessed by your majesty's Court of King's Bench in England, over inferior jurisdictions in England, and of your majesty's laws.

Your petitioner has heard, that the distant provinces of the Deccan, although for ten years under the government of the servants of the East-India Company, are still in a very unsettled state: but this does not apply to the island of Salsette, united to the island of Bombay by a mole, and the districts of the Northern and Southern Concans and Guzerat, now for many years peacefully

submitted to the British rule, and maintaining constant commercial intercourse with Bombay. And your petitioner would have supposed, the circumstance of persons coming for the first time from Poonah in the Deccan, of their own accord, to demand justice, peacefully and legally, from your majesty's court at Bombay, in a case in which, as they stated, a domestic outrage had been committed, and of the person against whom the complaint was made, a man of high rank at Poonah, placing your majesty's writ on his head in token of his highest respect for your majesty's commands, expressed according to the manners of his country, and declaring as his reason for not obeying it that he was under the jurisdiction of the provincial court at Poonah, and that the British authorities under whose protection he lived must answer for him, would have been hailed as indicating that a great step had been made, which it was the proper business of a wise government to encourage, towards bringing these countries under subjection to the English courts, and to an English purity and wisdom in the administration of justice.

But be this as it may, your petitioner knows that all the native inhabitants within the ordinary jurisdiction of your majesty's Supreme Court look up to it with respect, and with confidence and gratitude, for the due administration of justice and for the protection of their private and public rights; and that to shake its authority, and to weaken that respect and confidence, to leave the provincial courts appointed by the Company's government without such control over their acts, where they may violate private liberty, as is now by law possessed by your majesty's Supreme Court, limited as that control is and destitute of the power of interfering with their lawful jurisdiction, and generally to place the inhabitants of these your majesty's territories in India in a situation which the inhabitants of no plantations, colonies, or foreign possessions of the crown of England, where any English court of law has been established, are or ever were placed in, namely, without the protection of the writ of *habeas corpus*, would be of most dangerous consequence.

May it therefore please your majesty to take the premises into your royal and most gracious consideration, and to give such commands concerning the same as to your majesty's royal wisdom shall seem meet, for the due vindication and protection of the dignity and lawful authority of your majesty's Supreme Court of Judicature at Bombay.

And your petitioner shall ever pray, &c.

(*Signed*) J. P. GRANT.

At a meeting of a committee of his majesty's most honourable privy council, at the Council Office, Whitehall, on Thursday, 14th May, 1829, present,—Lord Lyndhurst, lord high chancellor; Earl Bathurst, lord president; Lord Ellenborough, president of the Board of Commissioners for the Affairs of India; Lord Tenterden, lord chief justice of the Court of King's Bench; the Right Honourable Sir John Nicholl, dean of the Arches Court of Canterbury; the Right Honourable Sir John Beckett, judge advocate; the Right Honourable Charles Watkin Williams Wynn; the Lord Chief Baron Alexander; the Lord Chief Justice Best; the Right Honourable Sir Christopher Robinson, judge of the High Court of Admiralty; the Right Honourable Thomas Peregrine Courtenay; the Right Honourable Henry Hobhouse.

[Here follows in the printed proceedings the arguments of council, which it is not deemed necessary to reprint in this work, as they may be referred to in Napp's Reports of Cases decided before the Privy Council.]

At the court at St. James's, the 10th June, 1829: present, the King's Most Excellent Majesty, Lord Chancellor, Lord Privy Seal, Lord Chamberlain, Duke of Leeds, Duke of Wellington, Lord Steward, Marquis of Winchester, Earl of Aberdeen, Lord Ellenborough, Lord George Beresford, Mr. Vesey Fitzgerald, Mr. Secretary Peel, Sir William Fremantle, Sir George Murray, Lord Chief Justice Tindal.

Whereas there was this day read at the board a report from the right honourable the lords of the committee of privy council upon the petition of Sir John Peter Grant, knight, only surviving justice of the Supreme Court of Judicature at Bombay, dated the 14th May last, in the words following, viz.:—

"Your majesty having been pleased, by your order in council "of the 13th of this instant, to refer unto this committee the "humble petition of Sir John Peter Grant, knight, only sur- "viving justice of the Supreme Court of Judicature of Bombay, "setting forth:—"That," &c.

[Here followed the petition from Sir John Peter Grant.]

"The lords of the committee, in obedience to your majesty's "said order of reference, this day took the said memorial into "consideration; and having heard counsel in support of the "allegations contained in the said petition, and also in behalf of "the governor and council of Bombay, their lordships agree to "report as their opinion to your majesty,—

"That the writs of *habeas corpus* were improperly issued in "the two cases referred to in the said petition.

"That the Supreme Court has no power or authority to issue "a writ of *habeas corpus*, except when directed either to a per- "son resident within those local limits wherein such court has a "general jurisdiction, or to a person out of such local limits, "who is personally subject to the civil and criminal jurisdiction "of the Supreme Court.

"That the Supreme Court has no power or authority to issue "a writ of *habeas corpus* to the gaoler or officer of a native court "as such officer, the Supreme Court having no power to dis- "charge persons imprisoned under the authority of a native "court.

"That the Supreme Court is bound to notice the jurisdiction "of the native court, without having the same specially set forth "in the return to a writ of *habeas corpus*."

His majesty having taken the said report into consideration, was pleased, by and with the advice of his privy council, to approve thereof: whereof the governor or president and council of Bombay for the time being, the Supreme Court of Judicature there, and all other persons whom it may concern, are to take notice, and govern themselves accordingly.

(Signed) JAMES BULLER.

MINUTE of SIR JOHN MALCOLM, governor of Bombay, of the 30th November, 1828, in reference to the petition of Sir John Peter Grant.*

1. THE petition from the honourable Sir J. P. Grant having been transmitted, by direction of the learned judge, to government, I deem it necessary to offer some observations upon a document which, though it contains no new matter, is in its style and substance calculated to convey to the ear of our beloved sovereign, erroneous impressions of the motives and principles of action of the governor and council of Bombay, as well as of the state of administration and the condition of the country subject to the British rule in this part of India.

* This minute was not laid before the lords of the privy council, nor read at the *hearing of the arguments;* but is printed here by way of illustration of the arguments of counsel.

2. The governor and council are accused of having made a criminal attempt, as well by threats as by covert and private communication, to induce the judges to act contrary to their oaths and with abridged power. This serious accusation was before publicly made and refuted; but the manner in which it is brought forward on the present occasion, is a singular proof of the desire of the learned judge to give an importance to forms over facts. He cannot believe, either with just respect to his own character or that of his late colleague, Sir Charles Chambers, that it ever was in the most remote contemplation of the members of government to tamper with the hononr and integrity of his majesty's judges at Bombay; but losing sight of all the considerations which compelled government to make the communication in question, and denying notice to their letter as a public document coming from high and legally constituted authority, deriving, like the Supreme Court, its power from the king, he brings this letter forward as a "covert and private communication" made by certain individuals, whose venturing to address the court in any form, except by humble petition, he treats as an insult.

3. The learned judge further represents the mode of address as unusual, and endeavours to aggravate the imputed disrespect, by stating that it was delivered by a common servant or messenger. It has been before observed*, that it was not unusual for letters to his majesty's judges to be signed by the members of government, and that such communications were deemed equally authentic, and more respectful towards the authority to whom they were addressed, than if signed by the secretary. With regard to its being sent by a common servant or messenger, it may be stated, letters were never sent in any other mode, and there would appear no ground whatever for making this a matter of grave complaint.

4. The proceedings of his majesty's judges are stated to be imposed upon them by the imperative character of the laws and rules under which they act: but this assertion has been qualified by a declaration, that notwithstanding the imperative obligations under which they are bound to administer justice, they would, in certain cases, pay attention to state necessity. But is not this allegation completely at variance with their proceedings, and particularly those of the 6th October? Who can have the means of judging whether a state necessity exists or not, except the government of the country? The learned judge admits this; yet its communication was treated with contempt and indignation, when it expressed a hope, grounded on considerations of state policy, that his majesty's court would suspend for a period, not the exercise of a power which they claimed (for government had taken upon itself the responsibility of practically suspending the

* In a Minute by the president, dated October 13th, 1828.

writ of *habeas corpus*), but the adoption of proceedings to support their pretensions, which could neither benefit individuals nor establish their jurisdiction, while they were certain to produce the evil effects of rendering public the disagreement between the court and government, and thereby lessening both in the estimation of the native inhabitants of this presidency.

5. Supposing the government had acted in error, his majesty's judges would assuredly have been justified in deeming its conduct as forming one of those cases, in which the words of that act which they contend gives them the power of the Court of King's Bench, "as far as circumstances will admit," as sufficient ground for awaiting till the local government was corrected by the superior authority in England: for what "circumstances" could have been contemplated by the legislature as more calculated to arrest the exercise of an undefined and unprecedented jurisdiction by the Supreme Court, than the declared and determined opposition of those whom the learned judge describes as armed with the whole power, civil and military, of this presidency? Certainly such a course would not have been less dignified than that which his majesty's judges pursued; and it would have had the advantage of preserving that respect and deference for public authority, which has been so weakened and disturbed by their speeches and proceedings.

6. The learned judge states in his petition, that he and his deceased colleague were of opinion, that consistently with their oaths "they could not limit their official functions to such matters "as they might conjecture would lead to no collision of autho- "rities, or refuse, in obedience to the direction of the governor "in council, to admit further legal proceedings in the case of "Moro Ragonath, a question of private right regarding the per- "sonal liberty of the said Moro Ragonath actually depending be- "fore them; and that, on the same principle, they could not "refuse to direct writs of *habeas corpus* to such officers of the "provincial courts for native subjects of his majesty not residing "on the island of Bombay, as should make application in due "form of law, and should be entitled, in their opinion, to the "benefit of such writs; but that as on their tribunal they must "be subject to daily applications for the administering justice, in "cases and in effects likely to meet with the unlawful opposition "of the said governor and council, and to lead to public dis- "turbance and outrage, and perhaps eventually to the shedding "of blood, it was a question for grave and anxious consideration, "whether they should not close the doors of his majesty's court, "until its peaceful authority should be re-established, and the "dangers removed which appear to surround every attempt that "may be made to exert it. That on consideration, however, "they had relinquished the latter alternative, in the hope that,

" by a firm and dispassionate exercise of their duty, they might " maintain the high and sacred interests committed to their " charge, notwithstanding the intemperance and ignorance of the " laws and constitution displayed by the governor and council, " who might be induced to pause before carrying into execution " their ill-considered threats."

7. No proceeding could have been more misunderstood, and none consequently more misrepresented, than that of government upon this occasion. The act of sending the letter of the 3d of October, whether right or wrong, was done for no other purpose than to give the learned judges to understand, that their interference, as in the cases of Moro Ragonath and Bappoo Gunness, with the natives beyond their ordinary jurisdiction, and with the established provincial tribunals, must be discontinued, and that their claims to such jurisdiction would not, in future, be submitted to. Such a communication would have been absurd in the form of a petition or by the address of counsel (the only way, Sir John Grant states, that his majesty's judges can be lawfully addressed), for it was a point decided upon, and nothing was meant but to convey information of the decision. The members of the government being conscientiously of opinion that they were called on to adopt a course of conduct which must inevitably lead them to oppose the execution of certain decrees of the Supreme Court, thought it proper and expedient that the learned judges should be made acquainted with this determination. What would have been said, if the Supreme Court had been left to discover it through the result of a direct collision between their officers and those employed by the government to oppose them? Had this latter course been adopted, and a disgraceful contest " ended in " the effusion of blood," how deep would have been the responsibility of the members of government! how liable would they have been to be thus addressed by the judges of the Supreme Court!—" When you resolved on resisting the execution of our " decrees, why did you not inform us of your resolution, that we, " knowing competition to be useless, might not have provoked so " unequal a contest, and uselessly exhibited to the natives of the " provinces the unsightly spectacle of two English authorities " opposed to each other?"

8. The learned judge would be correct in charging the governor and council with the crime of disturbing the course of justice, if his majesty's court had met with opposition in its ordinary course of jurisdiction; but it was by an invasion of the rights of the local administration of justice, and by setting at nought the established institutions of the country, that his majesty's court forced the government to defensive acts to preserve its authority and to maintain the public peace. The learned judge, in arguing the

case, takes his own assertions and those of his colleague from the bench, as undisputed facts, and as constituting the law. This might be admitted in cases where the jurisdiction of the Supreme Court was recognized and in ordinary exercise, but in those at issue it was not. The question was one of conflicting jurisdiction between two courts totally independent of each other. No instance, I believe, had occurred before that of Pandoorung Ramchunder, of any of his majesty's Supreme Courts issuing a writ of *habeas corpus* directed to a native of India not subject to their local jurisdiction; and I cannot learn that any of his majesty's courts in this country have ever before interfered in cases of natives confined by any provincial courts, much less with those under sentence of that law to which they were subject.

9. The case of Moro Ragonath is fully upon record, and a more complete example could not be adduced of the mischievous and dangerous effects of the assumed authority of the Supreme Court. It has been shewn that, in this instance, it went in its first operation to subvert a legal act of the provincial administration of the country, and to protect and encourage in their falsehoods and villanies corrupt agents who had betrayed their trust; while its ultimate effects were to insult and degrade the authority of government, and to spread consternation amongst the most respectable of the native inhabitants living in the provinces under British protection.

10. In the case of Bappoo Gunness, which is alluded to in this part of the learned judge's petition, because some forms connected with the required proof of the hitherto admitted legal institution of the courts of Adawlut were not satisfied, a convicted criminal was released from an undisputed just sentence of two years' imprisonment, and placed at large, to proclaim the supremacy of his majesty's court over the government of Bombay, and to bring into scorn and contempt the courts established for the administration of justice in the provinces subject to this presidency.

11. The learned judge, after commenting upon the intemperance of the government, its ignorance of the law and constitution, and "its ill-considered threats," acknowledges the bad result that would arise from public confidence being shaken in the wisdom and efficiency of the local government, in what he terms "this "distant, and ill-settled, and uncivilized part of his majesty's "*dominions.*"

12. The charges of intemperance, ignorance, and ill-considered threats, made against government, may be well left to the complete refutation contained in its recorded proceedings; but the description it has pleased the learned judge to give of the territories of Bombay must not remain unnoticed. Had the opinion he has ventured to offer upon this subject not been in a petition

to the throne, his observations would have required no comment. An excuse would have been found for them in the want of knowledge of a person who had only been a few months in India, who, solely occupied with his important duties, had never left the precincts of the small island of Bombay, and who had no means of obtaining that minute and authentic information, which could alone enable him to pronounce correctly upon the actual condition of the provinces of this presidency. But the character of the document into which these assertions are introduced demands that they should be examined and refuted.

13. The territories of Bombay extend north and south from the frontiers of Scind to those of Mysoor, and east and west from Malwa to the sea; and within this great space, which includes eleven degrees of latitude and eight degrees of longitude, there was not, at the moment the learned judge addressed his sovereign, one man in rebellion, nor one company of troops employed in quelling sedition or enforcing obedience to rule. Nor is there any ground whatever to anticipate that this state of internal tranquillity will be disturbed, provided we persevere in the same wise, liberal, and firm measures, by which it has been established.

14. Assuredly, such a country ought not to have been described as "unsettled." With regard to its civilization, there are so many meanings given to that term, that it is difficult to fix its exact signification. If used by the learned judge to signify that the natives of our provinces are ignorant of English law, that they are far behind those of Great Britain in knowledge of the higher branches of abstract science, that they are not their equals in some of the finer arts, that they are but little acquainted with geography, and imperfectly informed of the history or condition of any country but their own, they certainly must be considered, as he terms them, uncivilized: but if civilization depends upon a full appreciation and strict observance of those ties by which families and communities are bound in affection and union; if it includes that skill in cultivation and manufactures, which provides amply for the food and clothing of man, an education that qualifies them for every branch of commerce and public and private business, a sufficient acquaintance with the useful arts to enable them to provide all that can contribute to the wants and the luxuries of every class of the population; if it implies a love of order, a just sense of the blessings of peace, and desire for every improvement which does not infringe upon their religion and usages, the inhabitants of the provinces of Bombay cannot be considered (as the learned judge represents them) "uncivilized."

15. The alleged state of the territories of Bombay, as "remote, "unsettled, and uncivilized," appears, from other parts of this, petition, to be brought forward with a view to establish the

necessity for the exercise of the extended jurisdiction of the Supreme Court, as a wholesome check and control over a local government, which is represented as having "too little inclina- "tion to teach the inhabitants to look to his majesty as the true "source of justice and of power:" and the learned judge states in a subsequent paragraph, that "what the political considera- "tions may be which have weighed with the said governor and "council, your petitioner neither ought to know nor can he con- "jecture, if they be any other than a desire that the administra- "tion of justice by officers of their appointment in the provinces, "which, in the instances that have been brought before your "petitioner, has been proved to be grossly faulty and unlawful, "may be independent of the general superintendence of your "majesty's Supreme Court of King's Bench in England, and of "your majesty's laws."

16. From the above paragraph it appears, that the object of this petition is not limited to a justification of the course pursued by the Supreme Court, nor a crimination of government as connected with recent proceedings, but goes generally to impress the royal mind with a belief, that this government is wanting in due respect to the name and authority of his majesty; that the territories of the Bombay presidency are badly governed; that the judicial branch, in particular, is grossly faulty; and that this defective system can only be corrected by the extended exercise of that power and control, which is claimed in this petition as the right and duty of the Supreme Court.

17. The charges made against the government are serious, and the means proposed by the learned judge to correct, or rather subvert, the actual administration of this presidency, involves considerations of such importance, that I shall be pardoned for examining minutely both his premises and conclusions.

18. The wide provinces now subject to Bombay have come into the possession of the British government at different periods, and their inhabitants are very distinct in their language, habits, and character. The city of Surat and a part of Guzerat have been under our rule for many years. A great proportion of our possessions in this quarter are remarkably fertile, and the peasantry are famed throughout India for their skill in cultivation. The inhabitants of this part of the country are of industrious and peaceful habits; but the whole of that tract which divides Guzerat from Malwa and Rajpootana, as well as the province of Katteewa, which separates it from Cutch, contain predatory tribes of Bheels, Cooleys, and Rajpoots, whose constant irruptions into the plains, added to the miseries to which this country was exposed from its riches, rendering it a continual object of invasion and contest to Mahomedan and Mahratta princes and chiefs. To a population so situated, the firm esta-

blishment of the British power became the greatest of blessings; and since that was introduced, no country has been better governed than the British provinces in Guzerat. The changes in the form of its judicial administration have been cautiously and gradually made, on the same principles as at Bengal, but with many modifications; and great care was taken, and has since been continued, that the law which, though expressly made in conformity with the usage and religion of the natives, was still an innovation, should be administered by persons distinguished by their knowledge of the language, the manners, and the prejudices of the people.

19. The chiefs and high-spirited military tribes of Katteewar, and many of those of the north-western frontier of Guzerat, though but partially subject to our laws and regulations, have continued to view the establishment of our Adawlut courts with a well-founded alarm. This feeling is not to be referred, in that exclusive manner which it often has been, to their desire that there should be no check over their misrule and injustice. They are all controlled by political or fiscal officers; and no serious misconduct or oppression can escape punishment in countries, where we have, by treaties or engagements, such power of interference. But they have a dread, confirmed in their minds by what has occurred in other parts of India, that even the mitigated forms of the provincial courts of justice, combined with the necessity under which the judges who preside in them are of conforming to exact rules, and the absolute character of every process, will give advantages to their discontented dependents and others, which will enable these persons, in concert with the corrupt agents and crafty vakeels, which our courts of law generate, to abridge their power, and ultimately perhaps to effect their ruin, for which, they are quite sensible, their lax habits and frequent irregularities present too many opportunities.

20. As it is the earnest desire of government, grounded on political considerations of the highest importance, to reform, not to destroy, this class of its subjects, every measure that wisdom could suggest has been adopted by the preceding government of Bombay, to reconcile the constitution of its courts of Adawlut with this object; and these, while all the principles of British justice are cherished, have, in every modification of their forms, been more approximated to native usages; and it is, I believe, admitted by every Indian statesman, that by such a course alone can the benefits conferred by their institution be preserved and increased.

21. That the establishment of our rule, and a long period of internal peace, combined with the introduction in a limited degree of new principles and forms of administration, must gradually produce a great change in the sentiments and condition of the

native community, there can be no doubt. Princes and chiefs will fall, from want of that power they formerly enjoyed, and the limitation of those means by which it was acquired and supported. The idle will become poor, and the industrious rich. The military class will, in time, take to other occupations as well as arms; and in the second, if not the first generation after the present, we may expect to see men, whose ancestors would have scorned the thought of peaceable pursuits, engaged in cultivation and in commerce. But such changes in the condition of a society, to be safe, must be very gradual. They must work themselves: men's minds must go along with them. In such case, we may expect good and great results; but a violent invasion of the prejudices, the usages, and the opinions of the natives of India can only have one effect,—to excite them to hatred and disgust, to place them in array against us while they have yet the elements of opposition; and if we even succeeded, as we probably should, through our armies, in forcing an unintelligible, and to them degrading system, upon their adoption, we should only have that mean triumph over prostrate nations that belongs to force. All who had rank and consideration from birth, from possession, or from the respect and veneration of their countrymen, would be swept away: none would remain in the enjoyment of dignity and power but the European conquerors. The peasant and the merchant might rejoice in the blessings of peace and justice; a new nobility and gentry, suddenly created from amongst rich merchants, native vakeels or lawyers, and native public servants, might look with gratitude towards that government which had favoured their elevation; but generations must elapse before the descendants of such men can fill the place now occupied by those whom the institution of Adawluts, in their rigid and full operation, go directly to destroy.

22. It was, no doubt, such considerations as I have stated, that led to the settlement of the five provinces of the Deccan now subject to the presidency of Bombay. Their condition was very different from that of Guzerat. Some of them had suffered severely from being long the seat of war and predatory inroads; but, taking them generally, few countries had a milder government, and none one that more encouraged agriculture, that true source of internal prosperity. The inhabitants of the Deccan were not, like those of the plains of Guzerat, grateful for the blessings of peace. The Mahratta, from the chief to the ryot, singularly combined the love of war with the love of home: no success (even advancement to a throne) could wean him from his relations, nor alter his attachment to the place of his birth. A share of the plunder he took from foreigners was almost invariably sent to fertilize the fields of his fathers; while wells, tanks, and temples were often built in proof of his continued regard for his

native town or village. The feelings for his relations and townsmen appeared to have gained strength from prosperity. The Mahratta chief at the head of armies and of state, preserving his early habits and affections, gloried in his low hereditary village office, and not only intermarried, but mixed in all the intimacy of personal intercourse with men, whose condition remained that of ryots, and who neither desired nor would have been benefited by his raising them higher.

23. That part of the Deccan which belonged to the Peishwa being the native land of the Mahrattas, could not but prosper under the circumstances I have described; and the revolution that has taken place has, in every point but mere security to persons and property, been disadvantageous to almost all classes*, but above all to those of the higher order. Never, however, has the British government evinced more solicitude to lessen the effects of a great change, than in its settlements of this portion of its territories. The confirmation of their jaghires and enams to the representatives of old families, the liberal pensions allowed to the public officers of the late government, and the institution of the privileged classes, and the form given to branches of the courts of Adawlut, with the appointment of numerous native commissioners, are all measures calculated to reconcile men to their altered condition†.

24. The population of the Deccan provinces are sensible of the pains taken to reconcile them to the great change that has occurred; but, in such a scene, it will be long before many of them can forget the stations, the consideration, and power which they or their ancestors possessed. They cling, from the loss they have sustained, with more tenacity to the little rank and the limited privileges they have left, and they view with an extreme of jealousy every act which they deem an encroachment upon these by our provincial courts of justice. This natural feeling having been anticipated, is greatly lessened by the courts in this country having been first established under the new code of regulations; which is clear and intelligible, singularly free from technicalities, and though not to be mistaken in its principles, gives a latitude, in point of form, that is admirably calculated to combine the attainment of the ends of justice, with that of rendering this institution popular. The latter object must be greatly facilitated, by the law being administered, as it is, throughout the provinces of Bombay, in the vernacular language of the country, thus becoming every day better known to the inhabitants, and rendering more easy of accomplishment the measures that are in progress

* The effects of this change on the prosperity of the cultivators is fully shown in Mr. Pringle's Survey Report of the 6th September, 1828, Revenue Department.

† A full statement of these measures, with my sentiments upon them, will be found in my minute of the 5th January, 1820.

for associating, more liberally than we have ever yet done, the most eminent of the natives in this branch of our administration.

25. I have given this short sketch of the present and past condition of the provinces of Bombay, to show that they are neither unsettled nor uncivilized, and to prove that every rational effort has been made, and is making, to promote the happiness and prosperity of the native population subject to this presidency. This is a part of my subject on which I could add much. I could show that every improvement of civilized Europe, including excellent roads, is in progress throughout these territories; and that the rajah of Sattarah, grateful to that state by whose wise and liberal policy he acquired the substance of a power he before nominally enjoyed, is vying with the British government in the forming of roads and the constructing of aqueducts. The evidence of that enlightened man, the late Bishop Heber, upon this point, may, it is hoped, be admitted as impartial. After travelling over the greater part of the British territories in the East, he observes, when speaking of those of Bombay: "On this side of India there "is more zeal and liberality displayed in the improvement of the "country, the construction of roads and public buildings, the "conciliation of the natives and their education, than I have yet "seen in Bengal. Mr. Elphinstone is anxious to do all in his "power to effect these objects."* And again, still speaking of these territories, he remarks: "No government in India pays so "much attention to schools and public institutions for education. "In none are the taxes lighter; and in the administration of jus-"tice to the natives in their own language, in the establishments "of punchayets, in the degree in which he (Mr. Elphinstone) "employs the natives in official situations, and the countenance "and familiarity which he extends to all the natives of rank who "approach him, he seems to have reduced to practice almost all "the reforms which have struck me as most required in the sys-"tem of government pursued in those provinces of our eastern "empire which I had formerly visited. Eventually," the Bishop concludes, "these institutions, thus preserved and strengthened, "may be of the greatest possible advantage to the country, by "increasing public spirit, creating public opinion, and paving the "way to the attainment and profitable use of further political "privilege."

26. The realization of the happy prospect past measures afford, must greatly depend upon the continuance of a good administration, and much upon that of the judicial branch. This, notwithstanding the great pains that have been taken to render it efficient to its objects, may no doubt be still susceptible of improvement. The Company's civil servants, by whom it is conducted are carefully instructed for their duties, which demand a full acquaintance with the language, the customs, the religion, the habits, and the

* Vol. ii. p. 219.

character of the people to whom they have to distribute justice. They are required to act according to regulations, and with strict observance of the principles of the laws they administer. They are, in every deviation from the prescribed forms, subject to the correction of the superior courts, and no institution ever contained within itself more efficient checks and control. The judges and assistants of these courts yield to no body of public servants that I know in integrity, talent, and qualifications for the high and peculiar duties they have to perform. They are, no more than those of any other service, infallible; and no doubt, when so much must be left to individuals,—when indispensable acquirements in language alone may be said to consume youth in study,—when it is more important that they should attend to the principles and the substance than the minute forms of justice,—occasional omissions of the latter may be detected. It is upon such real or supposed detection, with little other ground, and upon one or two cases only, that the learned judge, Sir J. Grant, has ventured, in his petition to the throne, to convey an impression, that the proceedings of the courts of Adawlut have been proved to be "grossly "faulty and unlawful;" and he intimates his conviction, that a desire to appoint the officers of these courts, is the cause why government wish them to be independent of the general superintendence of his majesty's Supreme Court.

27. The purpose for which this is stated is sufficiently evinced in a subsequent paragraph of the petition. "Your petitioner has heard," the learned judge observes, "that the distant provinces of "the Deccan, although for ten years under the government of the "servants of the East-India Company, are still in a very unsettled "state. But this does not apply to the island of Salsette, united "to the island of Bombay by a mole, and the districts of the "Northern and Southern Concans* and Guzerat, which have "for many years peaceably submitted to the British rule, and "maintaining commercial intercourse with Bombay: and your "petitioner would have supposed the circumstance of persons "coming, for the first time, from Poonah in the Deccan, of their "own accord, to demand justice peaceably and legally from your "majesty's court at Bombay, in a case in which they stated a "domestic outrage had been committed, and of the person against "whom the complaint was made, a man of high rank at Poonah, "placing your majesty's writ on his head, in token of his highest "respect for your majesty's commands, expressed according to "the manners of his country, and declaring as his reason for not "obeying it that he was under the jurisdiction of the Provincial

* This is one of many instances of Sir J. Grant's want of knowledge of facts. The Northern Concan was only made over to the British government by treaty in A.D. 1817; and the Southern Concan came into our possession by conquest in 1818, with other provinces of the Deccan. Many districts in Guzerat came into our possession in 1817.

" Court at Poonah, and that the British authorities under whose " protection he lived must answer for him, would have been hailed " as indicating that a great step had been made, which it was the " proper business of a wise government to encourage, towards " bringing these countries under subjection to the English courts, " and to an English purity and wisdom in the administration of " justice. But, be this as it may, your petitioner knows that all ' the native inhabitants within the ordinary jurisdiction of your ' majesty's Supreme Court look up to it with respect, and with ' confidence and gratitude for the administration of justice, and ' for the protection of their private and public rights; and that to ' shake its authority, and to weaken that respect and confidence, ' —to leave the Provincial Courts, appointed by the Company's ' government, without such control over their acts, when they may " violate private liberty, as is now by the law professed by your " majesty's Supreme Court, limited as that control is, and desti- " tute of the power of interfering with their lawful jurisdiction,— " and generally to place the inhabitants of these your majesty's " territories in India in a situation which the inhabitants of no " plantations, colonies, or foreign possessions of the crown of " England, where any English court of law has been established, " are or ever were placed in, namely, without the protection of " the writs of *habeas corpus*,—would be of most dangerous con- " sequence."

28. This is the prayer of the petition, upon which it has been my duty to remark. I shall conclude by some general observations upon its objects, and the results which might be anticipated from its meeting with attention.

29. From what has been stated in the speeches of the late Sir C. Chambers and Sir J. P. Grant, and from the present petition to the king, it appears that, beyond the ordinary and admitted jurisdiction of the Supreme Court, his majesty's judges contend for a right of royal prerogative (if it may be so termed), which would empower the Supreme Court to inquire into, prohibit, and check any wrongs in the course of perpetration, by any power soever, within the territories of the government, and to revise, remark upon, and control the proceedings of all other courts of justice, both criminal and civil, and to correct their errors, and remedy wrongs arising therefrom.

30. Before admitting this extended jurisdiction, and especially the law of *habeas corpus*, it is assuredly our duty to consider what is the actual condition of the country, and what has been the result of the measure adopted for its good government. The forms and rules of the courts of Adawlut, in their first institution, have, as I have shown more at length in a former part of this minute, been found so rigid and offensive to the feelings and prejudices of the people, that experience and policy have dictated a gradual

change, which is now in happy operation, and promises in its effects to conciliate and confirm in their attachment to the government, the minds of the inhabitants, to whom this system is, through the means recently adopted, becoming daily more familiar and intelligible. All these fair prospects must be completely destroyed, if the jurisdiction of the Supreme Court, in the manner contended for, is established.

31. The primary object of all law is to maintain the internal order and peace of the country; and that, in many of the territories subject to this presidency, can only be done by vigilant and vigorous proceedings against those by whom it is liable to be disturbed. Let us examine minutely what has been the effect, within the provinces of Bombay, of the legal ordinances and laws we have introduced; and from that we can judge what would be the certain result of the Supreme Court issuing writs of *habeas corpus* to the natives in the interior, under even the most moderate exercise of that power.

32. When the police of a zillah (or province) is in a bad state, and many serious offences have been perpetrated, without the apprehension of the criminals, the magistrate may apprehend (if he cannot obtain adequate security for their good conduct) old offenders and persons of notorious bad character, and keep them confined, unless they furnish bail for their good behaviour. If this was not done, villages would, in many instances, become desolate: the peaceable inhabitants would fear to remain in them and fly to other countries. In such cases of confinement for security, the magistrates, though acting according to the regulations, almost invariably complain that the superior judicial authorities (who have the power) are apt to release the suspected person with too little regard to the public peace and the safety of individuals. But what would be the effect of the *habeas corpus* power exercised by the Supreme Court? what opinion could that court possibly form of the necessity which existed for the confinement of the suspected person; or what faith would it give to the assertions of the magistrate? There cannot be a shadow of doubt, that every one of these men would be set at liberty; and the instant consequences would be, that villages and tracts of cultivation would become waste, peaceable and profitable subjects would be converted into desperate outlaws, the revenue would fall off rapidly, and regularity and public peace and security would be at an end.

33. The above statement may appear extreme; but unless the issue of writs of *habeas corpus* was deemed discretionary and to rest with his majesty's judges, who it is admitted can have no exact information of the actual state of the country, the full and active exercise of this power would early have an operation, little short of a general gaol delivery throughout all the provinces subject to this presidency. But it is quite obvious that the power

claimed is not consistent with the limits assigned to the court's ordinary jurisdiction. No cognizance can be taken by the Supreme Court of offences actually perpetrated in the provinces by persons not servants of government nor British-born subjects; for what purpose, then, or with what consistency, can the legislature be thought to have intended to vest the court with authority to inquire into and check, while in the course of perpetration, offences of which, when actually perpetrated, it can take no cognizance? Surely the legislature must have intended to leave the jurisdiction of those offences with the local authorities, whom alone it has empowered to take cognizance of them when perpetrated.

34. As for the power of superintending the Provincial Courts, which the Supreme Court has asserted, it is sufficiently clear it could never be exercised by the Supreme Court, unless that court were made subject to laws enacted by the local government, without destroying the whole authority and respectability of the latter. With a tribunal on the spot, over whose proceeding and rule of decision neither government nor any local authority has any control, vested with power to revise, remark upon, and regulate the proceedings and official acts of the public servants, what weight and respectability could the government possibly possess? The public officers would be more the servants of the court than of government: the support of the judges would be sought more sedulously than the approbation of the governor in council The selection, censure, approbation, promotion, or dismissal of officers in the judicial department, would be a subject of continual discussion and collision. But such a state of affairs can never be anticipated, as it is perfectly incompatible with the preservation of our power in India.

35. It has been said by the late Sir Charles Chambers,* that "if the power of the Supreme Court to issue mandatory writs of "the crown throughout the provinces be denied, any subject, "native or British, may be imprisoned unlawfully by any officer "of the Company's government, by a means the simplest and "most obvious, without any remedy afforded by any of the king's "courts in India; and a British subject may be imprisoned unlawfully, and openly, directly, and avowedly, by any native, be "he high or low, in any part of the British dominions in India, "out of the town of Calcutta and Madras and the town and "island of Bombay, without any remedy afforded by any of the "king's courts in India."

36. This power of the Provincial Courts over British-born subjects has nowhere been contended for, and needs therefore no remarks. It is scarcely possible that the learned judge could suppose that either natives or Europeans could be confined by

* Vide proceedings of the 29th September.

any other authority within the Company's territories than the provincial courts. But, with regard to the natives, let us see how far they are without remedy against unlawful imprisonment.*

37. In the criminal cases, government has bound itself and its officers by a formal enactment, that no person can be imprisoned without a previous formal inquiry by the magistrate or criminal judge. All important causes must next be investigated by the judge on circuit, whose periodical tours must be made at least twice in the year, and who is required by the regulations to receive and attend to all complaints, and to visit the gaol on each circuit, for the purposes of personally ascertaining the state of the prison, and of receiving and investigating any complaints that may be made by its inmates.

38. In civil cases (of imprisonment for debt), the inhabitants of the Bombay provinces are infinitely better off than even the favoured natives of Britain. Every man can here demand his personal release from imprisonment at any time, after due notice being given to his creditor, by surrendering all his goods. No honest debtor can be imprisoned for a debt longer than three years; and even in cases where fraudulent concealment has been proved, not more than five years. Finally, if any native is dissatisfied with the decision passed in his case by the Company's courts, he can appeal to the king in council.

39. How, therefore, could the late learned judge assert, that the inhabitants of these provinces are without appeal or redress in cases of wrongs or imprisonment, when our laws may fairly challenge the world to show a greater example of liberality, or more active vigilance to provide for the comfort of criminals under sentence, and to prevent the possibility of unfortunate debtors suffering unreasonably from the vindictive feelings of creditors?

40. I have been induced to dwell particularly on this subject, as the learned judge, Sir J. P. Grant, in his petition to his majesty, has assumed the same grounds as his late colleague; and states that the refusal to sanction the writs of *habeas corpus* to the natives in the provinces, could have no other object than to give "to the Provincial Courts, and to the Governor in Council "through them, the unlimited power of arbitrary and indefinite "imprisonment of all persons, whether British-born, or natives or "foreigners, whom they shall find in any part of the extensive "territories of this Presidency, beyond the natural limits of this "little island, without any means afforded to the persons so im-"prisoned of obtaining their liberty, but through the good-will "and pleasure of the Governor in Council."

41. The above, I have no hesitation in stating, is an unsupported assertion. *It implies that the Provincial Courts of the* Company are either powerless or corrupt—powerless as being

* Vide Regulation XIV. 1827.

unable to protect the personal liberty of the inhabitants, or corrupt as looking for the directions of the government before they distribute justice to their suitors. What I have stated will show that there is no ground whatever for the first part of this charge; and with regard to the second, a high-minded judicial character should not have accused others, exercising the same sacred duties as himself, of subservience to a government which cannot, without a violation of the established laws of the country, interfere with their jurisdiction.

42. If the facts and arguments I have stated in this minute be correct, the evil will greatly overbalance the good of admitting the power of the Supreme Court to be exercised, in any shape, beyond the limits of its ordinary jurisdiction, except over British-born subjects; and even with regard to them, the acts now in force will admit of most salutary modifications; and such I conceive might be made, in a manner that would reconcile the full support of the local government, with every check and control against its arbitrary acts or abuse of authority.

43. The condition of our eastern empire has greatly changed since the acts of parliament, by which a great number of the native public servants in the provinces beyond the ordinary jurisdiction of the Supreme Court was made in certain cases amenable to its authority. The evils which arose from Europeans rendering natives the instruments of abuse, no doubt called for that provision of the law, which gave to his majesty's judges cognizance of offences of native public servants; but the system has of late undergone a complete change, and the internal rule of the Company's provinces under this presidency is as perfect as the nature of circumstances will permit. Laws and regulations have been introduced, and every control instituted, that is compatible with the existence and efficiency of authority; and the checks upon no class are more complete than those established over the native servants, who nevertheless still continue liable to the power of a court of which they have no knowledge, and of whose forms and rules they are as ignorant, as of the responsibility they incur by being subject to its jurisdiction.

44. Since the first establishment of the courts of Adawlut at this presidency all the changes that it has been found expedient and politic to make, have (as has been before stated) had a tendency to diminish forms, and to approximate the administration of justice to the understanding and habits of the natives, on many of whom high and cherished privileges of exemption from these forms have been conferred, from a desire, by this and other efforts, to preserve and create a native aristocracy. But this hope, among others, must be completely disappointed, if the representations of his majesty's Supreme Court at Bombay were to receive attention.

45. The Supreme Court assumes that, under virtue of the acts of parliament and charters, the natives of the British territories in India have rights as British subjects, which entitle them to all the privileges enjoyed by his majesty's subjects in England. It is as difficult to reconcile to reason as to meet with arguments such an extreme statement. Setting aside that it overlooks all the established institutions of the country, it may be asked, what is there similar in the condition of the inhabitants of the conquered provinces of India to those of the countries of England, or even to its subject colonies? and if it were granted that the former has a right to one part of our constitution, why deny them others? Why not decide that they have a right of representation and of franchise, of being tried by their peers,—of every other political freedom—as well as that of the protection of the law of *habeas corpus?* Against their possession of such rights, there is certainly the objection of the total impracticability of rendering them operative, or of their being justly appreciated, arising out of the character and condition of the community by which they are to be enjoyed.

46. What are deemed the greatest of blessings in England would, with a great proportion of the inhabitants of the provinces of India, be viewed as the worst of curses. Notwithstanding all the efforts that have been made, many of these are as yet but imperfectly informed, and far from reconciled to courts of Adawlut, that have been so studiously rendered conformable to their habits, prejudices, and religion. A century would elapse before they could be made familiar with a new law, in a foreign language, unbending in its forms, dilatory in its process; with presiding judges ignorant of their language, their feelings, or their character; and if informed, bound to a strict administration of justice according to statutes framed for races of men in a totally different state of society. But it is assumed that parts only of these laws are to be introduced, and it is argued, that the limitation of the exercise of jurisdiction should be, on all occasions, at the discretion of the court, not government.

47. The learned judge, Sir J. P. Grant, dwells in his petition upon the necessity of the introduction of the law of *habeas corpus* to prevent misrule and oppression; and he adduces, as a proof of the respect in which this process of the court was held, Pandoorung Ramchunder placing his majesty's writ upon his head. Had the learned judge been minutely informed of subsequent proceedings regarding this writ, he would have discovered, that the action he describes resulted more from dread than reverence of this mysterious paper, the supposed contents of which created more alarm from being wholly unintelligible to the party to whom it was addressed. But the whole of the case of this native, and the acts, assertions, and arguments to which it has given rise, show

what might be expected if the jurisdiction of his majesty's court extended to the provinces. The proceedings are grounded upon affidavits notoriously false. Moro Ragonath is described as being at Bombay, where he was never during his life. He is stated as being under restraint and in danger of his life, from the severity and probable treachery of a cruel and interested guardian, at the time when he is openly enjoying himself in amusements, and has all the latitude of action a kind and liberal relation could give without betraying his trust. Dark insinuations are made and repeated, ascribing the most criminal motives to Pandoorung Ramchunder, though it is obvious to all acquainted with Hindoo law, that person could in no shape benefit by the death of his ward. Notwithstanding these indisputable facts, the reply is, in this as in all cases brought before the Supreme Court, that his majesty's judges can, according to rule, have no knowledge of them till they come before them in evidence. As a principle of justice this is correct; but its operation, in cases where there is so little community of knowledge as between the Supreme Court and the natives of our provinces, would often be most cruel and oppressive. Individual character would be destroyed before it could be defended; and those that suffer would have little consolation from being assured that they had done so, not from the want of justice or humanity of the judges of his majesty's court, but from their want of information, and credulity. Of the latter an extraordinary instance has been before noticed. The late Sir Charles Chambers asserted from the bench, that Pandoorung Ramchunder was in Bombay, and soliciting an interview with him; and though fully informed, through the advocate-general, that the latter possessed the most minute and undeniable proof of the uninterrupted residence of that native within the city of Poonah during the whole period of the proceedings, the assertion of his being at Bombay was not contradicted; and it may perhaps be brought forward as one of the facts, to support what the learned judge, Sir J. P. Grant, implies in his petition, "That the whole circumstances of this case evinced a desire in the respectable inhabitants of the Deccan to demand justice from his majesty's court. That desire," he observes, "should have been hailed, as indicating that a great step had been made, which it was the proper business of a wise government to encourage, towards bringing these countries under subjection to the English courts, and to an English purity and wisdom in the administration of justice."

48. Never was a case more unhappily selected than the one adduced by the learned judge to support his arguments; for I can have no hesitation in asserting, that this case has, in every minute part, as well as in its general features, been calculated to excite no sentiments among the respectable inhabitants of the Deccan, but distrust and alarm of his majesty's Supreme Court, and that

it has excited hopes and confidence in none but low and artful men, who view the extension of its power as a source of corrupt profit.

49. If the judges, as they have declared, are so bound as to have no latitude of action, it follows that they cannot consult state necessity, even if they had the means of judging its existence. It follows, also, that they cannot be guided or checked by the nature of circumstances; and it necessarily follows, that writs of *habeas corpus* and others would be granted of right on affidavits. These must, under such circumstances, soon become a fruitful source of profit and plunder. The very case now at issue is a proof of the facility with which intriguing and corrupt men could extort any sums from the fears and ignorance of their more respectable countrymen; who, rather than be dragged before a court of law at Bombay, would agree to any terms, or pay any amount, to secure their character from real or supposed disgrace. Some of the false accusers of Pandoorung Ramchunder have been guilty of perjury; but their trial has been put off by the Supreme Court for several months; and that respectable man, had the government not interfered, would have been forced to the bar of the Supreme Court, to the forfeiture of the privileges conferred on him by government, and probably to the loss of his character and of much of his property; for he would have been no match in that scene for his enemies, leagued, as they no doubt are, with artful men skilled in all the form and fictions of a court of law, of which he is wholly ignorant.

50. The case of this respectable native would early be that of many others. These would early lose their confidence in government and its institutions; particularly the judicial branch of the administration would sink into contempt. The natives of these provinces cannot yet understand those definitions and distinctions of authority with which education and experience render us familiar. The power they saw superior in one instance, would be conceived so in all; and when such impressions were general, as they soon must be, it would be quite impracticable to preserve our territories, without a total change in the whole frame and substance of their administration.

51. I shall, on a future occasion, remark upon the results of the proceedings of the Supreme Court, as they relate to the island of Bombay; and on the serious evils which have already arisen, from erroneous impressions of its power and intentions being made upon the minds of several of the princes and chiefs subject to the control of this government.

52. Syajee, the prince of Baroda, I shall hereafter show, is hurrying to his ruin, in consequence of the false confidence he reposes in the power of the Supreme Court to adopt his cause

Dowlut Row Scindia; while the princes and chiefs of Sagur, of Rajpootana and Malwa, as well as several of those of Western Hindostan, came more directly under our protection as lord paramount of all India; a condition which we had at this period been compelled by irresistible and uncontrollable events to assume, contrary to all the maxims of policy which from the first commencement of our career in India had been impressed upon the attention of those entrusted with the rule of our eastern empire.

II. What is the actual condition of our relations with the several states?

The actual condition of our alliances with different states is, in only a few cases, materially altered since the publication of the works before alluded to. At Baroda there has been an important change in the mode of maintaining our relations with the Guicowar family. The original causes of this change are very fully detailed in my Minute of the 15th January, 1829, and subsequent arrangements are recorded in my Minute in the political department during the year 1830. These opinions were opposed to many local interests, and were at variance on some essential points with those of my colleagues in government, but they were approved by the governor-general in council. Their object was to release the English government from numerous guarantee engagements to the creditors of the Guicowar state, and thereby to put an end to that constant and vexatious interference in the affairs of our ally, which had tended to lower him in the estimation of his own subjects at his capital of Baroda, and to attract their chief attention to the British resident, and to those who were connected with him, or who had obtained our protection. In order to give full effect to the measures above alluded to, the British representative was removed to Ahmedabad, which was formerly the capital of Guzerat, but is now situated within the English territories, under the designation of Political Commissioner for Guzerat and Kattiwar, his duties have been considerably increased as well as his authority; a political agent who acts under him, resides in the latter province, and an assistant at Baroda, which, being only seventy miles from his present station, he frequently visits.

The measures adopted by me to settle the affairs of Baroda, met with opposition from the infatuated Syagee, the present ruler of that state, because he desired more power than he possessed, and from my colleagues in government, because they desired he should have less. The line I pursued was, however, as I have stated, fully approved by the governor-general in council, and also by the Indian government in England. It is, I am satisfied, the only one that can save from destruction the ancient family of the Guicowar, from whose friendship we have derived such essen-

tial benefits, and at the same time preserve unsullied that faith which has been solemnly, though, in some instances, impolitically pledged to individuals. Many difficulties will occur, and many obstacles will oppose, the successful execution of this plan, but if the ends it is calculated to attain are considered by the government abroad and at home, of the local importance which I attach to them, these difficulties and obstacles will vanish, when it is seen that there is a determined resolution not only to maintain, but to carry through, the measures which have been adopted. There are objections to all such energetic measures of state policy, and one more complicated and more difficult to disentangle I never encountered, than that of which I am writing. It presented a choice of evils and embarrassment. I chose an open intelligible course; and I am very positive, that if it is decidedly supported, every good I anticipated will result; but if minor considerations, and partial failures in some of its parts, have the effect of lessening our zeal and activity to preserve this native state, it will fall as all similarly situated have done.

I am decidedly of opinion, that the tranquillity, not to say the security, of our vast oriental possessions, is involved in the preservation of the native principalities which are dependent upon us for protection: of these the most important are, the King of Oude, the Rajah of Nagpore, the Soubahdar of the Deccan, the Rajah of Mysore, and the Guicowar. These are all so obviously at our mercy, so entirely within our grasp, that besides the other and great benefits (that I have elsewhere noticed), which we derive from those alliances, their co-existence with our rule is of itself a source of political strength, the value of which will never be known till it is lost. They show the possibility of a native state subsisting even in the heart of our territories, and their condition mitigates, in some degree, the bad effects of that too general impression, that our sovereignty is incompatible with the maintenance of native princes and chiefs. I shall not stop in this place to examine into the truth or otherwise of the notion, that we have sought occasion to reduce our allies to the condition of stipendiaries, after having made use of them to serve our own purposes. It is in many cases untrue, and in all exaggerated; but it is very general, and forms one of the leading, most plausible, and most popular grounds of combination against our power. This I have had ample opportunities of knowing to be a fact; and I am further convinced, that though our revenue may increase, the permanence of our power will be hazarded, in proportion as the territories of native princes and chiefs fall under our direct rule. There are now none of the latter who can venture to contend against us in the field. They are incapable, from their actual condition, of any dangerous combination with each other, and they absorb many elements of sedition and rebellion. It is fur-

ther to be observed on this part of the subject, that the respect which the natives give to men of high birth, with claims upon their allegiance, contributes greatly to the preservation of the general peace: such afford an example to their countrymen of submission to the rule of foreigners, they check the rise of those bold military adventurers, with which India ever has and ever will abound, but who will never have the field widely opened to their enterprizes, until our impolicy has annihilated or suffered to die of their own acts, those high princes and chiefs, who, though diminished in power, have still the hereditary attachment and obedience of millions of those classes who are, from habits and courage, alike suited to maintain or to disturb the public peace.

Lucknow has survived more vicissitudes than any state with which the British government was ever connected in India. It is about seventy years since our first treaty with its ruler. The same family is still on the throne, and, notwithstanding numberless changes, in full exercise of the internal sovereignty. The date of our alliances with Mysore and Baroda are nearly the same, both being upwards of thirty years. The first is a creation made on the subversion of the power of the family of Hyder Ally, in 1799; and well it has answered the use and politic purposes for which it was formed. I have elsewhere observed upon the benefits we derive from the existence of this principality, but I have added, "That it is the misfortune of this connexion, that its 'nature, though excellent, is so delicate, as to be more liable 'perhaps to injury from inattention or from a cessation of active 'and spirited support, than from a bold and unblushing attack. 'The Mysore state is, in fact, so actually dependent upon us, and 'its dependence is so marked by the number of British troops sta-'tioned in its territories, that nothing but the English government 'being constantly alive to the character and value of the con-'nexion, can keep it in that state of elevation and respectability 'which appear to be absolutely necessary for its existence."

The condition of Baroda is, perhaps, one of not less hazard than Mysore. Both require for their preservation to have every question relating to them judged not only with reference to local circumstances, but to an enlarged policy, which embraces the consideration not of a part, but the whole empire, and it is this consideration which has ever led me to regret that such states should be placed under subordinate governments, which have neither the information nor knowledge which belongs to the Supreme Government, to enable them to judge large questions of policy, and are besides liable to influences that often operate unfortunately to the native dependent states subject to their control. But I must nevertheless state that under the actual shape of our rule in India, it is very difficult, and in some cases almost impos-

sible, to make a different arrangement. This, however, is a subject which I shall again notice when I come to treat of the construction of the local governments of India.

My sentiments in respect to the princes and chiefs of Rajpootana and Malwa, are fully stated in the Memoir on Central India. My more recent opinions of their actual state, and of the measures calculated to give permanent tranquillity to this important quarter of India, you will find upon your records, in my communications to the Chairman and Deputy Chairman of the Court of Directors, and to the President of the Board of Control, previous to my departure for Bombay, in July 1827. It was at that period the intention of the President of the Board that I should, in addition to the charge of the government of Bombay, have the supervision and control of the administration of Central India, under the orders of the Governor-General in Council, but circumstances occurred, on which it is not necessary in this place to observe, to prevent the execution of this plan, and little if any change was made in that important part of our dominions.

Principles nearly similar to those which I recommended for Central India, should govern us in the preservation of our treaties and engagements with the princes and chiefs of Kattywar and Cutch, and I entreat the attention of the Board to my minutes under date 24th September 1829, and 10th October 1829, on the actual condition of these countries. It is of importance also, as connected with the peace and means of defence of the Western side of India, that we should keep up our amicable relations with the Imaum of Muscat and the numerous petty Arab states of the Gulph. These latter have been till very lately pirates; but by the wise and vigorous policy of Mr. Elphinstone, when governor of Bombay, which I have followed, their outrages have been repressed. This has been effected by the constant station of a naval force in the Gulph, combined with the encouragement given to the employment of the vessels of the Arabs in trade, and I am confident we shall, if we persevere, eventually change the habits of this race of men, a result which will be of great benefit to the general commerce of India, while it promotes civilization, and adds to our strength in a very vulnerable quarter, for in no part of our territories have we more to guard against from an European enemy than in this; and on the means we prepare, more than on those we could collect at a moment of danger, we must depend for their security against such attack. I shall not here enter upon any detail regarding the nature of the connexion which we have established with Persia and Bagdad; the latter point will be found fully treated in my minute of the 20th November 1830. I shall only observe that our best guarantee for the continued friendship of such states, is the power we possess of aiding or

attacking them on occasions of emergency: but this part of the subject will be noticed in answer to a subsequent query.

III. What is the amount of military force required in each instance? whether,
1st. By express stipulation?
2d. By the ordinary effect of our obligations?
3d. As a security against extraordinary risks?

The military force required in the countries of allies and protected states is, I believe, chiefly regulated by attention to the best positions for the maintenance of the general peace and the defence of the country: circumstances have sometimes required more troops to be stationed in the territories of states with whom we have engagements than the exact numbers for which we had stipulated. The amount of the force we have agreed to furnish will be found in the treaties. Where fewer men were thought sufficient, either for ordinary service or extraordinary risks, I cannot think there would be any difficulty, in obtaining the consent of the native ruler to their diminution, particularly as our subsidized troops are, I believe, in almost every case paid for by a cession of territory.

IV. What is the character and what the extent of the interference exercised by us in the internal affairs of the Protected States.
1st. What is the real nature of the duties that belong to Political Residents and Agents?
2d. What are the effects that have resulted and those that are to be anticipated on the interests of the protected Princes, of their people, and of our own subjects, from the relation in which they stand to us as heretofore acted upon?

The character and extent of the interference exercised by us in the internal affairs of protected states depends so much upon the condition and local circumstances of the state, and the personal characters of their rulers, that without going into the detail of each separate kingdom and principality under our protection, no definite opinion can be given. Regarding those general rules which should regulate our conduct towards such powers, I have stated my sentiments very fully both in the Political History of India and the Memoir on Central India. In the latter work I have observed that,

"It appears of essential importance that the great change which "has taken place in the British empire in the East should be fully "understood. We have been reluctantly compelled, by events "far beyond our power to control, to assume the duties of lord

" paramount of that great continent; and it is now confessed by " all, that our dominion can rest upon no secure basis but the " general tranquillity of India.

" Our present condition is one of apparent repose, but full of " danger. With the means we had at our command, the work of " force was comparatively easy; the liberality of our government " gave grace to conquest, and men were for the moment satisfied " to be at the feet of generous and humane conquerors. Wearied " with a state of continued warfare and anarchy, the loss even of " power was hardly regretted; halcyon days were anticipated, and " men prostrated themselves in hopes of elevation. All these im- " pressions, made by the combined effects of power, humanity, and " fortune, were improved to the utmost by the character of our " first measures. The agents of government were generally indi- " viduals who had acquired a name in the scene in which they " were employed; they were unfettered by rules, and their acts " were adapted to soothe the passions and accord with the habits " and prejudices of those whom they had to conciliate, or to re- " duce to obedience. But there are many causes which operate " to make a period like this one of short duration; and the " change to a colder system of policy, and the introduction of our " laws and regulations into countries immediately dependent upon " us, naturally excite agitation and alarm: it is the hour in which " men awake from a dream. Disgust and discontent succeed to " terror and admiration; and the princes, the chiefs, and all who " had enjoyed rank and influence, see nothing but a system doom- " ing them to immediate decline and ultimate annihilation.

" This view of the subject applies only to the countries under " our immediate sway. That government of influence and control " which our condition forces us to exercise over many of our allies " and dependents, presents more serious difficulties. These may " be mitigated, though they cannot be wholly removed, by our " adopting the mean between two extremes in our conduct towards " the native states which are thus situated. We must alike avoid " the minute and vexatious interference which counteracts the purpose for which we maintain them in existence by lessening their power, and consequently their utility, and that more bane- ful course which, satisfied with their fulfilling the general con- ditions of their alliance, gives a blind support to their authority, ' however ruinous its measures to the prosperity of the country ' and the happiness of its inhabitants. If policy requires that we ' should govern a considerable part of India through the agency ' of its native princes and chiefs, it is our duty to employ all our " moral influence and physical power to strengthen instead of " weakening these royal instruments of government. No specu- " lation of comparative improvement or better administration " should lead us aside from this path. The general good effected

" by our strictly following it must always overbalance any local " benefit which could be derived from a temporary deviation; if " compelled by circumstances to depart from this course, it is " wiser to assume and exercise the immediate sovereignty of the " country than leave to such mock and degraded instruments any " means of avenging themselves on a power which has rendered " them the debased tools of its own misgovernment. Those who " are the supporters of a system that leaves a state which our " overshadowing friendship has shut out from the sunshine of that " splendour which once gave lustre almost to its vices, to die by its " own hand, to perish, unaided by us, amid the destruction which " has been produced by an internal administration consequent to " our alliance, can have no rational argument but that the speediest " death of such governments is the best, because it brings them " soonest to the point at which we can (on grounds that will be " admitted as legitimate both in India and England) assume the " country, and give it the benefits of our immediate rule. This " result, however, is the very evil against which we have to guard. " Increase of territory will, in spite of all our efforts, come too ra- " pidly; but to be at all safe, the march must be gradual towards " a crisis which cannot be contemplated without alarm.

" The cause which has compelled, and will continue beyond all " others to compel us to increase our dominion, lies deep in the " character of our power. We have, whenever our authority is in " question, no retreat. Our situation is unlike that of a national " government which is associated in language, prejudices, habits, " and religion with the people it governs: this want of natural " root in the soil forces us to adopt a course of action, which a " state, differently circumstanced, might avoid. The necessity of " not injuring the impression upon which the very foundation of " our authority rests, obliges government to carry through, at all " hazards, every dispute and contest with the inhabitants of our " own provinces, or those of any state which we protect. The " measures of a local officer which occcasion this necessity may " be disapproved of; but our name and ascendancy must be sup- " ported, and victory must on any terms be obtained; for we can- " not long exist if our strength be even doubted."

I have subsequently, in the same work, observed, " The pros- " tration of all ranks to our power is at this moment so complete, that the temptations to reform abuses and to introduce specula- ' lative improvement, are almost irresistible to those whose warm ' and generous impulses are not corrected and restrained by the ' severe but salutary lessons of experience. Men placed in such ' scenes are slow to believe that almost every measure tending to ' produce sudden change, however good it may appear in the ab- ' stract, is attended with evil consequences; and that it belongs not to human wisdom subsequently to regulate the impetus of

" that action which has been precipitately and unseasonably " excited in large communities. These observations acquire " great importance in their application to our Eastern empire, the " population of which comprises all classes, from the most intelli- " gent to the most ignorant, from the most courageous to the most timid; and though these are divided by their separation into tribes and castes, as well as by their various dispositions, pursuits, and qualities, there are some general sympathies associated with their prejudices and religion, which give them a disposition to unite, and of such feelings the more instructed part of the society know how to take full advantage whenever it suits their purpose. The Mahomedan priests, the Brahmins and ' other civil classes, have for ages been the nominal servants but ' real masters of the turbulent and bold, but ignorant and super- ' stitious, military races of their countrymen. Their knowledge " how to use this dangerous influence has been rendered complete " by frequent exercise; and when we consider what they have " lost by the introduction and extension of our dominion, it would " be folly to expect exemption from their efforts to subvert it: " their success will depend on the means we place within their " reach.

" We are and must remain, from the construction of the so- " ciety, completely separated from the natives of India, and we " can only defend ourselves against attack by preventive mea- " sures, and by keeping weapons from the hands of those who are " likely to become our enemies. Our condition does not merely " limit the attainment of that knowledge which appears necessary " for our safety, but it compels us after we have attained it to be " most cautious in its application. Our suspicion of danger may be confirmed by signs of its approach, but we must not even then make open preparations against it, for if we ever appear to doubt our own strength, it will be doubted by others; and it is of a character that cannot long survive the general impression of its durability."

This subject is fully treated, with reference to local circumstances, in my instructions to my assistants in Malwa; but the following extract from these is general in its application to all India: " Many questions will occur, deeply connected with our " reputation for good faith, which cannot be decided by any exact " rules; but whenever that is concerned, the tone of our feeling " should be very high; it is the point upon which the moral part " of our government of this great empire hinges, and in these " countries where our rule and control are new, and in which the " inhabitants cannot yet understand any explanations that do not " rest upon broad and obvious grounds, the subject requires much " attention: there are many cases in which our faith, though not " specifically is virtually pledged to individuals. Ministers, for

" instance, of minor or incompetent princes or chiefs, who have " been brought forward or recognized by us in the exercise of " authority, have a claim upon our support and consideration, " which nothing but bad conduct on their part can forfeit. We " should, no doubt, be most careful in any interference that leads " to such obligations; they are only to be incurred when a ne- " cessity that involves the peace and prosperity of the country " calls for them, but they must be sacredly observed; for with a " people who look in all questions of government more to persons " than systems, the abandonment, except from gross misconduct, " of any individual who had been raised or openly protected by us " would excite stronger feelings than the breach of an article of a " treaty, and locally prove more injurious, as it weakens that reli- " ance upon our faith which is the very foundation of our " strength.

" We may rest satisfied, while we pursue the course I have " stated, (and it is the one to which our faith is almost in every " case either directly or by implication pledged,) that we have, " from our paramount power, a very efficient check over states " and tribes whose rulers, officers, and chiefs, will soon discover " that they can only gain our favour and support by good conduct, " or forfeit it by bad. With such knowledge, and with means " comparatively limited, we cannot expect that they will be dis- " posed to incur displeasure, when the terms on which they can " gain approbation are so easy; at least no men possessed of " common sense and discernment (qualities in which the natives " of India are seldom deficient) can be expected to act in such " a manner: but we must not conceal from ourselves, that their " conduct in this as in all other particulars, will rest chiefly on the " value of that condition in which they are placed, or rather left; " and in proportion as we render it one of comfort and dignity, so " will their care be to preserve our good opinion and to merit our " confidence. It is, indeed, upon our success in supporting their " respectability that the permanence of a system of control over " great and small native states, such as we have established in this " quarter of India, will depend. We have no choice of means in " the performance of this delicate and arduous part of our duty; " though the check must be efficient, it should be almost unseen: " the effect ought to be produced more by the impression than " the exercise of superior power. Our principal object must be " to elevate the authorities to whom we have left the administra- " tion of their respective territories; we must in all cases of in- " terference bring them forward to their own subjects as the pro- " minent objects of respect and obedience: so far from the agent " attracting any to himself, he should purposely repel it, that it " may be given to the quarter where it is wanted, and to which it " belongs. When we aid any prince or chief against his own sub-

" jects, his name should be exclusively used, and we should be " most careful in making our native agents and servants pay the " full measure of respect to every branch of his administration, " and continually be on the watch to check that disposition which " is inherent in them to slight local authorities, that they may in " the name of their master draw that attention to themselves which " it is quite essential should belong to the officers of the native government. It is evident that our control can only be supportable to any human being who has the name and appearance of power, so long as it is exercised in a general manner and regulated by the principles above stated. When it descends to minute checks and interference in the collection of revenue, to " administration of justice, listens to the complaints of discontented, or even aggrieved individuals, and allows upon system its own native agents to interfere and act in the name of the paramount state, the continuance of independent power in any shape to either prince or chief, is not only impolitic, but dangerous, as his condition must be felt by himself and by all attached to his person or family as a mockery and degradation, and the least effect of such feelings will be the extermination of all motive to good or great actions. For when control is divested of its large and liberal character, and takes a more minute shape, whatever merit belongs to the administration becomes the due of the person by whom it is exercised, or his agents, and the nominal prince or his officers are degraded into suspected and incompetent instruments of rule.

" In this general outline of our interference with the rulers, " great and small, of this part of India, I have dwelt much upon " the political considerations upon which it is grounded; because " I am convinced that there is no part of the subject that requires " to be so deeply studied and so fully understood as this should " be by every subordinate agent; for there is no point of his duty " which is at once so delicate and arduous, or in which success or " failure so much depends upon individual exertion. He will be " prompted to deviate from the course prescribed by the action of " his best feelings and by hopes of increasing his personal reputa- " tion, but he will be kept steady in that course by a knowledge of " the importance of those general principles on which the present " system rests. It is in the performance of this part of his duty " that all which has been said regarding manner and intercourse " must be in his memory; for men in the situation in which those " are, with whom he must in all cases of interference come in " contact, are not to be conciliated to their condition, nor kept in " that temper towards the paramount authority which it is neces- " sary for its interest they should be, by mere correctness or strict " attention to justice. The native states must be courted and " encouraged to good conduct, and the earnest endeavour of the

" British agent must be to give their rulers a pride in their admi-
" nistration ; to effect which object he must win to his side not
" only the rulers themselves, but the principal and most respect-
" able men of the country. In his efforts to gain the latter, however,
" he must beware of depriving the local authority of that public
" opinion which is so essential both as a check to misrule and a
" reward to good government, but which would cease to be felt
" as either the moment the ties between prince and subject were
" seriously injured or broken."

We have long had intimate relations with the Nizam of the Deccan; our interference in the internal rule of that state has within the last thirty-five years been repeatedly changed, varying with the character of its prince and that of the ministers to whom the immediate administration was confided. It could hardly, perhaps, have been otherwise, from local circumstances, and the wars which have occurred since the alliance was formed; but its effects upon the country and the inhabitants have been very unhappy; and it is desirable, when we have a prospect of continued peace, that this large state should be governed by principles as settled and defined as the nature of such connexions will admit. The same observations apply to the state of Nagpore, of Lucknow, and to the government of Scindia; for though the latter is not bound to admit our interference by any treaties, it is so virtually dependent upon the British government, and so surrounded by princes and chiefs under our protection, that we cannot, however much we may desire to do so, abstain from taking a deep interest in its condition, and in the conduct of its rulers, inasmuch as their acts may lead to the disturbance of the general tranquillity of India.

I was called upon by a private letter from Lord W. Bentinck to give my opinion on the subject of our interference at the court of the King of Oude, a very short time before I left India. I cannot better give my sentiments upon this subject than by quoting from my reply. Referring to Lucknow, I observed,

" Before entering upon any particular case, it is most essential
" to look through it to fix our minds at the commencement in a
" decided manner upon the objects we desire to attain.

" Supposing it to be our object to keep the internal administra-
" tion under its native princes, you cannot expect that the subjects
" of such a state will always have equal happiness and security;
" that will vary with the character of princes and their ministers:
" but if my experience is correct, we may calculate that, protected
" as they are from external attacks, and from any very outrageous
" injustice, by our power and general control, the inhabitants of
" the territories of our allies have enjoyed and will enjoy, as much
" content and comfort, particularly the superior classes, as those
" of our own provinces. This is contrary to common opinion
" and to recorded statements, but it is my firm belief. Supposing,

" however, this not to be the case, we must adopt a principle " that will go rapidly to the establishment of direct rule all over " India, before we can admit that our system of government " being better, is a legitimate ground for the establishment of our " authority over any countries now governed by native princes: " the maintenance of the latter, however, is in my opinion at once " politic and just. Deprived of all power to contend with us in " war, they still possess (as long as we leave it to them) a suffi- " cient stake in the empire to make them and their adherents take " an interest in its tranquillity.

" Their kingdoms and principalities offer an asylum and em- " ployment to classes of men who could not yet reconcile them- " selves to our mode of rule; for these reasons I must dread the " too rapid advancement of our power over what remains to na- " tives, as an evil. I am sickened with that mawkish morality " that argues upon the sin and inhumanity of our tolerating abuses " and misrule, which we have the power to correct, and in which, " from possessing that power and not exercising it, we are said to " become in a degree implicated: I neither admit the facts nor " the deductions. I could mention provinces in every part of our " territories in which over-assessment, the forms of the Adawlut, " and inefficient police, have produced more discontent, degrada- " tion, and suffering to the inhabitants than I ever knew under " native governments.

" But supposing this not the case, we cannot admit our right " to carry the privilege of giving advice and a modified interfer- " ence, stipulated by treaty, to go, under any circumstances short " of hostilities, extreme public danger, or the violation of faith, to " the establishment of a right to assume the government of the " country with the prince of which our treaties are contracted. " Concluding these to be your Lordship's sentiments as well as " mine, the question is narrowed as to the best manner of pre- " serving the native government of Lucknow, of seeing faithfully " fulfilled our positive engagements, and of ameliorating the con- " dition, or lessening, as far as we have the power, the sufferings " of the subjects of an ally from his weakness or tyranny. We " cannot refuse him the aid he is entitled to by treaty, but we " have a right, which should be rigidly maintained, not to allow " our aid to be used for unjust purposes; we cannot prevent our " protection affording him the means of abusing power that he " would not otherwise possess, but if his conduct is systematically " bad, we may, on good grounds, abstain from granting him aid; " our doing so must effect some reform through the distress and " embarrassment in which he would be involved. In the event, " however, of his not being able to quell disturbances which he " had excited, and the general peace of the country becoming " disturbed in a degree that affected our own provinces, inter-

" ference would become unavoidable: such a state of affairs would " render a prince incapable of fulfilling the obligations of the " alliance. But even in this extreme, I would rather see him " deprived of power, and another placed upon the musnud or as- " sume his territories, than attempt to govern them through a re- " sidency and a minister in opposition to the nominal head of the " state. Our condition forces us upon many expedients of admi- " nistration, and this latter has been often tried; but I am quite " satisfied that unless in cases of a minor of acknowledged natural " imbecility, it is from many causes the very worst species of rule " that can be adopted, both as it affects the temper and happiness " of the people, and the good name of the British government."

After detailing the mode of proceeding which appeared to be best adapted to actual circumstances at Lucknow, I concluded by observing, whatever measures are adopted, " will, after all, in a " great degree, depend upon the agent who has to carry them " into execution. If a weak man, the tempting scene will lead " all to impose upon his weakness; if able, but not conciliating in " his manner or temper, he will, by constantly fretting them, place " the king and court in array against him; if difficult of access, " and a *Bahader**, he will, whatever be his experience and know- " ledge, certainly fail in doing more than persuading government " of the necessity of leaving the crown to the king of Oude, but " of making the British representative viceroy over him. If the " resident adds to efficiency, from other qualifications, humility of " heart, kindness of manner, and is easy at all periods of personal " access, he will eventually work reform in the worst of native " courts; but he must keep aloof from all intrigue; he must hear " no complaints beyond what his duty absolutely requires, " of the native ruler and his minister; he must give no private " audiences, and be content to make many sacrifices to impart " good feelings and confidence. Such a man, if he conducts the " intercourse with a ruler and his minister himself, although an " assistant, and has great toleration for the deviations of native " princes and their ministers from what we deem the right path, " may be trusted in close contact with a native court; but in the " condition these princes and ministers are, and our altered rela- " tions, I should, on the whole, prefer the resident's being at some " distance, if that was not attended with a great diminution of his " means of performing his indispensable duties; it will afford us " better chance of preserving the native state alive. It subjects " our reputation to less injury, for where evil measures are adopted " that we cannot prevent, it gives us political strength in the con- " trast instead of mixing our name with misrule."

* This native title, as applied here, means one that is fond of personal power and display.

V. What have been the financial effects of the conquests, and of the changes or enlargements of our political relations which have been made since 1813? to be exhibited under the following heads:—

1st. Increased or decreased Revenue or Tribute.
2d. Increased or decreased charge of Civil Administration.
3d. Increased or decreased appropriation of Military Force.
4th. Increased or decreased risk of External or Internal Hostility.

As a general reply to this query, which relates to the financial effects of our conquests, I can only state that I know of no war in India, into which we have entered within the period of my experience, (and that extends to nearly fifty years,) which we could have avoided, except at the hazard of our safety, or that of the allies whom we were bound to protect; nor could we, while exposed to such hazards, venture on reducing our armies; on the contrary, we have been during peace obliged to fit out and keep in the field large and expensive bodies of men to check and restrain the restless ambition of native princes, and the daring excesses of plunderers. I mean particularly the Mahomedan sovereigns of Mysore, Hyder and Tippoo; the Mahratta states, and the Pindarries. The latter were a vast predatory horde generated by former wars, and governed by principles hostile to all civilized or tranquil rule. This great body of plunderers were so intermingled with other governments, upon whose weakness they had usurped, or with whom they were secretly leagued, that their progress (which was that of crime and devastation) could alone have been arrested by the British government. That government, nevertheless, in obedience to maxims of policy strongly inculcated from England, wasted millions upon a system of defence which, after a lapse of several years, was found to have all the expenses of war, without any of those benefits which result from its success. When forced into the contest against these lawless freebooters, the combination which had been secretly formed against our power by many of the Mahratta states, was gradually developed; hence the war took a larger scope, and terminated in establishing our supremacy upon a footing which has enabled us recently to make great reductions in our military establishments. In thus expressing myself, I do not mean to blame the Home Government, whose conduct was actuated by the most honourable motives. They were naturally desirous to avert, as long as possible, the necessity of entering upon a course of operations which

they foresaw must involve extension of territorial dominion, and the multiplication of our political alliances.

Accurate information on the first, second, and third specifications of the fifth query, must be obtained from your records. With respect to the fourth, I shall state, as shortly as I can, my sentiments. The hazard of external attack is upon the North-western parts of India. The danger is, I conceive, less from any Asiatic power than from Russia advancing into Tartary, or establishing such an influence over Persia as would enable her to use Asiatic states as aids and instruments in the invasion of India. I do not mean to say that this danger is proximate, but it is one which we should never cease to contemplate as possible; and without incurring unnecessary expense, we should suit our means of defence to those of eventual attack. I have, in my letter to Lord W. Bentinck, which forms a number of my reply to your letter on the military branch of the Indian government, given my opinion as to the military lines of defence which I would recommend to be maintained, and to be connected with roads along our Western frontier. The survey of the Indus by the officer I deputed to Lahore, in conformity with orders from England, adds much to our information on this subject. I have not had access to Captain Burne's report, but from what I have learned of its contents, I conclude that while it shows that there is more facility than was believed for a Northern enemy reaching the banks of the Indus, it ascertains the perfect practicability of navigating that river with steam to a very great distance, as also the principal rivers of the Punjab. This is a most important fact in every respect, and in none more than our defence of India; besides the easy transport of force from the port of Bombay to every point upon the river, it establishes the facility of rapid communication between the Western extremes of the territories of Bombay and the North-western stations of Bengal, which would enable us to combine, at a period of emergency, in fewer days than it would now take months, our military means of defence.

The period is I hope distant, and may perhaps never arrive, when we shall be called upon to fight for our empire of India on the banks of the Indus; but the navigation of that river will, I hope, in the course of a few years be open, through successful negotiation with those who possess its banks, to commercial enterprize; and, in affording protection to this new branch of commerce, we shall gradually prepare the means of opposing any such danger as that which has been alluded to, if it should ever occur. I have already drawn your attention to my late Minutes regarding Bagdad and Persia, as well as the Arab tribes of the Gulph and the Red Sea. The importance of maintaining an establishment of steam-vessels at Bombay, for the mere purpose

of rapid communication with England and other quarters, is not, I believe, disputed; nor is the great benefit which may result from their employment as vessels of war, in suppressing piracy, or other services, doubted. The facility and extent to which the Bussorah river and the Tigris can be navigated by steam, is fully ascertained, and measures have been taken to survey the Euphrates; to these is now added the Indus. No man can look at a map without being satisfied of the importance of our possessing the means of promptly resisting any approaching danger in these quarters; and it appears indispensably necessary to this object, that the steam branch of the Indian navy should be (I mean the officers) competent to the duty of engineers* as well as of sailors: some of them have already qualified themselves to act in that capacity; but the system should be perfect, and it can be made so without increase of expense. A knowledge of the habits, prejudices, and languages of the natives is as essential to the European officers of the Indian navy as to those of our army; and native seamen mixed with Europeans are as necessary for the protection and defence of the western parts of our eastern empire, as native troops are for other quarters. I have stated my reasons most fully on this subject in my Minute of the 28th of October, 1830, and can only add, with reference to your present question, that if the attempt is made to supply the place of this local and efficient force by his majesty's ships, it will not only be more expensive and less efficient, but deprive that quarter of India of one of its best means of guarding against external attack. These sentiments, of the correctness of which I am positive, from local experience of more than thirty years, have no reference to the acknowledged superiority of his majesty's navy, whose services must always, on the occurrence of war, be called for in aid of local means of defence; my opinions refer to the ordinary duties of the Indian navy; to a familiarity with seas, rivers, and shores, where this branch is employed; to that knowledge of the languages of the natives, which they are obliged to attain, in order to conciliate uncivilized tribes, prompt to offence and revenge; to that implicit obedience to all orders of the local government, under whom they are wholly placed; to their being inured to the almost insufferable heats to which they are often exposed, and which, in so many cases, have proved fatal to those unaccustomed to the climate; but, above all, to the constant change of commanders and officers of vessels, which, from the constitution of his majesty's navy,

* The necessity of instructing commissioned officers in the duty of engineers of steam vessels is acknowledged, and the system has commenced in his majesty's navy. In India it is indispensable. The great expense of sending engineers from England; their want of language to instruct or direct others; their loss of health from climate, and the too frequent irregular habits, renders confidence in this class hazardous at all times, and particularly on occurrence of wars.

must take place. This would of itself be, in my opinion, an insuperable bar to the substitution of the king's for the Indian navy, for the king's officers could never be expected to learn the languages, nor become acquainted with the usages and prejudices of the natives, acquirements indispensable to fit them for their local duties. I need, however, say no more upon this part of our means of defence, being quite satisfied, that when the subject undergoes that investigation to which all the establishments of India are now submitted, sufficient facts will appear on record, and sufficient further evidence will be given, if required, to prove the necessity of maintaining and elevating, instead of destroying or lowering, this essential local branch of our force in that country.

With respect to internal hostility, our exemption from it must depend as much upon the shape and character of our rule as upon any military force that our revenues will admit us to support for the general protection of those vast territories now subject to our sway. India ever has and ever will abound in bold and ambitious men, and our danger from these will increase in proportion as our system shall destroy the princes and chiefs about whom many of the elements we have most to fear are now at repose; and it is a conviction of this fact which has made me the constant advocate for maintaining all we can of a native aristocracy. My sentiments upon this subject are very fully stated in the papers on Nuzzerana, which are before the Committee on India affairs. I however beg leave to subjoin an extract from my Minute of the 12th November, 1829.

"It is a too common usage (I observe in that document), to "abandon in despair, our efforts to reform petty princes and chiefs "from their idle and lawless habits, and to consider them as irre- "claimable from their condition to that of good and attached sub- "jects and dependents. There is no branch of our Indian admi- "nistration in which I have had more experience or have more "studied, and I must affirm my belief, that we have failed more "from causes, on which I shall here only very shortly remark, "than from the impossibility or even difficulty of effecting the "object. We are generally fixed in the belief of our own supe- "riority, and repose too great confidence in our native servants, "to have that patience and forbearance, and to make the allow- "ances that are required for the errors of those we desire to re- "claim. We too often expect and enforce a sudden conformity to "a system of rule, that is opposed to every existing feeling and "prejudice of the party from whom it is exacted. Where this is "not the case, and a more tolerant system is established, still "men's faults and crimes are, from the nature of our government, "recorded against them; and men are often, on the statement of "an agent, who may be inexperienced in such matters or misin-

" formed, driven to acts of contumacy or opposition to govern-
" ment; and these acts, which, according to their experience
" and habits, were but venial offences, are, when construed by the
" more severe maxims of our rule, inexpiable crimes. In this
" mode I have known chief after chief fall before a general and
" unbending system."

* * * * * * * *

" I am quite sensible I may be accused by many of mixing, on
" this and other occasions, too much of feeling for individuals
" with questions of policy; but if this is a fault, I can only state
" it is one to which I attribute much of that success that has
" attended my efforts in the public service: I have endeavoured
" through life, and shall as long as I am employed, to mitigate
" what I deem the evil effects produced by a cold and inflexible
" policy; which, substituting in all cases attention to principles
" for consideration of persons, runs counter to the feelings and
" usages of natives."

I shall conclude this branch of the subject, which is one of the most difficult and important on which you have asked my opinion, by again quoting from the same document to which I have just referred. Alluding to the limited application of the principles calculated to preserve a native aristocracy in the countries recently conquered from the Peishwa, I observed—

" The points agitated in the course of this Minute are much
" limited as to local effect, but most important principles have
" become involved in the discussion: these indeed are connected
" with the considerations of policy that relate to the present
" and future welfare of the Indian Empire. Various opinions
" prevail as to the mode in which that can be best governed and
" maintained. Some look to increase of revenue, from its fur-
" nishing the means of paying a great and adequate force, as
" being the simplest and surest mode of preserving our power:
" but an army chiefly composed of natives of the country we
" desire to keep in subjection, may prove a two-edged sword;
" and, besides, history informs us, that though armies are the
" sole means of conquering a country, they never were the sole
" or even the chief means of preserving it. Others look to colo-
" nization as a source of great strength. India has benefited and
" will benefit still further from the introduction into its ports, and
" some of its most fruitful provinces, of the capital, enterprize, and
" science of Europeans; but no sprinkling of our countrymen
" and their descendants, if allowed to colonize, to which we can
" ever look, would render them a support upon which we could
" rely for the preservation of this empire; that must ever depend
" upon our success in attaching our native subjects, and above
" all, the higher and more influential classes: the task is for
" many reasons arduous and difficult, but it must be accomplished,

" or our empire, on its present extended basis, will be weak and " insecure; no sacrifices can, in my opinion, be too great to " effect this object; and it must be pursued with unremitting " perseverance in every quarter of our dominions, varying in its " mode according to the actual character and construction of the " community."

To those who have only seen part of our vast territories, and who have not personally observed the more turbulent and untractable tribes and natives who are now subject to our general rule, it has appeared, that we should best raise an aristocracy by promoting to it natives who had distinguished themselves in the public service. There can be no doubt, that the ambition of those we employ should be pointed to objects of such honourable ambition, and they have been so by that admirable institution of the privileged classes of the Deccan, which was formed by the wisdom of Mr. Elphinstone, my predecessor in the government of Bombay; but this institution would have been a meagre one, and wholly inadequate to the object, had it not included in its several classes the highest and most respectable chiefs of the Deccan; in accordance with whose feelings and wishes it was formed, to protect them from the levelling forms and rules of our courts of law, to which they have a deep and unconquerable repugnance. Treating of the value of their association in this class, I must again refer to the document before noticed.

" With regard to the effects of this measure upon our local and " general interests, it would certainly retard the fulfilment, if it " did not altogether destroy those hopes which we now entertain of " our being able to preserve a native aristocracy in this part of " India. The maintenance of the Jagheerdars and Sirdars in their ' present stations, besides other advantages, is quite essential to en- ' able us to raise to that rank and consideration we desire, those who ' distinguish themselves in the public service; for if the representations of the high families who now belong to the first and second classes of the privileged orders of the Deccan, fall one by one before our system of rule, that institution will lose what gives it value and elevation. The Jagheerdars and Sirdars are, in the estimation of their countrymen, a hereditary nobility, to whom " proud ancestry and possession of land for generations, give con- " sequence, and it is the association with them that is* prized by " those we raise to inferior grades of the same order. Is not this " natural? What is the principal claim of the peerage in our own " country? Is it not to be of the same order with the Howards

* I have stated in my minute of the 3d of October, 1829, how strongly this feeling operated, on the recent occasion of investing native officers with the rank of Killidar, the senior, who was raised to the third classes, and prized it in the highest degree. " I am now, (said Subadar Major Purseramsing, one of the oldest and bravest soldiers of the army) on a footing with Jagheerdars and Sirdars."

" and the Percys ? Did the wonderful successes of Bonaparte, or " the heroic achievements of his generals, raise them above this " feeling ? Associations and alliances were sought with conquered " princes, and impoverished, but noble and ancient families. It " was in them an extorted compliance with feelings and prejudices " which all the boasted philosophy of the age has, fortunately for " society, not been able to eradicate.

" The feelings and prejudices above stated are much stronger " in India than in Europe, and the condition and character of " the inhabitants, and the nature of our rule, make it more diffi- " cult to conciliate them ; but this difficulty may, in a great de- " gree, be overcome. It might have been of comparatively slight " consequence to overcome it in the early stages of our power, for " those who did not like our rule could go elsewhere ; but a few " years have worked a wonderful change in the state of India. " The wars to which we have been compelled, from our condition, " have left us sole sovereigns of that vast country, but they have " involved us in great, though not irretrievable, embarrassment. " The pressure of financial difficulties recommends every measure " which promises immediate relief; but that, to be permanent, " must be sought, not in the future annexation of territory, but " in the improvement of what we possess, in the reduction of " offices, and in the general revision and reduction of our esta- " blishments. To enable us to effect these objects, we must not " cast away one iota of good feeling or motive for allegiance that " exists, or which we have a prospect of creating, in the minds of " our native subjects. We must maintain, to the utmost of our " power, the higher orders of the community ; for on their being " conciliated to our rule, the future peace of this empire must " greatly depend, and with it our power to lessen the expenses of " its government."

VI. How far have the principles of justice and expediency been adhered to ?

In answer to the Sixth Query, I must state, that within the scope of my experience I know no instance of the principles of justice being departed from, much less those of expediency. On the contrary, I have known the latter consulted at the hazard of impressions unfavourable to our character, but not in a degree that could be termed injustice. I must, however, add, that such cases have been very rare ; and I have seriously regretted their occurring, being satisfied that, in a government like India, no temporary object can warrant us in weakening impressions which are the foundation of our power.

VII. How far have the strength and distribution of the

Indian army been regulated by a due attention to the changes that have occurred in our political position and relations, and to their actual condition with reference to the forces belonging to native states on whose aid we could depend, or against whose hostility or insubordination we have to guard ?

As far as my experience enables me to speak on the subject of your Seventh Query, I should say, that the distribution of our forces has been regulated by every attention to the considerations which you have stated.

VIII. How far have the civil establishments of the several residencies and agencies been regulated so as to secure efficiency and economy ?

In answer to the Eighth Query, I can state, with full knowledge, that the late regulation of the civil establishments of our residencies, has been made with the strictest attention to economy, and I should almost fear that, in some instances, this principle may operate injuriously to efficiency ; but the pressure of financial difficulties required every effort: and should reductions in this branch have been carried too far, a remedy no doubt will be applied.

IX. How far have the residents and agents been subject to the necessary checks ?

In answer to the Ninth Query, I can only state, that the residents and agents employed in the political branch, are selected as persons in whom complete confidence is reposed ; they are, however, subject to many checks, though not so minute as those which are applied to officers employed in the ordinary branches of administration. A very salutary effect would, in this instance, be produced, by the proposed change in the shape of our local rule, which I shall explain in my reply to your next query.

X. How far has the existing system of government or home direction and control been successful, or calculated to succeed, in maintaining the requisite vigour, constancy, promptitude, and unity of purpose in the several gradations of government, direction, control, or influence; and (if any) what change is necessary or advisable in the constitution of the home or of the Indian government ?

I have treated the subject of the government at home in the second volume of my Political History of India, and I am not at

present prepared to offer any additional observations on that branch of your inquiry. With respect to a reconstruction of our local rule in India, I am of opinion, that from the complete change in our condition within the last fifteen years, such a measure is urgently required; and that the board may be in full possession of my sentiments on this subject, I transmit a copy of a letter* which I wrote to Lord W. Bentinck immediately previous to my leaving India; and in further illustration of the plan therein proposed, I shall conclude this letter by a quotation from my address to the Chairman of the East India Company, dated 25th April, 1827, which has relation to a plan then proposed for the administration of the provinces of Malwa and Rajpootana.

This plan, I observed, "Is the same in substance and in prin-"ciple as that which I formerly brought before the governor-"general in council, and the adoption of which I repeatedly "urged upon his Lordship during the last year of my residence "in India. My opinions upon the subject coincided at that "period with those of the highest public authorities both in India "and in England: it is needless to dwell upon the causes which, "under such circumstances, led to successive expedients instead "of a permanent system. Suffice it to say, that the difficulties "of establishing such a system will be increased by delay. We "must not, if such be our object, allow any minor obstacles to "obstruct its fulfilment; and in our efforts to effect this, we should "look more to ultimate than immediate benefits from the mea-"sures we adopt. We must, in the prosecution of this policy, "view with a wise and liberal toleration the errors, the prejudices, "and the vices which belong to native rule in its best shape, and "we must not allow ourselves to be hurried, by the personal "inefficiency or defective institutions of those whom we desire to "reform, into a substitution of our own agents and establishments: "the latter have, no doubt, many excellencies, but they have also "serious defects; they are destructive of all native rank and autho-"rity. The inherited rights of chiefs and the cherished allegiance "of their followers are all swept away; and ties and feelings, which "originally constituted the strongest links of social order and "peace, being outraged and broken, are converted into elements "of discontent and rebellion. We must not flatter ourselves "that the future operation of this system of government will be "attended with as few evils as it has heretofore been. The sub-"stitution of our government for the misrule, oppression, and "anarchy to which they had been exposed, was hailed by "those of our new subjects whose habits were commercial "and agricultural; while the warlike and turbulent part of the "population found employment and subsistence in the services "of princes, whose territories had not yet been subdued by our "arms. But in the whole peninsula of India there is no longer

* See page 176.

" any escape from subjection to our direct rule, influence, or " control.

" The rise of our astonishing power has been so rapid, that the " great majority of those who are subject to it, continue to make " favourable comparisons between our government and that of " their late masters; but, in a very short period, none will remain " who can derive consolation from such recollections; and we " are not warranted by the history of India, nor indeed by that " of any other nation in the world, in reckoning upon the possi- " bility of preserving an empire of such a magnitude, by a system " which excludes, as ours does, the natives from every station of " high rank and honourable ambition. Least of all would such a " system be compatible with the plans now in progress for spread- " ing instruction; for it is certain, that if these plans are not " associated with the creation of duties, that will employ the ' minds which we enlighten, we shall only prepare elements that ' will hasten the destruction of our empire. If we do not use ' the knowledge which we impart, it will be employed against us; ' and a conviction of this truth should lead to the adoption of ' every measure, which can prepare the way for granting to the ' natives a greater share than they have yet enjoyed in the govern- ment.

" It is not my intention to dwell upon the commonplace " arguments, which have so often been brought forward, to prove " the necessity of an almost exclusive employment of Europeans " in high and respectable stations. The numerous advocates " who are (professionally, I might say,) arrayed against every " other system, have hitherto, and will, I fear, unless very de- " cided steps are taken to prevent it, continue to beat down the " opinion of the few, whose opportunities have enabled them to " take a more enlarged view of this question, and to consider it " as one, not of local, but of imperial policy.

" The facts which are so continually reiterated of native pliancy, " dishonesty and corruption, so far from forming objections to " their employment, are in my mind only proofs of its necessity. " Are we to abandon in despair, on account of their weakness or " depravity, the project of their reformation and improvement? " And can we think it possible to effect this desirable change, and " to attach them to our rule by a series of lessons upon virtue, " morality, and good order, given in our schools and repeated " in our regulations and proclamations, while at the same time " we deny them all opportunities (except upon the most limited " scale) of practising what we teach and inculcate?

" We have sufficient examples in all governments, and in none " more than our own, to prove that dishonesty and corruption, " when common to classes, cease to be a reproach to indivi- " duals; but what wise or liberal statesman, wishing to reclaim

" men from such habits and feelings, would adopt, as a means, " their exclusion from the sphere of high and honourable action ? " And who that knows the inveteracy of long usage would be " deterred by partial failure from steadily and patiently pursuing " the only course which can reconcile to the people a government " under which they live, and give them that stake in its welfare " and reputation, which they never can have till these are asso- " ciated with their own interests and advantages ?

" It may perhaps be objected, that these observations do not " apply to a conquered people. Most assuredly they apply to " all mankind : we find in all communities, bold, able, and am- " bitious individuals, who exercise an influence and power over " the class to which they belong, and these must continue enemies " to a government, however just and humane in its general prin- " ciples, under which they are neither trusted nor employed. " There is no country to which this observation applies more " forcibly than to India; the multitude are, from their prejudices " and superstition, peculiarly exposed to the artifices and designs " of such men ; and in the territories under our direct rule, we " can offer nothing to their ambition beyond the most subordi- " nate stations.

" The whole complexion and character of our power in India " has altered within the last ten years. Our influence or rule, " as before observed, now embraces the whole of that vast " country ; high and aspiring men can find no spot beyond the " limits of our authority, and such must either be systematically " watched and repressed as enemies of our power, or cherished " and encouraged as the instruments of its exercise ; there is no " medium : in the first case, the more decidedly we proceed to " our object, the better for our immediate safety; but I should, " I confess, have little confidence in the success of such a pro- " ceeding. As one head of the hydra was lopped off, another " would arise ; and as well might we strive to stem the stream of " the Ganges, as to depress to the level of our ordinary rule the " energies and hopes which must continually arise in so vast and " various a population as that of India."

It is perhaps necessary before I conclude to state, that there are several parts of the plan of local rule which I suggested to Lord W. Bentinck which may admit of alterations, provided the principles on which the whole scheme is grounded be not impaired. Of these principles the most important is the authority of the Governor-General : there is no escaping from the necessity of clothing him with almost absolute power. The selection of an individual for this high office will ever be the measure upon which the good administration of our Eastern empire will chiefly depend; the checks upon him and other high authorities must be of a character calculated to prevent the abuse without weakening

the exercise of their power; but if our leading object is, as it undoubtedly should be, to rule India more with attention to the feelings, the usages, and the interests of the vast majority of its inhabitants than to European maxims and prejudices, the forms and principles of our government may be made in this as in all its parts simple, intelligible, and efficient.

I have stated in the accompanying letter to Lord W. Bentinck, that the Governor-General and the Governors or Lieutenant-Governors will have in each department high officers acting under them, whom they can, according to fixed and prescribed rules, call into council whenever their aid is necessary for the purpose of framing laws or regulations, or in measures that are meant to effect improvements or changes in the peculiar lines of service to which such functionaries belong, and to the latter a power and responsibility could be assigned that will ensure the good performance of these casual but important duties. This point, however, requires much consideration, and is one upon which I shall not at present say more than that it may, in my opinion, be easily adapted to the principles and objects of the plan I have recommended for the future local administration of our Eastern empire.

I am, &c.

JOHN MALCOLM.

Bombay, 2d December, 1830.

My Lord,

I have written your Lordship very fully on the subject of the army of India, and my minute, under date the 28th of November, a copy of which is transmitted, gives a short abstract of the principal measures that have been adopted since I took charge of this government. It also shows their financial results. Though these have exceeded forty lacs of rupees, from reductions of the army, abolition of offices, diminution of establishments and revisions of departments, I must consider this reduction as comparatively small in proportion to what will result from the reforms introduced into every branch of this government; the economical effects of which have already been very great, and must, if the measures now in progress be decidedly maintained, be progressively greater. The accounts of the three last years, as relating to all contingencies both in the civil and military departments, show this, as your Lordship will observe, in a very clear manner, but there must be no laxity in enforcing rigorously the principles upon which such reforms rest. Continual representations will be made against the different parts of a system which affects the in-

terests of too many individuals to be unassailed. It will be more difficult to repel such representations from the multiplied distinct authorities which alike exist over departments at the presidency and in the provinces. Many may be adverse to the principles on which recent reforms have been made. Indolence, weakness, or inexperience in their superiors, will all tend to aid subordinate persons in the various establishments, and those connected with them, in their unwearied attempts to revive abuses and increase expenditure. The efforts which have been made to reduce expense have owed their success to causes which, in the ordinary state of affairs, cannot be expected to continue in operation. I came to this government with general knowledge of all parts of our empire, and long residence in India, as well as personal experience in the details of every department, which gave me advantages not likely to combine again in an individual. The pressure of financial difficulties was so great that reductions to a large amount were indispensable. This presidency was measured by a standard which referred (upon what principles I can never understand) to its ability to pay its own expenses, more than to its importance as a part of the general empire of India; and I was called upon by every consideration of duty, as well as by the orders of my superiors in England and in India, to diminish public expenditure. In this work, in which I have personally and unremittingly laboured for three years, I have been greatly aided by the talent and virtue which I found in the public services. But it has not been accomplished without creating discontent and dissatisfaction with measures that affect the present interests and prospects of numbers. This I have not heeded. My knowledge of the subject, my impressions regarding the future benefits to the government and to the public service, have enabled me to pursue an undeviating course; but the obstacles I have met make me quite satisfied that without there are many and serious changes and modifications in the whole shape of the general administration of this presidency, the reforms I have introduced will not be permanent, and these reforms, I am also convinced, are quite essential for the better rule of our extended provinces. I have had a singular opportunity of forming my opinion upon this subject since I came last to India; and as the changes I mean to suggest are associated in principle with the administration of every part of this empire, and can alone be judged by the Supreme Government and the authorities in England, I deem it proper to address your Lordship personally, but so far from having any objection to my sentiments being put on record, I should rather desire it particularly, as I shall send a copy of this letter to the Chairman of the Court of Directors. It is the last communication I shall ever make to a Governor-General upon the subject of the internal government of India. It is made with the full convic-

tion that it contains no suggestion that is not calculated to promote the ends of economy, to give simplicity and efficiency to every department, to maintain and impose checks upon the abuse of power, to raise into more consideration the higher classes of the natives by rendering them useful in the general administration; and above all, though it will lessen the numbers, to elevate the condition, of the civil service, and to offer to the competent and distinguished members of that service the highest objects of ambition.

2. The observations I shall now proceed to offer to your Lordship's consideration may be deemed by some innovations, and objectionable as calculated to disturb what may be viewed as a good and established system. But a rapid succession of events have wholly altered our condition in India; and we have, in my opinion, no choice between suiting our rule to the altered state of our power, or of incurring hazards of such a nature that may endanger its existence, unless that is protracted at a cost that will render India a burthen on England,—for in proportion as we extend our actual system, our civil and military expenses will swell beyond our means of defraying them.

3. I can anticipate no complete success to any one plan I have suggested, nor indeed any essential improvement on the condition of the provinces of this presidency, without still further change than what has been made at my recommendation in the form of their administration. The Supreme Government have recently sanctioned the nomination of a political commissioner in Guzerat, but there appears to me a necessity for an union of power in both that country and the Deccan, which must early overcome every objection to such a change. I can see none that should prevent the early extension of the power of the Commissioner over both the political and judicial branch, which would include the whole direction and control of the magisterial department, or in other words, the maintenance of the general peace of the country. The collection of the revenue and the supervision of the department might remain for a period as at present; but as the principles upon which this branch was regulated became more fixed, it might also be placed under the control of a chief Commissioner, who, aided as he would be by efficient public servants, would find no difficulty in performing his important and responsible duties. This is indeed proved by the complete success of the system now in progress in the Southern Mahratta country, where the revenue, judicial and political powers have been hitherto united with every success.

4. Such a mode of administering the countries on our western frontier would be found alike essential to provide against foreign danger as to maintain internal peace. Instead of the numerous and almost co-equal authorities with whom it becomes necessary

to communicate, and who are to be combined in action on every occurrence of emergency, prompt proceedings would be certain to repress revolt and repel invasion. The natives of the province would no longer have their attention distracted by a variety of civil and political authorities, among whom they often see difference and collision. They would recognize a local head, to whom all owed deference and obedience. There is no part of India which more requires we should preserve that awe and respect for local authority among our native subjects, than the provinces under this presidency. This important impression is now in a great degree lost by the subdivision of power, and it constitutes a strength which, were there no other reasons, would of itself be sufficient to recommend this measure to adoption.

5. Much benefit might be expected to result to the public service from all communication with the military in the province being exclusively with one officer in the civil and political department; this every day's experience shows to be much required.

6. The advantages government would obtain by this modification of its provincial administration would be very great. Its duties would be simplified and facilitated, communications would be received, orders conveyed, and references made to one individual. It would no longer be embarrassed, as it often is at present, with a variety of opinions which embrace local or personal considerations, upon which distance from the scene and want of information of details may make it difficult to judge; these would still be brought forward by officers employed in the provinces: but government would be better enabled to judge such subjects when they come before it in a concentrated shape, and it was aided by the experience and judgment of the commissioner. There can be no doubt of the economy of the system; that would result from many cases, but from none more than the gradual diminution of European agency; and here I must state my decided opinion that this form of provincial administration is essential to enable us to preserve the privileged classes established in the Deccan and S. Mahratta country, and to introduce this order into Guzerat with any prospect of success. It appears to me desirable that employment and means of distinguishing themselves in the public service, should be early afforded to this class; that we cannot do without they have confidence in support and protection from some high local authority. Their alarm at our regulations, which are few and easy to be understood, will gradually subside; a complete knowledge of them will be acquired, but men of rank and family can only be encouraged to engage in public duties by a belief, grounded on personal feelings, that they are safe in their honour and character, which they never can while the construction of our provincial administration exposes them to the daily hazard of *being placed under superiors often changing, and sometimes of*

comparative junior standing, and at the head of distinct departments.

7. The privileged classes in the Deccan were instituted by Mr. Elphinstone. This order was regarded by him with anxious solicitude till the day of his embarkation, and he went to his native country accompanied by the strongest testimonies of their regard and gratitude. I have, in my treatment of individuals, and in every arrangement connected with this class endeavoured to follow the steps of my predecessor; and my previous knowledge of many of those who belong to it, and other circumstances, have given me many advantages in allaying their fears and confirming their confidence in the permanence of an order to which recent events have shown they attach importance, and are prompt to resist every change of that administration of the laws, which, modified as they are with reference to their feelings and condition, they recognize as the best that could be established.

8. There are other advantages which government would derive from the modification of its provincial rule. The best and ablest public servants, who have belonged for any period to the department in which they have been serving, have a bias, which leads them to take opposite views of the interests of government in the countries in which they reside. If those in the judicial branch attach, as they may do in many cases, more importance than they should to the forms and processes of their courts, these are often undervalued by officers employed in the political or revenue department. Recent events have destroyed that school in which men rose to stations which compelled them to attain a knowledge of every department, and to aid government in taking a just view of the comparative good or evil that may locally attend its measures; this knowledge must be possessed by the commissioners; and it would be taught in their progress through the service to numbers who might act under their immediate orders. Instead of the answers to circulars now received differing nearly in proportion to the number sent, and referring to local considerations, of which the government can imperfectly judge, all the information that could be collected would be sent, with the advantage of the opinion and judgment, formed on the spot, of one of the highest and most competent officers of the establishment. To the civil services these high stations would be of incalculable value: they would present objects of honourable ambition; their duties would be such as must compel proper selection, and place them beyond the ordinary routine of seniority; for there would always exist a necessity for competence in those who had to perform them. The same causes would put the whole provincial administration of India out of reach of the encroachment of European patronage; and the able discharge of such extensive duties as must devolve upon those that filled such stations would give an opportunity

that does not now exist of public servants at this, and every presidency where the same system was introduced, recommending themselves for further promotion in India, as well as to notice and distinction in England.

9. The only stations to which civil servants can now aspire are seats in council, where their duties are optional and undefined, and may be productive of good or evil according to the disposition or character of the President, and members of the Board. But under few circumstances can the labour of the most able men in such situations be generally known or appreciated; and though a seat in the council, as associated with rank and local consequence, is coveted by the senior civil servants on the list as a comparatively easy and honourable close to long service, it includes no high and independent charge. Their councils may promote the happiness of millions or the prosperity of a country, but they seldom receive any adequate share of that applause and that just fame which form the best reward to past, and the most legitimate and honourable of all incentives to future efforts in the public service. Far different would be the condition of the commissioners of extensive provinces if, in addition to such situations, that of a chief judge might be instituted, who should be nominated from the civil service, to reside in the court of Sudder Adawlut, and become the head of the provincial judicature. To such officer might be added a fiscal-general or chief revenue-commissioner. These high stations would give objects of real ambition to the service, particularly if accompanied, which they should be, when men become eminent, with further promotion in India and honours in England. The whole system would through such a change receive life and animation. Pensions and retiring funds, which form now almost the exclusive object of the ablest servants, would become secondary in their minds; and we should derive from their experience, knowledge, and active zeal, an aid without which our empire in India, in its present scale, cannot be successfully governed. I do not dwell upon minor considerations, such as the rules on which selection should be made; the qualifications and length of service which would be necessary for candidates to the high constituted stations, or the claims of those who, when not required for the highest offices of government, should cease: these will be easy of arrangement if the principles of this plan are improved.

10. The Governor, under whom these authorities acted, emancipated from the cumbrous and expensive machinery of the actual form of administration, would traverse, as he ought, the countries under his charge; his labours would be lightened, for he would be freed from an overwhelming load of petty details, which would be far better conducted by others; his mind would be solely occupied with the more important duties of a general control and

direction of the whole government, and he would act under direct personal responsibility to the supreme authority in India, and to his superiors in England; and when the power vested in high officers, who were at the head of every civil branch, and of the Commander-in-Chief of the army, is considered, it may be positively asserted that he would perform his duties under more real check than he does at present; his authority would be less extended, but its exercise when required would be less embarrassed; and, aided as he would always be, by an able secretariat, he would be far more able than he can be under the existing system to fulfil his duties.

11. To give success to such a system as I have suggested, I must plainly state my opinion that the government should remove from Bombay. The character of its inhabitants is essentially different from that of the natives of our provinces. Those of the latter, after remaining a few years at Bombay, adopt many of the usages and all the sentiments of the old residents. Government, within the circle of the island, has neither the power of employing them nor of granting them any particular notice or protection. Their concerns are generally commercial; their disputes regarding them or their property, which consists of houses and lands, are settled by his majesty's court of justice, which becomes of course (as far as any authority over them is recognized) the object of their almost exclusive attention and respect. Circumstances considered, it cannot be otherwise; and it is no doubt desirable, that in the principal sea-port of Western India, which is the residence and resort of so many British subjects, his majesty's court should command that respect and consideration necessary to its functions; but when the effects produced by the exercise of these are injurious to the good administration of external countries, under a totally different form of rule, the subject demands our most serious attention.

12. The acts of government, as long as it remains at Bombay, will continue liable to be arraigned and attacked. Its principal court of provincial judicature is overshadowed from its position within the jurisdiction of the Supreme Court, and receives little, if any, consideration from the natives at the very seat of its authority. All these results, it may be contended, are of little import as they refer to Bombay, where the distinction of authorities is well understood; but they are of most serious consequence when they weaken, as they have done, and will continue to do, the local administration in the provinces.

13. The influx of Europeans to India must be expected to increase; and the liberty of the press, both English and native, will become every day difficult to restrain. It appears to me, and ever has done, of much importance to mitigate, if we cannot wholly guard against, dangers arising out of the extraordinary character

and construction of our rule in India. I know no measure that will tend more effectually to this result than making a separation, as far as we are able, between those countries in which all branches and departments are under the rule of the local civil government, and those seaports or capitals where it is deemed necessary to have high and independent judicial courts administering the British law.

14. I am not led to offer this suggestion from recent occurrences; it has long been my settled opinion. Circumstances which have occurred at this presidency have no doubt aggravated, but they have not created, the evils I have stated. These are inherent in the present system, and cannot be remedied by any palliative measures. Changes must be made, and among those I know of none in this quarter of India that will be so certain of having good effect, as removing the seat of government. Bombay and Salsette can be well managed by a civil commissioner, with the necessary aids of officers of rank in the marine and other departments. The visits of the Governor to it would be as frequent as required.

15. The removal of the government, while it produced the greatest political benefits, would be attended with a pecuniary gain instead of loss. From the situation of almost all public property at Bombay, what would remain after providing ample accommodation for the Supreme Court, and other offices and storerooms, by which a rent to a considerable amount would be saved, could be sold to advantage in a port where warehouses near the harbour are always in demand. The product of those buildings would far more than provide for any accommodation that would be required at another seat of government; but if the form of the administration is modified as suggested, that will be on a comparative moderate scale. Considerable financial benefits would ultimately result from much money being circulated in the provinces which is now spent in Bombay. The residence or departure of the government would be attended with little, if any, effect whatever to the permanent and increasing prosperity of that rich and important commercial city.

16. Independent of other effects of the plan I have suggested in regard to the future administration of this presidency, I can speak with confidence of its being far more economical as well as efficient than the present. It would make many immediate reductions: it would eventually require less expensive European agency. But while the number of civil servants was reduced, those that remained and were competent would be greatly elevated, and motives of emulation and a desire of distinction would stimulate men to efforts that would gradually tend to improve the resources of the country.

17. Besides the high offices already stated, which would become

objects of ambition that must remain exclusive to the civil service, those of this presidency would, like all others, have the appointment of the secretaries of the Governor-General open to them; and when that supreme head of the government was released, as he must be, from the trammels of the present system, and the details with which he is now burthened, would require not only a chief secretary of state but a secretariat, formed of persons practically acquainted with every division of the vast empire subject to his direction and control. The Governor-General should move throughout the countries subject to his authority; but this would be impossible without great inconvenience and increased expense if any council is continued, or if even the Commander-in-Chief of India is associated with him in his civil and political duties. He might, as well as the governors of the great divisions of India subject to his authority, be empowered like the governors of his majesty's colonies to call, when required, specified persons at the head of the different departments to a council board, when he deemed such a proceeding expedient; and this, as it increased his responsibility, would be beneficial.

18. The governors of the different divisions must make continual circuits of the provinces under them. This is indispensable on many grounds. The expense of such should be regulated and reduced as much as possible, but it never can equal the saving that vigilant personal supervision of the chief authority must produce. It is still more necessary that the Commander-in-Chief should annually visit his army, yet from the extent of the territories, even under this presidency, such circuits are incompatible with his duties as a member of the council board; but he cannot, for many reasons, be removed from that while the government is constituted as at present, and while the Governor and he are both absent in the provinces. Though the former be deemed constructively present, the two civil councillors form a majority on any question in which they concur against the Governor, and this may either compel him to return to the presidency, and to request the attendance of the Commander-in-Chief, to the impediment of his military duties, or to give up that weight in the government which its original constitution (formed under circumstances very different) gives him, where he has a casting vote, and can carry any measure he deems expedient, if concurred in by one member of his full council.

19. The Governor, it is true, has, in cases he deems important, a power to act upon his own responsibility; but many reasons must render that rare of exercise. It is a measure that will not be resorted to unless in cases where a governor is very confident in his own experience or judgment. Differently situated, he will generally sacrifice other objects rather than adopt a course which sets at nought the opinions of his colleagues, and has perhaps the

effect of losing temper and good feeling in a degree that may be more injurious to the public service than the benefits (however important) that can be derived from any single measure.

20. I have gone far beyond my original design when I commenced this minute; but in considering the actual condition of the most fruitful and important provinces of this presidency, and of the local administration best suited to maintain their peace and promote their improvement, I have been gradually led to the examination of the whole frame of government. My opinions upon this subject are offered for the consideration of my superiors. They are the unreserved sentiments of one who has passed through almost every grade, military, civil, and political, of the service; has had much experience of the actual operation of our system in every quarter of our territories; and will be received, perhaps, with more attention as the last public record I shall ever make connected with a subject in which I have through life taken so deep an interest, from considering it to involve not only the interest and reputation of my country, but the happiness and prosperity of the inhabitants of India.

21. The growth of our territories has been too rapid to admit of those changes and modifications which their good government required; but a period has arrived when we have leisure to consider and introduce such reforms as are more suited to the actual condition of our territories, and to our means of ruling them. The present frame of government had its origin in jealousy and distrust; nor were such feelings and motives at the period it was formed unwise. The scene was distant and little known. Every check was required on individuals; and the Court of Directors desired to have, in the rank and talent of his colleagues, a check against the abuses of power of a Governor. There were no regular departments. The details of the administration were little known to the court, who avowedly sought, as a source of information and as a guide to their judgment in deciding upon questions as they arose, the dissentient minutes of council. Circumstances have entirely changed: as complete information exists, and as correct opinions are formed upon every subject connected with the administration of this empire in England as in India. The time is past when Governors can be suspected even of abusing their authority, and the means of checking them are so complete, and the quickness of communication with Europe so improved, that no evils can arise from their being invested with the power I have proposed, than will in the slightest degree balance the advantages that must be derived from their being freed from the restraints and impediments to the performance of the most important duties under the present system.

22. It is true that this change would require much attention to the selection of persons for these high offices, but this would be

so far good as it increased the responsibility of those who were to nominate them. The evils of a bad selection, however, to such a situation cannot be avoided, though it is here of importance to remark, that a governor without local information or experience, but of good sense and honourable character, would be much more efficiently aided by the heads of distinct departments, the commissioners of provinces, and an able secretariat than he ever can be by a council, either agreeing or disagreeing in his general views of administration. This arises out of the relative condition of the parties associated in the government, and is incapable of remedy while that is constituted as at present.

I have the honour to be

Your Lordship's very faithfully,

JOHN MALCOLM.

E.

Reply of Major-General SIR JOHN MALCOLM, G.C.B., *to a Letter from the Secretary to the India Board.*

London, 12, Abingdon-Street, 13th February, 1832.

SIR,

1. IN answering your letter of the 25th of January, regarding the military establishments of India, I feel compelled to depart from an exact observation of the heads to which my attention is directed. This arises from the necessity of referring to a number of documents, in order to give you every information I can upon a subject which has occupied my mind for more than forty years, during which I have had all the experience that could be gained by one who, entering the Indian army in boyhood, has served in every grade from an ensign to a general officer, and, besides filling every staff situation, has commanded divisions of troops composed of his Majesty's and the Company's service, and including corps and military establishments of the three Presidencies. Independent of my experience as a soldier,

* My answer to the Secretary of the India Board is printed in the military papers regarding India, published for the House of Commons; as is also my letter to Lord W. Bentinck, 28th Nov, 1830, which, with all its statements and returns referred to, will be found in the military appendix of the parliamentary papers, No. v. p. 321, but I have not thought it necessary to annex any enclosures of the letter, except my Minute on the Bombay army, under date 25th of March, 1828.

the civil and political duties I have had to perform in every quarter of India, have enabled me to judge the relation in which these stand to the military, and has led to the conclusion, that in all plans for the government of our Eastern empire, the latter must ever be entitled to primary consideration. That empire has been acquired, and must be maintained, by the sword. It has no foundation, and is not capable of having any made, that can divest it of this character; and if the local army of India, but above all the native branch, is not preserved in a condition which, while it maintains its efficiency preserves its attachment, no commercial, financial, fiscal, or judicial systems we may improve or introduce can be of permanent benefit. The success of these must depend upon the continuance of internal tranquillity and exemption from foreign war. We may create happiness or misery, satisfaction or discontent, by the excellence or reverse of our civil and political rule. We may by good government diminish the elements of sedition, and in a degree disarm the hostility of Asiatic princes; but we never can expect active support in the hour of danger from the mass of the population of India. A passive allegiance is all these will ever give to their foreign masters; and even this allegiance, the more they become enlightened, and are imbued with feelings our intercourse must impart, will become more uncertain. It is therefore to the army of India we must look for the means we possess, not only of maintaining our power but of preserving the great benefits we have already conferred, or may hereafter confer, upon the millions subject to our authority; no considerations, therefore, should ever induce us to forget for one moment the paramount and vital importance of our military power, and this conviction must lead to every effort being made to strengthen those ties by which we can alone attach an army of so singular a construction. Resting upon its high spirit and unshaken fidelity, we can proceed with confidence to every improvement in other branches of the administration of our vast possessions; but should this main pillar of our strength be impaired, the whole fabric of our strength will be in danger, and all our plans and schemes will prove abortive, leaving nothing but a record of that folly which cherished good intentions, but slighted or mismanaged the principal means on which the power of putting them into execution depended.

2. In my Political History of India,* published in 1826, I have given my opinions on the whole subject of the army in India.

3. The part of this subject which beyond all others demands care and consideration is the native branch. I transmit a memorandum†, prepared for the late Lord Buckinghamshire, when President of the Board of Control, which exhibits, on the autho-

* Vide vol. ii. from page 201 to 245. † Vide Enclosure 1, p. 194.

rity of the materials I had at that time collected, the history and progress of our native army, while it illustrates by numerous facts the character of the men of whom it is composed. This document is so far of consequence, as it will inform those whose attention may for the first time be now directed to this subject.

4. The native troops in the service of the British government of India, who exceed 180,000 men, constitute the real strength of our empire. Some may think otherwise. I must, however, state, that all my recent experience confirms the opinions I have elsewhere stated,* that "An army so constituted, and formed of "men of such tempers, may appear very susceptible of being cor- "rupted, and made instrumental to the destruction of that power "which it is employed to protect; but of this there is no dan- "ger, unless in the improbable case of our becoming too presump- "tuous in what we may deem our intrinsic strength, confiding too "exclusively in our European troops, and undervaluing our "native army. From the day of that fatal error (should we ever "commit it), we may date the downfall of our Eastern empire. "Its finances would not only sink under the expense of a greatly "increased European force. The natives of India in our ranks "would lose the opinion which they entertain of their own con- "sequence to the government they serve; and their whole "tone as an army would be lowered in a degree that would "impair our strength, far beyond any addition it could receive "from the superior efficiency and energy of a few more English "regiments."

4. When recently filling the station of Governor of Bombay, I had an opportunity, as far as the army of that Presidency was concerned, of carrying several of the plans I had suggested, for strengthening the attachment of the native troops, into successful execution, and of directing the attention of my superiors to further improvements. Lord William Bentinck, the Governor-General of India, called upon me for my opinion regarding the composition, pay, and distribution of the army of India; and you no doubt have upon your records my letter in reply, under date the 28th of November, 1830. This letter, with its enclosures, will convey to the Commissioners for the Affairs of India, my sentiments upon all the variety of points which this subject embraces, including most of those to which my attention has been called by your letter.†

5. The question regarding the expediency or policy of maintaining a body of irregular horse on the establishment of Bombay, came under discussion soon after I took charge of that government; and my minute, under date the 28th October, 1828, and

* Pol. History, vol. ii. p. 238.

† Enclosure No 2. Letter to Lord W. Bentinck.

several other documents, will convey my general sentiments upon a description of force that I deem it of much importance to support as a branch of our army.

6. The military establishment upon which our army in India depends, perhaps more than any other in the world, is the regulation of its commissariat, including bazars. The practice of billet is unknown. Houses would be defiled, and the inhabitants outraged, were it otherwise. During hostilities villages are deserted, walled towns shut. Troops must carry all their provisions, and a hundred miles or more, are often marched without fresh supplies. This naturally crowds an army with followers, and makes it appear, as has been well observed, "less like a military force than a nation emigrating guarded by its troops."* I have in a number of public documents recorded my sentiments on the important subject of military supplies; and in a Minute, dated the 18th July, 1829, I have gone into the whole detail of the Commissariat of Bombay, making such revisions as appeared necessary to correct existing abuses, and to promote the future efficiency and economy of this essential department. On the utility of submitting this document, and others full of details, which are upon your records, to a Committee of the House of Commons, I cannot pronounce; but I should suppose sufficient information upon the results will be found in the contrasted view which Lieutenant-Colonel Frederick has taken of the commissariat of Bengal, Madras, and Bombay, in a report which he drew up at my desire in 1830, and which is on the Board's records.

7. The next establishment, and one of equal importance to the commissariat, is that of military stores. This subject occupied much of my attention when Governor of Bombay. My Minute of the 24th August, 1830, states in detail the changes introduced in order to render all the accounts and arrangements of this department less complicated, and to decrease expense without diminishing efficiency. This Minute is upon record, and may, if necessary, be referred to; but, perhaps, sufficient of its substance will be found in Colonel Frederick's report, to which I have before alluded, and in which the system, as revised by me, is contrasted with that of Bengal and Madras; and I may refer to the same full and authentic document for a statement of the alterations made in the constitution and duties of the corps of engineers, inclusive of sappers, miners, and pioneers, agreeably to my propositions in my minutes.

8. One of the most important changes made during the period I presided over the government of Bombay, was the suspension of the functions of the Military Board; a measure which I deemed alike essential to the economy and efficiency of the various military establishments of the Bombay Presidency. My Minute of

* General Dirom's Narrative of Lord Cornwallis's Campaign of 1790.

the 1st December, 1829, upon which this measure was adopted, will be also found upon your records, and requires much attention; for if the principles upon which it is grounded are correct, and the facts I have stated incontrovertible, arrangements of a similar nature, with reference to local circumstances, will perhaps be thought advisable at other Presidencies. It is a subject of importance, as it connects with military finance and military efficiency. Colonel Frederick, in his printed report, has noticed this change, and contrasted the system introduced with that at Bengal and Madras: in the former, I have heard some changes have been recently made.

9. I believe the documents which I transmit, or to which I have referred, include all the answers I can give his Majesty's Commissioners to those questions which relate to the character and composition of the various branches of the army of India, as well as of the construction and efficiency of its numerous establishments. With respect to the past and present strength, as well as organization, of these branches, and the amount and description of staff and subsidiary departments (subjects included in the two first queries), correct statements will no doubt be found on records and returns, to which I have not at present any access.

10. The third query is in part answered in my letter to Lord William Bentinck, which forms a number of the Appendix. With regard to other parts of it, I can at present contemplate no foreign enemy as likely to disturb the peace of India; but our exemption from such evil will always, in a great degree, depend upon the means we possess of repelling it. With regard to internal tranquillity, we can hardly expect that any one year will pass without that being interrupted in some quarter of our extended possessions; and to preserve peace in countries most exposed to such danger, it is indispensable to have small but efficient* bodies of men ready equipped to march at a moment's notice: for the rapidity with which insurgents increase in parts of India can only be understood by those who know the habits and feelings of the different classes of our subjects, and have witnessed the effects produced by the prospect of plunder among predatory tribes, both in our own provinces and their frontiers, and the alarm of those who follow peaceable pursuits. This state of a country requires great vigilance and the employment of troops of all descriptions. Irre-

* The Madras Government established a small force of this kind at Kuledgee, in the Southern Mahratta country. It consisted of one regiment of native cavalry, one battalion of light infantry, and one troop of native horse artillery. They were complete in all field equipments, and the cattle are never allowed to graze beyond a few miles. On an inroad of some plunderers from the province of the Nizam, the orders for this force moving were received in the morning of one day, and the next they were forty miles from their field cantonment on march to the point where required.

gular horse and local corps are often found not only the cheapest but the best of armies for this purpose, because they are usually in such countries composed of men who, if not employed in defending the peace, would be its disturbers.

11. The fourth query is answered in the documents annexed to this Letter, and in a Minute to which I have referred, on all points except that which relates to the employment of military men in civil situations, and on this I may refer to the full records in possession of your Board to prove, in the most incontestable manner, that in the various situations, civil and political, which military men have been called upon by emergencies to fill during the last forty years of wars and revolutions, they have rendered the greatest services to their Government and their country. How far future events may call for their employment in civil situations, it is impossible to say, but in the political line, their claim, when recommended by superior qualifications, has been long recognised, and it would be the worst of policy to narrow selection to stations on the fulfilment of the duties of which peace or war may depend.

12. The fifth and sixth queries relate to the probable effect of a transfer of the Indian army to the Crown. This is a subject upon which I can say nothing further than what is stated in the chapter * of the Political History of India to which I have already referred, except that, as a question of expediency or policy, it will be most materially affected by any changes or revisions that may be made in the constitution of the government of our Eastern empire at home or abroad. The reasons for this are too obvious to make it necessary to dwell upon them. With respect to any saving from such consolidation of establishments arising out of less chargeable plans of recruiting, freight, education of cadets, provisions, stores, &c., I cannot conceive how any plans of economy that could be adopted by one authority should not be practicable by another, or may not be made so; and on these grounds, therefore, I can see no reason for or against a transfer.

13. As to the seventh query, I confess I cannot see any advantages that could be expected to the "public interests connected with the army" that would arise from encouraging the settlement of British subjects in India. I cannot think that such settlers would ever fill our ranks with recruits equal to those which are freshly imported from England, and there is no other mode in which I can contemplate any benefit to the public interest, as connected with the army, from such colonisation. They could not, I conceive, be viewed (comparatively small as their numbers would be) as an efficient aid to our military means; and I should apprehend that their superior pretensions, and the place they

* Vol. ii, p. 204.

occupied in the community, combined with difference of habits and religion, would be likely to create feelings of jealousy and hostility in the minds of the natives, which would far overbalance any support of a military nature that could be anticipated from such settlers. But I feel it impossible to reply fully to this query without entering upon a very wide field of speculation.

14. In answer to the eighth query, I must again refer to my Political History of India, and can only state, that all my recent experience confirms my conviction of the expediency and wisdom of uniting the armies of the three Presidencies of India into one, on the principles I have in that work suggested.

15. In reply to the ninth query, regarding the influence which existing arrangements have had upon the army, I am of opinion, that the manner in which the officers and men of that great body of troops have hitherto done their duty to the Government which they serve, and the country to which they belong, is a proof that their constitution (with all its defects) is one which should not be rashly changed or injudiciously altered. Grievances have at different times been felt by the European officers of the Indian army, discontent has prevailed, complaints have been made, and remedies, when these appeared reasonable to the authorities to which it is subject, have been applied. Further improvements in its condition may no doubt be made; and the present is a period when this important subject will receive, as it merits, the deepest consideration. I cannot better conclude my answer to this query than in the words of a work* which I published six years ago, as the sentiments therein expressed are confirmed by all my recent experience.

16. "The rise of European officers in the native army of "India must continue to be by seniority; but every measure "consistent with their interests, and with those of the public, should "be taken to accelerate the attainment of rank and command for "those who have gained experience in this branch of the service. "The frequent stagnations of promotion which have occurred "have been hitherto relieved by expedients that gave an im-"pulse for the moment, but were followed by a reaction that often "left men in a worse situation than they were before. We must "not judge of the effects of such stagnation of promotion in the "local army in India by what we observe from the same cause in "*England; there is hardly any analogy. The power of ex-*"changing into other corps; of purchasing and selling their com-"missions; that of living with their relations and friends; the "connexions they form, and the different walks of life open to "men in their native country, place them in a situation totally "different from those who are in a manner banished to a foreign

* Pol. History, vol. ii., p. 220.

" land, where they may be almost considered aliens from all " family ties and connexions, with their prospects limited to their " professions, to which they are in fact bound, from the day they " enter it, as the only means they have of subsistence. The " officers of his majesty's service, if disappointed or discon- " tented, have generally the means of escape; and if, in effecting " that, their condition becomes worse, their complaints are not " heard; they produce no effect on others; young and more san- " guine candidates fill the niche they occupied: nor does the " state suffer by the change; for the constitution of the army to " which they belong requires, in its inferior officers, no qualifica- " tions that may not be easily acquired. But how different is the " situation of those who enter the Company's service! Their " youth must be devoted to the attainment of acquirements, " without which they are unfit even for the subaltern duties of a " native corps; they have no escape from their lot in life; dis- " content and disappointment in it, not only corrode their own " minds, but spread a baneful influence over the minds of others: " their place, after they are in any degree advanced, cannot be " easily supplied, for certain qualifications, which time and study " alone can give, are requisite to those who succeed them. All " these circumstances (and many more might be adduced) show " that the question of the improvement of the Indian army should " be considered on its own grounds, and not with the reference, " which is too often made, to the comparative condition and pre- " tensions of an army from which its constitution is altogether " different.

" 17. To give opportunity of acquiring distinction to the officers " of the local army of India (without which no military body can " ever attain and support a character, and least of all, a body " that is in constant comparison with troops of the same nation, " regulated on other principles) high rank ought to be conferred " by local commissions, while the individuals to whom it is " granted are yet efficient for the duties to which it may call " them. The privilege of nominating general officers to the " staff must soon become as useless to any objects of ambition " in the Indian army as of service to the State, under the slow " progress of brevet rank in England, consequent to peace in " Europe. Every general belonging to the Indian service must " be superannuated before he can be employed. There would " appear no objection to grant local brevets to colonels of the " Indian service to serve on the staff of that country, as the " same can be extended to his majesty's service. The adoption " of such a measure would of course prevent officers being per- " mitted to proceed with regiments to India, whose rank was " above that of officers within the limits of selection for the ge- " neral staff; but this would be attended with no injury to the

" service, and would be a slight sacrifice to obtain a great " benefit.

" 18. The sale of commissions and exchanges between the " English and local branches of the army employed in India, " under regulations which guarded the efficiency of the local " branch, would be most beneficial, both from introducing good " and effective officers, and accelerating promotion in the local " army; but there is no measure so requisite for the latter as the " formation of a staff corps, which would furnish the means of " supplying vacancies in regiments occasioned by the removal of " their officers to other duties."

I am, Sir, your obedient servant,

JOHN MALCOLM.

Enclosure I.

[Referred to in Note, p. 187.]

Short Account of the Rise, Progress, and Character of the Native Army of India, written in 1816, *at the desire of the late Lord Buckinghamshire*.*

One of the principal means by which the conquest of India has been made, and the one to which we must chiefly trust for its defence, is the native army of the East India Company, of the rise and progress of which I shall endeavour to give a short account, from the best materials to which I have access, being satisfied that a full knowledge of the composition and character of this branch of our army, which exceeds 150,000 men, is essential to those who are entrusted with the legislature or government of our Eastern empire. Captain Williams's published account gives the best account I have met with of the origin and formation of that part of this great army which more particularly belongs to Bengal; but I have made it my duty to look to other sources of information, that I may be able to take the most comprehensive view of a subject so vital to our Eastern empire. I shall endeavour to trace the progress of the native troops at Madras and Bombay, before I examine the facts brought before the public by Captain Williams. A combined view of the whole may suggest some reflections on the means which appear best calculated to maintain the efficiency and preserve the attachment of the Indian army.

Though Bombay was the first possession which the English obtained in the East, the establishment on that island was for a

* Lord Buckinghamshire died before this account was completed, and it was afterwards converted into a review of a work, entitled " The Narrative of the Bengal Army, by Captain Williams."

very long period on too limited a scale to maintain more than its European garrison and a few companies of disciplined sepoys. On the coast of Coromandel, which became towards the middle of the last century, a scene of warfare between the English and French, who mutually aided and received support from the princes of that quarter, the natives of India were first instructed in European discipline. During the siege of Madras, which took place in A.D. 1746, a number of peons, a species of irregular infantry, armed with swords, and spears, or matchlocks, were enlisted for the occasion; to those some English officers were attached, among whom a young gentleman of the civil service, of the name of Haliburton, was the most distinguished. This gentleman, who had been rewarded with the commission of a lieutenant, was employed in the ensuing year in training a small corps of natives in the European manner; he did not, however, live to perfect that system, which he appears to have first introduced into the Madras service.

"It was by one of our own sepoys" (the Council of Fort St. David observe, in a despatch dated the 2d September, 1748, in which they pass an eulogium on the character of Mr. Haliburton), "that he had the misfortune to be killed, who shot him upon his "reprimanding him for some offence; the poor gentleman," they add, "died next day, and the villain did not live so long, "for his comrades that stood by cut him to pieces immediately."

It appears from other authorities, that the first sepoys who were raised by the English were either Mahomedans or Hindoos of very high caste, being chiefly rajpoots; and the event I have related marked the two strongest feelings of the minds of these classes—resentment for real or supposed injury, and attachment to their leader. The name of Mr. Haliburton was long cherished by the Madras native troops, and about twenty years ago, on an examination of old grants, some veterans, wearing medals, appeared as claimants, who called themselves Haliburton Saheb Ka sepoy, or Haliburton's soldiers. One of the first services on which the regular sepoys of Madras were employed was the defence of Arcot, A.D. 1751. The particulars of that siege, which forms a remarkable feature in the life of the celebrated Clive, have been given by an eloquent and faithful historian;* but he has not informed us of one occurrence that took place, and which, as it illustrates the character of the Indian soldiers, well merited to be preserved. When provisions were very low, the Hindoo sepoys entreated their commander to allow them to boil the rice (the only food left) for the whole garrison. "Your English sol- "diers," they said, "can eat from our hands, though we cannot "from theirs; we will allot as their share every grain of the rice, "and subsist ourselves by drinking the water in which it has been

* Orme.

"boiled." I state this remarkable anecdote from an authority I cannot doubt, as it refers to the most unexceptionable contemporary witnesses.

During all the wars of Clive, of Lawrence, of Smith, and of Coote, the sepoys of Madras continued to display the same valour and attachment. In the year 1780, 1781 and 1782, they suffered hardships of a nature almost unparalleled; there was hardly a corps that was not twenty months in arrears; they were supported, it is true, by a daily allowance of rice, but this was not enough to save many of their families from being the victims of that dreadful famine which during these years wasted the Company's dominions in India. Their fidelity never gave way in this hour of extreme trial, and they repaid with gratitude and attachment, the kindness and consideration with which they were treated by their European officers, who, being few in number, but, generally speaking, very efficient, tried every means that could conciliate the regard, excite the pride, or stimulate the valour of those they commanded.

In the campaigns of 1790 and 1791, against Tippoo Sultaun, the sepoys of this establishment showed their usual zeal and courage, but the number of European troops which were now intermixed with them, lessened their opportunities of distinguishing themselves, and though improved in discipline, they perhaps fell in their own estimation. The native army in some degree became a secondary one, and the pride of those of whom it was composed was lowered. I am neither questioning the necessity of the increased number of his majesty's troops which were employed in India at this period, nor the propriety of allotting to their superior strength and active courage services of the greatest danger, and consequently of pre-eminent honour; I only speak to the effect which the change made in the minds of the native army. The campaigns of Lord Cornwallis and General Meadows were certainly not inferior either in their operations or results to those of Sir Eyre Coote; but every officer can tell how differently they are regarded by the sepoys who served in both: the latter may bring to their memory the distresses and hardships which they suffered, and perhaps the recollection of children who perished from famine, but it is associated with a sense of their own importance, at that period, to the government they served, with the pride of fidelity and patient valour. The pictures of these three distinguished leaders are in the great room of the Exchange at Madras; to that (I speak of ten years ago) when a battalion comes into garrison the old sepoys lead their families. Wallis and Meadows (these are the names by which the two first commanders are known to them) are pointed out as great and brave chiefs; but it is to the image of their favourite, Coote, the pilgrimage is made, and the youngest of their children are

taught to pay a respect bordering on devotion to this revered leader.

In the year 1796, new regulations were introduced into the Indian army, the whole form of which was in fact changed. Instead of single battalions of a thousand men, commanded by a captain who was selected from the European corps in the Honourable Company's service, and a subaltern to each company, they were formed into regiments of two battalions, to which officers were appointed of the same rank and nearly of the same number as to a battalion in the service of his majesty. The good effects of this change, as far as related to the temper and attachment of the native army of Fort St. George, have been questioned. That the appearance and discipline of these troops have been improved, there is no doubt, and they have, in the campaign against Seringapatan in 1799, and in the recent war with the Mahrattas, shown their usual patience and courage; but events have occurred to prove, that their affections were not only capable of being alienated from their European officers, but that they could become their murderers. It is not meant here to enter into the particulars of the mutiny at Vellore, which came like a shock to dispel the charm of half a century, and to show by what a tenure our empire is held; but it is thought by many, this event could not have taken place had the ties which formerly existed in the native army not been much weakened, if not entirely broken. Of what has since occurred I forbear to speak, but I am assured that time and the efforts of great wisdom can alone afford a hope of a radical cure to the deep wounds that have been inflicted.

The general history of the native army of Fort St. George is short. Sepoys were first disciplined, as has been stated, on that establishment in 1748; they were at that period, and for some time afterwards, in independent companies, under subadars or native captains. Mahomed Esof, one of the most distinguished of those officers, rose by his talents and courage to the general command of the whole; and the name of this hero, for such he was, occurs almost as often in the page of the English historian * of India as that of Lawrence and Clive. As the numbers of the native army increased, the form changed. In A.D. 1766, we find ten battalions of 1000 men each, and three European officers to each corps. In 1770 there were eighteen battalions of similar strength, and in 1784 the number of this army had increased to 2000 native cavalry and 28,000 infantry: a considerable reduction was made at this period, but subsequent wars and conquests have caused a great increase, and the present effective strength of the native army of Fort St. George consists of eight regiments of cavalry, and twenty-four regiments or forty-eight battalions of native infantry. There are besides several troops of horse artillery,

* Orme.

some battalions of gun lascars, and a very large invalid establishment.

A few remarks on the appearance and conduct of this army, with some anecdotes of remarkable individuals, will fully illustrate its character, and convey a just idea of the elements of which it is composed.

The native cavalry of Fort St. George was originally raised by the Nabob of the Carnatic. The first corps embodied into a regiment under the command of European officers, on the suggestion of General Joseph Smith, served in the campaign of 1768 in the Mysore. From 1771 to 1776 the cavalry force was greatly augmented, but then again declined both in numbers and efficiency. The proportion that was retained nominally in the service of the Nabob, but actually in that of the Company, served in the campaigns of 1780, 1781, 1782, and 1783, and was formally transferred, with the European officers attached to it, to the Company's service in 1784. The prospect of fortune which the liberality of an Indian prince offered, attracted to this corps many active and enterprising European officers, and the favour which a native court extended to its choicest troops, filled the ranks of its regiments of regular cavalry with the prime of the Mahomedan youth* of the Carnatic. When this corps was in the service of the Nabob of the Carnatic, though it was often very highly distinguished, the intrigues of a venal court, and irregular payments caused frequent mutinies. Since it has been transferred to the Company's establishment, a period of more than thirty years, its career has been one of faithful service and of brilliant achievement, unstained by any example, that I can recollect, of disaffection or of defeat. The two severest trials of the courage and discipline of this corps were at Assaye and Vellore; in both these services they were associated with the 19th dragoons.

The distinguished commander† of that gallant regiment had, from the day of its arrival in India, laboured to establish the ties of mutual and cordial regard between the European and native soldiers. His success was complete. His own fame, while he remained in India, was promoted by their combined efforts, and the friendship which he established, and which had continued for many years, was after his departure consummated upon the plains of Assaye. At the most critical moment of a battle, which ranks amongst the hardest fought of those that have been gained by

* There cannot be men more suited, from their frame and disposition, for the duty of light cavalry than those of which this corps is composed. They are, generally speaking, from five feet five to five feet ten inches in height, of light but active make. Their strength is preserved and improved by moderation in their diet, and by exercises common to the military tribes, and which are calculated to increase the muscular force.

† The present General Sir John Floyd, Bart,

the illustrious Wellington, the British dragoons, when making their extremest efforts, saw their Asiatic fellow-soldiers, "keep pace for pace, and blow for every blow." A more arduous task awaited the latter, when the battalions of native infantry, which formed the garrison of Vellore, were led by the infatuation of the moment to rise upon and murder the Europeans of that garrison. The fidelity of the native cavalry did not shrink from the severe trial, and after the gates of the fortress were blown open, their sabres were as deeply* stained as those of the English dragoons with the blood of their misguided and guilty countrymen.

But a few authentic anecdotes of some of the most distinguished individuals of the native cavalry of Madras, will show better than volumes the high spirit which pervades that corps.

In the campaign of 1791, when Secunder Beg, one of the oldest subadars of the native cavalry, was riding at a little distance in the flank of his troop, two or three horsemen of Tippoo's army, favoured by some brushwood, came suddenly upon him; the combat had hardly commenced, when the son of the subadar, who was a havildar or serjeant in the same regiment, flew to his father's aid, and slew the foremost of his opponents, the others fled; but nothing could exceed the rage of the old man at his son's conduct; he put him instantly under a guard, and insisted upon his being brought to condign punishment for quitting his ranks without leave. It was with the greatest difficulty that Colonel Floyd, who commanded the force, could reconcile him to the disgrace he conceived he had suffered (to use his own expression) from his enemy "being taken from him by a presumptuous boy in front of his regiment."

Cawder Beg, late subadar of the fourth regiment, may be deemed throughout his life as one of the most distinguished officers of the native cavalry at Madras. In 1790, he was attached to Colonel Floyd as an orderly subadar, when that officer, who had been reconnoitering with a small detachment, was attacked by a considerable body of the enemy's horse. Nothing but the greatest exertions of every individual could have saved the party from being cut off. Those of Cawder Beg were the most conspicuous, and they received a reward, of which he was proud to the last hour of his life: an English sabre was sent to him, with the name of Colonel Floyd upon it, and an inscription, stating that it was the reward of valour. But personal courage was the least quality of Cawder Beg; his talents eminently fitted him for the exercise of military command. During the campaign of 1799, it was essential to prevent the enemy's looties, a species of Cossack horse, from penetrating between the

* I state this fact upon the high authority of a respectable officer, who belonged ot the 19th dragoons, and was with them on this memorable occasion.

columns and the rear guard, and plundering any part of that immense train of provisions and luggage, which it was necessary to carry to Seringapatan. Cawder Beg, with two or three of his relations from the native cavalry and a select body of infantry, were placed under my orders. I was then political representative with the army of the subah of the Deckan, and commanded a considerable body of the troops of that prince. I had applied for Cawder Beg on account of his reputation, and prevailed upon Meer Allum, the leader of the subah's forces, to place a corps of 2000 of his best regular horse under the subadar's orders. Two days after the corps was formed, an orderly trooper came to tell me, that Cawder Beg was engaged with some of the enemy's horsemen. I hastened to the spot with some alarm for the result, determined, if Cawder Beg was victor, to reprove him most severely for a conduct so unsuited to the station in which he had been placed. The fears I entertained for his safety were soon dispelled, as I saw him advancing on foot with two swords in his hand, which he hastened to present to me, begging at the same time I would restrain my indignation at his apparent rashness till I heard his reasons; then, speaking to me aside, he said, "Though the General of the Nizam's army was convinced by "your statement of my competence to the command you have "intrusted me with, I observed that the high-born and high-"titled leaders of the horse he placed under my orders looked at "my close jacket*, straight pantaloons, and European boots, "with contempt, and thought themselves disgraced by being told "to obey me. I was therefore tempted, on seeing a well-"mounted horseman of Tippoo's challenge their whole line, to "accept a combat which they declined. I promised not to use "fire-arms, and succeeded in cutting him down; a relation "came to avenge his death; I wounded him, and have brought "him prisoner. You will," he added smiling, "hear a good "report of me at the durbar (court) of Meer Allum this evening, "and the service will go on better for what has passed, and I "promise most sacredly to fight no more single combats."

When I went in the evening to visit the Meer Allum, I found at his tent a number of the principal chiefs, and among others those that had been with Cawder Beg, with whose praises I was assailed from every quarter. "He was," they said, "a perfect "hero, a Rustum†; it was an honour to be commanded by so "great a leader." The consequence was, as the subadar had anticipated, that the different chiefs who were placed under him vied in respect and obedience; and so well were the incessant

* The native troops in the English service wear a uniform very like that of Europeans.

† The Persian Hercules.

efforts of this body directed, that scarcely a load of grain was lost; hardly a day passed that the activity and stratagem of Cawder Beg did not delude some of the enemy's plunderers to their destruction.

It would fill a volume to give a minute account of the actions of this gallant officer: he was the native aide-de-camp of General Dugald Campbell, when that officer reduced the Ceded Districts*; he attended Sir Arthur Wellesley (the present Duke of Wellington) in the campaign of 1803, and was employed by that officer in the most confidential manner. At the end of this campaign, during which he had several opportunities of distinguishing himself, Cawder Beg, who had received a pension from the English Government, and whose pride was flattered by being created an omrah† of the Deckan by the Nizam, retired, but he did not long enjoy the distinction he had obtained: he died in 1806, worn out with the excessive fatigue to which he had for many years exposed himself.

The body guard of the Governor of Madras, which consists of about 100 men, has always been a very select corps, and the notice and attention with which both the Native officers and men of the corps have invariably been treated, may be adduced as one of the causes which have led to its obtaining distinction in every service on which it has been employed.

On the 13th of May, 1791, Lord Cornwallis returned his thanks in the warmest manner to this small corps and its gallant commanding officer, Captain Alexander Grant, for a charge made upon the enemy. It obtained still further distinction under Captain James Grant, the brother of its former commander, when employed, in the year 1801, against the Poligars, a race of warlike men who inhabit the southern part of the Madras territory. There are indeed few examples of a more desperate and successful charge than was made during that service by this small corps upon a phalanx of resolute pikemen, more than double its own numbers; and the behaviour of Shaikh Ibrahim, the senior subadar (a Native captain) on that occasion, merits to be commemorated.

This officer, who was alike remarkable for his gallantry and unrivalled skill as a horseman, anticipated, from his experience of the enemy, all that would happen. He told Captain Grant what he thought would be the fate of those who led the charge at the same moment that he urged it, and heard with animated delight the resolution of his commander to attempt an exploit which was to reflect such glory on the corps. The leaders of the body guard

* These districts, which were ceded to the English Government by the treaty of Seringapatam in 1799, lie between Mysore Proper and the territories of the Subah of the Deckan.

† He received the title of Cawder Nuaa Khan, or Cawder the Favoured Lord.

and almost one-third of its number fell, as was expected; but the shock broke the order of their opponents, and they obtained a complete victory. Shaikh Ibrahim was pierced with several pikes, one was in the throat; he held his hand to this, as if eager to keep life till he asked the fate of Captain Grant. The man of whom he inquired pointed to that officer, who was lying on the ground and apparently dead, with a pike through his lungs; the subadar with an expression of regret, that he had disdained to show for his own fate, pulled the pike from the wound and instantly expired. His character and his behaviour in the last moment of existence are fully described in the following general order, which was issued on this occasion by the Government of Fort St. George.

"A rare combination of talents has rendered the character of "Shaikh Ibrahim familiar to the officers of the army: to cool "decision and daring valour, he added that sober judgment and "those honourable sentiments that raised him far above the level "of his rank in life. An exploit of uncommon energy and per- "sonal exertion terminated his career, and the last effort of his "voice breathed honour, attachment and fidelity.

"The Governor in Council, desirous of showing to the army "his Lordship's* sense of the virtue and attainments which have "rendered the death of this Native officer a severe loss to the "service, has been pleased to confer on his family a pension equal "to the pay of a subadar of the body guard, being 30 pagodas a "month. And his Lordship has further directed that a certificate "to this effect, translated into Persian and Hindoostanee, may be "presented to the family, as a record of the gift, and a tribute to "the memory of the brave Subadar Shaikh Ibrahim."

The posthumous praise given to Shaikh Ibrahim appeared to have inspired others with a desire to share his fate, that they might attain his fame. A jemadar of the same corps, some days afterwards, being appointed with a few select men to watch a road, where it was thought the chief whom they were attacking might try to escape with one or two followers, determined, when a whole column came out, to make an attempt against its leader, and such was the surprise at seeing five or six horsemen ride into a body of between 200 or 300 men, that he had cut down the chief before they had recovered from their astonishment; he succeeded in riding out of the column, but was soon afterwards shot. He had, when he meditated this attack, sent a person to inform Captain J. Grant (who had recovered of his wounds) of his intention. "The "captain will discover," he observed, "that there are more

* Lord Clive (the present Lord Powis) was at this period Governor of Madras; and it is but justice to that nobleman to state, that virtue, talent, or valour, either in European or Native, were certain, under his administration, of attaining distinction and reward.

"Shaikh Ibrahims than one in the body guard." Captain Grant, when the service was over, erected tombs over these gallant officers: a constant lamp is kept at them, which is supported by a trifling monthly donation from every man in the body guard, and the noble spirit of the corps is perpetuated by the contemplation of these regimental shrines (for such they may be termed) of heroic valour.

Shaik Mohedeen, a subadar of the body guard of Madras, who was one of the first officers appointed to the corps of native horse artillery, recently raised on that establishment, accompanied me to Persia, and was left with a detachment of his corps, under the command of Captain Lindsay, to aid in instructing the Persians in military tactics. This small body of men and their gallant European commander were engaged in several campaigns in Georgia, and their conduct has obtained not only for the subadar, but for all the men of his party, marked honours and reward, both from the Persian Government and their own. Their exertions received additional importance from the scene on which they acted, for it is not easy to calculate the future benefits which may result from the display of the superior courage and discipline of the native soldiers of India on the banks of the Araxes.

The Native infantry of Madras is generally composed of Mahomedans and Hindoos of good caste: at its first establishment none were enlisted but men of high military tribes. In the progress of time a considerable change took place, and natives of every description were enrolled in the service. Though some corps that were almost entirely formed of the lowest and most despised races of men obtained considerable reputation, it was feared their encouragement might produce disgust, and particularly when they gained, as they frequently did, the rank of officers. Orders were in consequence given to recruit from none but the most respectable classes of society, and many consider the regular and orderly behaviour of these men as one of the benefits which have resulted from this system.

The infantry sepoy of Madras is rather a small man, but he is of an active make, and capable of undergoing great fatigue, upon a very slender diet. We find no man arrive at greater precision in all his military exercises; his moderation, his sobriety, his patience, give him a steadiness that is almost unknown to Europeans: but though there exists in this body of men a fitness to attain mechanical perfection as soldiers, there are no men whose mind it is of more consequence to study. The most marked general feature of the character of the natives of India is a proneness to obedience, accompanied by a great susceptibility of good or bad usage; and there are few in that country who are more imbued with these feelings than the class of which we are now treating. The sepoys of Madras, when kindly treated, have

invariably shown great attachment* to the service; and when we know that this class of men can be brought, without harshness or punishment, to the highest discipline, we neither can nor ought to have any toleration for those who pursue a different system; and the Commander-in-chief is unfit for his station who grants his applause to the mere martinet, and forgets, in his intemperate zeal, that no perfection in appearance and discipline can make amends for the loss of the temper and attachment of the Native soldiers under his command.

We discover in the pages of Orme many examples of that patient endurance of privations and fatigue, and that steady valour, which has since characterized the Native infantry of Fort St. George. Their conduct in the war against Hyder Ally in 1766 was such as justly to entitle them to admiration. In the battle of Trinomalee and Molwaggle they displayed all the qualifications of good and steady soldiers; and it was during this war that the 5th battalion of Native infantry, commanded by Captain Calvert, distinguished itself by the defence of Ambore, and obtained the honour of bearing a representation of that mountain fortress on one of its standards. To the campaigns of Sir Eyre Coote we have already alluded, and have spoken of the unshaken fidelity which the sepoys of Madras evinced at that trying juncture; but if a momeut was to be named when the existence of the British power depended upon its native troops, we should fix upon the battle of Portonovo. Driven to the sea-shore, attacked by an enemy exulting in recent success†, confident in his numbers, and strong in the terror of his name, every circumstance combined that could dishearten the small body of men on whom the fate of the war depended: not a heart shrunk from the trial. Of the European troops it is of course superfluous to speak; but all the native battalions appear, from every account of the action, to have been entitled to equal praise on this memorable occasion; and it is difficult to say whether they were most distinguished when suffering with a patient courage under a heavy cannonade,

* In old corps, that have been chiefly recruited within the territories which have been long in the possession of the Company, desertion is of very rare occurrence.

The first battalion of the 3d Native Infantry marched, in 1803, from near Madura (of which district, and Trichinopoly, a great proportion of its men were natives) to the banks of the Taptee, a distance of above a thousand miles, without one desertion!

† The defeat of Colonel Baillie's detachment, which occurred at the commencement of this war. The defeat has been variously attributed to bad arrangements in the general plans of the campaign, to mismanagement on the part of the commanding officer, and to the misconduct of the native troops. It is probable all these causes combined to produce this great misfortune; but we must recollect that the native battalions that were chiefly accused of bad behaviour on this occasion were raw levies, who had never before seen service, and most of whom had hardly been in the army a sufficient time to be disciplined. The men composing these corps had been hastily raised in the Circars, or northern possessions of Madras, and their conduct created a prejudice (which experience has since proved to be unjust) against recruits from this quarter.

when receiving and repulsing the shock of the flower of Hyder's cavalry, or when attacking in their turn the troops of that monarch, who, baffled in all his efforts, retreated from this field of anticipated conquest with the loss of his most celebrated commander and thousands of his bravest soldiers.

I shall not dwell upon the different actions in the war against Tippoo and the Mahrattas in which the Madras sepoys signalized themselves, but merely state some anecdotes of corps and individuals which appear calculated to give a fair impression of the general character of this class of the defenders of our empire in India.

The natives of India have, generally speaking, a rooted dislike to the sea; and when we consider the great privations and hardships to which Hindoos of high caste are subject on a long voyage, during which some of them, from prejudices of caste, subsist solely on parched grain, we feel less surprise at the occasional mutinies which have been caused by orders for their embarkation than at the zeal and attachment they have often shown upon such trying occasions.

A mutiny had occurred in the 9th battalion when ordered to embark for Bombay, in 1779 or 1780, which however had been quelled by the spirit and decision of its commandant, Captain Kelly. A more serious result had accompanied a similar order for the embarkation of some companies of a corps in the Northern Circars, who, when they came to Vizagapatam, the port where they were to take shipping, had risen upon their European officers, and in their violence shot all except one or two who escaped on board the vessel appointed to carry their men.

These events rendered Government averse to a repetition of experiments which had proved so dangerous; but in the year 1795, when the island of Ceylon, and the possessions of the Dutch in the Eastern Seas were to be reduced, Lord Hobart*, who was then Governor of Fort St. George, made a successful appeal to the zeal and attachment of the native troops, who volunteered in corps for foreign service.

A still greater call for men was necessary when an army was formed in 1797, for the attack of Manilla, and many of the best battalions in the service showed a forwardness to be employed on this expedition. Among these, one of the most remarkable for its appearance and discipline was a battalion of the 22d regiment.

* Lord Hobart, afterwards Earl of Buckinghamshire, (at whose desire this Memorandum was written,) was very successful in inspiring zeal in every branch of the Government under his charge, and his attention was peculiarly directed to the conciliation of the natives. The local information he acquired at this period was subsequently matured by a study of the general interests of the Indian empire; and the life of this virtuous nobleman terminated at a moment when his services, from the high station he had attained of President of the Board of Control, were most valuable to his country.

This fine corps was commanded by Lieut.-Colonel James Oram*, an officer not more distinguished for his personal zeal and gallantry, than for a thorough knowledge of the men under his command, whose temper he had completely preserved, at the same time that he had imparted to them the highest perfection in their dress and discipline. When he proposed to his corps, on parade, to volunteer for Manilla, they only requested to know whether Colonel Oram would go with them: the answer was, "He would." "Will he stay with us?" was the second question. The reply was in the affirmative: the whole corps exclaimed, "To Europe, to Europe!" and the alacrity and spirit with which they subsequently embarked showed they would as readily have gone to the shores of the Atlantic as to an island of the Eastern Ocean. Not a man of the corps deserted from the period they volunteered for service till they embarked; and such was the contagion of their enthusiasm, that several sepoys who were missing from one of the battalions in garrison at Madras were found, when the expedition returned, to have deserted to join the 22d under Colonel Oram. We state this anecdote † with a full impression of the importance of the lesson it conveys. It is through their affections alone that such a class of men can be well commanded.

I find in the Madras Native army many instances of unconquerable attachment to the service to which they belong. Among these none can be more remarkable than that of Syud Ibrahim, commandant of the Tanjore cavalry, who was made prisoner by Tippoo Sultan in 1781. The character of this distinguished officer was well known to his enemy, and the highest rank and station were offered to tempt him to enter into the employment of the state of Mysore. His steady refusal occasioned his being treated with such rigor, and was attended, as his fellow-prisoners (who were British officers) thought, with such danger to his life, that they, from a generous feeling, contemplating his condition as a Mahomedan and a native of India as in some essential points different from their own, recommended him to accept the offers of the Sultan; but the firm allegiance of Syud Ibrahim would admit of no compromise, and he treated every overture as an insult. His virtuous resolution provoked at last the personal resentment of Tippoo, and when the English prisoners were released in 1784, the commandant was removed to a dungeon in the mountain fortress of Couley Droog, where he terminated his existence. His sister, who had left her home, the Carnatic, to share the captivity of her brother, was subsequently wounded in the storming of

* This officer has been dead upwards of fifteen years.

† The attachment of the Madras sepoys to their service was evinced in a most remarkable manner during the Burmese war. In a body of fifteen or sixteen thousand men who embarked at different periods for Ava, there were not above four or five (if so many) deserters.

Seringapatam. She, however, fortunately recovered, and the Government of Fort St. George granted her a pension of fifty-two pagodas and a half per month, or 250*l.* per annum, being the full pay of a native commandant of cavalry. A tomb was also erected at the place where Syud Ibrahim died; and Government endowed it with an establishment sufficient to maintain a fakeer or priest, and to keep two lamps continually burning at the shrine of this faithful soldier.

Among the many instances of the effect which pride in themselves, and the notice of their superiors, inspire in this class of troops, I may state the conduct of the first battalion of the eighth regiment of infantry, which became, at the commencement of his career in India, a favourite corps* of the Duke of Wellington. They were with him on every service; and the men of this corps used often to call themselves "Wellesley ka Pulten," or Wellesley's battalion, and their conduct on every occasion was calculated to support the proud title they had assumed. A staff officer†, after the battle of Assaye, saw a number of the Mahomedans of this battalion assembled, apparently for a funeral; he asked whom they were about to inter; they mentioned the names of five commissioned and non-commissioned officers of a very distinguished family in the corps. "We are going to put these brothers‡ into "one grave," said one of the party. The officer, who was well acquainted with the individuals who had been slain, expressed his regret, and was about to offer some consolation to the survivors, but he was stopped by one of the men: "There is no occasion," he said, "for such feelings or expressions; these men (pointing "to the dead bodies) were sepoys (soldiers); they have died in "the performance of their duties; the government they served "will protect their children, who will soon fill the ranks they "lately occupied."

Though sensible I have dwelt too long upon this part of my subject, I cannot forbear recording an example of that patience with which the native troops meet privation and distress. In 1804, the subsidiary force in the Deckan, commanded by Colonel Haliburton, was inclosed betwen two rivers, which became suddenly so swollen as to cut off their supplies of provisions. It was a period of general famine, and the communication was cut off with

* This corps, some years before the period of which we are now speaking, attained very high reputation under Captain Dunwoody, an officer whose memory continues to be respected and cherished in the native army of Fort St. George.

† The respected and distinguished officer, the late Sir Robert Barclay, to whom we owe this and the following anecdote of the Madras troops, concludes a note he has been kind enough to write on the subject with the following remark:—

"I have seen (he observes) the Madras sepoys engaged in great and trifling actions more than fifty times; I never knew them behave ill, or backward, but once, when two havildars (or serjeants) that were next to me quitted their post, from seeing the fire chiefly directed to me; but it is (he adds) but justice to state that, on other occasions, I have owed my life to the gallantry of my covering havildar."

‡ The term "brothers" extends, in India, to first cousins.

the grain-dealers, from whom alone they could expect a supply. All the rice in camp was found to be barely sufficient for five days' allowance, at a very reduced rate, to the European part of the force. Issues to the sepoys were stopped, but while they were left to the scanty subsistence they might be able to procure for themselves, they were appointed the sole guards over that grain, from all share in which they were from necessity excluded. This duty was performed with the strictest care, and the most cheerful submission. Fortunately the waters subsided, and an ample supply prevented their feeling that extreme of famine, the prospect of which they had contemplated with an attention to discipline and a composure of mind, which even astonished those best acquainted with their habits of order and obedience.

I have before stated, that it was at Bombay that the first native corps were disciplined by the English. Of the exact date I am ignorant, but regular sepoys are noticed in the account of the transactions of that part of India some time before they were embodied at either Madras or Bengal. A corps of 100 sepoys from Bombay, and 400 from Tellicherry, is mentioned as having joined the army at Madras, in A.D. 1747, and a company of Bombay sepoys, which had gone with troops from Madras to Bengal, were present at the victory of Plassey. The sepoys at Bombay continued long in independent companies, commanded by subadars or native captains. As the possession and political relations of that settlement were enlarged, its army increased. The companies were formed into battalions under European officers; and during the war with the Mahrattas, A.D. 1780, we find the establishment consisting of fifteen battalions. These, at the termination of the war with Tippoo, 1783, were reduced to six, and one battalion of marines. In 1788, its numbers were augmented to twelve battalions. In 1796, it was re-formed into an establishment of four regiments of two battalions each, from which it has been progressively raised, by the acquisition of territory and subsidiary alliances, to its present establishment of nine regiments of native infantry, of two battalions each, one battalion of marines, and a small corps of native cavalry.

The men of the native infantry of Bombay are of a standard * very near that of Madras. The lowest size taken is five feet three inches, and the average is five feet five, but they are robust and hardy, and capable of enduring great fatigue upon very slender diet.

This army has, from its origin to the present day, been indiscriminately composed of all classes, Mohamedans, Hindoos, Jews, and some few Christians. Among the Hindoos, those of

* Since this was written, a considerable change has taken place in the composition of the Bombay native army, as explained in my letter to Lord William Bentinck, under date the 27th November, 1830, which will be formed in this Appendix.

the lowest tribes of Mahrattas and the Purwarrie, Soortee and Frost sects *, are much more numerous than the Rajpoots and higher castes. Jews have always been favourite soldiers in this army, and great numbers of them attain the rank of commissioned officers †. It is probably owing to the peculiar composition, and to the local situation of the territories in which they are employed, that the sepoys of Bombay have at all periods been found ready to embark on foreign service. They are, in fact, familiar to the sea, and only a small proportion of them are incommoded in a voyage by those privations to which others are subject from prejudices of caste. But this is only one of the merits of the Bombay native soldier: he is patient, faithful and brave, and attached in a remarkable degree to his European officers. There cannot be a class of men more cheerful under privation and difficulties; and though desertion is very frequent among the recruits of this army, who, from the local position of Bombay, can, on the first feeling of disgust at discipline, always, in a few hours, escape to the Mahratta territories ‡, where they are safe from pursuit, there are no men, after they become soldiers, more attached to their colours. I question, indeed, if any army can produce more extraordinary examples of attachment to the government it served and to its officers, than that of Bombay.

Towards the close of the war with Tippoo, in 1782, the whole of the force under General Matthews were made prisoners. The Sultan, sensible of the advantages he might derive from the accession of a body of well-disciplined men, made every offer that he thought could tempt the English sepoys into his service, but in vain. He ordered them to work upon his fortifications, particularly Chittledroog, which was very unhealthy, upon a seer (two pounds) of raggy (a small grain like mustard-seed) and a pice (about a halfpenny) per day. On this pittance they were rigidly kept at hard labour through the day, and in close confinement at night, subject to the continued insults of their guards; but neither insults, oppression, nor sickness could subdue their fidelity; and at the peace of 1783, 1,500 of the natives of India §, who had been made prisoners near the mountains of the coast of Malabar, marched a distance of 500 miles to Madras, to embark

* The Purwarrie are generally from the southward of Bombay, the Frost and Soortees from the northward. These are men of what is termed very low caste, being hardly above what are called pariahs, on the coast of Coromandel.

† I write from a memorandum of an officer of rank and experience in the Bombay army. He observes, "the Jews are clean, obedient, and good soldiers, make excellent non-commissioned and commissioned officers, until they arrive at an advanced age, when they often fall off, and turn drunkards."

‡ This was written previous to the war of 1817-18, by the result of which these territories became subject to the English Government.

§ A considerable number of the sepoys taken with General Matthews had, at the hazard of their lives, made their escape from the Sultan, and reached Bombay, through the Mahratta territories.

on a voyage of six or eight weeks, to rejoin the army to which they belonged, at Bombay. During the March from Mysore the guards of the Sultan carefully separated those men, whenever they encamped, by a tank (a large reservoir), or some other supposed insurmountable obstacle, from the European prisoners, among whom were their officers. Not a night passed (I write from a paper of an officer of distinction who was a witness of what he states) that some of the sepoys did not elude the vigilance of their guards by swimming across the tank, or by passing the sentries, that they might see their officers, to whom they brought such small sums as they had saved from their pittance, begging they would condescend to accept the little all they had to give. "We can live upon anything," (they used to say,) "but you require mutton and beef."

To the service in Egypt, in 1800, the Bombay troops proceeded with the same alacrity as to every other, and neither the new disorders (to them) of the ophthalmia or plague, from both of which they suffered, abated in the least degree their ardour. It happened that this force, and that from Bengal, were too late to share in the fame which our arms acquired in Egypt; but we can hardly contemplate an event in any history more calculated to inspire reflection on the character of that transcendent power which our country had attained, than the meeting of her European and Indian army on the shores of the Mediterranean.

During the progress of the war with France, subsequent to 1803, several parties of the marine battalions of Bombay sepoys were captured on board of the Company's cruisers and carried to the Isle of France, where they were treated in a manner that reflects no credit upon the local government of the island, which probably expected that the hardships they endured would make them give way to the temptations continually held out, and induce them to take service; but in this they were disappointed: not one of those men could be persuaded to enter into the employment of the enemies of Great Britain; and when the Isle of France was captured they met with that notice which they had so well merited. The government of Bombay granted to every individual who survived his captivity—a silver medal, as a memorial of the sense which it entertained of his proved fidelity and attachment.

From the documents in my possession, many examples of individual heroism in the Bombay sepoy might be given, but I shall content myself with two, which will show in a very strong point of view the nature of their attachment to their European officers.

Four years ago, when the commanding officer * of a battalion

* The present Lieutenant-colonel Hull.

on the Bombay establishment was proceeding along the banks of a ravine, with eight or ten men of his corps, to search for some lions, which had been seen near the cantonment of Kaira, in Guzerat, a royal tiger suddenly sprang upon him. The ground gave way, and the tiger and Major Hull rolled together to the bottom of the ravine. Though this fall prevented the latter from being killed by the first assault, still his fate seemed certain; and those who know, from having witnessed it, the terror which the attack of this fierce animal inspires, can only appreciate the character of that feeling which led every sepoy who was with him to rush at once to his succour. The tiger fell under their bayonets, though not before it had wounded two of his assailants most desperately; one having lost his leg, and the other being so lacerated as to be rendered unfit for future service as a soldier. These wounds, however, were deemed trivial by those who sustained them, when they saw that the officer whom they loved had escaped unhurt from his perilous situation.

The second example of this strong feeling of duty is still more remarkable, as it was not merely encountering danger, but a devotion to certain death. I take the account of the transaction from a document * in which it was recorded at the period of its occurrence.

In 1797, Captain Packenham, in his majesty's ship Resistance, accompanied by some small vessels of war belonging to the Company, took possession of Copong, the chief Dutch settlement on the eastern isle of Timor. Lieutenant Frost, of the Bombay marine, commander of the Intrepid cruiser, who was to be appointed Governor of Copong, had taken a house on shore, where he expected Captain Packenham to meet the Dutch Governor, and make arrangements for the future administration of the place. The Malays had formed a plan, by which it was settled that the moment Captain Packenham landed to attend this meeting they were to rise and murder all the Englishmen on shore. Fortunately something occurred to induce Captain Packenham to defer his visit; but he sent his boat, and its reaching the beach was the signal for the commencement of the massacre. Nearly twenty persons were slain. A large party had rushed to Lieutenant Frost's house. The head of his surgeon had been struck off, and his own destruction seemed inevitable, when two sepoys of the Bombay marine battalion, whom he landed from his vessel, exclaimed to him, "Save yourself by flight, we will fight and die;" at the same time exposing themselves to the fury of the assailants, and giving their commander time to escape to a boat. The sepoys, after a resistance as protracted as they could render it, were slain, and their heads, exposed on pikes, explained their fate to their lamenting companions on board the Intrepid.

* Madras newspapers, 27th September, 1797.

Captain Packenham took prompt and ample vengeance of this treachery; he opened a heavy fire upon the place, under which he landed an efficient force, which defeated the Malays, who fled after losing 200 men.

The length to which I have been led in the account of the native armies of Madras and Bombay must, in some degree, limit the observations on that of Bengal: I shall, therefore, not dwell on details connected with the progress of this army, from a few companies who landed with Lord Clive, in 1756, to its present number, which is upwards of 60,000 effective native soldiers, commanded by about 1500 European officers *, but content myself with noticing those facts which appear best calculated to illustrate the disposition and character of the materials of which it is composed.

Captain Williams has written a narrative of this army, which, though not perhaps altogether calculated to please the fastidious reader, is throughout simple and intelligible; and the authenticity of the facts is confirmed by the manner in which they are related. His plan evidently was, to give the history of each corps from the period in which it was raised to its dissolution, or till it was formed into a regiment of the present establishment; but, having been an actor in many of the scenes he describes, he is insensibly led into digressions, which, though sometimes tedious, we must pardon, from the curious and interesting matter they contain.

The first battalion raised in Bengal were ten companies of one hundred men each, commanded by a captain; with one lieutenant, one ensign, and one or two serjeants. Each company had a standard of the same ground as the facings, with a different device, (suited to its subadar, or native captain,) of a sabre, a crescent, or a dagger. The Company's colours, with the Union in one corner, were carried by the grenadiers. The first battalions were known by the name of the captain by whom they were commanded; and though, in 1764, nineteen corps received a numerical rank, corresponding with the actual rank of their commandants at that period, this did not prevent them from continuing to be known under their former appellation, or from assuming the name of a favourite leader; and it is under these names (which Captain Williams has faithfully preserved) that he gives the history of some of the most distinguished corps in the service. He commences with an account of the 15th battalion, which he informs us was raised in Calcutta, in 1757, and called the Mathews, from the name of its first commander. This corps was with Colonel Ford, in 1759, when that able officer with 346 Europeans and 1400 sepoys, besieged and took by storm the

* This is independent of the officers of artillery and engineers, and of invalid corps. In 1760, the whole of the European officers in the service of the Company in Bengal amounted to eighteen captains, twenty-six lieutenants, and fifteen ensigns. Subsequent to writing this memoir, the native army of Bengal has been considerably

strong fortress of Masulipatam, making prisoners a French garrison, who, both in Europeans and natives, were nearly double his numbers. In this daring and arduous enterprise we are told by the historian of India that "the sepoys (who lost in killed and "wounded on the storm, 200 men) behaved with equal gallantry "as the Europeans, both in the real and false attacks*." In 1763, in the wars with the Vizier of Oude, the "Mathews," which was with the force under the command of Major Adams, is stated, when the Company's European regiment was broken by cavalry, to have nobly supported his majesty's 84th regiment, whose courage restored the action. Major Adams died shortly afterwards. and a general mutiny of the whole force took place, in which the sepoys at first joined, but were soon after reclaimed to their duty. Captain Williams at this part enters into a long digression respecting the events of the period. He gives an account of the battle of Buxar, which was fought in 1764, and in which all the native corps appear to have behaved well, though the action was chiefly gained by the courage and discipline of the European part of the force.

In 1782, "the Mathews" was one of three Bengal corps who mutinied, under an apprehension of being embarked for foreign service; and though the conduct of those corps † was remarkable for the total absence of that spirit of general insubordination and disposition to outrage by which mutinies of soldiery are usually marked, they were in the ensuing year broken and drafted into some other battalions. "Thus fell 'the Mathews,' (says Cap- "tain Williams,) a corps more highly spoken of during the "twenty-six years it existed, than any battalion in the service;

* Orme's History of India, vol. iii. p. 489.

† I cannot refrain from giving the following account of this mutiny, which is written by an officer who witnessed it. It is very characteristic of the Bengal sepoys. —"The mutiny (this officer observes), excepting a general spirit of murmur and "discontent, was confined to the single instance of refusing the service, and whilst in "that state, preventing the march of two companies which were ordered to protect "stores, &c., prepared for the expedition. The men were guilty of no violence of any "description, and treated their officers with the usual respect. The discipline of the "corps was carried on as usual; and notwithstanding some of the native officers and "men who had acted the most conspicuous part were confined in the quarter-guards "of their respective regiments, no attempt was made to release them. After a lapse "of several weeks, a general court-martial was held, and two subadars, and one or "two sepoys, were sentenced to death, by being blown away from the mouth of the "cannon. The sentence was carried into execution, in the presence of those troops "which had mutinied, excepting one other regiment, which was at the station, with- "out the smallest opposition, or even murmur; and the troops were marched round the "spot of execution, amidst the mangled remains of their fellow-soldiers, without any "other apparent feeling than the horror which such a scene was calculated to excite, "and pity for their fate."

The intended service was given up, and the regiments which had mutinied were pardoned in general orders; but on the return to the Bengal provinces of General Goddard's detachment, the officers and men of the regiments which had mutinied were drafted into those old battalions.

" and at this day, (he adds,) if you meet any of the old fellows " who once belonged to it, and ask them what corps they came " from, they will erect their heads and say, ' Mathews ka Pultan,' " or ' Mathews's battalion.' "

The present second battalion of the 12th regiment appears, from Captain Williams's account, to have been raised some months before the Mathews. He, indeed, calls it the first-raised battalion. This corps was at the battle of Plassey. It was named by the sepoys the Lal Pultan, or the Red * Battalion, and afterwards Gallis †, from the name of one of its first captains. It was associated with the Mathews in all its early service, particularly at Masulipatam, Gheretty, &c.; but, in 1764, it mutinied, on the pretext of some promises which were made to it having been broken. Having no apparent object, it was easily reduced to obedience; but Major Munro, (afterwards Sir Hector Munro,) who then commanded the army, thought a severe example necessary, and twenty-eight of the most guilty were tried by a drum-head court-martial, and sentenced to death. Eight of these were directed to be immediately blown away from the guns of the force then at Choprah. As they were on the point of executing the sentence, three grenadiers, who happened to be amongst them, stepped forth and claimed the privilege of being blown away from the right hand guns. " They had always " fought on the right, (they said,) and they hoped they would be " permitted to die at that post of honour." Their request was granted, and they were the first executed. " I am sure (says " Captain Williams, who then belonged to the Royal Marines " employed in Bengal, and who was an eye witness of this " remarkable scene), that there was not a dry eye among the " marines, although they had been long accustomed to hard " service, and two of them had actually been in the execution " party which shot Admiral Byng, in 1757."

This corps subsequently distinguished itself in 1776, at the battle of Korah. It had been known originally as the first battalion. It was afterwards numbered the 9th, from the rank of its captain. In a new arrangement of the army it was made the 16th, then the 17th. By the regulations of 1796, it has become the 2d of the 12th regiment; and it has of late years, as we shall hereafter have occasion to mention, far outdone its former fame.

A detachment, composed of six native battalions, a corps of native cavalry, and a proportion of artillery, altogether amount-

* Probably from its dress.

† The name of this officer (who is still alive) is Galiez. The natives of India often corrupt English names in an extraordinary manner: Dalrymple is made into Dalduffle; Ochterlony, Lonyochter; Littlejohn, John Little; Shairp, Surrup; &c. &c.

ing to 103 European officers, and 6624 native troops, was sent from Bengal to the relief of the settlement of Bombay. Its first rendezvous was Culpee, a town on the right bank of the Jumna, near Cawnpore, whence it commenced its march on the 12th June, 1778. It reached Rajgurh, a town in Bundlecund, on the 17th August, where it halted so much longer than Mr. Hastings thought necessary, that he removed Colonel Leslie, the commanding officer, and appointed Lieutenant-colonel Goddard to that charge. Under this active and enterprising officer it continued its route through Malwa and Candeish to Surat, presenting the extraordinary spectacle of a corps of the natives of Hindostan, under the guidance of a few European officers, marching from the banks of the Ganges to the westernmost shores of India. During the five years that they were absent from their home, the men of this detachment conducted themselves in the most exemplary manner, and acquired distinction in every service in which they were employed. I shall not repeat the warm and animated eulogium which Mr. Hastings passed upon this corps in one of the last general orders he issued to the army in Bengal, but all must subscribe to the truth of his observation, that their conduct showed that "there are no difficulties which the true spirit of "military enterprise is not capable of surmounting."

The force detached to the Carnatic, in 1781, was commanded by Colonel Pearse. It consisted of five regiments, of two small battalions (500 men each) of native infantry, some native cavalry, and a proportion of artillery. This corps, which marched about 1100 miles along the sea-coast, through the province of Cuttack, and the Northern Circars to Madras, arrived at that Presidency at a most eventful period, and their services were eminently useful to the preservation of our power in that quarter. Among the many occasions which this detachment had of distinguishing itself, the attack on the French lines at Cuddalore, in 1783, was the most remarkable. The Bengal sepoys that were engaged on that occasion behaved nobly. It was one of the first times that European troops and the disciplined natives of India had met at the bayonet. The high spirit and bodily vigour of the Rajpoots of the provinces of Behar and Benares (the class of which three-fourths of this army was then composed) proved fully equal to the contest. In a partial action, which took place in a sortie made by the French, the latter were defeated with severe loss; and the memory of this event continues to be cherished with just pride both by the officers and men of the Bengal Native army. Had the result of this affair, and the character of these sepoys been more generally known, some of our countrymen would have been freed from that excessive alarm which was entertained for the safety of our Eastern possessions, when the late despot of Continental Europe threatened them with invasion. I trust that

every event that can seriously disturb the peace of our Indian empire is at a great distance; but if an European army had crossed the Indus, I should not tremble for its fate. I well know that the approach of such a force would strike no terror into the minds of men of whom I am writing, and that acting with British troops and led by British officers, they would advance with almost as assured a confidence of victory against a line of well-disciplined Europeans as against a rabble of their own untrained countrymen. They might fail; but they are too bold, and too conscious of their own courage and strength, ever to anticipate defeat.

I should feel hesitation in stating my sentiments so strongly on this subject, if I did not know them to be those which have been entertained and avowed by many eminent commanders*, who have had opportunities of forming a judgment upon this question. When Colonel Pearse's detachment, which had been reduced by service from 5,000 to 2,000 men, returned to Bengal after an absence of four years, the policy of Mr. Hastings heaped every distinction upon them that he thought calculated to reward their merits, or to stimulate others to future exertion of a similar nature. He visited this corps, and his personal conduct towards both the European officers and natives gave grace to his public measures. A lasting impression† was made on the minds of all; and every favour was doubled by the manner in which it was conferred.

The rebellion of Cheyt Singh, the Rajah of Benares, in 1781, must be familiar to all acquainted with Indian history. My purpose in mentioning it, is limited to the object of showing the conduct of the Bengal sepoys under one of the severest trials of fidelity to which they were ever exposed.

The numerous followers of the Rajah had risen upon two companies of sepoys appointed to guard the house in which he was placed under restraint, and killed and wounded the whole of them. The rashness of an European officer had led another party to slaughter in the streets of Ramnagur. Mr. Hastings, who was at Benares when these events occurred, had only a few companies of sepoys to guard his person, and even these he had no money

* I can particularly quote the late Lord Lake. No officer ever saw troops under more varied and severe trials than he did the Bengal sepoys. He never spoke of them but with admiration; and was forward to declare, that he considered them equal to a contest with any troops that could be brought against them.

† An officer of rank and distinction (Major-general Sir Henry Worsley) who, when a young subaltern, was an eye-witness of this scene, observes, in a letter which he has written to me on the subject, "Mr. Hastings, dressed in a plain blue coat, with his head "uncovered, rode along the ranks. The troops had the most striking appearance of "hardy veterans. They were all as black as ink, contrasted with the sleek olive skins "of our home corps. The sight of that day (he concludes), and the feelings it excited, "have never been absent from my mind; to it, and to the affecting orders which "Mr. Hastings issued, I am satisfied I, in a great degree, owe whatever of professional "pride and emulation I have since possessed."

to support. He summoned corps from different quarters to his aid; but when we reflect on the impression which the first success of Cheyt Singh had made, and consider that by far the greatest proportion of the troops with whom Mr. Hastings had overcome the dangers with which he was surrounded were men of the same tribe and country as those against whom they were to act, and that the chief, who was declared a rebel, had long been considered by many of them as their legitimate prince, we must respect the mind that remained firm and unmoved at so alarming a crisis. The knowledge Mr. Hastings had of the sepoys led him to place implicit trust in them on this trying occasion, and his confidence was well rewarded. Their habits of discipline, and their attachment to their officers and the service, proved superior to the ties of caste and of kindred. Not an instance of defection occurred, and the public interests were preserved and restored by their zeal and valour.

Before I make any remarks on the more recent parts of the history of the Bengal native infantry, I must offer some observations on the composition of the army of that Presidency. The cavalry, which now consists of eight regiments, is comparatively young; its formation on the present establishment was only just completed when the Mahratta war of 1803 commenced. Their conduct, however, in the severe service that ensued has justly raised their reputation, and they at present form a most efficient and distinguished branch of the army to which they belong.* The men are rather stouter than those in the same corps at Madras. The latter are almost all Mahomedans, and a considerable proportion of the Bengal cavalry are of the same race. The fact is, that with the exception of the Mahratta tribe, the Hindoos are not, generally speaking, so much disposed as the Mahomedans to the duties of a trooper; and though the Mahomedans may be more dissipated and less moral in their private conduct than the Hindoos, they are zealous and high-spirited soldiers, and it is excellent policy to have a considerable proportion of them in the service, to which experience has shown they often become very warmly attached. In the native infantry of Bengal the Hindoos are in the full proportion of three-fourths to the Mahomedans.

* It is only to peruse the despatches of the late Lord Lake to be sensible of the excellence this corps very early obtained. I know few military exploits of cavalry more extraordinary than that which he performed with a column of three regiments of British light dragoons and three of native cavalry, supported by some horse artillery and a small reserve of infantry. With this corps his Lordship pursued Jeswunt Row Holkar from Delhi, through the Douab, till he came up with and defeated him at Futtyghur. Lord Lake, in a despatch dated 18th November, in which he gives an account of this operation, observes, "The troops have daily marched a distance of twenty-three or twenty-four miles. During the night and day previous to the action they marched fifty-eight miles, and from the distance to which they pursued the enemy, the space passed over, before they had taken up their ground, must have exceeded seventy miles."

They consist chiefly of Rajpoots, who are a distinguished race among the Khiteree or military tribe. We may judge of the size of these men when we are told that the standard, below which no recruit is taken, is five feet six inches*. The great proportion of the grenadiers are six feet and upwards. The Rajpoot is born a soldier. The mother speaks of nothing to her infant but deeds of arms, and every sentiment and action of the future man is marked by the first impressions that he has received. If he tills the ground, (which is the common occupation of this class,) his sword and shield are placed near the furrow, and moved as his labour advances. The frame of the Rajpoot is almost always improved (even if his pursuits are those of civil life) by martial exercises; he is from habit temperate in his diet, of a generous, though warm temper, and of good moral conduct; he is, when well-treated, obedient, zealous, and faithful. Neither the Hindoo nor the Mahomedan soldier of India can be termed revengeful, though both are prone to extreme violence† in points where they deem their honour, of which they have a very nice sense, to be slighted or insulted. The Rajpoots sometimes want energy, but seldom, if ever, courage. It is remarkable in this class, that even when their animal spirits have been subdued so far as to cause a cessation of exertion, they show no fear of death, which they meet in every form it can present itself with surprising fortitude and resignation. Such is the general character of a race of men whose numbers in the army of Bengal amount to between 30,000 and 40,000, and of whom we can recruit in our provinces to any

* Before 1796 it was always five feet six inches and a half. By an order in 1809, men may be taken for light infantry corps as low as five feet five inches.

† One instance is given in Captain Williams's narrative of the action of this violent spirit. In 1772, a sepoy of the now first battalion of the 10th regiment, who had suffered what he supposed an injury, fell out of the ranks when the corps was at exercise, and going up to Captain Ewens, the commanding officer, with recovered arms, as if to make some request, took a deliberate aim, and shot him, then patiently awaited the death he had merited. I could give several examples of similar feeling; two will suffice. Captain Crook, formerly of the Madras cavalry, struck a sentry for allowing a bullock that brought water to his tent, to step over the threshold and dirty it. The man took no notice of what had occurred till relieved from his post; he then went to his lines, and a short time afterwards sought his captain, and, taking deliberate aim at him, shot him dead upon the spot. He made no attempt to escape. He had avenged his honour from the blows he had received, and met with calmness and fortitude the death that was awarded as the punishment of his crime.

An officer (still living) was provoked at some offence the man had committed to strike a Madras native trooper under his command. On the night of the same day, as he was sitting with another officer in his tent, the trooper came in, and, taking aim at him, fired; but, owing to the other officer striking his arm, the ball missed. As, however, he fell in the confusion, and the light was extinguished, his companion, who considered him killed, ran to obtain aid, and to seize the murderer, who had another pistol in his hand. The moment he was out of the tent, he heard the other pistol go off; and, on returning with a guard of men and some lights, he found that the trooper, conceiving that the first shot had taken effect, and that his honour was avenged by the death of the person who had insulted him, had, with the second pistol, shot himself through the head.

amount. But this instrument of power must be managed with care and wisdom, or that which is our strength may become our danger. It must always be recollected that minds of the caste we have described are alive to every impulse, and, from similarity of feeling, will all vibrate at the same touch. If we desire to preserve their attachment, we must continue to treat them with kindness, liberality and justice; we must attend to the most trifling of their prejudices, and avoid rash innovations, but above all, those that are calculated to convey to their minds the most distant alarm in points connected with their usages or religion.

A detachment of Bengal native troops shared in the glory acquired by Lord Cornwallis in his war against Tippoo Sultan in 1790 and 1791. From that time till 1803, the only operation of any consequence in which they were engaged was a short campaign, in Rohilcund, in 1794. The rude and untrained, but fierce and hardy enemies against whom Sir R. Abercrombie had to act, were perhaps too much despised, and they took advantage of a confusion caused in his right wing, by the bad behaviour of the English commandant of a small body of half-disciplined cavalry, to make a furious charge, by which a most destructive impression was made on two battalions of sepoys and a regiment of Europeans.

Their desperate career was checked by the fire of the English artillery, by whose good conduct, and the steady valour of the other parts of the line, a victory was ultimately gained. The native troops never, perhaps, displayed more courage than on this trying occasion, and all regretted that the infamous* conduct of one man had caused such serious loss of officers and men in some of the most distinguished corps† of the army.

The campaigns of 1803 and 1804 present a series of actions and sieges, in every one of which the Bengal sepoys showed their accustomed valour. At the battles of Delhi and Laswarre they were as eminently distinguished as at the sieges of Agra and Deeg; and I may safely assert, that in the only two great reverses which occurred during the war, the retreat of Colonel Monson and the siege of Bhurtpore, the courage, firmness and attachment of the native troops were more conspicuous than in its most brilliant periods. We know sufficient of the former operations to regret that no full and faithful account of them has yet been published; nor does Captain Williams's narrative supply this blank. I can

* The name of this officer was Ramsay. He escaped, by desertion, from the punishment he had so amply merited.

† The corps on the right of the army was the 13th battalion, which had been eminently distinguished against the French at Cuddalore. It had earned more laurels under its well-known commander, Captain Norman Macleod, in the campaigns of Lord Cornwallis. Captain Ramsay's cavalry rode unexpectedly over this fine battalion, and 5,000 Rohillas charged it, before it could recover from the confusion into which it was thrown.

only express my conviction, founded on a perusal of a private journal kept by an officer of the detachment, that in this disastrous retreat, the native troops (with the exception of a very few, who, after suffering almost unparalleled hardships, were deluded by the offers of the enemy to desert) behaved in the most noble manner. They endured the greatest privations and distresses, during the march from the banks of the Chumbul in Malwa, where the first retrograde movement was made, till their arrival at Agra, a distance of nearly 400 miles. They had at once to combat the elements (for it rained almost incessantly) and the enemy. Scenes of horror* occurred which were hardly ever surpassed; yet, though deprived of regular food and rest, and harassed with continued attacks, their spirit was unbroken. They maintained throughout the most severe discipline, and I am assured that on many occasions, when their European officers, worn down by the climate and fatigue, appeared faint or desponding, the men next them exclaimed, "Keep up your heart, "Sir, we will take you in safety to Agra†." When in square, and sustaining charges from the enemy's horse, it more than once happened, when a musket was fired by a young soldier, that a veteran struck him with the butt end of his firelock, exclaiming, "Are you mad, to destroy our discipline and make us like the "rabble that are attacking us?"

The only serious impatience that the sepoys of this detachment shewed was to be led against the enemy; and the manner in which they behaved on all occasions given them of signalizing their valour showed that this feeling had its rise in no vain confidence. The flank companies, under Captain O'Donnell, were very successful in beating up the quarters of a considerable corps of the enemy on the 21st July. On the 24th of August, when all the detachment, which consisted of five battalions and six companies of sepoys, had been sent across the Bannas river, except the 2d battalion of the 2d regiment, and some piquets, Holkar brought up his infantry and guns to attack this corps, which not only defended its position, but advanced with the utmost gallantry, and obtained possession of several pieces of the enemy's artillery. It could not, however, be supported by the other parts of the force, who were divided from it by the river, and it was almost annihilated. Those

* Particularly at the Chumbullee Nullah, a rapid torrent, at which the elephants were employed to carry the troops over. The animals becoming wearied or impatient, shook off those on their backs, numbers of whom were drowned. But a still more horrid scene ensued. The fatigued elephants could not bring over the followers. The Bheels, a mountain banditti, encouraged by Holkar, came down upon the unprotected females and children, whom they massacred in the most inhuman manner. It was on this extreme trial, that some of the gallant fellows, who had before suffered every hardship with firmness, gave way to despair. Several of them, maddened with the screams of their wives and children, threw themselves, with their firelocks, into the rapid stream, and perished in a vain attempt to aid those they loved more than life.

† *I have been informed of this fact by officers to whom these expressions were used.*

who witnessed the attack which it made upon Holkar's line from the opposite bank of the Bannas speak with admiration of the heroism of the European officers, and of the gallant men whom they led to a momentary but fatal victory. At the close of this affair they saw a jemadar (native lieutenant) retiring towards the river, pursued by five or six men. He held the standard of his battalion in one hand, and a sword, with which he defended himself, in the other. When arrived at the river he seemed to have attained his object of saving the colours of his corps, and, springing with them into the current, sunk to rise no more.

There have been few officers who better understood the character of soldiers than the late Lord Lake; he had early discovered that of the Bengal sepoys; he attended to their prejudices, flattered their pride, and praised their valour. They repaid his consideration of them with gratitude and affection, and during the whole of the late Mahratta war* their zeal and devotion to the public service was increased by the regard and attachment which they entertained for the Commander-in-chief. Sufficient instances of this are recorded by Captain Williams. There is none, however, more remarkable than the conduct he pursued towards the shattered corps of Colonel Monson's detachment. He formed them into a reserve, and promised them every opportunity of signalizing themselves. No confidence was ever better repaid, and throughout the service that ensued these corps were uniformly distinguished.

The conduct of the 2d battalion of the 12th regiment may be taken as an example of the spirit that animated the whole. This corps, which has been before noticed under its first name of "Gilliez," or the Lal Pultan, had behaved with uncommon valour at the battle of Laswarree, where it had 100 men and three officers killed and wounded. It was associated on that occasion with his Majesty's 76th regiment, and shared in the praise which Lord Lake bestowed on "the handful of heroes," as he emphatically termed those whose great exertions decided that battle. It was with Colonel Monson's detachment, and maintained its high character in the disastrous retreat we have alluded to. But all its former deeds were outdone at the siege of Bhurtpore. It appears by a printed memorial which we have before us of its European commanding officer, that on the first storm of that fortress this corps lost 150 officers and men, killed and wounded, and did not retire till the last. On the third attack, when joined with the 1st battalion of the same regiment, (amounting together to 800 men,) it became the admiration of the whole army. The 2d battalion of the 12th regiment on this occasion not only drove back the enemy who had made a sally to attack the trenches, but effected a lodgment, and planted its colours on one of the bastions

* The war of 1803-4.

of the fort. Unfortunately this work was cut off by a deep ditch from the body of the place; and after the attack had failed the 12th regiment was ordered to retire, which they did reluctantly, with the loss of seven officers and 350 men, killed and wounded, being nearly half the number they had carried into action.

Examples of equal valour might be given from many other corps during the war, and instances of individual valour might be noticed in any number, but more is not necessary to satisfy the reader of the just title of the Bengal sepoys to the high name which they have acquired; and from late accounts * we perceive that their conduct throughout the arduous service in Nepaul, where they had at once to contend with the natural obstacles of an almost impracticable country, and the desperate valour of a race of hardy mountaineers, has been worthy of their former fame. Since the conclusion of this war a small body of these troops has had an opportunity of exhibiting, in a most distinguished manner, that firmness, courage, and attachment to their officers and the service, which have always characterized this army. We allude to a recent occurrence of a most serious sedition at Bareilly, the capital of Rohilcund. The introduction of a police-tax, intended to provide means for the security of life and property, had spread alarm and discontent among an ignorant population, whose prejudices in favour of their ancient usages are so strong as to lead them to regard any innovation (whatever be its character) with jealousy and indignation. Acting under these feelings, the Rohillas of Bareilly, who are alike remarkable for their strength of body and individual courage, rose in a body to oppose the orders of the civil magistrate. They were influenced by a priest upwards of ninety years of age, who dug his grave, to indicate his resolution to conquer or die, and at whose orders the green flag, or standard of Mahomet, was hoisted, that religious feelings might be excited to aid the efforts which they now proclaimed themselves determined to make to effect the downfall of their European tyrants. What rendered this revolt more alarming, was the knowledge that the cause of the insur-

* I know of few instances where more has been required from the zeal and valour of the native troops than in the late campaign against the Goorkhas. The great successes of Major-general Sir D. Ochterlony could only have been gained by the patience and courage of the troops being equal to the skill and decision of their commander, and in the spirited and able operations of Colonel Nicolls, Quartermaster-general of his majesty's troops in India, against Almorah, where 800 sepoys, aided by a few irregulars, were led against 3000 gallant mountaineers, who occupied that mountain fortress, and the heights by which it was surrounded. Victory could only have been obtained by every sepoy partaking of the ardour and resolution of his gallant leader. Of their conduct on this occasion we may, indeed, judge by the admiration with which it inspired Colonel Nicolls, who gave vent to his feelings in an order that does honour to his character. Speaking of an attack made by a party of sepoy grenadiers, he observes, "This was an exploit of which the best troops of any age might justly have been proud."

gents was popular over the whole country, and a belief that their success would be the signal for a general rise in the neighbouring provinces. All the force that could be collected to suppress this revolt was a detachment of between three and four hundred sepoys of the 27th regiment of native infantry, and part of a provincial battalion under Captain Boscawen, with two guns, and a party of about 400 Rohilla horse belonging to a corps lately embodied under Captain Cunningham. The former received, with undismayed courage, the charge of an undisciplined, but furious and desperate rabble, who, encouraged by their numbers, which exceeded 12,000 armed men, persevered in the attack till more than 2000 of them were slain; and the latter, though of the same class and religion as the insurgents, and probably related to many of them by the ties of kindred, proved equally firm as the sepoys to their duty. When their priest advanced and invoked them to join their natural friends, and to range themselves under the standard of their faith, only one man was found wanting in fidelity; he deserted and was soon afterwards slain by his former comrades, who continued throughout to display prompt obedience, exemplary courage, and unshaken attachment to the officer by whom they were led.

However slight this affair may seem, I do not recollect any occurrence in the history of British India more calculated to show the dependence of our power on the fidelity of our native troops, and the absolute necessity of adopting every measure by which their attachment can be confirmed and approved.

It is by treating the sepoys with kindness and consideration, by stimulating their pride, and by attending, in the most minute manner, to their feelings and prejudices, that we can command, as has been well observed, "their lives through the medium of their affections;" and so long as we can, by these means, preserve the fidelity and attachment of that proportion of the population of our immense possessions in the East, which we arm to defend the remainder, our empire may be considered as secure.

JOHN MALCOLM.

P.S.—Subsequent to the date of this account, the native arms of India have fully maintained the high reputation they had achieved.

During the campaigns against the Mahrattas and Pindaries, in 1817 and 1818, that in the territories of Ava, and the siege of Bhurrutpore, in 1826, these troops evinced all the military qualities of zeal, attachment to their colours, and gallantry, for which they had been so long distinguished.

JOHN MALCOLM.

DOCUMENTS *referred to in* SIR JOHN MALCOLM'S *Letter to the Secretary of the India Board, under date 13th February,* 1832.

Letter to LORD WILLIAM BENTINCK (*with Enclosures*).

My Lord,

I HAVE been long in replying to your Lordship's letter applying for my opinion on the pay, composition, and distribution of the army in India, as I wished before I did so to collect such information as would aid me in giving my opinion on points so important to the future peace and maintenance of this empire.

2. This subject divides itself into very distinct branches—the European and the native. Of the constitution of the European branch I have given my sentiments generally, but very fully, in the second volume of "The History of India." The actual state of the army of this Presidency demanding attention soon after my arrival, your Lordship will find all the information I possess, as well as my opinion upon some of the most essential points, in a copy of my minute, under date the 25th March, 1828, which I annex to this letter.

3. The subject of the pay of European officers in India has been brought forcibly to attention by the clamorous discontent occasioned by reducing several of your stations from full to half batta, and the feelings and hardships of the European corps on this establishment by the unequal operation of the order reducing half tentage. Both these facts impart a serious lesson to government in respect to the principles that should regulate increase in the pay of armies. Full batta was originally meant to provide for field equipment and extra expenses which officers must incur when marching; but it early lost this character in Bengal when continued to officers in cantonments. The same case occurred when the mode of supplying officers of European corps on the Bombay Presidency was changed, and instead of an amount to meet a necessary but temporary expense a monthly allowance was given, which, from strict musters being discontinued, became part of the pay. Providence for the future is a rare feature in the military character, particularly among junior officers, whose expenses will usually exceed their means. In proportion to their allowances houses were built and furnished, horses bought, and, too often, debts incurred. Under such circumstances reductions were felt as hardships, and with reason, for what had formerly been deemed luxuries, and enjoyed by few, had, from habit, become necessaries, and were deemed essential to all. It is

easier to know the causes which have produced the distress that has ensued, than to point out the remedy that is consistent with the public interests. I have already given my opinion upon this subject *.

4. When I made a minute on the recent reduction of the batta of sepoys, I was only restrained from proposing a reduction of the full batta of the European officers at Dessa and Bhooj, as well as the troops, by consideration of the principle, to which our attention has been of late frequently directed, of assimilating our military allowances with those of Bengal, as much as local circumstances would permit, and by the fact of there being only four corps, of the thirty-six of this establishment, the European officers of which draw full batta. If I had made this proposition, as I did in the reduction of full batta at Mhow, I should neither have anticipated discontent nor distress on the part of the European officers of this army; and under other circumstances than the present, I should certainly have deemed the measure expedient. I think it desirable that an officer should have an increase when marching, or actually in the field, because his expenses must be increased; and if he is always on field allowances he will soon acquire habits of living, which will, on extraordinary expense occurring, be certain to involve him in difficulties and embarrassments.

5. An officer, particularly of a native corps, can live very well when on half batta if he is frugal. No state can afford to pay officers in the Indian branches of its army in a manner that will exempt them from the necessity of careful and frugal habits; and the most baneful of all consequences that has been, and will hereafter be found to result from too great liberality towards them, and which alike affects their future prospects and the public interests, is, that this expenditure (if beyond what is strictly necessary) takes from government the means of rewarding merit and long service.

6. An observation of the true principle, both of economy and discipline, in armies should lead to an endeavour to habituate junior officers to privations, and to make them look forward with hope, instead of dwelling on the enjoyment of ease and comfort in their actual condition. Particular situations in an army, to which the view of every officer should be directed, require, therefore, all the consideration they can receive from government; and the army in this country will never be in a healthy state till the command of a corps is a more desirable object for an officer of rank and character than any staff employ, except the head of a department; but of this I shall give my sentiments hereafter.

* *Vide* Colonel Frederick's Report, dated 23d November, 1830.

7. There can be no doubt that recent reductions have pressed with peculiar hardship upon the European branch of the army, the great majority of which are his majesty's corps. The discontent this has caused will cease, but its evil operations will continue. I have fully shown in my minute of the 25th March, now transmitted to your Lordship, the embarrassing results which are occasioned by the present stagnation of rise to higher rank in the Company's army, and the effect it produces of keeping many efficient officers from accompanying the corps to India, who generally have at their head colonels and lieutenant-colonels, who come out in the certainty, from their rank being above the great majority of the field officers of the local army, of attaining general command. I know of no remedy to this evil except that which I have pointed out in my minute on the army of this Presidency. It may be out of ordinary rule, but rules should, under such circumstances as those that relate to India, be made to bend to the primary objects of maintaining the peace and prosperity of our possessions in that quarter. Our success in that ever has been, and ever will essentially depend, upon the number, condition, and temper of our army. Every point, therefore, that affects these has much importance.

8. The arrangement I proposed would in its operation only affect the commandants of regiments in his majesty's service serving in India, who would be of junior standing to what they now are; but there is another point of serious consideration, as it affects the captains and commanders of companies in these corps, who are, I believe, under the operation of the late changes and reductions, admitted to have less means of supporting their condition with reference to local circumstances than in any part of the king's dominions. If this be the fact, the consequence is obvious: no officer that can obtain leave, or exchange without great injury to his prospects, will remain in India. The causes which formerly led to a preference being given by many to the regiments in India are gone. The pay is diminished, the chances of promotion, which gave life to the service in this country, no longer exist; and we observe a corps, after being here some time, lose gradually almost every officer who came from England with it, while their places are supplied by others, whose circumstances, connexions in this country, or want of means to promote their advancement, or even to subsist themselves if reduced to half-pay, lead them to prefer remaining in India. Such changes in the officers of a corps must be injurious, particularly among the seniors who have served long with the regiment. This might, perhaps, in some degree be rendered less by more frequent reliefs, but that must involve too great an expense. The restoring the allowances of captains and officers in charge of companies to what it was before 1825, would, I think, be a proper and salutary

measure; captains of troops and companies, before that date, drew a personal allowance of 20*l.* per annum, under the head of Non-effective Allowance. This allowance is not known to the Indian army, and was the only part of their allowance that king's officers serving with their regiments in India could draw in England, and as such was generally appropriated by them for the payment of dress and equipment. Calculating the disadvantageous rate of exchange at which such articles are at present paid, the value of this allowance may be fairly estimated as at least to 40*l.* paid in India. This allowance was done away with, but an exact proportional increase of net pay was given in lieu *. Upon this the Directors ordered, that the *King's pay* having been increased, the Company's allowances were to be proportionably reduced, so as to keep the pay and allowances of the two services equal. Thus to captains of King's regiments in India the change of non-effective allowance to pay was a positive reduction. It may be argued, that if the Court of Directors had not acted as they have done in this respect, it would have been injustice to the Company's service. But this conclusion is not correct. The captains in the Indian army have advantages, in exclusive claims to staff employ, minor commands, and many other situations that might be adduced, as far more than balancing the benefits which the captains of his majesty's regiments derived from this increased item in their allowance; and I think that it is to be regretted the reduction was ever made, which, with that of the half tentage before noticed, may be said to have deteriorated the allowances of a captain of a company in one of the King's regiments nearly 100*l.* per annum.

9. Few subaltern officers in his majesty's army serving in this country can look forward to command the corps to which they belong, but they aspire to command a troop or company; and to lessen its value is taking from them the only object (as far as improved allowances are concerned) to which they had to look, and is from this and other causes singularly calculated to destroy hope and increase discontent. A discontinuance of half the field officers. or even one in a king's regiment, serving in India, would go far to meet this expense, and be little, if any, loss to the efficiency of a corps. There are in India few of those detachments from European corps which require captains, and their places would be well supplied by an arrangement that kept captains and old subalterns with the regiment to which they belonged. In addition to the hardship which the senior captains with the king's corps in India have to compete, it may be stated that a captain regimentally, but a brevet major, has 2*s.* per day more than another captain at home, and in all foreign stations but India. This

* Captains, who before drew 10. 1. 66., had their pay raised to 11*s.* 9*d.* per diem.

hardship, for such it is deemed, is felt by very few, and might be relieved at small cost. I believe there is no instance in the Company's army of a captain attaining by seniority the rank of a field officer, and it could not, therefore, be quoted as a case of partiality.

10. I have on many occasions, and especially in the minute sent to your Lordship, given my opinion most fully on the actual necessity of the increase of allowance to commandants of corps in a degree that will render that station superior to any on the staff, except the heads of departments. This has been my earnest object for more than twenty years, and the Court of Directors had authorized an increase which would have effected it; but as almost the whole of the Bengal army were on full batta, the arrangement brought no benefit to their commandants, and their not wanting it had probably its influence in the resolution of the Supreme Government to annul the acts of Sir Thomas Munro and Mr. Elphinstone, both of whom had put the most liberal construction on the order of the Court of Directors, and to the Presidencies at which they were the head it was a real and essential boon.

11. The allowance for commanding a corps should, I think, be raised to 500 rupees per mensem; and if with this should be associated the modification of minor commands, and given to officers who exercised them, a superior allowance of 200 rupees, without removing him from the charge of his corps, his duties would be in no way increased beyond his power of performing them, and the ends of economy, as far as such commands were concerned, would be combined with the promotion of the efficiency of the service.

12. Two commands of the first class are allotted by the orders of the Court of Directors to this Presidency; six stations will remain at this Presidency, where there will probably always be at least two corps. These might remain with the allowance now assigned to the second class, and there are five stations which, being commands, with one corps and detachments from others, might be denominated the third, with 600 rupees per mensem; but, with the exception of all these commands, unless peculiar cases required the two of the first class, rendered necessary by peculiar circumstances, should include the allowance for commanding a corps. This would, in most cases, be very beneficial to the service, and make a saving that would enable Government to effect the desirable object of increasing the allowance to the regimental commands.

13. This arrangement, if connected with an obligation that officers should serve a certain number of years before they could be entitled to enjoy the benefit of off-reckonings, the consequences would be most beneficial to the discipline and efficiency of the

army. This arrangement, however, to be just, should in a great degree be prospective, affecting in its operation none who had been more than six or seven years in the service.

14. As connected with having the most efficient officers for regimental duty, I think no situation of brigade or line staff should remain to the same individual beyond a period of three years, except on field service. The young captain or subaltern who now obtains such a situation deems himself removed altogether from regimental duty till his rank compels him to join a corps, and often till that places him at its head. The general result is an establishment, and a mode of life that often involves him in debt. This would not be the case if these officers knew they were only to hold their stations till a relief came. It would come as a temporary boon, and be taken care of as such. Men would return to regimental duty with knowledge of general duties, and the whole class of officers from whom such staff were selected would be animated to efforts to fit themselves for such stations, to which having passed in the Hindoostan language should be an indispensable qualification. If this arrangement is made, actual incumbents might hold their situations three years, except their corps was ordered on service.

15. With regard to other staff, I need only refer to my minute in the Military department, of which I transmit a copy. I am confirmed in my opinion, that the Pay department should be separated in the manner proposed; and with reference to the police of the territories under this Presidency, I am quite satisfied that a cheap and efficient agency might be introduced in the mode proposed in pages 201 to 225 of my History of India. If there was a difficulty in obtaining officers qualified and efficient for such duties who could be prevailed upon to resign their standing in the army, their net pay might be continued, and they might have an allowance to place them on a footing with magistrates of the grade which they obtained; but they should neither be considered eligible to the promotions or pensions which were allotted to others in this line. I have been completely convinced of the necessity, in this part of India, for the improvement of our police; and among our hills and our frontiers we have now specific officers detached, to one of whom, only, the powers of a magistrate have been granted; but I mean to propose it should be given to another, and I view it as the commencement of a system which must be extended, and which may, if well conducted, tend greatly to the future peace and prosperity of our provinces.

16. The recent orders respecting the limitation of staff to be absent from one corps were well intended, but are singularly inapplicable to the native army in India. Obedience to them will be found difficult and embarrassing in peace, and wholly

impracticable in war. They may be followed in his majesty's corps which are full of officers, and in peace occupy healthy stations and have few detachments; but the exact contrary is the fact with regard to native corps, and the rules may often limit selection where that is essential to success. Their tendency also is to damp the hopes of aspiring men, and check the acquirements of those qualifications which it is most essential European officers of the native branch should possess. The option remains with the Court of Directors to adopt the suggestion that has been frequently made of forming a staff corps, or to apply some other remedy to this evil. But I deem it essential that, with reservation as to knowledge of language and standing in the army, that the prizes of staff employment should be open to every officer of the army. But in the mean time I think your Lordship might alleviate much of the injurious application of this order, by limiting the situations which are to be considered as staff. This question has lately come under discussion at this Presidency, and I have signified my intention to refer it to your Lordship, in order that it may be clearly decided. According to my view, no European officer of the native army, who is detached on special duty in the provinces where he commands troops of the branch to which he belongs can be considered on the staff, nor can I consider as subject to this rule the officers who are nominated to act with bodies of the Guicowar contingent, appointed to preserve the peace of the countries of Kattywar and Myhee Caunta, which are entirely under our rule and control, and for the peace of which we are exclusively responsible. These officers are employed in command of detachments, of their own branch, co-operating with the Guicowar horse. They are, it is true, denominated assistants to aid the political authorities in all duties for which they may be required; but those who are not military are contingent, and were added to save considerable expense. The arrangement has fully met every subject that was contemplated. These officers should, I conceive, like others I have stated, be returned and detached on special duty, and I think that officers employed with bheel and police corps, such as two of this establishment now are, and under whom considerable bodies of their own branch are often placed, should be returned in the same manner. They are not staff, and are much more usefully employed as officers of the native army than with their regiments. It is not for the parade and drill duties of a corps that officers of standing are much required in the native infantry. A good commanding officer and staff, with junior officers, will bring a native corps into full as high order as if the whole complement of senior officers were present; but it is in the command of these troops when on service, and when detached on special duty, that good and efficient officers are required, and all those I have stated are

in the daily exercise of this duty. I deem it here necessary to add, that I consider the arrangement recently made, by which three officers in military command, Sattara, Bhooj and Baroda, fulfil political duties as well as the junior officers employed with the Guicowar contingent, to be of much importance, beyond meeting, as it does, the object of economy, in training persons in this branch as instruments, who will be found not merely useful but indispensable in case of war.

17. Your Lordship will add to the facts stated regarding the staff, that even under ordinary circumstances the orders of the Court fall much heavier on a comparatively small army like that of the Presidency, than on a large one like that of Bengal, or even of Madras, particularly as in all the latter Presidency, almost all the provinces are so settled as not to call for the specific nomination of officers, while the condition of many of our districts demands such selection; and I can only add, that there are four or five officers now employed on such duties that I neither could nor would remove, if I had legally the power to prevent it, from the situations in which they are now employed, stating my decided opinion that I deemed their services were essential where they were placed. This may not be a common case, but it is one that will exist in this part of India for years; and a governor who has such heavy responsibility on him as the maintenance of the public peace should have a latitude of employing instruments that he judged competent, and be freed from restrictions that limited his choice. There is no fear of patronage being abused in such cases. The duties are of a nature that can only be performed by men that are equal to them.

18. I should think the staff regulations might be construed to relate only to officers removed from regimental duty, or from the command of men of their line, and they might not be applied to brigade-majors or line adjutants, if the system was introduced, which I before suggested, of giving these temporary appointments to officers belonging to corps at the station. They are not, as I said, wanted for drill, and they would be ready for all field service or special duty on which they could be required.

19. The personal staff of governor-general and governors, commanders-in-chief and officers on general staff, paymasters (until a change takes place), commissariat officers under existing rules, judge-advocates, town-majors, fort-adjutants, barrack-masters, and officers employed with corps in territories not under British control and management, are all, I conceive, that should be brought under this order. Cavalry, engineer and artillery officers should not be eligible to hold any station in the Pay department, nor in the Commissariat, unless qualified by peculiar circumstances to be placed at the head of either of those branches of the service.

20. The few points I have to suggest regarding the pay of the staff of this Presidency will be brought to your Lordship's notice by Colonel Hough, as also many similar subjects. With respect to the pay of the European soldier, and the recent changes in many points connected with his comfort and accommodation, I can only say, such points are before you in great detail. My own opinion is that we have gone to an extreme, and that in many respects an expense has been incurred beyond what was called for by either attention to the habits or health of European troops serving in India.

21. I have changed none of the opinions I have given in my History regarding the expediency of making the three armies of India *one*, with three divisions, and, as far as relates to the European officers and troops, with their establishment, regulating allowances according to remoteness from supply and price of labour and provisions with as much uniformity of system as practicable. I am still satisfied that regimental rise to the rank of lieutenant-colonel, as I proposed in the chapter upon the army, is expedient, and that exchanges with his majesty's corps, purchase of commissions, under the restrictions and regulations stated in that work, would be advisable and salutary. My opinion is given so strong in the minute now sent regarding the obligation for officers to serve a certain number of years regimentally before they become entitled to the off-reckonings allotted to colonels of these corps, that I need not here again advert to the subject. The propositions I have made regarding the brigade and line staff I deem on many grounds very essential. It should be of course prospective, and applied to none who had not been five years in the service, under which period no officer should, I think, be eligible to any staff except regimental.

22. The origin of the native armies of India, and their progress to their present condition and character, your Lordship will find fully given in the Quarterly Review, vol. xviii., page 385. That article is framed from papers of mine, and, indeed, was taken in substance from a memorandum prepared by me for Lord Buckinghamshire. If, in addition to this document, your Lordship peruses what I have said of the native troops in my History of India, vol. ii., from page 225 to 245, you will find all I can say upon the more general parts of this subject. I can only add, that recent observations have confirmed every sentiment expressed in the volume to which I have alluded.

23. The pay of our native troops at the different Presidencies is, I believe, the same. There is a difference in the batta, and a more considerable one in some of the pensions. This has arisen from a variety of causes referring to the class of men, the difficulty of obtaining recruits, price of provisions and labour, and the different judgments formed, with reference to local considerations,

of means best adapted to form in particular quarters of India an efficient native army.

24. The Bombay army is at present composed of

Hindoostanees	12,476
Konkanees	10,015
Deccanees	1,910

This large number of Hindoostanee men has occurred since the breaking out of the Mahratta war, and particularly during that with Burma in 1824-25. Previous to the former period their number in the army of this Presidency did not exceed 4,000.

25. In 1824 the Hindoostanees in the Bombay army amounted to 7,465, and the following year, on an increase of its establishment, to 8,000 men per battalion, with an addition of two extra battalions, the number of this class of men was greatly augmented, caused a good deal perhaps by the station of the Bombay troops at Mhow, where an officer was specifically employed to recruit for the army,

26. This increase of foreigners over the natives of the Bombay territories was by no means desired by the more experienced officers of this army, and was, moreover, contrary to the wishes of the Court of Directors, who, in 1821, directed that the armies of the three Presidencies should be kept as distinct as possible to their respective territories. In 1823 this subject was brought to the attention of the Bombay Government by a letter from the military secretary, Colonel Casement; and in 1824, recruiting for the army in the Bengal provinces was positively prohibited by the Supreme Government.

27. The officers of the Bombay army generally considered it beneficial to have a mixture of *castes* in their regiments, and, among others, a proportion of Hindoostanee men, not exceeding 200 per battalion; but they consider these as only indispensable when their own provinces cannot recruit their ranks.

28. They consider the Hindoostanee men, though in size, appearance, and perhaps in a certain degree of military pride, to be superior to their own, to excel them in nothing else. The Konkanees and Deccanees they account more patient under privation and fatigue, more easily subsisted and managed, and in bravery to be fully their equals. They are the descendants of Sewajee's "Mountain Rats," whom neither the stature nor military bearing of the Hindoostanee could debar from advancing to the gates of Delhi; and the early history of the Bombay army (no where better related than in Grant Duff's History of the Mahrattas) shows them to be in no way degenerated from the spirit of their ancestors.

29. For the welfare of the presidency there is another very good reason (not of a military character) why its army should be recruited from its own provinces. Not only do the men receiving

pensions retire to spend them in its villages, but the sepoys on actual service remit (as is well known to every one acquainted with the kind and filial feelings of the natives of India) a portion of their pay for the subsistence of their parents and families. This not only to a certain degree enriches the village, but affords a great inducement to the young men to enlist, with the view of following so enviable an example. With the Hindoostan sepoys all this is lost, and the inhabitants of this presidency are discouraged from entering our ranks, not only from the want of examples of their countrymen's enjoyment of comfortable retirement, but from an impression that the superior stature, and the more soldier-like appearance of the Rajpoots, often recommend them to promotion in cases when the equally efficient Konkanee and Deccanee, in all the substantial qualities of a soldier, give them as good if not better pretensions.

30. My own opinion is, that if the encouragement now given is continued to the men of the Bombay provinces, there will not in future be occasion to have recourse to other countries for recruits. The natives of this presidency will early become reconciled to service in the regular army. The Hindoostanee commissioned officers and men will bring* their families and colonise. But I am adverse to the present proportion of these men in our ranks; and if the evil of the present system is aggravated by their prejudices being admitted to have force, it would be much better that the Hindoostanees of the Bombay army were in distinct corps, than that their numbers, aided by their looks, should tend to lessen the self-esteem, and damp the hopes of men of lower caste and stature.

31. I have perused very attentively the records of the Bombay native army before they had any men from Hindoostan; and through the severest trials they have evinced a courage, fidelity and temper under danger, privation and fatigue, that we cannot expect to see exceeded. Till within twelve years the general sentiment among these men was the pride of corps. I regret to observe that the pride of caste is now much cherished by the men and considered by the officers †. There are no prejudices and pretensions that will be found so injurious, if not resisted, as those

* I proposed a Widows' Fund, and the report of this fund, added to the existing establishment of boys, led a number of the native officers to apply for means of bringing their families from Hindoostan.

† A remarkable circumstance, which shows the character of this feeling, occurred in 1818. Captain M'Donald, an officer on my staff, who had belonged to a Bengal corps at the siege of one of the forts of Bundelchund, where a low caste man had distinguished himself and been promoted, to the great disgust of the others, several of whom had taken their discharge, came to me one day in Malwa, and said he had met one of these Brahmins, a Naique, in the 8th Bombay infantry, and that he asked why he left his corps on a low caste man being promoted, and was now serving with a Jew subedar, a Purwaree jemedar, and other low caste men; the man, said he, answered promptly, "Hindoostan zat ke ghyrat, Bombay pultun ke ghyrat;" that is, in Hindoostan it is the pride of caste, in Bombay that ofthe corps.

minor ones of caste, if they receive more attention than is due to them. This is not the place to state my sentiments on this point as relating to our civil rule, further than as that affects the temper of the native army. Almost all the principal native revenue servants are Brahmins, and they are a valuable class of men. Every attention is due to the essential observances of their caste and religion; but when, as frequently happens, they solicit their European superiors to classify sepoys, and to place sentries in a manner that will prevent the inconvenience of their washing or be offensive, they should be told, the soldier is ennobled by his occupation, and that they might leave the public service if the proximity to any of those employed in it was insufferable. This feeling, when indulged, increases and creates the worst of spirit amongst the men of the corps, as well as hatred in sepoys to be employed under, or have any communication with, native servants in the civil branch. They complain, and justly, that the treatment they meet from them is often different from that they receive from their officers. "These cowardly fellows of Brahmins," said an able and old Konkanee subedar I was conversing with on this point, "who would not look at me, and would degrade a "brave man of my caste (a Purwarree), by refusing to let him stand sentry over the treasure, if in a cutchery will cringe and help the collector to his shoe if it fell off, and would consider themselves the more honoured the nearer he sat to them; and yet I believe," said the old man, laughing, "you Faringees* are, according to their belief, as unclean and impure as we Purwarees." I have communicated with some of the Brahmins who exercised high civil and military power under the native government of the Deccan, and they assure me no objection would have been tolerated on this score against any soldier. Purnea, the celebrated dewan of Mysore, himself a strict Brahmin, and the ablest man I ever knew, repressed this spirit with great violence in one of two instances, in which it appeared in men of his own caste, and repeatedly told me it was calculated to make impressions dangerous to any government, however constituted, in India. The error into which numbers fall in this respect proceeds from the best motive, that of conciliating useful and respectable men. But their pride of caste must not be gratified at the hazard of any part of the temper and respectability of that army to which the safety of the empire has been, and must continue to be, intrusted.

32. In the Madras army desertions have been long almost unknown. These have prevailed to a great extent in that of Bombay; and from 1803 to 1808, a period of five years, the desertions equalled its entire numerical strength—a loss to government, independent of the services of the men, of seven lacs of rupees.

* A corruption of Frank, and used in the native language to designate all Europeans.

The desertions of the next three years, from 1808 to 1812, averaged 2,500 men per annum, costing government six lacs. From that period (1811) to 1822, the returns show an average of desertion of 1,253 annually, but from 1822 to the present year such became the improved state (in this respect) of the Bombay army, that they have decreased, and its desertions do not in the last year exceed 300 men.

33. Many causes combined to render desertions frequent, some local and uncontrollable: the disgust taken at the system of our discipline by the recruit, the facility of desertion from the limited territories of this presidency, and the certainty of getting service from Mahratta princes.

34. The Hindoostanee men, indeed, were after a certain period of service almost certain to desert; their view in enlisting was generally to obtain an opportunity of saving a sum of money, which their parsimonious habits enabled them to do, and they had no local bias, for they never brought their wives and families with them from Hindoostan. When their object was attained, they took the first opportunity of deserting; and the distance of their homes, which, as well as their right names, are generally unknown, secured them from subsequent detection.

35. In 1809 government, on the suggestion of Sir John Abercrombie, adopted several measures to obviate this great evil, and these were attended with most beneficial effects.

36. An amnesty to deserters, with liberty to re-enlist, was published. Furloughs were granted, the gratuity system was abolished, and pensions* for service and wounds were established for the sepoy, and, under certain circumstances, for his wife and children. Men were also allowed to enlist for limited periods of five, eight, or ten years.

37. There was before my arrival at Bombay a small establishment of sepoy boys with each native corps, to which the Court of Directors had at first objected. They, however, afterwards assented, on the representation of the Bombay government of the ultimate economy, as well as efficiency, of the measure, to sanction it. Sir Thomas Bradford, the late Commander-in-chief, pressed the increase of the sepoy boys, which, when the reductions were made in invalids, was carried into execution, on the grounds stated in an annexed extract. When the hill-forts were reduced in 1828, and a considerable reduction of expense effected, their commandants were remodified, and first and second class killadars established on a footing which, at a very trifling increase of expense, instituted a system of honourable rewards for old and distinguished soldiers. The annexed extracts of minutes will show your Lordship my reasons for adopting this measure, and

* After twenty years' service, three-fourths of his pay, and after thirty, full pay for life.

the effects by which it has been followed. I also annex an extract of a minute, by which your Lordship will see that our local Sebundy corps are now commanded by active and distinguished native officers, by which economy and efficiency have been promoted, and great encouragement given to the native army.

38. A subsequent measure, which allows a trifling distinction in pay and exemption from corporal punishments in passing through the ranks to a limited number in each corps of the sons of native commissioned officers, has been carried into execution at this Presidency. The grounds on which this measure was adopted, as well as the expense incurred, your lordship will find stated in the Appendix, to which I have added the minute upon the proposed widows' fund for native commissioned officers, which would have been attended with no increase of expense to Government; but which, I regret to say, has been objected to by the Supreme Government on the same ground that exceptions have been stated to the other measures regarding killadars and boys, that there were no such usages in Bengal, and that such distinctions were calculated to create discontent among the native troops of that establishment.

39. Each of the three Presidencies of India has succeeded in attaining, though by different means, the object of having an effective native army. I have served with and commanded native troops of Bengal, Madras and Bombay; and I declare to your Lordship I have hardly a choice. They have different qualities, but, with good officers, they are all excellent troops. Their respective characters have been elsewhere described; and I confess I should dislike to see any serious change in their composition further than was dictated by a gradual change of circumstances. Independent of other reasons which render the change far from desirable, there is no empire in which more attention may be eventually required than that in India, to the well-known maxim of the Romans, in regard to their distant conquests, which was to preserve, or restore, if disturbed, the peace of one province by troops drawn from another.

40. I have of late noticed this subject in several minutes, in reply to suggestions and instructions from your Lordship in Council, founded on general principles, of making our arrangements respecting native troops similar at the three Presidencies, and expressing apprehension lest giving encouragement to the native army at one presidency might create discontent in another. That this consideration has not before met with attention, is to be referred to the distance at which the armies of Bengal, Madras and Bombay acted, the different races of whom they were formed, and their habits of life. There has been no occasion to give that encouragement to the frugal Rajpoots, who are the cultivators of the provinces of Hindoostan, that has been

found necessary to attach the Mahomedans of the Carnatic and the Hindoos * of the Northern Circars at Madras; and to induce the inhabitants of the Northern Concan and Deccan to enter the ranks at Bombay; but there can be no doubt that the pensions to native officers of distinction, the establishment of boys attached to their corps, the regimental depôts formed at the best recruiting stations at Madras, have accomplished their objects in fixing the attachment of the army to their colours, and their forwardness to march and embark on every service, as singularly evinced on the late occasion of the war in Burma.

41. Desertions, as I have already remarked, are almost unknown in the Madras army; and I have shown that the same causes have produced the same effects at Bombay. Recent and most minute examination into this and other subjects, connected with the public service of this Presidency have quite convinced me, that if the principles upon which measures are founded, and the effects produced by them are not very carefully considered, the objects of true economy may be often sacrificed; and I have seldom known this fact more clearly elucidated than by the papers I have had to examine regarding the past and present condition of the army of this presidency, the general results of which I have already noticed.

42. The late approximation of our native armies certainly requires more attention than was formerly given to similarity of measures in regard to them; but there are so many opposite usages and feelings, as well as local circumstances, to be considered, that the accomplishment of this object must be the work of time. Great care and caution are also necessary, for most serious injury may be inflicted by an order that apparently rests upon indisputable grounds, but is inapplicable to the particular case. Before any general measure connected with the improvement of our native army is rejected at one Presidency, because it has not been found necessary at another, it should be ascertained, in the first place, whether there are not local causes and considerations that render it wise and expedient where it has been adopted; and in the next, whether, judging the principles upon which it is founded, and the effects it is calculated to produce, it is not worthy of imitation.

43. On the consequence that attaches to the native army all are agreed. That a certain proportion of European troops should

* Thirty years elapsed before we found a supply of good recruits from the Northern Circars. Some of the finest corps, such as the 17th or Chicacole light infantry, are now wholly formed of Telingas, and not many of very high caste from that quarter; and I write with a letter before me of an experienced and distinguished officer who has commanded that and several other corps, as well as brigades and forces, in which he expresses his preference of this class of men to either the Rajpoot or Mahomedans, being equally brave, he says, and without the troublesome prejudices of the one caste, and the frequent habits of dissipation of the other.

always be in India is fully admitted; but there is no error more common than that of considering the latter as a check upon the native armies. They never have and never will prove such. Long experience has rendered my opinions upon this subject the same as those of Sir Thomas Munro. The necessity of check implies distrust that degrades. It is by complete confidence alone that the native army of India can be preserved in efficiency and attached to the Government it serves. But this most important object will require great increased consideration, when a period of successive wars and field service is succeeded by a long peace, which, besides it other effects, calls for reduction in every branch of public expenditure; but when that affects men who cannot be aware of all the bearings of this subject, and must be ignorant of the necessity which obliges the state they serve to adopt such measures, and when these men be misrepresented, every other possible motive of fidelity and attachment should be substituted, and no opportunity omitted that may still be available of strengthening the subsisting ties between the native soldiery and Government. I have elsewhere observed, "the rigid principles of "economy and the precise forms of our civil rule should both "yield to the establishment of this corner-stone of our strength, "as without it the vast fabric, which has been raised with such "pains, must totter to its base at every tempest with which it is "assailed."

44. On the pay of our native army I can make no further remark than that, I think, prospectively a modification might be made that would be beneficial to Government, and not unsatisfactory to the troops, by giving less to the younger sepoy and more to the older. This is the case in the British army, and I believe with every one in Europe. I know of none in which it would be more accordant with circumstances than in the native army of India. But it is a point that merits great attention, and the scale, if it is ever adopted, should be fixed with deliberate care.

45. I cannot quit this part of my subject without stating my opinion to your lordship, that it is not one to be intrusted to mere financiers or calculators, far less should the opinions of men not intimately acquainted with the feelings and character of our native troops, and who have never served with them, be taken; nor can the opinions of those who have only served in one part of India be adopted as conclusive, in regard to arrangements which affect another quarter of our dominions; the considerations which are involved in every question that does or may affect the temper of our native army, are in my mind of the highest importance. It cannot be too often repeated, *this army is our safety and our danger.* Every information should be sought and obtained to aid the judgment of those who have to decide upon points by which the

temper, zeal, and fidelity of that class of troops can be affected. But not even what appears to be the least important of these measures should be adopted without the most serious deliberation. Every branch of this subject requires the mind of a statesman. We have, through the efforts of our native army, triumphed in wars and rebellions. Plots and conspiracies may be formed, but they will never succeed while we maintain the good spirit and fidelity of this branch of our force. This our enemies, avowed and secret, well know; and all their efforts have been and will hereafter be directed to its corruption. This object has never been but very partially effected, but it is one which we must beware of aiding by any measure that impairs the confidence, that undervalues the merits, or slights the pretensions of men, who are every day becoming more sensible of their own importance, and naturally seek for participation in the benefits of a power they have so largely contributed to establish, and of which they cannot be ignorant they must continue the principal support.

46. With respect to the distribution of the armies of India, I can only state a few leading principles by which that should be regulated. Though circumstances may occasion deviations that cannot be provided for, if we fix and pursue to the utmost of our ability a settled plan we shall avoid great expense both to government and individuals; for when that plan is fully acted upon, the distinction will be completely made between temporary and fixed stations. The plan regarding fixed stations is simple and obvious, from its principal object being the preservation of the internal peace of India and its defence against foreign invasion.

47. The recurring expediency of embarking European troops should also be borne in mind; and this, with the nature of their supplies, requires that where it is practicable a considerable proportion of that branch should be near the sea, or where there was water carriage. These corps should be distributed in ordinary times according to the proportion of the divisions of the native army with which they serve.

48. The principles to be observed, in fixing upon permanent stations, are lines of defence and of communication. I have, in recommending such stations since I arrived, kept this steadily in view. From Bombay to Masulipatam, which cuts the Peninsula at a part very important for preserving tranquillity, the line of direct road from Bombay is Poonah, the principal station for European troops; and from that to Sholapoor, our next permanent station, is 160 miles, from which it is 200 to Hydrabad and to Masulipatam. The superior road recently constructed up the Bhore Ghaut renders that not only practicable but easy for wheeled carriages, though the ascent is 2000 feet. It completes an excellent road to Poonah, and we are gradually extending that

to Sholapoor, by the collectors, which, from the soil of the Deccan being so favourable, has not yet cost more than 300 rupees per mile. If the Nizam's government can hereafter be persuaded to make the road through its territories, between those of Madras and Bombay, the communication from sea to sea on this line will be complete, while the station of Belgaum is in another line by which we communicate with the ceded districts of Madras and Mysore. This road from Poonah will extend to the *Neera* bridge, from whence the Rajah of Sattara has promised to make it through his territories, which leaves a distance of miles to Belgaum, from whence an excellent road to Dharwar will be completed by the Madras pioneers within the next month. Little remains to finish this line; and these roads when completed will be found of the utmost importance, not only as they facilitate a communication between our force throughout the southern parts of India, and enable us to reduce expense by improved means of combining military resources, but as they promote intercourse and commerce. The permanent station of Belgaum has, besides the recommendation of being on this line, that of salubrity, and being well situated for an European regiment, and the additional one of being within seventy miles of the port of Vingoorla, to which an excellent road has been made, that facilitates supplies from Bombay, and is favourable for this corps embarking at the shortest notice.

49. Ahmednuggur, which is on the line from Poona to Central India, and also to Aurungabad, Jaulna and Nagpore, must ever be deemed, in the distribution of the troops allotted to this quarter, an important permanent station. It is now the artillery depôt, and almost the whole of that corps are fixed at it. The communication between this place and Bombay can be shortened by thirty or forty miles; and it may be eventually useful to open this line of road. The engineer corps being stationed at Seroor, which is on the line, and exactly half way between this place and Poonah, will soon complete, and at no cost, a road already commenced betwixt them; and that meant to be hereafter carried to Jaulna and Nagpore will be of much importance in improving the efficiency derived from the station of troops on that line to the Bengal territories.

50. A most excellent and permanent road has been made from Bombay to Tannah, and from that up the Tull Ghaut to Malligaum, and through the greater part of Candeish towards Sindwa. It will be of much importance that this road should be extended to Mhow. The distance to be made is not great, and the soil in most parts favourable. The construction of a road and clearing the jungle would make this route as good and as safe as other lines of communication in which such tracts are to be passed.

51. To the northward, our present permanent stations are sin-

gularly well calculated to maintain the public peace, to meet invasion, and to communicate (the most important of all points *) with the troops of Bengal, for the protection of our north-western frontier from the Indus to the Himalya Mountains.

52. Ahmedabad, a most centrical situation, is now the head-quarters of the Northern Division. It is from the gulf of Cambay thirty miles, seventy from Deesa, the principal permanent station on the frontier of Guzerat, eighty miles from Rajcote in Katty-war, by which it communicates in a direct line with Kutch, and seventy from Baroda. Hursole, a new station, which is thirty miles from Ahmedabad, is on the direct line to Nemutch, from which its distance is only 130 or 140 miles; and by the report of Lieutenant Holland, lately returned from the survey of a route from Hursole to Dungerpore, added to my knowledge of the Banswarrah and Purtubghur countries, I assume that a road sufficiently good for all military purposes might be constructed at comparatively small cost between these stations, and through it our military strength would be increased without any addition to its numerical numbers; but a line from Deesa, through Serohee to Ajmeer and Delhi, is of still more consequence. A glance at the map will satisfy your Lordship of this fact. I cannot tell you the importance I attach to opening these roads, which are to communicate, and in a manner join, the only frontiers of our empire which can be exposed to invasion; but that may be termed a speculative event, and one probably so remote as not to warrant any disbursement. But there is, or I am mistaken, more proximate dangers from internal disturbances along these lines, that would be almost removed by the construction of roads, or, under all circumstances, much lessened. My inquiries and observations in Kattywar and Myekanta, as well as the information I was able to obtain of the adjoining districts of Rajpootana, led me to deem these countries far from free of the seeds of future trouble. The chiefs under our direct rule, as well as those subject to our controlling management throughout our north-western frontier, are neither in a settled nor contented state. Independent of their attachment to ancient habits, and their restless minds, those of this class in our own provinces are far from being yet reconciled to the system of our judicial administration, which it has been stated by my predecessor, and has been recently repeated by me, is in its forms and processes very unsuited to their condition. Those who are not yet subject to the regulations, but are under protection, live in dread of the approach of our regular courts; and I really know of no other feeling that makes

* The success of Captain Burnes, whom I deputed to Scind, and eventually to superintend in surveying the Indus, gives a prospect of communication with the Bengal N. W. frontier and other quarters, the results of which may be alike important, in a military, political and commercial view, to the British interests in India.

this class of persons view with jealousy and a spirit of hostility the extension of our power, which, whenever our system has been modified to suit the circumstances and condition of such classes, has been recognised and acknowledged as a blessing.

53. The Rajpoot chiefs to whom I allude, are almost all connected with the highest families in Rajpootana *, with whom they correspond, intermarry, and no doubt at times intrigue. There may be no immediate proofs of existing danger; but this is a part of our territories in which a flame once raised would be likely to spread, and not easily extinguished. The intersection of these countries by roads, and the increased intercourse consequently created, would, while it improved both their countries and ours, give us a facility of moving troops at all seasons, that would tend more materially than any measure I know to preserve the general tranquillity.

54. In the present state of the finance of India, no large work of the nature proposed can be undertaken; but the object of the true economy of a state is to reduce every unnecessary expense, that it may possess the means of making those disbursements which it is compelled to do by public exigencies, or which it is wise and expedient to do on grounds that cannot be disputed, of preventive policy, which demand more attention in a government like that we have established in India than in any I know. The advantages we should gain by the increased power of rapidly combining our military resources would lead to great saving of future expenditure. I do not wish your Lordship to go farther at present than to direct the plan I have sketched, if you approve of it, to be progressively accomplished. If that is done, I should deprecate any extensive surveys, or any nomination of general superintendants, or employment of scientific officers, except to construct bridges, or other works in which science was required. The lines being decided upon by reference to past surveys, and information of local revenue and political authorities, the roads might be gradually commenced by the collectors; and princes and chiefs may be induced, by remissions, or favour, to continue it through their territories. If this was done and some aid granted, much might be effected at small comparative cost. I am by no means an advocate for these lines being made in the first instance on any great scale, though they might be constructed with a view to future improvement, when their beneficial results and the more prosperous state of our finance warranted. Practical experience upon this subject leads me to assure your Lordship, that the expense, if incurred gradually, and the work effected in the manner we are now carrying on some roads

* Both the Eder and Ahmednuggur chiefs are very nearly related to the Rajah of Jordpoor. The son of the Ahmednuggur Rajah (a fine boy) is, I believe, thought likely to succeed eventually to that great principality.

in the Deccan, will not be great. Natural obstacles will no doubt occur, which will require the application of art as well as expenditure; but these would not be numerous in any of the lines I have suggested, and when overcome, would be attended with increase of commerce, and consequently of customs, besides the cheaper conveyance of stores and provisions, even when a duty was not established to reimburse expenditure.

55. The rendering the Bhore Ghaut on the road between Bombay and Pamwell practicable for wheeled carriages has long been a desirable object; but government was deterred by the expense, it having been estimated at above two lacs of rupees. A contract was made for one lac. The annual saving upon the transport of public stores is between 6,000 and 7,000 rupees in times of profound peace. Had it been as practicable for carts as it now is, even as late as 1827, (during the Kollapoor expedition,) the calculated saving would have been from 40,000 to 50,000 rupees in one year; and, besides the saving actually made on stores, 12,000 rupees have been offered for the moderate duties imposed for next year. More will be given; and there can be no doubt the judicious expenditure of one lac of rupees on this work will be a certain source of revenue of 30,000 or 40,000 rupees in ordinary times; and on the occurrence of military operations, the actual cost will be more than realized every year. The duties levied will be cheerfully paid, for it is as great pecuniary benefit to individuals as the public. I instance this work as one in which the outlay is very profitable, besides the many great advantages to be derived from its construction.

56. The stations at Madras have been fixed at different periods as here, to meet the changing circumstances of the territories it had to protect, and the subsidiary forces it had to furnish. The southern stations have been gradually decreased: its great line of communication with Calcutta through the Circars is one not requiring protection. The stations in the Carnatic and Mysore, which are those of its disposable troops, connect it with Malabar in one line, and with the S. M. country by another: the latter has also communication with the stations in the ceded districts. All these lines require attention; and fortunately, the excellent roads made through various parts of Mysore, and the ability and disposition of the Rajah to construct such works, will greatly aid the object in this quarter.

57. The communication from Hydrabad by Nagpore to Saugur is a military line of importance, and one on which the stations should be permanent, while that of Jaulna is useful as communicating with Malwa.

58. From Calcutta to the station of Lodhiana on the Sutledge is one direct line, on which, besides the stations, the disposable part of the army of this Presidency is cantoned. This line branch-

ing from Allahabad, or Benares, military lines might lead to Malwa, Bundelchund and Nagpore, which, with those communicating with the Bombay troops on the north-western frontier, would make not only the distribution of our force, but the means of one part giving aid to another, very complete.

59. With respect to the extent of country to be occupied, and lines to be guarded by each Presidency, I must state my opinion, that no changes can well be made, unless it is determined, as I anxiously trust it will be, that the local Indian force is to be one great army of three divisions. If that took place, the troops of this Presidency might occupy the line from Mhow to Mangalore at the south-eastern frontier, and from Cutch to Serohee, which they now do within a few miles, at the north-western. It is, however, to be stated, that though many reasons, which I have before placed upon record, would render it more economical, as well as convenient, for the relief, stores and supplies of the station of Mhow to appertain to Bombay than Bengal; yet, unless the present, separate, imperfect, and I must add fallacious, system of keeping the accounts of India is changed, the expenses of this station would be an objection, so far as tending to swell the deficit of this Presidency; but that would be made up by the transfer of Canara, which is, in fact, similar in language to the whole of the Southern Mahratta country, and might be placed under the same rule with considerable saving of expense. The military station at Mangalore would, particularly if an European regiment from this establishment was stationed there, be supplied with more facility and more economy from Bombay than Madras; but I beg to be distinctly understood by your Lordship, as not recommending this extension of our lines of defence with the slightest view to increase the corps of this establishment to the decrease of either Bengal or Madras; on the contrary, I should deem such a measure unjust to the fair expectation and pretensions of those armies; but I state it as a desirable distribution, if the forces of the three Presidencies were so united as to clear us of the increasing embarrassment and injury to the public service, which must continue on their present footing.

60. Your Lordship has expressed a wish to which I can have no objection, that my opinions on the subject you have referred to my consideration should be placed on record; in anticipation of your doing so, I shall likewise place a copy on the records of this Presidency.

I am, your Lordship's very faithfully,

(Signed) J. MALCOLM.

Bombay, 27th November, 1830.

MINUTE *on the State of the Bombay Army, dated the 25th March,* 1828, *by Major-general* SIR JOHN MALCOLM, G.C.B., K.L.S. (Enclosed in the preceding letter.)

IN the letter in the Military Department to the Honourable the Court of Directors, of the 1st of December, 1827, it was stated to be the intention of Government to address the Court at an early period, and in a fuller manner, upon the state of the army.

2. In pursuance of this intention, I desire to place upon record my opinion upon this large question, which, though grounded on general experience, will have more immediate reference to the present condition of the army of this Presidency.

3. The statement in the Appendix, No. 1, will show the exact number of officers now doing duty with corps, and the number of those employed on the staff, on furlough, and on sick certificate.

4. It appears from this statement, that, of the three regiments of cavalry, one is commanded by a lieutenant-colonel, and two by majors. Of the two regiments of Europeans, one is commanded by a lieutenant-colonel, and the other by a major.

5. Of the twenty-six regiments of native infantry, three are commanded by lieutenant-colonels, nine by majors, and the remaining fourteen by captains, some of which latter are of very junior rank.

6. When to this is added, that the greatest part of the native troops are scattered over an extensive country, many stations of which are unhealthy, it is difficult to conceive a state more inefficient than that of these corps, with regard to European officers. It is thought by some, from recollection of former times, that a battalion of native infantry may be brought not only to and maintained in discipline by two or three officers, but be nearly as efficient for service. This opinion has gained strength by the excellent state of several extra corps which have only an European commandant and adjutant, but the conclusion here alluded to is drawn from erroneous premises. The introduction of a greater number of European officers into native corps has totally altered their constitution, and they form, according to the existing system, a part whose inefficiency in number must include that of the whole corps. It would be needless to enumerate the obvious causes of this effect, as it relates to the regiments of the line. With regard to extra corps, though they have admirably answered the local purposes for which they have been raised, they would not, without an addition of European officers, be fit for general service.

7. It is much easier to point out the evil effects which this

want of regimental officers, particularly of the higher class, must have upon the efficiency and reputation of the army, than to suggest the remedies; but the case is one which will neither admit of evasion nor delay, and if it is felt, as it is at this moment, seriously to affect the discipline of the army during a period of profound peace, what would be the consequence in the event of war? for we must always bear in mind that our situation, on such an event occurring, has no analogy to that of any other state. The officers who are absent on furlough, are almost, without exception, in Europe, and cannot join till the emergency is over, while the number on sick certificate is certain to be increased, without any possibility of supplying their place. This applies even to the most junior ranks, for judging from the last twenty years, there never have been cadets more than sufficient to complete the establishment.

8. Before entering upon the means necessary to render regiments more efficient in European officers, it is essential to offer some observations upon the actual condition of this army with respect to officers required for more general command.

9. The only two major-generals, Morris and Skelton, and two colonels, Lewis and Osborne, belonging to this establishment are in England. The youngest major-general is upwards of forty-six years in the service, and the youngest colonel thirty-seven years: they are, as is to be expected from their period of service, enjoying a liberal and comfortable retirement, and as their return to the active duties of their profession could not be anticipated, the Government have been compelled to place two lieutenant-colonels commandant upon the general staff. This measure has and must continue to excite unpleasant feelings amongst senior lieutenant-colonels of his majesty's service, who are in regimental, garrison, or station commands, while their juniors are doing the duty, and receiving the pay of general officers. Though the discontent they may feel be, for reasons that will be stated, groundless, as far as relates to the established rights and usages of the army with whom they are associated on service, its existence is an evil, and might on the event of general operations be attended with great loss of temper and much embarrassment.

10. This point, therefore, requires serious attention. No remedy (while brevets are so rare in England) suggests itself to my mind, except giving to officers of a certain standing, say twelve years as lieutenant-colonels, local brevets or commissions as brigadier-generals. If his majesty deem it proper to issue such brevets to officers of his service employed in India on the staff, as well as to those of the Company, it could have no further injurious effect in his majesty's service than that of preventing some old officers proceeding with their regiments to India, for if the expedient was adopted, no regimental officers of the standing

of those eligible to be brigadier-generals could be employed in that country; but on the other hand, whilst it imposes no obligation to employ junior officers on the general staff, it might afford an opportunity, that a long peace would render very desirable, of bringing forward comparatively young men in duties for which they are required, and in the execution of which they might gain an experience that would prove most valuable to the country in the event of future hostilities in Europe. I speak with great diffidence when I presume to offer my observations upon the result of such an expedient as I have suggested, as far as it effects his majesty's service, but I am quite positive in my opinion, that without this measure or some similar one is adopted, the army of this Presidency must deteriorate from that discipline and high reputation by which it has been hitherto distinguished. It cannot long support its character without the officers at its head are, in rank as well as command, on a par with the army with whom they are associated. If those are liable to constant supersession, and limited in their opportunities of acquiring fame, they will sink in their own estimation. The desire of obtaining the means of returning to England will be their sole object, and when they abandon for such feelings their hopes of military reputation, they will cease to enjoy the respect and consideration of their inferiors. The high tone and spirit of the army will degenerate, and without that is kept up, no army can be efficient, and most of all, one so constituted as that of the Company.

11. The late alteration in this army which only changed the number of battalions into as many regiments, added to the number of colonels, but not to the number of lieutenant-colonels or majors; and by the privilege granted to those who became commandants, of remaining in England, only five have been induced to stay in India, two being nominated to the high station of the general staff of the army, one acting in that station, one in a junior command, and one in command of the artillery.

12. The prospect, even of the station commands, has not been sufficient to withhold officers of this class from retiring, nor is it to be expected that persons who have served nearly thirty years in India will remain in expectation of such commands, when they have the power of living in complete comfort in their native country.

13. It may be urged that officers of the standing here mentioned have generally suffered in constitution, and their places in India are better filled by younger and more efficient men.

14. This would be true if such juniors attained rank, and every branch of troops employed in India was on the same footing; but it is the difference in the constitution of the King's and Company's army that creates the difficulty.

15. The oldest of the Company's lieutenant-colonels present

for duty on the Bombay establishment will at a very early period, if no change takes place, be almost all junior to the majority of those in his majesty's regiments. This is in a great degree the case at present, as will be seen by the Appendix, No. 8, which gives the number and rank of the ten senior lieutenant-colonels, King's and Company's, on the Bombay establishment. Justice to the senior officers of the Company's army, and consideration of their great local experience, have led to their being appointed to several separate and important commands; and attention to this rule must frequently compel the Government to resort to expedients with regard to the distribution of its troops, which in time of peace are often difficult and embarrassing, and in the event of hostilities wholly impracticable. The consequence is, that his Majesty's and the Company's troops can never join in service without the senior officers of the latter (however high the separate commands they may have held) being superseded by the great proportion of the regimental officers of his Majesty's corps, who must, from their seniority, command every division, brigade or detachment. There is no question meant to be raised as to the comparative merits and pretensions of the officers of the two armies, but the above facts are stated as the ground of my positive opinion, that the present system, in its effects, has a direct tendency to prevent the senior officers of the Company's army present in India exercising high command during war, and consequently to deprive them of opportunities of distinguishing themselves in the service of their country; and it is obvious that, under such circumstances, these officers will exclusively limit their views to the preservation of their health and the completion of their period of service, in order that they may enjoy in their native country that comfort and repose which the liberality of Government has provided for them.

16. This is a fair and just object for men in the ordinary walks of life, but it is not one that will ever excite or maintain that spirit of animation among the seniors of an army, which is requisite to make them stand as they ought in the estimation of those they command. Subordinate officers will cease to consider with sentiments of deference and respect persons whom they never contemplate as likely to attain any rank in command that will enable them to confer, by their notice, benefits and distinction; and the native troops of India, who singularly associate their fame with that of their officers, will gradually cease to regard, with that consideration they have hitherto done, persons whose names they cannot trace from the loved and honoured commander of their regiment to the successful leader of a division or army, whose victories have raised the reputation of the branch of the service to which he belonged.

17. These effects have always been, and must always continue

to be, the consequence of the mixed service in India of his Majesty's and the Company's troops. Various measures have been adopted to remedy the evils which have constantly occurred from the different constitution of these armies; and whenever this subject has been agitated, the local branch (that of the Company) nas had no reason to complain of want of attention to its just claims. It may indeed be stated, that the actual increase of the evil at this moment is in some degree to be traced to a desire in the Honourable the Court of Directors to benefit the condition of the officers in India. By the regulations which divided each regiment into two, the number of retirements for commandants of corps was doubled; and, though the income of the succeeding commandants was lessened, it was still, however, a provision so liberal, that it was not to be anticipated that many officers * entitled to the enjoyment of such comfort in their native country would remain in India, in the distant expectation of advancement; while, on the other hand, alarm at slight indisposition even would, in times of peace, incline them to retire from the active duties of their profession; and, on the occurrence of war, hostilities would be in all probability terminated before they could return.

18. It has been concluded that the division of the regiments, by doubling the number of commandants, would greatly add to promotion, but this fact may be questioned.

19. The casualties in the higher rank will, from the residence in England of a greater proportion of commandants, decrease in a ratio that will probably balance the difference of numbers calculated upon; and if not, the improved prospect of attaining this provision will prevent many from retiring on the pay of their rank, who, under the former system, would have done so, either from incompetence to active duties, or from despair of obtaining the off-reckonings of a regiment.

20. It might seem to a superficial observer, that the evil stated would admit of an easy remedy, by only granting leave to a certain proportion of the commandants of corps to remain in England: but this, in the first place, would appear to be a violation of the principles of the existing regulations; and in the next, it would be ineffective to its object, for officers of such standing in the service, when they desired to retire home, would in most cases be too certain to have the just plea of impaired health; and it may be asserted that, under the circumstances in which they are placed, government cannot have the benefit of their services, unless arrangements are made that render these, to a limited extent, indispensable to establish their claim to the command of a corps, or that prevent them, by adding to their income, or giving them

* Twenty-eight, out of thirty-one, are in England.

a prospect of distinction, from taking immediate advantage of their right of retirement.

21. The principle of selection to the command and emolument of a regiment can never be introduced into an army so constituted as that of the Company in India: it seems fair to the public service, however, that every individual, before he became eligible to that station, should have served for a certain period in the command of a corps, or in stations so high in the general staff as to be deemed of equal importance as that charge.

22 The established principle of seniority would not be violated by such a regulation; none would be excluded by its operation, except those who, from bad health or other causes, were incompetent to the higher duties of their profession, and to such the pay of their rank would appear a sufficient reward for past services. On others it would impose no hardship beyond obliging them to serve one or two years more in the higher stations of the army than what they might otherwise do, or to abandon their claims to a regiment. This principle has been, in fact, adopted in other branches of the service. An actual period of service is necessary to a medical officer, both as a superintending surgeon and in the Medical Board, before it can establish his right to pension. The above suggestion is merely offered for consideration; if adopted, it could have no retrospective operation, and in its introduction it might be so qualified, that it should not injure the just pretensions of any meritorious officers.

23. The Court of Directors have not been inattentive to the necessity of inducing officers of rank and character to remain in India after they became entitled to return to England. By their order, under date 25th November, 1823, besides the general officers on the staff, several stations and brigades of different classes were authorized, on allowances calculated to give every fair encouragement to the senior officers of the Company's service; and had the same liberal principle been extended to the officers actually commanding corps, the evils now complained of would, as far as the field-officers were concerned, not have existed, for a less proportion would have solicited furlough, and none would have remained filling subordinate staff situations.

24. There is no principle connected with the efficiency of an army so universally admitted, as that its discipline depends more upon the officers commanding regiments than any other class; and it is further admitted, that to command a corps well, not only requires a knowledge of military duties, but high rank.

25. It follows, that with the exception of the principal staff, the command of a corps should be the most desirable, both from allowances and respectability, that an officer can aspire to hold.

26. There is no subordinate staff situation which a subaltern or captain of twelve or fifteen years' standing cannot fill as well

as a major or lieutenant-colonel; but the former, however otherwise qualified, cannot exercise the command of a corps except under great disadvantages. A full conviction of the truth of these facts, and of their great consequence to the efficiency of the Indian army, led the Court of Directors to take the subject into their consideration; and in consequence they sent out their orders of November 1823, which not only remodelled the armies of the Presidencies, but settled the number of Government commands for each, with their respective allowances.

27. The Bengal Government, in forwarding the orders of the Court, stated in their instructions that the number fixed of seven Government commands at Bombay was to include all permanent Government commands, but that frontier stations and subsidiary forces were not subject to the same restrictions on the score of allowances, and that the officers placed at the head of such forces were to be selections by the Governor without reference to seniority.

28. The orders of the Court of Directors regarding the changes in the constitution of the army directed the allowance of rupees 400 per mensem, as increase to officers in command of corps.

29. The Governments of Madras and Bombay granted this allowance in addition to the full batta of the rank, considering such to be the Court's intention; but the Governor-general in Council did not concur in this interpretation of the Court's order; and in a letter to this Government, under date the 4th February, 1825, it is stated, that the corps in garrison in Bengal drew only half batta, and that officers commanding such corps lost by the late orders from England a sum more than equivalent to the rupees 400, and therefore the field allowances which had been continued at Bombay could not be sanctioned. Similar orders were sent to the Government of Fort St. George.

30. The existing difference between the allowances of the European officers of the Bengal establishment and those of the coast of Coromandel, is in no instance so great as in that of full batta, which, with the exception of two or three garrisons, is drawn throughout the territories subject to Bengal, whereas the armies of the subordinate Presidencies have the allowance at none but a few field stations. The difference between the establishments in this and other allowances to officers commanding corps affected the operation of the Court's orders on this point, and renders what would be a boon to the officers of Madras and Bombay not so to those of Bengal.

31. The orders issued by the Supreme Government on this occasion reduced a lieutenant-colonel commanding a corps at Bombay at a half batta station, from the monthly allowance of rupees 1420, which he had drawn under the interpretation given by the Governor in Council to the Court's order, to rupees 1220;

and from the diminution of this liberal augmentation of his former salary, the principal effect anticipated from the arrangement was in a great measure lost; for the command of a regiment, though increased, was not sufficiently so to induce officers of high rank to remain in India, nor to tempt others to quit staff situations from which it would have been harsh and impolitic to remove them, unless for their advantage; but there appears no ground to doubt but the objects the Honourable Court had in view will be attained (as far as the army of this Presidency is affected) if the Honourable Court determine upon granting the increase of 400 rupees without striking off the additional batta formerly enjoyed by officers in command of regiments. According to the existing rule, lieutenant-colonel commandants under this Presidency are not considered at liberty to remain with their corps when their turn comes for Government commands. The operation of this rule may even at present be in some cases detrimental to the public service, and supposing that the increase recommended for the regimental commanding officers of corps is adopted, it might be an injury to a lieutenant-colonel instead of a benefit to remove him from his regimental charge to one of the lesser Government commands, for while he would receive a very trifling increase of allowance, his expenses would become greater.

32. It may be here stated, that though the number of brigades authorized by the Court of Directors is quite indispensable, as an encouragement to the senior members of the army, while the officers in command of corps are on their present allowances, the case would be altered if the proposed increase was given to the commanders of corps; it would, on such a measure being adopted, appear practicable to reduce some of the stations that are of minor importance, while the four principal frontier stations, Baroda, Mhow, Deesa and Cutch, and the large cantonment of Poonah, might be beneficially increased. The result of such an arrangement would be to give more field officers for regimental duty, and the prospect of these higher and more desirable commands might prevent officers of rank from soliciting a furlough to England, or taking advantage of their right to retire at so early a period as they otherwise would.

33. To preserve that spirit and animation which are necessary in an army, and above all to that of India, high prizes must be presented to officers of rank. There is, when a forcible impetus is required, little if any advantage derived from those slight gradations of allowances and command which leave individuals in doubt whether they shall benefit or lose by a change of their situations.

34. Other arrangements might be made to keep lieutenant-colonels of the Bombay army with their corps. Of the present Government commands I can only deem those I have before mentioned, Baroda, Mhow, Deesa, Cutch and Poonah, of impor-

tance enough to require a specific officer to be nominated to them; with regard to the other stations, such as Candeish, Southern Konkan, and Kaira, there appears to me no reason why the senior regimental officer at the station might not exercise the general command, as is now the case in the garrisons of Surat and Bombay. Such officer would have a moderate additional allowance for this duty, but he would not be separated from his corps; and though his next senior might have regimental charge, his regiment would continue under his general authority and inspection.

35. The reduction made by discontinuing some of the above stations as Government commands, might well be applied to increase the allowance now enjoyed by the officers in charge of the five important cantonments before noticed. This would constitute them into such objects that officers of rank and character would remain in the country, or return to it in hopes of attaining them. They would of course continue as at present to be filled by selection; and though seniority would constitute a claim, it would be destructive of principles essential to the political administration of the country, to admit it as giving any right to such command.

36. This plan would in a great degree be rendered abortive if lieutenant-colonel commandants were not allowed to command their regiments when they had no general charge, but to this there can be no objection. In his Majesty's service there are generally two lieutenant-colonels present with a corps; and in the Company's, from regimental rise ceasing at the rank of major, lieutenant-colonels are always available for any corps in which they are required, and a case can hardly be anticipated in which two could be present with one regiment.

37. It is unnecessary to add, that the proposition I have made to diminish the number of Government commands is meant to be contingent on the increase of allowances to officers commanding corps, and of the grant of an increase to the higher commands in the army; if such a reduction was made without the adoption of these measures, the evil complained of would be aggravated instead of being remedied.

38. The above arrangements relate chiefly to field officers, but there are, and must still be, a great want of efficiency in the army till the vacancies in corps caused by the number employed in the staff are diminished.

39. The Adjutant-general's Return will show the number of officers in the Bombay army employed on staff duty. The great proportion of captains will be noticed. This arises from several causes. Under the regulations and usages of the service, officers of this rank may be said to be alone eligible to many stations on the staff.

40. We shall effect no good if we merely obtain field officers for regimental duty, without these are aided with more captains than we now have. This rank is one of the most important in the army; and there cannot be a condition more unfavourable to military discipline than that of many corps of this presidency, in which there is not an officer between the commander of the regiment and the subalterns. This injurious effect will in a great degree be done away by arrangements which give to those that perform regimental duty as good, if not better, prospects than upon the staff, and which render a certain portion of actual service with a corps indispensable to rise to the distinction and the emoluments accompanying its command; but further measures must be adopted to give an actual increase of officers, and particularly of captains, for regimental duty.

41. It has often been proposed to strike off the staff of the Indian army; but from the established principle of rise by seniority, and its association on service with his Majesty's troops, every plan hitherto brought forward has been found liable to what were deemed insurmountable objections: but the necessity for doing something is imperative; and we must not be withheld by ordinary difficulties and general rules from applying an unusual remedy in a case so emergent, and one which, on some points, has analogy to no other.

42. It has been proposed to form corps of officers without men, from which vacancies by appointments to the staff could be filled, who might be employed on the staff or be nominated to corps proceeding on service, but, under all circumstances, continue to rise in the skeleton corps to which they belonged.

43. There appear to me fewer objections to this plan than to any other I have seen. It would furnish officers for regimental duty without disturbing the regular rise of regiments, or producing those just grievances and irregularities of promotion that must result from associating in the Indian army staff employ with the attainment of permanent rank.

44. The above corps should in the first instance be raised as an augmentation. They should certainly have no ensigns in them, and perhaps the rank of lieutenant might also be dispensed with. The promotion to the junior rank of these corps, whether it was a lieutenant or captain, should be from the senior ensign or lieutenant of the line; and this effect would be good so far as it repaired bad fortune in regimental rise.

45. As the proposed skeleton regiments would have no lieutenant-colonels commandant, they would consist of one lieutenant-colonel, one major, five captains, and ten lieutenants (if that rank was included); and two or three corps would consequently render disposable, for staff or to fill vacancies, thirty-four officers, all of whom would be of some standing in India.

46. Another question relating to staff employment remains to be examined, on which I shall venture some suggestions on points that I believe to be very seriously connected with the future efficiency of this army. In treating this subject, I shall divide the staff into military and civil. Under the first head is the general, the division, the brigade, the garrison, and the regimental staff. I consider also that in India the officers of the commissariat department must continue on the military staff of the army.

47. Independent of many other reasons which require this department to be filled by officers educated in the army, I know no line that derives so much advantage from the information brought into it by persons well acquainted with other branches of the service, nor one that imparts more useful knowledge to officers who leave it on promotion to assume regimental or general command. The greatest difficulty in operations in India is feeding an army, and familiarity with the details by which that is done is an incalculable advantage to an officer. I should on that and other grounds deem this department an essential branch of military staff; for if it takes men from regimental or general duty, it returns them more efficient, supposing always that advancement in it is not regulated by a succession by seniority, that must in a series of years make numbers forget other branches of their profession and become fit only for office duties.

48. Officers who enter into the political line are usually selected for their talent and energy, combined with a knowledge of the languages and habits of the natives, acquired in the course of military service; and when they return to professional duties, they carry with them an experience and information that are most useful. Their occupation, indeed, in the political line often includes much military employment; and it would be as injurious to this class, as it would be detrimental to the army, not to consider them as a branch of military staff.

49. Officers employed in the survey branch may also be strictly accounted military, as their pursuits and studies are calculated to improve them in science, and to fit them for the highest stations in their profession, and, above all, the quartermaster-general's department.

50. I must place under the head of civil staff the auditor-general's department, and paymasters, collectors, magistrates, or other officers continued permanently on civil duties.

51. I think there are many and obvious reasons why persons should be selected from the army to fill the various offices in the pay department, in which they should rise according to seniority or merit, in the branch they had chosen. No officer should be eligible to this line that had not been eight or ten years in India, and who could not find ample security. The pay and prospects in this department would be such as fully to form compensation

to satisfy officers well qualified for such appointments for what they gave up in quitting the military line; and all persons appointed permanently to this branch should be struck off the strength of the corps to which they belonged. Their promotion should cease, and they should retain no further claims upon the military line than that of a right, at the stated period, to the pension of the rank they held when they were nominated to the civil staff.

52. This separation of the Auditor-general's department would not apply to any person appointed to act on periods of emergency, but only to those who were nominated to the fixed establishment.

53. When emergencies, or urgent calls of the service, led to the appointment of military officers to be collectors or magistrates, or to any other office that was strictly civil, such officer, if continued after the emergency had ceased, should be considered as upon the civil staff, and be struck off the strength of his corps in the same manner as those belonging to the pay department.

54. To prevent the possibility of this arrangement giving rise to any complaints with regard to the unequal promotion it might make in regiments, it should be a rule that any vacancy caused by the transfer of an officer to the civil staff should be filled up by line, and not regimental promotion.

55. The army would gain in the number of officers with corps and in promotion * by striking off the civil staff, and it would not lose in efficiency by their separation from the line, for though there would be no want of qualified and respectable candidates for this branch, these would not be officers whose minds were bent upon military duties, or who were ambitious of advancement in their profession.

56. If the suggestions here offered respecting the civil staff are adopted, it will be but just to the meritorious officers now in this branch to give them two or three years to make up their option whether they will remain in it or return to the military line of the service.

57. To sum up what has been stated. The superior commands proposed to be given to the senior officers, and the increased allowance to those in charge of corps, might be expected to pre-

* The period that officers served in the line would be one of probation as to character and fitness for the duties of the Pay department, and promotion would be accelerated by their transfer to this branch. This last is an important consideration; for in an army that rises, as that of India must continue to do, upon the principle of seniority, it is almost impossible to devise expedients that will save it from that stagnation into which it is so prone to fall. Amongst others, benefit has been justly anticipated from permitting, under strict regulation, the sale of commissions and exchanges with his Majesty's army; but I have elsewhere † given my sentiments very fully upon both these points.

† Vide Political History of India, vol. ii., pp. 211, 212, 213, 222.

serve and regain the services of the most experienced and distinguished men in the army, while the other arrangements proposed would add greatly to the number of officers for regimental duty.

58. These arrangements will no doubt be attended with considerable expense, but it has been assumed that this expenditure has already been contemplated by the Honourable the Court of Directors, who have considered that it is justified by the necessity which exists of preserving and improving the efficiency of the Indian army.

59. The facts I have adduced will, I think, prove that, as far as that of this Presidency is concerned, there is a considerable danger, if some change is not made in the present system, of a deterioration from that high character it has hitherto maintained.

60. I am quite aware of the numerous and serious objections which may be offered to what I have proposed, but they are the best and most expedient that I can devise.

61. The case is surrounded with too many difficulties and embarrassments to give a hope of remedying every evil; but I must conscientiously, state my conviction, that nothing short of some such measures as I have proposed will give health and vigour to a branch of the service which in its decay must involve that of our Empire.

JOHN MALCOLM.

LONDON —W CLOWES, Stamford-street.

MR. MURRAY'S LIST OF BOOKS

ON

GENERAL AND CLASSICAL LITERATURE, HISTORY, BIOGRAPHY, SCIENCE, VOYAGES AND TRAVELS, EDUCATION, &c. &c.

1.

CHRISTIAN CLASSICS; being a Collection of approved and Popular Treatises on the Truths and Doctrines of Christianity: chiefly from the Writings of

Grotius,	Porteus,
Locke,	Paley,
Addison,	Watson,
Warburton,	and
Douglas,	Michaelis.

With *Notes and Illustrations*. In three volumes; with Portraits.

By the Rev. T. F. DIBDIN, D.D.

Printed uniformly with the *Sunday Library*.

The success of the *Sunday Library*, to which this work may be considered as a *Companion*, has induced the Editor again to come forward, in a shape not less acceptable, he trusts, to the kindly feelings and good taste of a *Christian Community*. If there be *one* object more than another, which he has at heart, in the preparation of the materials of THESE 'Classics' it is, that they may be instrumental to the direction and consolidation of those *Principles*, upon which the present and future happiness of human beings may be said to depend:—as a safeguard against the poison of infidelity on the one hand, and the misery of fanaticism on the other. But if there be *one* Class of Individuals more than another, likely to be materially benefitted by such a Publication, it is THE YOUNG—on commencing their career in life—whether at our Universities, or on being placed out in the world.

If there be such attraction in the word '*Classics*,' as applied to the cultivation of taste from a knowledge of *Heathen* Writers, let some of the ablest treatises in our language have their due influence upon the understandings of *Young Men*, when they are adorned by the purity of a *classical style*, and directed to the noblest of earthly objects.

2.

OBSERVATIONS on the Healthy and Diseased Properties of the BLOOD.

By WILLIAM STEVENS, M.D.

In 8vo. 15*s*.

'Twenty years hence, if we be not greatly mistaken, Dr. Stevens will be honoured as the author of one of the most important works in the medical literature of our age.'—*Quarterly Review*.

3.

The PLAYS and POEMS of SHIRLEY, now first collected and chronologically arranged, and the Text carefully collated and restored. With occasional Notes, Biographical and Critical.

By WILLIAM GIFFORD, Esq.

To which is prefixed, some Account of the LIFE of SHIRLEY and of his Writings, by the Rev. ALEXANDER DYCE. Illustrated with a Portrait, from the original in the Bodleian at Oxford.

6 vols. 8vo., uniform with GIFFORD'S MASSINGER and BEN JONSON.

Now ready.

*** A very few copies are printed on large paper, with early impressions of the portrait.

4.

The AGAMEMNON of ÆSCHYLUS, TRANSLATED FROM THE GREEK. With an Introductory Dissertation on Greek Tragedy.

By JOHN S. HARFORD, Esq., D.C.L. and F.R.S.

Handsomely printed, with 17 Plates, engraved from Greek Gems, &c., crown 8vo. 18*s*.

*** A few Copies on large paper with Proof Impressions of the Plates, 2*l*.

5.

The THIRD and CONCLUDING VOLUME of The HISTORY of the PENINSULAR WAR.

By ROBERT SOUTHEY, LL.D.

4to. 2*l*. 10*s*.

6.

INFORMATION and DIRECTIONS for TRAVELLERS on the CONTINENT of EUROPE, more particularly in ITALY and in the ISLAND of SICILY.

By MARIANA STARKE.

SEVENTH EDITION,

Carefully corrected, and enlarged.

In one *compact* Pocket Volume, price 15*s*.

The Author of the above work, which has long enjoyed the reputation of being the *best Guide Book for Italy*, being fully persuaded of the impossibility of writing an accurate account of a country without having examined it *herself*; and likewise feeling, from respect to the public, an earnest wish not to be considered an erroneous Guide, *has lately visited almost every part of Italy*, especially those parts which in modern times have been neglected by travellers. She has collected the newest information from all quarters, and has rewritten the greater portion of the book. The additions and improvements to this edition will be found to have materially increased the value of the work to all classes of travellers. A very important chapter is devoted to the description of the *Remains* of Ancient Italy, lately brought to light and investigated by the Antiquarian Society of Rome. The Author, anxious to facilitate the progress of travellers who may feel a desire to visit the ancient *Remains* in *Etruria*, has endeavoured to discover the best roads leading to them, and, by minutely examining them, has been enabled to give an account of them which is to be found in no other work of the sort.

'It being her object to comprise within the narrow limits of *one portable volume* all the information requisite for travellers in the most frequented parts of Europe, she has combined her account of the "*Remains of Ancient Italy*" with a new and considerably enlarged edition of her "*Travels in Europe*." The following pages, therefore, contain a faithful description of the Antiquities, ancient Customs, and Manners of Italy, Magna Græcia, and Sicily; together with an account of all the principal Towns and Post-roads in the most frequented parts of the European Continent; correct Catalogues* of the most valuable specimens of Architecture, Painting, and Sculpture, in France, Italy, Magna Græcia, Sicily, and Germany; with the opinions of Nardini, Venuti, Winckelmann, and Visconti, on some of the most celebrated Works of Art. The following pages likewise contain an account (deduced from very long experience) of the Climates of Southern Europe; the expenses attendant upon various modes of travelling; the distances from post to post on every Great Road, according to the post-books last published; the average price of ready-furnished Lodgings, Provisions, &c.; together with a short comparative view of family expenses in various Cities of Europe: so that persons led by motives of economy to reside on the Continent may not experience the disappointment of finding their plans frustrated by imposition.'

**** The Editions of this work sold in Italy and elsewhere on the Continent are for the most part old, and therefore, incomplete and comparatively useless.

7.

The JOURNAL of the ROYAL GEOGRAPHICAL SOCIETY of LONDON. Vol. II. With Eleven new Maps, Charts, &c. 8vo. 7*s*. 6*d*.

* 'No complete printed description of the sculpture, frescos, and oil-paintings, either in the Vatican or in the private galleries at Rome, being at the present moment attainable, the Author of the ensuing Work has endeavoured to supply this deficiency by catalogues made with the utmost care: but it should be recollected that in every gallery, whether public or private, the situation of statues and pictures is liable to be changed.'

8.

REPORTS of the PROCEEDINGS of the BRITISH ASSOCIATION for the ADVANCEMENT of SCIENCE, at YORK, in the year 1831, and at OXFORD in 1832. In one vol. 8vo.

CONTENTS:—PART I.

1. Rev. WILLIAM VERNON HARCOURT. Exposition of the OBJECT and PLAN of the ASSOCIATION.
2. DETAILED ACCOUNT of the PROCEEDINGS at YORK in September 1831.

PART II.

REPORTS READ to the SOCIETY at OXFORD, June 1832; viz.—

1. PROFESSOR AIRY, F.R.S., on the State and Progress of PHYSICAL ASTRONOMY.
2. J. W. LUBBOCK, Esq., on the TIDES.
3. J. D. FORBES, Esq., F.R.S., on the Present State of METEOROLOGICAL SCIENCE.
4. Sir DAVID BREWSTER, F.R.S. L. and E., on the Progress of OPTICAL SCIENCE.
5. Rev. R. WILLIS on the PHENOMENA of SOUND.
6. Rev. PROFESSOR POWELL on the PHENOMENA of HEAT.
7. Rev. PROFESSOR CUMMING on THERMO-ELECTRICITY.
8. F. W. JOHNSTONE, Esq., on the Recent Progress of CHEMICAL SCIENCE.
9. Rev. PROFESSOR WHEWELL, M.A., F.R.S., on the State and Progress of MINERALOGICAL SCIENCE.
10. Rev. W. CONYBEARE, M.A., F.R.S., F.G.S., on the Recent Progress, Present State, and Ulterior Development of GEOLOGY.

Together with an Account of the Public Proceedings of the Society, and of the Daily Transactions of the Sub-Committees during the period of the Meeting at Oxford.

9.

SPEECHES of the Right Hon. WM. HUSKISSON in the House of Commons. With a BIOGRAPHICAL MEMOIR, supplied to the Editor from Authentic Sources.

In Three Volumes, 8vo., 2*l*. 2*s*., with a Portrait, engraved by W. Finden, from the Painting by Sir T. Lawrence, in the Gallery of the Right Hon. Sir R. Peel, Bt.

10.

COLLECTIONS from the GREEK ANTHOLOGY, and from the Pastoral, Elegiac, and Dramatic Poets of Greece.

By the Rev. ROBERT BLAND, and Others. 2 vols. 8vo.

A *New Edition*, revised and corrected; with a great number of additional translated Specimens; the principal part of the former Illustrations being omitted, and the whole newly arranged in chronological order, under the names of Authors; with short Prefaces, and Notes Critical and Explanatory.

11.

PRINCIPLES of GEOLOGY; being an Attempt to explain the former Changes in the Earth's Surface, by reference to Causes now in operation.

By CHARLES LYELL, F.R.S., Professor of Geology in the King's College, and Foreign Secretary of the Geological Society.

Vol. I., 8vo., *Second Edition*, price 15*s*., and Vol. II., 12*s*., *Second Edition*, are just published.

Vol. III. and last, is in the Press, and will be published shortly.

12.

HISTORY of the WAR of SUCCESSION in SPAIN.

By LORD MAHON.

8vo. 12*s*.

This work contains much new information derived from the MS. Papers and Correspondence of General Stanhope, at one period Commander-in-Chief of the British Army in Spain, and afterwards (as Earl Stanhope) First Lord of the Treasury in England. In the same collection are many Letters and Papers of Lord Peterborough, which throw great light on his military life.

'It is impossible to close either the Life of Belasarius or this volume, without having formed very high anticipations of the Author's future career as an historical writer.'—*Quarterly Review.*

13.

An APPENDIX to LORD MAHON'S WAR of the SUCCESSION in SPAIN, comprising further EXTRACTS from GENERAL STANHOPE'S MSS. LETTERS. 8vo.

In the Press.

14.

The POETRY and PROSE WORKS of LORD BYRON.

Now first collected and arranged, and illustrated with Notes Biographical and Critical, by

Sir Walter Scott.	T. B. Macaulay, M.P.
Francis Jeffrey.	Rev. George Croly.
Professor Wilson.	Mrs. Shelley.
Sir Egerton Brydges.	George Ellis.
Bishop Heber.	Thomas Campbell.
Mr. Lockhart.	Rev. H. Milman.

In Monthly Volumes, uniform with the Waverley Novels. Illustrated with Engravings, and bound in cloth, price 5*s*. each.

FAMILY LIBRARY. Vol. XXXV.

The LIFE of PETER the GREAT.

By JOHN BARROW, Esq., F.R.S., Author of the *Eventful History of the Mutiny of the Bounty.*

With Portrait. 1 vol. small 8vo. 5*s*.

'This is an excellent compendium of the life of that most extraordinary character—the founder not of a dynasty, but of an empire. It is well drawn up; every source of information has been consulted; the style is easy and unpretending; in short, the author is master of his subject.'—*Spectator.*

XXXIII. Natural Magic, by Sir David Brewster.

XXXIV. Lives of Scottish Worthies. Vol. II.

XXXVI. Six Months in the West Indies, by Henry Nelson Coleridge.

XXXVII. *will contain* Lives of Scottish Worthies, Vol. III. and *last.*

In consequence of the approaching termination of the Family Library, *Subscribers who have got the former volumes of the Work are recommended to take an early opportunity of completing their sets.*

16.

MEMORIALS of HAMPDEN, his PARTY, and his TIMES.

By LORD NUGENT.

Dedicated to the KING, by his Majesty's most gracious permission. *A New Edition.* 2 vols. 8vo. 30*s*., with Portraits, &c.

17.

PEN and PENCIL SKETCHES of INDIA; being a Journal of a Tour in that Country. With numerous Engravings by Landseer, and Woodcuts, chiefly illustrative of the Field Sports of India, from the Author's own Sketches.

By CAPTAIN MUNDY, late Aide-de-Camp to Lord Combermere.

In 2 vols. 8vo. 30*s*.

18.

STATISTICAL ACCOUNT of UPPER CANADA, for the use of EMIGRANTS. By a BACKWOODSMAN. *A New Edition.* In fcap. 8vo. 1*s*. 6*d*.

Contents:—1. Capitalists—2. Provisions—3. Forwarding of Settlers—4. Purchase of Land—Climate—5. Field Sports—6. Travelling—7. Soil—8. Lumber Trade—9. Religious Sects—10. Odds and Ends.

For a character of this Work, see *Blackwood's Magazine.*

19.

CHEMICAL MANIPULATION; being Instructions to Students in Chemistry on the Methods of performing Experiments of Demonstration or of Research, with accuracy and success.

By MICHAEL FARADAY, F.R.S., F.G.S., M.R.I.

A New Edition. 8vo. 18*s.* boards.

20.

A MANUAL of CHEMISTRY, containing the principal Facts of the Science, arranged in the Order in which they are discussed and illustrated in the Lectures at the Royal Institution of Great Britain.

By W. T. BRANDE, F.R.S., Professor of Chemistry at the Royal Institution, &c.

Third Edition. 2 vols. 8vo. 30*s.* boards.

21.

The ELEMENTS of CHEMISTRY, familiarly explained and practically illustrated. In small 8vo., embellished with One Hundred Woodcuts. 6*s.* boards.

22.

An INTRODUCTION to the ATOMIC THEORY.

By CHARLES DAUBENY, M.D., F.R.S., Professor of Chemistry in the University of Oxford. 8vo. 6*s.*

23.

HULSEAN LECTURES FOR THE YEAR 1831.

The VERACITY of the HISTORICAL BOOKS of the OLD TESTAMENT, FROM THE CONCLUSION OF THE PENTATEUCH TO THE OPENING OF THE PROPHETS. Argued from the undesigned Coincidences to be found in them, when compared in their several Parts; being *a continuation of the Argument* for the Veracity of the Five Books of Moses.

By the Rev. J. J. BLUNT, Fellow of St. John's College, Cambridge.

Post 8vo. 6*s.* 6*d.*

24.

ACCOUNT of some of the most important DISEASES peculiar to WOMEN.

By ROBERT GOOCH, M.D.

Second Edition. 8vo. 12*s.*

25.

The INFLUENCE of CLIMATE in the Prevention and Cure of DISEASES of the CHEST, DIGESTIVE ORGANS, &c. &c.; with an account of the best climates in England, the South of Europe, &c.

By JAMES CLARK, M.D., F.R.S.

New Edition. 8vo. 12*s.*

Contents.—Part I. *Climate.*—ENGLAND. London, Hastings, Brighton, Isle of Wight, Undercliff, Torquay, Dawlish, Exmouth, Sidmouth, Penzance, Flushing, Clifton, Guernsey, and Jersey.—FRANCE. Pau, Montpelier, Marseilles, Hyères, Nice.—ITALY. Genoa, Pisa, Rome, Naples, Ischia, Sienna, Baths of Lucca, Madeira, Azores, Canaries, Bahamas, Bermudas, West Indies.

Part II. Diseases benefited by Climate: Disorders of Digestive Organs, Consumption, Diseases of Larynx, Trachea, and Bronchea, Asthma, Gout, Rheumatism; Disorders of Childhood and Youth; Climacteric Diseases; Impaired health from residence in warm Climates; Directions for Invalids, while travelling and residing abroad Appendix, containing Tables on Climate.

26.

ENGLAND and FRANCE; or, a CURE for the MINISTERIAL GALLOMANIA. Post 8vo. 8*s.* 6*d.*

'The very able and interesting publication—gave, with great vivacity and truth, details, which M. Sarrans has, without acknowledgment, adopted.'—*Quarterly Review.*

27.

HOMER TRANSLATED BY SOTHEBY, AND ILLUSTRATED BY FLAXMAN.

The ODYSSEY of HOMER, translated into English Verse, by

WILLIAM SOTHEBY, Esq.

2 vols. 8vo.

A New Edition of the TRANSLATION of the ILIAD.

Illustrated with Seventy-five Engravings, from the inimitable Designs of FLAXMAN.

In the Press.

28.

BOSWELL'S LIFE of JOHNSON, a New Edition, incorporating HAWKINS, Mrs. PIOZZI, TOUR to the HEBRIDES, &c.

By the Right Honourable JOHN WILSON CROKER.

Illustrated with numerous original Notes by Sir WALTER SCOTT, Sir JAMES MACKINTOSH, LORD STOWELL, and the EDITOR. With several original Portraits. 5 vols. 8vo. 3*l.*

'We do not know the literary work which has acquired a greater or more universal popularity than Boswell's Life of Johnson. It has been a constant favourite with all intelligent readers; and though slight improvements have been made in the new editions at various times, it was quite necessary to revise it again, because many facts and explanations, which were not set down because they were universally known, and were entrusted to the keeping of tradition, were in a fair way to be entirely lost. A few years will have swept away all the associates of Johnson; but as the trouble of collecting these things is not at all estimated by readers at large, no one was willing to submit to the labour till Mr. Croker came forward and undertook the trust. We can cheerfully bear witness to the able and faithful manner in which he has discharged the duty. We acknowledge the excellence of the work, and recommend it to all who wish for an intimate acquaintance with Johnson, and every one who has the least respect for intellectual greatness is included in this description. The work is much improved by inserting extracts from the other biographers. Mr. Croker has evidently laboured with unwearied industry to gather materials. We cannot believe that any subsequent improvement will ever be made upon this edition; and we have no doubt that it will excite the curiosity and reward the attention of the reading world. We have the pleasure of announcing an American reprint, and hope that we shall be able to repeat the saying of a distinguished writer of the last age, "*Every one that can buy a book has bought Boswell.*"'—*North American Review for Jan.* 1822.

29.

RISE and PROGRESS of the ENGLISH COMMONWEALTH, (Anglo-Saxon Period.) Containing the Anglo-Saxon Policy, and the Institutions arising out of Laws and Usages which prevailed before the Conquest.

By Sir FRANCIS PALGRAVE, Kt.

In 4to. 3*l.* 3*s.*

'This interesting volume—beyond all competition the most luminous work that has ever been produced on the early Institutions of England.'—*Edinburgh Review.*

By the same Author,

A NEW HISTORY of the ANGLO-SAXONS. With Illustrations. 1 vol. 5*s.*

'It is written with much liveliness of style, and in a popular manner, though abounding with knowledge of the subject, as might be expected from the author.'—*Edinburgh Review.*

30.

The ANTIQUITIES, ARTS, and LITERATURE of ITALY.

By JOSEPH FORSYTH, Esq.

Fourth Edition, complete in one pocket volume.

"Forsyth was an acute observer, a man of sound taste in the arts; and we know of no better guide to consult than his discriminating strictures upon Italian buildings and monuments of every kind. His style is nervous and manly."—*Journal of Education*, No. VIII.

31.

The DIARY of an INVALID in pursuit of HEALTH; being the Journal of a Tour in Portugal, Italy, Switzerland, and France.

By the late HENRY MATHEWS, M.A. Fellow of King's College, Cambridge.

Fourth Edition, complete in one pocket volume.

"In the number of those more unpretending works which do not profess to give an elaborate description of Italy, or any particular part of it, but merely to record the impressions of a stranger as he journeyed through the country, and thus to supply an entertaining companion to his followers in the same path, we have long singled out 'Mathews' Diary of an invalid.' It is the work of a scholar and a gentleman, written in an amicable temper of tolerance, and good-will towards mankind."—*Journal of Education*, No. VIII.

32.

The ZOOLOGY of NORTH AMERICA. Part II., containing the BIRDS.

By JOHN RICHARDSON, M.D., Surgeon of the late Expedition under Captain Franklin.

And WILLIAM SWAINSON, Esq. F.R.S., F.L.S.

Illustrated with Fifty beautiful coloured Engravings, drawn by W. Swainson, Esq. and numerous Wood-cuts. 4to. 4*l.* 4*s.*

Printed uniformly with the Narratives of Captains Franklin's and Parry's Expeditions, to which it may be considered to be an indispensable Appendix.

33.

The CONSTITUTIONAL HISTORY of ENGLAND.

By HENRY HALLAM, Esq.

Third Edition. 3 vols. 8vo. 36*s.*

Also, a *Fifth Edition* of

Mr. HALLAM'S HISTORY of the MIDDLE AGES.

3 vols. 8vo. 36*s.*

34.

VIEW of the MOTIONS of the HEAVENLY BODIES.

With a popular INTRODUCTION.

By MRS. SOMERVILLE. 8vo. 30*s.*

'Taken altogether, the production does honour to the age in which we live—but as the exclusive performance of a female, it must be regarded as a prodigy of intelligence and mental industry. It is a subject worthy of national congratulation, that a lady of extraordinary talents, and of sufficient ambition to trespass beyond the restraints imposed upon her sex, should enlist in the ranks of the missionaries of useful knowledge.'—*Monthly Review*, Jan. 1832.

'In the pursuit of her object, and in the natural and commendable wish to embody her acquired knowledge in a useful and instructive form for others, the Author seems entirely to have lost sight of herself; and, although in perfect consciousness of the possession of powers fully adequate to meet every exigency of her arduous undertaking, it yet never seems to have suggested itself to her mind, that the acquisition of such knowledge, or the possession of such powers, by a person of her sex, is in itself anything extraordinary or remarkable.'

'We have, indeed, no hesitation in saying, that we consider the Preliminary Dissertation by far the best condensed view of the Newtonian philosophy which has yet appeared. We do not, of course, mean to include the "Système du Monde" of Laplace himself, which embraces a far wider range, both of illustration and detail, and of which Mrs. Somerville's preface may in some sort be regarded as an abstract, but an abstract so vivid and judicious as to have all the merit of originality, and such as could have been produced only by one accustomed to large and general views, as well as perfectly familiar with the particulars of the subject.'—*Quarterly Review.*

ESSAYS, &c, read at the ROYAL COLLEGE of PHYSICIANS.

By Sir HENRY HALFORD, Bart. M.D., G.C.H., President of the College.

With an Original Portrait of Charles I.

Post 8vo., 6*s.* 6*d.*

Contents.—On the Climacteric Diseases—On the necessity of Caution in estimating the symptoms in the last Stages of some Diseases—On the Tic Doloreaux—Popular and Classical Illustrations of Insanity—On the Influence of some diseases of the Body on the Mind—On the Kausos of Aretæus—On the Treatment of Gout—The opening of the Coffin of Charles the First, in 1813.

'A volume alike creditable to the president as a physician and as a scholar.'—*Quarterly Review.*

36.

The PROVINCE of JURISPRUDENCE DEFINED. In Six Essays. Being the Substance of *Ten Lectures delivered at the University of London.*

By JOHN AUSTIN, Esq., Barrister-at-Law. 8vo. 12*s.*

'I have stated in the beginning of my preface, that the six Lectures or Essays composing the following Treatise are made out of ten Lectures which I delivered at the University of London. These (I may venture to add) were heard with some approbation, by an instructed and judicious audience. Imboldened by that approbation, I submit them, in their present form, to the judgment of a larger public.'—*Preface.*

37.

The BOTANICAL MISCELLANY; Containing Figures and Descriptions of new, rare, or little-known Plants, from various parts of the World, particularly of such as are useful in Commerce, in the Arts, in Medicine, or in Domestic Economy.

By W. I. HOOKER, LL.D., F.R.S., and L.S., &c. &c., and Regius Professor of Botany in the University of Glasgow.

Nos. I. to VIII., with 112 Engravings, 10*s.* 6*d.* each.

This Work will be completed in Nine Numbers, forming Three Volumes. 8vo.

'We draw our readers' attention to this most valuable work which is now publishing, in quarterly parts; and although its merits have fully established its character amongst the cultivators of Botany, we esteem it a duty to the cause of this elegant science to recall it to their notice. The botanical plates are excellent.'—*Asiatic Journal.*

SELECTIONS from the CONTENTS:

VOL. I.

History of the Mahogany-Tree—Schultes' Botanical Visit to England—Information respecting the German Botanical Society—Localities of Rare Plants in the Breadalbane Mountains of Scotland—Some Account of the Substance commonly called Rice Paper—Sketch of a Journey to the Rocky Mountains and Columbia River, by Thomas Drummond, Naturalist to the Arctic Expedition under Captain Franklin—History of the Sugar-Cane—The Botany of *Swan River*, with Remarks on the Settlement there—Journal of Two Months' Residence on the Banks of the Rivers Brisbane and Logan, New Holland, by Charles Frazer—Description of Malayan Plants, by William Jack—New Plants from Madagascar—Botany of the Philippine Islands—The Caroline Islands, Kamtschatka, and Behring's Straits, visited by the Russian Expedition under Kotzebue—Plants of the order Umbelliferæ discovered in South America, by Dr. Gillies.

VOL. II.

The Life and Travels of Captain Carmichael, with a description of the Cape of Good Hope, its Botany, Natural History, &c., extracted from his Journals—Jack's Descriptions of Malayan Plants—Illustrations of the Botany of India, by Dr. Wight—A Botanical Excursion in *Jamaica*, by Dr. Macfadyen—Natural History of the *Mauritius*, by Charles Telfair—Mr. Burchell's Journey in *Brasil*—Method of Preserving the Fleshy Fungi for the Herbarium—An Excursion from *Lima* to Pasco, with Observations on the Climate and Vegetation of *Peru*, by Alexander Cruickshanks—Notice of the Plants collected in the above Excursion, by Dr. Hooker—Journey to the Altaic Mountains—Flora of the Altaic Mountains, by Professor L'edebour—Natural History of Algoa Bay, and Visit to the Country of the Caffres, and to the Isle of France, from the Journals of Captain Carmichael—History of *Ferns*, by Drs. *Hooker* and *Greville*—Observations on the *English* Flora of Sir James Smith.

VOL. III.

Dr. Merten's account of the Fuci, and excursion to the top of Mount Werstovoi at New Archangel—Captain Carmichael's visit to Bengal and Tristan d'Acunha, with an account of the Natural History of those places—On the Plants calculated for fences in Jamaica—On the British Flora of Sir James Smith—On the Vegetable Productions round Lahoogat—Hooker and Arnott's Flora of South America, and Islands of the Pacific—Greville and Hooker's Enumeration Filium—On a new Species of Sarothra—Natural History of the Island of Madagascar, with a particular Account of the Tanghina Poison, by Drs. Hilsenburg and Bojer.

38.

Mrs. MARKHAM'S HISTORIES FOR YOUNG PERSONS.

1.

Mrs. MARKHAM'S HISTORY of ENGLAND. *Third Edition*, with numerous Wood-cuts. 2 vols. 12mo. 16*s.* bds.

A HISTORY of FRANCE.

By Mrs. MARKHAM.

With numerous Wood Engravings, illustrative of the progressive Changes in Manners, Customs, Dress, &c. A New Edition. 2 vols. 12mo, 16*s.*

A SHORT HISTORY of SPAIN. On the Plan of Mrs. MARKHAM'S HISTORIES OF ENGLAND and FRANCE.

By MARIA CALLCOTT.

With Wood Engravings. 2 vols. 12mo.

'These works are constructed on a plan which is novel and, we think, well chosen. They are divided into chapters, and at the end of each chapter is subjoined a conversation suggested by the matter of the preceding text. By this arrangement a consecutive narrative is kept up, while, at the same time, everything interesting connected with each reign is made the subject of discussion and examination: thus, much valuable and curious information is imparted without disturbing the continuity or perplexing the progressive steps of the history. The style is plain and easy—the conversations are usually sustained with spirit, and are sufficiently familiar without degenerating into puerility; at least, this blemish is only of rare occurrence, and in books designed for children we hold this to be no trifling merit. The works bear throughout evident marks that the Author is completely versed in every part of the history of the two countries. She has shown great judgment in the selection of events and of those particulars which are most likely to attract the attention of children. She offers to their notice exactly the species of knowledge which they can best understand, and does not confuse them with a recital of the complicated manœuvres of political factions. Party intrigues are not discussed, and the crimes and vices of mankind are not exhibited so as to offend or disgust, while good feeling and pure morality are generally inculcated.'

'We are glad to find that these excellent little Histories are deservedly popular. They cannot be too strongly recommended as adapted for the perusal of youth, while readers of more advanced age may find in their pages much that is novel and entertaining.'—*Journal of Education.*

PROGRESSIVE GEOGRAPHY for CHILDREN, by the Author of STORIES FOR CHILDREN. 12mo. 2*s.* half-bound.

39.

STORIES for CHILDREN, from the HISTORY OF ENGLAND. *Eleventh Edition*, 3*s.* half-bound. 12mo.

40.

GOSPEL STORIES; an Attempt to render the CHIEF EVENTS of the LIFE of OUR SAVIOUR intelligible and profitable to YOUNG CHILDREN. Nearly ready.

41.

GARRY OWEN; or, the SNOW WOMAN and POOR BOB the CHIMNEY SWEEPER.

By MARIA EDGEWORTH.

With Wood-cuts. 1 vol.

Printed to correspond with 'Early Lessons.' Nearly ready.

42.

The HISTORY of the LATE WAR, with Sketches of NAPOLEON, NELSON, and WELLINGTON, in the Style of STORIES for CHILDREN.

With Wood-cuts. 1 vol. Nearly ready.

43.

BERTHA'S JOURNAL during a VISIT to her UNCLE; comprising a variety of interesting information for Young Persons. Arranged for every Day in the Year.

A *New Edition*, 3 vols. small 8vo. 10*s.* 6*d.* half bound.

No head of a family, we presume, will think of dispensing with this work, at least no one that is anxious to invigorate the minds of his children by communicating to them an early taste for the more valuable and profitable pursuits of the human understanding.'—*Monthly Rev.*

'Of all the little works contrived of late years for the purpose of conveying information to young folks in an attractive manner, this, we think, will prove by far the most successful.'—*Monthly Magazine.*

'An admirable production of its class.'—*Court Journal.*

'An interesting present for young people. The book is extremely cheap, only half-a-guinea for three volumes!'—*Spectator,*

'A great variety of information is here pleasantly collected,' &c.—*Literary Gazette.*

44.

On the ADMINISTRATION of BRITISH INDIA; illustrated with Official Papers and authentic Documents.

By Sir JOHN MALCOLM. 8vo.

45.

SKETCH of the SIKHS, with an Introductory Chapter regarding the Navigation of the Indus.

By Sir JOHN MALCOLM.

8vo. *Second Edition.*

46.

CHURCH REFORM.

By the Rev. E. BERENS, M.A.

Comprising, I. Reform; II. Discipline; III. Law; IV. Endowments; V. Pluralities; VI. Dignities; VII Public Service; VIII. Liturgical Offices; IX. Edifices; X. Property of the Church.

A *New Edition*, 8vo. 6*s.* 6*d.*

47.

The JOURNAL of a NATURALIST. Third Edition. Plates and Wood-cuts.

Post 8vo 15*s.*

48.

GLEANINGS in NATURAL HISTORY. With LOCAL RECOLLECTIONS.

By EDWARD JESSE, Esq.

Surveyor of His Majesty's Parks and Palaces

To which are added, MAXIMS and HINTS for an ANGLER. Being a Companion to the JOURNAL OF A NATURALIST. A New Edition, Post 8vo. 10*s.* 6*d.*

49.

JOURNAL of an EXPEDITION to explore the Course and Termination of the NIGER.

By RICHARD and JOHN LANDER.

With Portraits of the Authors, and other illustrative Engravings, and a Map of the Route, showing the course of the Niger to the Sea. In 3 vols. small 8vo. 15*s.*

'These volumes record perhaps the most important geographical discovery of the present age In consequence of the attraction possessed by them, and the very accessible form under which, in preference to the costly and ponderous quarto, their enterprising publisher has presented them, there will perhaps be very few of our readers to whom the incidents of this remarkable voyage will not be familiar. The narrative never ceases to be very interesting.'—*Edinburgh Review.*

50.

A COURSE of LECTURES on the COINAGE of the GREEKS and ROMANS. Delivered in the University of Oxford,

By EDWARD CARDWELL, D.D. Principal of St. Alban's Hall, and Camden Professor of Ancient History. 8vo. 8*s.* 6*d.*

51.

LETTERS on NATURAL MAGIC. Addressed to Sir WALTER SCOTT.

By Sir DAVID BREWSTER, K.G.H.

One Volume small 8vo., illustrated with upwards of Eighty Woodcuts.

Being No. XXXIII. of the FAMILY LIBRARY.

N.B.—The MONOCHROMATIC LAMP, with Instructions, and Spirits prepared for its use, as well as every other Apparatus to elucidate the Experiments mentioned in this Volume, may be obtained at Messrs Wilkinson's, 27, Pall-Mall, London.

52.

A COPIOUS GRAMMAR of the GREEK LANGUAGE.

By AUGUSTUS MATTHIÆ.

Translated from the German by EDWARD V. BLOMFIELD, M.A., late Fellow of Emanuel College, Cambridge. *Fifth Edition*, thoroughly revised and greatly enlarged from the last Edition of the original, by JOHN KENRICK, M.A. In 2 vols. 8vo. 30*s.*

*** This Work, which has been so widely circulated, and so highly approved in former Editions, has been entirely remodelled by the Author Errors have been corrected and deficiencies supplied, so that, in its present state, it comprises every improvement in Greek Grammar which has been made since the publication of the First Edition.

Also,

GREEK EXERCISES, adapted to MATTHIÆ'S GREEK GRAMMAR.

By JOHN KENRICK, M.A. 8vo. 6*s.*

53.

A FAMILY TOUR through HOLLAND and the NETHERLANDS.

Comprising an Account of Amsterdam, Rotterdam, the Hague, Brussels, and a particular description of *Antwerp*, its Fortifications, Dock-yard, Cathedral, and the Navigation of the River Scheldt.

Small 8vo, with a Map and Ten Plates, 5*s.*