

CHAPTER XII

EXTERNAL RELATIONS AND THE ROHILLA WAR

HAVING abolished the dual government set up by Clive, Hastings had next to overhaul the system of relations established with Indian princes. Clive's policy in this field had worked well for five years, but changing circumstances had made revision necessary. At the time of Clive's settlement northern India had been temporarily free from the Maratha terror. It was the imminent renewal of that menace which entirely altered the whole situation. The Marathas, who in 1761 had been driven headlong into the Deccan after their terrible rout at Panipat at the hands of Ahmad Shah, once more recrossed the Narbada in 1769, and came surging northward again to occupy Delhi in 1771. They offered to restore Shah 'Alam to his throne and make his imperial title a reality. The emperor consulted the English, who implored him to reject so dangerous and deceptive a proposal. In spite of this, he agreed to the Maratha terms, and left Allahabad in May, 1771. Though the English had protested, they parted with him amicably. It was to prove a momentous and calamitous decision, and the misguided emperor was never again to return to British territory. For thirty-two years he was practically a state prisoner in the hands of the Marathas or the Afghans. A year after his restoration, the Marathas forced upon him a minister of their own choice, and obliged him to make over to them the districts of Kora and Allahabad. A new and delicate problem now confronted the Company's servants. To continue to pay the tribute was practically to subsidize its most formidable enemies. The Company was bound to suffer for its own quixotic generosity. It had bound itself to pay tribute, as Hastings said, to an idol of its own creation, "not one of his natural subjects offered any kind of submission to his authority, when we first fell down and worshipped it".¹ With regard to the districts there were four possible courses; to let the Marathas occupy them, to take them ourselves, to keep them for Shah 'Alam, or to give them back to Oudh. It was finally decided to discontinue paying the tribute of twenty-six lakhs to Shah 'Alam on the ground that "his desertion of us, and union with our enemies, leaves us without a pretence to throw away more of the Company's property upon him",² and to restore Kora and Allahabad to the nawab of Oudh (by the treaty of Benares) for fifty lakhs of rupees.

¹ Strachey, *Hastings and the Rohilla War*, p. 59.

² Gleig, *op. cit.* 1, 360.

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Hastings had no doubts and no reservations as to the desirability of this course: "I am not apt to attribute a large share of merit to my own actions, but I own that this is one of the few to which I can with confidence affix my own approbation".¹ He thus sums up the advantages of his policy:

By ceding them to the [Nawab of Oudh], we strengthen our alliance with him, we make him more dependent upon us, as he is more exposed to the hostilities of the Marathas; we render a junction between him and them, which has been sometimes apprehended, morally impossible, since their pretensions to Korah will be a constant source of animosity between them; we free ourselves from the expense and all the dangers attending either a remote property, or a remote connection; we adhere literally to the limited system laid down by the Honourable Court of Directors... we provide effectually for the protection of our frontier, and reduce the expenses of our army, even in employing it; and lastly we acquire a nett sum of 50 lacs of rupees most seasonably obtained for the relief of the Company's necessities.²

This solution met with the support both of the council and the directors, and it is difficult to see what other course was possible. Yet it has been condemned, and was opposed by Sir Robert Barker. Burke described it as a "shocking, horrible, and outrageous breach of faith".³ Mill says:

Generosity, had it any place in such arrangements, pleaded with almost unexampled strength in behalf of the forlorn Emperor, ... the representative of so illustrious a race, who now possessed hardly a roof to cover him. Justice too, or something not easily distinguished from justice, spoke on the same side.⁴

But Hastings and his council clearly require no defence. The districts and the tribute, which was purely eleemosynary, had only been granted to Shah 'Alam to support his imperial dignity while under the protection of the British. When he handed them over to the Marathas, morally—if not legally—he forfeited his right to retain them. The Company's course would no doubt have been clearer, and its case stronger, if it had definitely warned the emperor, as it might well have done, when he marched away to Delhi, that it would not continue to pay tribute or allow him to retain the districts, should he become dependent upon its enemies. It should also be remembered that, before the decision to withhold the revenues was taken, Shah 'Alam was asked to send representatives to Benares to state his case, but that he omitted to do so.

The only other question worth consideration is whether there was any possible alternative. Might not the Company have retained Kora and Allahabad for itself? To this Hastings had two objections; in the first place, it would be unwise to retain in our own hands the administration of provinces entirely separated from the rest of our territories. Secondly, as he afterwards said before the

¹ Gleig, *op. cit.* i, 355.

² Forrest, *Selections from State Papers in the Foreign Department of the Government of India*, i, 50.

³ Bond, *Speeches in the Trial of Warren Hastings*, iv, 759.

⁴ Mill, *History of India*, iii, 397.

House of Commons, we should then have excited the jealousy of the nawab of Oudh, to whom the districts had formerly belonged, and so have endangered our alliance with him. It is always worth while to remember that the central pillar of Hastings's foreign policy was the alliance with Oudh.

The other important problem of foreign affairs before the arrival of the new council was the Rohilla War. Rohilkhand, a fertile country lying along the base of the Himalayas, marched with the north-west frontier of Oudh. Its area was about 12,000 square miles and its population about 6,000,000. The bulk of the people were Hindus, but the ruling race were Rohillas, that is mountaineers, or Pathans, or Afghans, the words signifying much the same thing. The country was governed by a loose confederacy of chiefs under the headship of Rahmat Khan, generally known as Hafiz Rahmat Khan because he had been guardian (hafiz) of the sons of the late ruler 'Ali Muhammad and had ultimately usurped their rights. The Rohillas had established their power early in the eighteenth century.

The events leading up to the war must be briefly summarised. In 1772 the Marathas invaded and ravaged Rohilkhand. The Rohillas thereupon appealed to the nawab of Oudh. They did so reluctantly, for there was no cordiality between him and them. The nawab had long notoriously coveted their territory. They knew that if it paid him to do so, he would not hesitate to combine with the Marathas against them, just as they in their turn had considered the possibility of making peace with the invaders, by giving them a free passage through their territory into Oudh. But both parties for the moment dreaded a Maratha invasion more than anything in the world, and this drove them into an uneasy alliance. In reality, as Sir John Strachey observes, "The Vizier, the Rohillas and the Marathas were all utterly unscrupulous and each knew that no trust could be placed in either of the others".¹ We find, for instance, that the nawab asked Hastings "whether he should persuade the Rohillas to attack the Marathas... and take his advantage of both when they should have weakened each other by mutual hostilities". British officers of a later date would probably have improved the occasion by a homily on political rectitude, and it is rather typical of Hastings—both of his cynicism and his frankness—that, in his own words, "I commended the project, but expressed my apprehension of the consequences".²

Finally, after the usual interval of intrigue and finesse, during which the advice of Sir Robert Barker just availed to prevent the nawab from joining the Marathas, a treaty of alliance was made 17 June, 1772, between the Rohillas and Shuja-ud-daula. The Rohillas agreed to pay him forty lakhs on his obliging the Marathas to retire from their country "either by peace or war". The treaty was really due to the initiative and intervention of Sir Robert Barker, the British

¹ Strachey, *Hastings and the Rohilla War*, p. 49.

² *Idem*, p. 113.

commander-in-chief, an intervention not at first welcomed by Hastings and the Select Committee, and was signed in his presence. Almost before the signatures were appended, the Marathas evacuated Rohilkhand, and the Rohillas reoccupied the country.

The *casus foederis* arose in 1773. In the spring the Marathas re-entered Rohilkhand at Ramghat. The nawab of Oudh, with a British brigade in support under Sir Robert Barker, advanced to repel the invasion. After some manœuvring and counter-marching the detachments of the Marathas which had crossed the Ganges (the main body seem to have remained on the other bank) recrossed the river on 28 March. In May the revolution at Poona, which broke out on the death of the Peshwa, Madhu Rao, caused the Marathas to return to the Deccan, leaving only a few small garrisons in Northern India. The nawab of Oudh now demanded from the Rohillas the sum due to him, but they refused to pay. They claimed that the Marathas had really retired of their own accord, and that there had been no collision with the allies.

It seems clear that the nawab and the British protected Rohilkhand mainly by their presence on the spot, for Hastings on one occasion acknowledged that "the Marathas (i.e. the main body) lay during the whole campaign of 1773 in the neighbourhood of our army, but without daring either to cross the river or to approach the borders of Kora".¹ It was claimed—and technically no doubt the claim was indisputable—that the Rohillas still owed the forty lakhs, for the treaty stipulated that they were liable if the Marathas retreated "either by peace or war". The Rohillas, however, fell back upon a second line of defence by questioning whether the Marathas had really been driven out at all: "they might return the next year, when our joint forces were not in the Rohilla country to defend them: that we had done little, meaning that we had not destroyed the Maratha armies". Legally no doubt the Rohillas were in the wrong, but it must be admitted that European nations have often evaded treaty obligations on no better grounds.

Nothing further was done till Hastings held his conference with the nawab of Oudh at Benares in August and September, 1773. There he concluded a public treaty which made no direct mention of the Rohillas. By it Kora and Allahabad, as already mentioned, were ceded to the nawab in return for fifty lakhs of rupees, and it was stipulated that, whenever he employed a British brigade, he should pay a subsidy of 210,000 rupees a month. At the same time a secret agreement was made by which the British were to furnish a brigade, to help the nawab punish the Rohillas for their evasion, and conquer the country for him. In return the nawab was to bear all the expenses of the campaign and to pay a sum of forty lakhs. Almost as soon, however, as the treaty had been concluded, the nawab began to doubt

¹ *Selections from the State Papers of the Governors General . . . Warren Hastings*, ed. Forrest, II, 311.

whether he could bear the pecuniary burden involved, and since Hastings had some heart-searchings as to its expediency, they mutually agreed to postpone the expedition. The thought came to the governor-general, as he said years afterwards in his defence before the House of Commons in 1786, that:

all my actions were to be viewed through a very remote medium, with a thousand refractions of private interest, secret misrepresentation, general prejudice, and the precipitation of unformed judgement.¹

In November, 1773, the nawab having, with his usual fickleness, changed his mind, asked for the aid stipulated in the treaty. Hastings laid a minute before the council in which he pointed out the advantages of intervention and among them that "our ally would obtain by this acquisition a complete state shut in effectually from foreign invasions by the Ganges, all the way from the frontiers of Behar to the mountains of Tibet". On the other hand he expressed doubts as to its expediency:

arising from the circumstances of the Company at home, exposed to popular clamour, all its measures liable to be canvassed in Parliament, their charter drawing to a close and... ministers unquestionably ready to take advantage of every unfavourable circumstance in the negotiation for its renewal.²

Accordingly he proposed to agree to the expedition but on terms which were likely to make the nawab relinquish the design. The council, which, through Hastings and his Select Committee, had been committed to the whole business without much choice on their part, declared: "We concur heartily in wishing to avoid the expedition proposed, without entering into the discussion of the propriety of such an enterprise on general principles".³ They added rather meaningfully that they were sensible of the embarrassment that Hastings was under "from what passed on the subject between him and the Vizier at Benares".³ The upshot was that the nawab on 10 January, 1774, declined the conditions laid down. But on 3 February, 1774, a letter arrived from the vacillating nawab agreeing to everything and asking that the brigade should be sent. So after all the policy of bluff had broken down, and the Bengal government found themselves committed to the expedition.

The British army under Colonel Champion marched into Rohilkhand supported by the forces of Oudh on 17 April. Six days later a battle took place at Miranpur Katra, called by the victors the battle of St George because of the date on which it was fought. Hafiz Rahmat Khan was killed fighting bravely at the head of his troops. The valour of the Rohillas extorted the admiration of the British commander. They showed, he said:

great bravery and resolution... they gave proofs of a good share of military knowledge by showing inclinations to force both our flanks at the same time and

¹ Strachey, *Hastings and the Rohilla War*, p. 112.

² *Idem*, p. 121.

³ *Idem*, p. 123.

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endeavouring to call off our attention by a brisk fire on our centre... it is impossible to describe a more obstinate firmness of resolution than the enemy displayed.¹

The action was entirely decisive. About 20,000 Rohillas were driven out of the country, which was incorporated in the dominions of the nawab of Oudh, a small portion only, together with Rampur, was left in the possession of Faizulla Khan, son of 'Ali Muhammad, the founder of the Rohilla power, whose sons had been dispossessed by their guardian, Hafiz Rahmat Khan, and a treaty was made with him 7 October, 1774, before the campaign was over. Champion brought serious charges against the nawab of Oudh and his troops for cruelties inflicted on the peasantry and the family of Hafiz Rahmat Khan.

The Rohilla War was the subject of the first attack on Hastings in Parliament in April, 1786, but as the Commons refused to accept the charge, it was not made one of the articles in the impeachment. The war has earned the strong condemnation of all the older school of Indian historians. Their view, in its extreme presentment, was that Hastings deliberately sold the lives and liberties of a free people and condoned horrible atrocities on the part of the armies of the nawab of Oudh. Sir John Strachey in his *Hastings and the Rohilla War* has put forward a complete and elaborate defence. He contends that the Rohillas were a plundering Afghan tribe who had only established their power over the Hindu population of Rohilkhand for about a quarter of a century. The Rohillas, he says, were as much foreigners in Rohilkhand as Frenchmen in Spain or Russians in Poland in the time of Napoleon; that the aim of the nawab of Oudh and the English was to "exterminate" the Rohillas only in the literal sense of the term, that is, to drive them over the frontier, not to massacre them; that Champion failed to substantiate his serious charges against the conduct of the allies by definite details; that he began the campaign in a thoroughly discontented frame of mind, and that he was extremely jealous of the plunder acquired by the soldiers of his ally; that, since the Rohillas declined to pay the forty lakhs they had promised in the treaty of 1772, the nawab of Oudh had a good legal and moral case against them; that Hastings can be entirely defended from the charge of callousness and brutality, for he took prompt measures to make a serious protest to the nawab; that as a matter of fact, the campaign in Rohilkhand "had been carried on with an absence of violence and bloodshed and generally with a degree of humanity altogether unusual in Indian warfare";² finally, that Hastings's motives in the war were statesmanlike and defensible. They were first, to punish the Rohillas for a serious breach of a treaty, secondly to protect Bengal by giving the nawab, the Company's ally, a scientific and natural

¹ Forrest, *Selections from the... State Papers in the Foreign Department of the Government of India*, 1, 97.

² Strachey, *Hastings and the Rohilla War*, p. 233.

frontier; thirdly, to acquire for the Company the valuable pecuniary benefit of a subsidy for the maintenance of one-third of our army. Summing up generally, Strachey asks the question:

Is a British Governor justified in making war upon a confederacy of barbarous chiefs, who, not long before, had imposed their rule on a population foreign to themselves in race and religion; through whose country the only road lies open for attacks by savage invaders upon a British ally, whose security is essential to the security of British possessions; who are too weak and too treacherous to be relied on to close this road; and who have injured that ally by breaking a treaty with him, negotiated and attested by the British general, and approved by the British Government?¹

Clearly he assumes an answer in the affirmative, and we may certainly admit that we have fought many wars on grounds far less adequate.

But though Sir John Strachey makes good most of his points, it is absurd to say that either the policy leading up to the war or the actual conduct of operations was beyond temperate criticism. Hastings was obviously himself doubtful about the expediency of the whole transaction, and his council still more so. He seems to have allowed himself to be drawn into the matter without having carefully thought it out. The whole question in its initial stages was weakly handled. For a statesman to commit himself to a course of action while hoping that the need for it may not arise, is not the happiest or the most efficient kind of political expedient. The truth is Hastings was always tempted by novel and daring schemes. We shall frequently encounter the same characteristic in his later history. Sir Alfred Lyall speaks truly of "the hardy and self-reliant spirit of political enterprise that is so strongly diffused through his whole career and character".²

It is no less true that Mill and Macaulay wasted a good deal of sentiment, and falsified a good deal of history, in painting a picture of the Rohillas as an ancient people long inhabiting a peaceful and happy valley, but the fact that the Rohillas had only established themselves for about twenty-five years has really nothing to do with the justice or injustice of the war. Their rights were quite as good as that of most of the ruling powers of India at this time, and quite as good as those of the East India Company itself. The more important question is whether the rule of the nawab of Oudh, which we were now imposing over the peasantry of Rohilkhand, was better or worse than that of the chieftains we were dispossessing. The evidence as to the condition of the country under Rohilla sway is conflicting, but the weight of it is undoubtedly in their favour.

The only writer hostile to them is Charles Hamilton, who depends mainly on sources inimical to Hafiz Rahmat Khan, and even he only condemns their *régime* when their control was relaxing. As Hafiz Rahmat Khan's power weakened, he says, "the Hindu farmers, and

¹ Strachey, *Hastings and the Rohilla War*, p. 260.

² Sir Alfred Lyall, *Warren Hastings*, p. 174.

other inhabitants of the country, groaned under the worst species of military vassalage".¹ There seems to be no other corroboration of this view. Hafiz Rahmat Khan was a ruler of ability, courage and considerable culture. Sir John Strachey himself concludes that under his strong personal rule and that of his brother chiefs, "the mass of the Hindu population were treated with greater consideration and received better protection than was the case in any of the neighbouring provinces, excepting those in the possession of Najib-ud-daula"²—himself, be it noted, a Rohilla. Elphinstone declares that their kindness to their Hindu subjects cannot be denied, and that the state of improvement to which they had brought their country excited the admiration of our troops. In 1781 the British Resident at Rampur described that district as "what the whole of Rohilkhand was under the government of the Rohillas, a garden without an uncultivated spot".³ Major Hannay in evidence given before the council in 1774 said that "the country appeared to be in good cultivation.... It is in general one of the best cultivated countries I have seen in Hindostan". In any case, whatever the rule of the Rohillas had been, it was better than that of the nawabs of Oudh, which, especially in the time of Shuja-ud-daula's successor, was unspeakably bad and vile.

As regards the alleged atrocities perpetrated by the nawab and his army, there is little doubt that Champion greatly exaggerated them, partly out of pique that he was not allowed to control the political relations, which were left in the hands of Middleton, partly from envy of the booty that fell into the hands of his allies. At the same time there was probably a modicum of truth in the strong statements to which he committed himself, that the nawab did not "cease to overspread the country with flames till three days after the fate of Hafiz Rahmat Khan was decided";⁴ that "the whole army were witnesses of scenes that cannot be described";⁵ and that "I have been obliged to give a deaf ear to the lamentable cries of the widow and fatherless, and to shut my eyes against a wanton display of violence and oppression, of inhumanity and cruelty".⁶ Middleton too, who was friendly to the nawab, admitted that he could not acquit him of severe treatment of Hafiz Rahmat Khan's family or of wanton ravages of the country. But Champion was curiously loth to give details when Hastings demanded them, and when twelve years later he was interrogated on the matter before the House of Commons, though he repeated his allegations, he declared that his memory was too much weakened by long illness to recall any definite instances of cruelty. In any case there can be no doubt that as soon as the reports and complaints of the commander-in-chief reached him, Hastings took

¹ C. Hamilton, *An historical relation of the origin, progress and final dissolution of the Government of the Rohilla Afghans*, p. 209.

² Strachey, *Hastings and the Rohilla War*, p. 30.

³ *Reports from Committees of the House of Commons*, vi, 30.

⁴ Strachey, *Hastings and the Rohilla War*, p. 196.

⁵ *Idem*, p. 203.

⁶ *Idem*, p. 191.



all possible measures by strong representations to the nawab to ensure that this conduct should cease. Hastings afterwards was inclined to speak of the Company's honour as "pledged implicitly by General Barker's attestation", but this is not accurate. Barker had merely witnessed the signatures, though it is probably true enough, as Sir John Strachey says, that without his "active interference and persuasion"¹ no treaty would have been made. But even supposing that it was the duty of the British to coerce the Rohillas into payment, was so drastic a method as the conquest of the whole country necessary? Surely, as Fox suggested, a lesser penalty might have sufficed.

It must be admitted that there is something rather repellent about the finance of the whole operation. Hastings himself was frank enough to avow that the question of money was one of his main motives.

"The absence of the Marathas", he wrote, "and the weak state of the Rohillas, promised an easy conquest of them, and I own that such was my idea of the Company's distress at home, added to my knowledge of their wants abroad, that I should have been glad of any occasion to employ their forces, that saves so much of their pay and expenses."²

There is a certain truth in the acrid comment of the majority of the council: "The expectation in sharing in the spoils of a people who have given us no cause of quarrel whatsoever, is plainly avowed to be a motive for invading them".

It seems unlikely that it was really within the power of the Rohillas to produce the original sum of forty lakhs for the nawab, and the weight of evidence goes to show that in the end Shuja-ud-daula was demanding two crores, or five times that sum. Their country had recently been ravaged by the Marathas. The Rohilla War was condemned in mild terms by the court of directors, and it was the one occasion on which Hastings lost the support of the proprietors. The fact that even they felt bound to record a reluctant disapproval, testifies clearly that disapproval was very widespread:

"Notwithstanding", they said, "this court hath the highest opinion of the service and integrity of Warren Hastings, and cannot admit a suspicion of corrupt motives operating on his conduct without proof; yet they are of opinion with their Court of Directors, that the agreement made with Shuja-ud-daula for the hire of a part of the Company's troops for the reduction of the Rohilla country, and the subsequent steps taken for carrying on that war, were founded on wrong policy, were contrary to the general orders of the Company, frequently repeated, for keeping their troops within the bounds of the provinces, and for not extending their territories...."³

Even Sir John Strachey admits that his policy was somewhat cynical, and there was a certain substratum of truth in Francis's comment: "we do not enquire into, nor think ourselves concerned in,

¹ Strachey, *Hastings and the Rohilla War*, p. 55.

² *Idem*, p. 113.

³ *Idem*, p. 273.



the justice of the cause in which the troops are to act".¹ Sir Alfred Lyall notes that the war was the last occasion upon which British troops have joined in a campaign with Indian allies without retaining control of the operations, and his final verdict seems not unreasonable that "the expedition against the Rohillas was wrong in principle, for they had not provoked us, and the Vizier could only be relied upon to abuse his advantages".² But it was at its worst an error in judgment, which could only be proved to be such after all the consequences had developed.

¹ Forrest, *Selections from the . . . State Papers in Foreign Department of the Government of India*, I, 127.

² Lyall, *Warren Hastings*, p. 49.

CHAPTER XIII

WARREN HASTINGS AND HIS COLLEAGUES

THE Rohilla War was the last important event in Hastings's first period of office prior to the Regulating Act. The judges of the Supreme Court arrived on 17 October, 1774, the councillors two days later. The new council began badly by quarrelling with the governor-general on some petty detail of their reception, which merely exemplified the spirit with which they approached their work. They embarked from the very outset, in Barwell's words, upon "a pre-determined, pre-concerted system of opposition".¹

The six years' struggle which now ensued between Hastings and the majority of the council can hardly be paralleled in history. There was room, no doubt, for reasonable criticism of the administration; there should have been no room for the personal vindictiveness which was designed to hound the governor-general from office. "Every page of our public records", wrote Barwell, "teems with matter of private and personal discussion which neither directly nor remotely bear relation to the interests of the country."² Such was the lamentable result of the policy embodied in the Regulating Act of sending out as councillors men without Indian experience. It should be remembered that Hastings was the only governor-general who was subjected to this regulation. It need not, however, be supposed that parliament could have expected that such dire results necessarily followed from such a policy. Had the councillors been men of reasonable goodwill and of reasonable modesty—had, we might almost say, Philip Francis not been one of them—they would have found a way either of agreeing with Hastings, or at least of disagreeing with him with sanity and moderation. They came out imbued with a self-righteous conceit and a fixed determination to overthrow the government, which they had condemned before examination. Something must now be said about their individual characters. Philip Francis has been described once and for all by Lord Macaulay as

a man clearly not destitute of real patriotism and magnanimity, a man whose vices were not of a sordid kind. But he must also have been a man in the highest degree arrogant and insolent; a man prone to malevolence and prone to the error of mistaking his malevolence for public virtue.

The first part of this verdict may appear to some to err on the side of generosity. Sir James Stephen, while he quotes it with approval,

¹ *Bengal, Past and Present*, XII, 74.

² *Idem*, XIII, 78.

adds that Francis was capable "not only of the faults of undying malignity and ferocious cruelty, but also of falsehood, treachery, and calumny".¹ Francis himself, it may be added, soon after his arrival in Bengal, acknowledged to a friend that his aims were flagrantly personal. "I am now", he wrote, "I think, on the road to be Governor of Bengal, which I believe is the first situation in the world attainable by a subject."²

Sir John Clavering has been described as "an honest, straightforward man of passionate disposition and mediocre abilities". Hastings' first impression of him was that he was honourable, but brought strong prejudices with him. His opinion, however, gradually changed for the worse, and after his death he could only write: "May God forgive him all the injuries which he has heaped upon me, and me, as I forgive him".³

Monson had served in southern India from 1758 to 1763. Impey described him as "a proud, rash, self-willed man, though easily misled and very greedy for patronage and power".⁴ Again, in this case also, Hastings had to modify unfavourably his first impression. At first he wrote, "Colonel Monson is a sensible man",⁵ but afterwards he came to believe that Monson was almost his worst enemy. In March, 1775, he says of him: "Colonel Monson, with a more guarded temper, and a more regular conduct, now appears to be the most determined of the three".⁶

Richard Barwell, the only one of the new councillors already resident in India, was the regular type of the Indian official of those days. His family had been connected with the East for some generations. His father had been governor of Bengal and a director of the Company. He himself had been in India since 1758. He was a man of many merits and considerable, though not pre-eminent, ability. He made a great fortune in India, and, as Sir James Stephen says, this fact of itself raises a presumption against his official purity. His letters show that in the year 1775 alone he remitted £40,000 to England. Barwell probably acted up to his lights, but his standard was low. We find him, for instance, writing to his sister in 1769: "I would spend £5,000 to secure to myself the chiefship of Dacca, and to supervise the collection of the revenues of that province".⁷ In another letter he states that he considers himself justified in evading the law which prohibited the Company's servants from trading, by engaging in salt contracts under the names of native Indians. Barwell, as we know, became Hastings's staunch supporter, but at first they

¹ Stephen, *The Story of Nuncomar and the Impeachment of Sir Elijah Impey*, I, 30-31.

² *Dictionary of National Biography*.

³ Gleig, *op. cit.* II, 179.

⁴ Parkes, and H. Merivale, *Memoirs of Sir Philip Francis*, I, 376.

⁵ Gleig, *op. cit.* I, 477.

⁶ *Idem*, p. 517.

⁷ *Bengal, Past and Present*, x, 233.

were by no means in sympathy. Hastings found him tedious and punctilious. He wrote in 1772:

There is a gentleman of our Council who seems to think that every subject that comes before the Board, or that he can obtrude upon, ought to go through a long discussion.¹

And again:

Mr Barwell has made it necessary to declare that although I have the justest deference for his abilities, I have not yet had an opportunity of experiencing their effects but in points of controversy or opposition, nor derived any benefit from his assistance.²

The distrust was reciprocated. Barwell wrote in 1773:

I think there is a probability of our continuing friends, or more properly speaking upon good terms, for it certainly is prostituting a name for the most sacred tie to say Mr. Hastings is my friend, which he never was, and I verily believe, never will be. A duplicity of character once detected and known, as his is by me, proves an insuperable bar to any cordial intimacy ever taking place.³

Gradually, however, the two men drew together and Barwell was entirely won over by the tact, and impressed by the capacity, of his chief. We find Hastings writing in 1777: "Francis... must be grossly misinformed indeed if he entertains any hope of change in Barwell's conduct, after the proofs which he has given of his steadiness and fidelity".⁴ Again he writes in 1778: "I owe much to Barwell, and to his steady friendship",⁵ and a little later he pays him a generous tribute by saying: "He possesses much experience, a solid judgment, much greater fertility of official resources than I have, and his manners are easy and pleasant".⁶

Before dealing in detail with the disputes between Hastings and the council after 1774, it may be useful to sketch in outline his relations with his councils generally till the end of his period of office. For two years, 1774-6, he was steadily outvoted and overruled, and for all practicable purposes he had ceased to be governor-general. His position is best described in his own vivid words:

My situation is truly painful and mortifying, deprived of the powers with which I have been invested by a solemn Act of the Legislature,... denied the respect which is due to my station and character, denied even the rights of personal civility by men with whom I am compelled to associate in the daily course of official business, and condemned to bear my share in the responsibility of measures which I do not approve, I should long since have yielded up my place in this disgraceful scene, did not my ideas of my duty to you and a confidence in your justice animate me to persevere; and if your records must be dishonoured and your interests suspended by the continuance of such contests as have hitherto composed the business of your present Council, it shall be my care to bear as small a part in them as possible.⁷

¹ Monckton Jones, *Warren Hastings in Bengal*, p. 201.

² Forrest, *Selections from... State Papers in the Foreign Department of the Government of India*, I, 39.

³ *Bengal, Past and Present*, XI, 51.

⁴ Gleig, *op. cit.* II, 185.

⁵ *Idem*, p. 224.

⁶ *Idem*, p. 243.

⁷ Forrest, *Selections from... State Papers in the Foreign Department of the Government of India*, II, 279.

Yet he held on his way with marvellous fortitude and tenacity, and at last came relief. In September, 1776, Monson died, and Hastings now held the mastery though only by his casting vote, he and Barwell opposing Clavering and Francis. In 1777 came the curious and confused incident of Hastings's conditional resignation. The facts were as follows: Hastings had first given, on 27 March, 1775, and then on 18 May withdrawn, discretionary powers to his agent in England, Colonel McLeane, to signify to the directors his intention to resign. McLeane came to the conclusion that Hastings could not long hope to withstand the opposition growing up against him at home, and, having obtained the promise of certain conditions from Lord North, signified to the court of directors the intention of his chief to resign. The court accepted the resignation. By the terms of the Regulating Act, Clavering, as senior councillor, would normally succeed till the five years of the original appointment were over. Wheler was appointed to fill the place in council that would be vacated by Clavering's succession, but before he sailed the news came of Monson's death and he was now appointed to fill that vacancy. ✓ Soon after these events, McLeane, owing to the granting of a knighthood of the Bath to Clavering without any corresponding honour to the governor-general, came to the conclusion that Lord North did not really intend to fulfil the conditions of the agreement, and he therefore wrote to Hastings advising him not to resign. The position apparently was that Hastings, through the action of his agent, and though he himself had recalled his original instructions two months after they were sent, had signified his intention to resign, but had fixed no date. When the news came to Bengal in June, 1777, Francis and Clavering at once assumed that Hastings had resigned; Clavering claimed the governor-generalship, took his seat in council at the head of the table, demanded the keys of the fortress and the treasuries, and in general acted with the greatest precipitation and violence. Hastings was stung into a flat resistance, and declined to vacate the seat of authority, though he declared that, but for Clavering's presumptuous and absurd haste, he would have held himself bound by his agent's action. The deadlock was so hopeless that both sides agreed to refer the question to the Supreme Court, who decided "that Mr. Hastings had not resigned". Not content with this decision, which saved him from ruin, Hastings next contended that Clavering by his action had forfeited even his seat in council, but here the Supreme Court decided against him. Thus ended what Hastings himself called the "convulsion of four days, which might have shaken the very foundation of the national power and interests in India".¹

Clavering died on 30 August, 1777, and Hastings's control over the council was greatly strengthened, though Wheler at first was inclined to act with Francis, the usual division being Hastings, Barwell and

¹ Gleig, *op. cit.* II, 159.

the casting vote against Francis and Wheler. Clavering was succeeded in 1779 as commander-in-chief by Sir Eyre Coote, who, though often intractable and difficult, acted quite independently of Francis. Hastings, therefore, was still able by the exercise of his casting vote to make his views prevail, and it is at this period that he writes of his rival: "Francis is miserable, and is weak enough to declare it in a manner much resembling the impatience of a passionate woman, whose hands are held to prevent her from doing mischief".¹ In 1779 Barwell retired. Hastings had prevailed upon him to stay till he had made, as he supposed, an accommodation with Francis that the latter would not oppose measures for the prosecution of the Maratha War or for the general support of the present political system of government. In July, 1780, he accused Francis of violating this compact, and in a minute laid before the council, said: "I judge of his public conduct by my experience of his private, which I have found to be void of truth and honour";² he accepted the inevitable challenge from Francis to a duel, and wounded him rather severely. Though Hastings spoke of this incident with a certain compunction, writing: "I hope Mr. Francis does not think of assuming any merit from this silly affair. I have been ashamed that I have been made an actor in it",³ yet he had forced on the meeting with great deliberation and most clearly intended to disable his adversary. As regards the accommodation a few words must be said. Francis, as we have seen, was not over-scrupulous, but he always hotly declared that he had never been party to any such engagement as Hastings pretended.

The agreement I meant to enter into, with respect to the Maratha War, was to prosecute the operations actually existing on the Malabar coast, which, since the campaign was begun, and General Goddard had already taken the field, I thought should be pushed as vigorously as possible.⁴

He flatly denied that he had ever promised any general support. It is probable that Francis's account of the matter is mainly correct. Hastings seems to have been far too easily content with a vague acceptance of his proposal, and it was surely the height of folly, if he really wished for a compact, after his experience of Francis's character, not to get a definitely signed agreement from him. It almost appears as though Hastings, despairing of any other method of freeing himself from his opponent, was purposely content with a mere verbal promise, intending afterwards to force a quarrel upon Francis for not fulfilling it. Whether this were true or not, he had at last attained his object.

¹ *Idem*, p. 263.

² Forrest, *Selections from . . . State Papers in the Foreign Department of the Government of India*, II, 712.

³ Gleig, *op. cit.* II, 310.

⁴ Forrest, *Selections from . . . State Papers in the Foreign Department of the Government of India*, II, 715.

Francis left India in November, 1780, and Hastings wrote in exultation :

In a word, I have power, and I will employ it, during the interval in which the credit of it shall last, to retrieve past misfortunes, to remove present dangers, and to re-establish the power of the Company, and the safety of its possessions.¹

Hastings's position was now indeed much easier and his chief tribulations were over; for some time the council was reduced to three, and as Sir Eyre Coote was generally absent from Calcutta on military expeditions, Wheler was practically the governor-general's only colleague, and he found him very amenable to guidance. At first, as we have seen, Hastings had formed a poor opinion of him. He wrote in 1777: "He is now, and must be, a mere cipher and the echo of Francis, a *vox et praeterea nihil*, a mere vote".² But his opinion of him gradually improved: "I treat him", he writes to a friend, "with an unreserved confidence, and he in turn yields me as steady a support as I could wish",³ and again: "I cannot desire an easier associate, or a man whose temper is better suited to my own".⁴ It is clear that Wheler was gradually won over by the dominant personality of the governor-general; and it is during this time that Hastings, uncontrolled by opposition, enters upon those proceedings in regard to Chait Singh and the begams of Oudh which have done so much to blemish, fairly or unfairly, his reputation. The truth seems to be that Wheler was an honest and conscientious man, who tried to view each question on its merits. As Sir Alfred Lyall says: "Wheler feebly tried to do his duty, and was rewarded by a sentence in one of Burke's philippics against Hastings, where he stands as 'his supple, worn-down, cowed, and, I am afraid, bribed colleague, Mr. Wheler'".⁵

Two new councillors appeared in due course, John Macpherson in September, 1781, and Stables in November, 1782. Macpherson first came to India nominally as purser of an East-Indiaman and entered the service of the nawab of the Carnatic. He returned to England on a secret mission and was sent out to India again, this time in the East India Company's service, in 1770. Seven years later he was dismissed the service, and returned to England. He sat in parliament from 1779 to 1782 for Cricklade, and he was supposed to be in receipt of a salary from the nawab of the Carnatic. In January, 1781, the Company reinstated him in its service—an appointment which was severely criticised. Macpherson was a shrewd and worldly man, endowed by nature with extreme good looks and with pleasant manners. At first Hastings found in him "every aid and support that I expected, and an ease with a benevolence of disposition . . . far exceeding my expectations".⁶ With Stables he was far less pleased, and he complains of "his coarse and surly style".⁷ For a time Hastings found his relations with his later council easy and pleasant, but we cannot but see that his approval or disapproval of

¹ Gleig, *op. cit.* II, 330-1. ² *Idem*, p. 186.

³ *Idem*, p. 384.

⁴ *Idem*, p. 387.

⁵ Lyall, *Warren Hastings*, p. 168.

⁶ Gleig, *op. cit.* II, 450.

⁷ *Idem*, III, 151.



his colleagues varied accordingly as they were prepared, or refused, to sink their individuality in his. Towards the end of his administration he found them inclined to oppose him on certain questions, as for instance—and it must be added most properly—when he proposed in 1784 to intervene in the troubled affairs of the Moghul Empire. “You will wonder”, he writes, “that all my Council should oppose me. So do I. But the fact is this: Macpherson and Stables have intimidated Wheler, whom they hate, and he them most cordially.”¹ Hastings acknowledged at this time that “I have not that collected firmness of mind which I once possessed, and which gave me such a superiority in my contests with Clavering and his associates.”² As time went on he railed against them more and more bitterly: “I in my heart forgive General Clavering for all the injuries he did me. He was my avowed enemy. These are my dear friends, whom Mr Sullivan pronounced incapable of being moved from me by any consideration on earth.”³ Again he complains that the councillors have received a hint from their friends not to attach themselves to a fallen interest. Even Wheler for a time fell into disfavour.

These unfortunate dissensions led Francis in a speech in the House of Commons to claim with a certain amount of superficial justification that “the opposition to Mr. Hastings has not been confined to General Clavering, Colonel Monson, and myself. His present colleagues... have exactly the same opinion that we had of him and of his measures.”⁴ But this of course is untrue. The opposition now was at times vexatious, but it was occasionally justified, and it was very different from the persistent, unrelenting and bitter hostility of the old *régime*. The truth is that, as Sir Alfred Lyall said: “It would have puzzled any set of Councillors to hit off the precise degree and kind of opposition that Hastings was disposed to tolerate.”⁵ Like all men of pre-eminent ability and dominating personality, he could not bear to have his purposes thwarted; and there is probably a substratum of truth in the verdict of Barwell—friend of Hastings though he was—written in 1774:

The occasions of difference between us that did exist were not sought for by me, but proceeded wholly from the jealousy of his own temper, which cannot yield to another the least share of reputation that might be derived in the conduct of his Government. Unreasonable as it may be, he expects the abilities of all shall be subservient to his views and [that all shall] implicitly rely upon him for the degree of merit, if any, he may be pleased to allow them in the administration of Government.⁶

It must be remembered of course that none of the councillors appointed under the Regulating Act were in any sense men of first-rate ability except Philip Francis. Barwell probably stood next to him in capacity; Clavering, Monson, Wheler, Macpherson and Stables were all thoroughly mediocre men. But the fact remains that, while Hastings

¹ *Idem*, p. 121.

² *Idem*, p. 129.

³ Lyall, *Warren Hastings*, p. 164.

⁴ *Idem*, p. 122.

⁵ *Parliamentary History*, xxiv, 1175.

⁶ *Bengal, Past and Present*, xii, 71.

was capable of inspiring the most intense affection and fidelity from some with whom he came into close personal contact, it is also true that he had a certain propensity to fall foul of men—and they were sometimes men of ability and repute—with whom he was called upon to work in public life. Sir Robert Barker, Sir Eyre Coote, Charles Grant, Lord Macartney, and even Sir Elijah Impey all were at times seriously at variance with him. Hastings himself never doubted that he was in the right and his contemporaries in the wrong, and through every disappointment and defeat he still clung with characteristic tenacity to a defiant approval—generally, it must be added, entirely justified—of his own actions.

I have now held the first nominal place in this Government almost twelve years. In all this long period I have almost unremittedly wanted the support, which all my predecessors have enjoyed from their constituents. From mine I have received nothing but reproach, hard epithets and indignities, instead of rewards and encouragement. . . . Yet under all the difficulties which I have described, such have been the exertions of this Government, since I was first placed at the head of it, that in no part of the Company's annals has it known an equal state, either of wealth, strength, or prosperity, nor, let it not be imputed to me as a crime if I add, of splendid reputation.¹

The points upon which the new council at once came to grips with the governor-general were the Rohilla War and the measures to be taken for terminating it, the conclusion of the Treaty of Faizabad, and the charges brought against Hastings by Nandakumar.

"Upon our arrival", they wrote, "the first material intelligence that came before us, concerning the state of the Company's affairs, was, that one third of their military force was actually employed, under the command of Sujah Dowlah, not in defending his territories against invasion, but in assisting him to subdue an independent state."

Without waiting for any reasonable investigation, they condemned the war as

carrying, upon the face of it, a manifest violation of all those principles of policy which we know have been established by the highest authority, and till now universally admitted. . . . as the basis of the Company's counsels in the administration of their affairs in India.²

They inflicted upon Hastings, in his own words, "a personal and direct indignity"³ by recalling Middleton from Lucknow, and demanding that the whole of his correspondence, some of which was confidential, should be laid before the council. They ordered Champion to demand at once the forty lakhs, which the nawab had promised, and to withdraw from Rohilkhand. "They denounced", it has been well said, "the Rohilla War as an abomination; and yet their great anxiety now was to pocket the wages of it."⁴ Hastings in vain

¹ Forrest, *Selections from . . . State Papers of the Foreign Department of the Government of India*, III, 902-3.

² *Idem*, I, 120-1.

³ Gleig, *op. cit.* I, 474.

⁴ Beveridge, *A Comprehensive History of India*, II, 365.

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endeavoured to set up some kind of barrier against this wild flood of censure and criticism. He claimed with good reason that, whatever the rights or wrongs of the matter, since the Rohilla War was begun and all but concluded by the past administration, the new councillors should have been satisfied with recording their formal disapproval of it, and should not have attempted to prevent its conclusion. He declined to produce the correspondence between himself and Middleton, though he offered to submit all passages dealing with public policy to the council, and to send the whole of it for inspection to Lord North, the Prime Minister.

If the conduct of the majority seemed unreasonable on the question of the Rohilla War, it appeared still more perverse on the occasion of the death of the nawab of Oudh, which took place on 26 January, 1775. Their one aim seemed to be to press hard upon the Company's ally. They decided that the existing treaty was personal to the late ruler, and they took the opportunity to conclude a new treaty—the Treaty of Faizabad—by which all his successor's liabilities were increased. He had to pay a heavier subsidy for the use of British troops; the tribute paid by the zamindar of Ghazipur passed to the Company; and the sovereignty of Benares was also ceded to it. Hastings opposed the treaty, but was outvoted. In view of what was to follow it is interesting to note that on his suggestion it was made a condition of the treaty that the raja of Benares should exercise a free and independent authority in his own dominions subject only to the payment of his tribute. On 11 March, 1775, Nandakumar brought against Hastings his charge of having received from the begam a bribe of 354,105 rupees for appointing her guardian of the young prince. There followed the famous scene, in which the majority of the council welcomed the accusation, and Hastings withdrew in fierce anger, refusing to be arraigned at his own council board "in the presence of a wretch, whom you all know to be one of the basest of mankind".¹

What are the facts of the allegations against Hastings? It is best perhaps to begin with everything that can possibly be said in his disfavour. Hastings at once drew up a long minute, which according to Burke and Gilbert Elliot bore every sign of conscious guilt. Even Sir James Stephen admits that it suggests that there was something to explain. Hastings never at any time actually denied in so many words the truth of Nandakumar's statement. In his written defence, read to the House of Commons, he "entered upon a kind of wrangle equally ill-conceived and injudicious".² In a letter to Lord North he uses the curious expression: "These accusations, true or false, have no relation to the measures which are the ground and subject of our original differences".³ We must assent to Sir James Stephen's comment that "Hastings's character would no doubt have stood better,

¹ Stephen, *Nuncomar and Impey*, I, 53.

² Gleig, *op. cit.* I, 518.

³ *Idem*, p. 72.

if he had boldly taxed Nandakumar with falsehood". The begam acknowledged that she had given 150,000 rupees, and Hastings admitted that he had received the sum as entertainment money, but it is not clear why so much mystery was made about the transaction.

On the other hand, for Hastings, it must be said that he had every right to object to the whole procedure of the majority: "I could not yield [to their claim to investigate the charge at the council board] without submitting to a degradation to which no power or consideration on earth could have impelled me".¹ He saw with bitter scorn that his enemies were hot upon the despicable trail, and he had no doubt as to the master hand.

At the impeachment, the Lord Chancellor, who was not favourable to Hastings, commenting upon the whole of the evidence, admitted that the managers had failed to prove that Hastings had ever received any part of the 354,105 rupees except the 150,000. There is no question that he had accepted that sum, but there is no ground for holding that it was a bribe for the appointment of the begam. He contended that, when he received the money, the act prohibiting presents was not yet passed; the allowance was customary, and he could show that it had been received by Clive and Verelst when they visited Murshidabad. This was in reality the weak part of Hastings's case. The Company had forbidden presents long before the Regulating Act. It was really a monstrous abuse that, when the governor of Bengal, whose salary and allowances amounted to between £20,000 and £30,000, visited Murshidabad, he should receive from the nawab an allowance amounting to £225 a day. That it had been taken by Clive and Verelst was very little justification, and in any case it must be noted that at least in their day the nawab received a revenue of fifty-three lakhs, while it had now been reduced to sixteen. There can be little doubt that we have here the reason for Hastings's failure to deny the charge; he could not deny that he had received part, and therefore preferred to deny nothing. Even Sir James Stephen admits that the transaction, "if not positively illegal was at least questionable",² and we cannot wonder that in the impeachment the Lord Chancellor, while acquitting Hastings of corruption, said: "He hoped that this practice, which however custom might have justified in some degree, no longer obtained in India".³ The whole incident illustrates the exactions made upon Indian powers at this time by the Company's servants, whenever opportunity offered.

When Hastings had withdrawn from the council, the majority resolved that "there is no species of speculation from which the Governor-General has thought it reasonable to abstain". They declared that he had received the sums specified, and ordered him to

¹ Gleig, *op. cit.* 1, 515-16.

² Stephen, *Nuncomar and Impey*, 1, 72.

³ *Debates of the Lords on the Evidence...*, p. 147.

refund the money into the Company's treasury. Owing to the dramatic series of events that followed, and the fall of Nandakumar, the charges were never proceeded with. Ultimately the information and papers of Nandakumar were submitted to the Company's legal adviser in Calcutta. He did not advise a prosecution in India, but gave it as his opinion that the evidence should be sent home. There the Company's law officers declared that the statements could not possibly be true.

We must now return to the events that brought about the ruin of Nandakumar and the stay of all proceedings against Hastings. On 23 April, Hastings, Barwell and Vansittart prosecuted Fowke, Nandakumar and another Indian on a charge of conspiracy. The charge was that they had endeavoured to coerce a certain Indian, named Kamal-ud-din, to accuse Hastings and Barwell of having received other bribes. At the assizes in July all the defendants were acquitted of conspiracy against Hastings; Fowke and Nandakumar were convicted as against Barwell, Fowke was fined; no sentence was passed on Nandakumar since he was by that time lying under sentence of death for forgery. Meantime, on 6 May, before Justices Lemaistre and Hyde, sitting as magistrates, Nandakumar was committed for trial on a charge of forgery brought against him by the executor of an Indian banker. His trial took place 8 to 16 June; he was found guilty, sentenced to death, and executed 5 August, 1775. The sequence of events was curious, and it was long believed that the unhappy man was put to death, nominally for forgery, but really for having dared to accuse the governor-general. Burke epigrammatically summed up the popular view when he said in his speech on Fox's India Bill:

The Raja Nandakumar was, by an insult on everything which India holds respectable and sacred, hanged in the face of all his nation, by the judges you sent to protect that people, hanged for a pretended crime, upon an *ex post facto* Act of Parliament, in the midst of his evidence against Mr. Hastings.¹

In considering the question, it is important to remember that there were two distinct charges against Nandakumar; the charge of conspiracy in which Hastings and Barwell were the avowed prosecutors; the charge of forgery, in which the prosecutor was an Indian, Mohan Prasad, though it was alleged that the real initiative came from Hastings.

The whole question has been examined by Sir James Stephen in his *Nuncomar and Impey*, and he claims to have shown that Nandakumar had a perfectly fair trial, and that in his summing up Sir Elijah Impey gave full weight to any point that could possibly tell in favour of the accused. This is certainly corroborated by the statements of Farrer, Nandakumar's counsel in the famous trial, who was called to give evidence at Impey's impeachment. He was examined at great length, and, though during the trial he had sometimes come into collision with the Chief Justice, he declared that all the favour in the power of

¹ *Parliamentary History*, xxiii, 1369.

the court had been extended towards his client, and particularly from Sir Elijah Impey. Stephen points out that all four judges were upon the bench, and therefore, if there was a conspiracy between the Supreme Court and the governor-general, we have to assume, either that the whole bench was privy to it, or that they were entirely dominated by Impey's personality. The jury consisted of twelve European or Eurasian inhabitants of Calcutta, and the prisoner had, and exercised, the right to challenge. Stephen maintains that the charge of forgery developed in a natural way out of long-standing litigation which had begun in December, 1772. A civil suit against Nandakumar having failed, his adversary had determined to prosecute him criminally, and the first steps in this process had been taken six weeks before Nandakumar produced his charges against Hastings at the council board. As it has been said, "that charge would, in the natural course of law, have been made at the very time when it was made, though Nandakumar had never become a willing tool in the hands of Messrs Clavering, Monson and Francis".¹ Against this it must be mentioned that Mr H. Beveridge, in his *Trial of Maharaja Nanda Kumar*, denies that there was any real attempt at a criminal prosecution till May, 1775, and he gives some shrewd reasons for his conclusion. Stephen rightly contends that Hastings' subsequent reference to Impey as one "to whose support I was at one time indebted for the safety of my fortune, honour and reputation",² which Macaulay supposed to refer to the trial of Nandakumar, almost certainly refers to the incident of the resignation of 1777. Quite apart from every other reason, it is of course inconceivable that, if Macaulay's supposition had been true, Hastings would have been indiscreet enough to use the words quoted.

There seems, on a careful review, to have been only two incidents in the trial to which exception may be taken. First, the judges cross-examined—and cross-examined rather severely—the prisoner's witnesses. Their reason was that this was done to prevent the ends of justice from being defeated, counsel for the prosecution being incompetent. The reason seems strangely inadequate; it can never be proper for judges to act the part of advocate. When Farrer protested, Justice Chambers was obviously uneasy on the point, but the protest did not stop the practice. Secondly, Impey, from lack of Indian experience, told the jury that if Nandakumar's defence was overthrown, the fact condemned him; but, as Stephen points out, this rule cannot be applied in the East, where a perfectly good case, should proof be otherwise lacking, is often bolstered up by flagrant perjury.

It is certain that there was no conspiracy between Hastings and Impey to murder Nandakumar. It is possible, as Sir Alfred Lyall hints,

¹ Beveridge, *A Comprehensive History of India*, II, 378.

² Gleig, *op. cit.* II, 255.

that Hastings, knowing that Nandakumar was liable to a serious charge and was probably guilty, conveyed to Mohun Prasad the intimation that it was a favourable opportunity to bring forward the case, and "the fact that Impey tried the man with great patience, forbearance, and exact formality, might prove nothing against an intention to hang him, but only that he was too wise to strain the law superfluously".¹ There is, however, absolutely no evidence for such a supposition. If it is entertained, it must depend for its justification upon certain evidences of implacable enmity, which it may appear to some that the conduct of Hastings displayed after the trial.

The question of Nandakumar's guilt is a different one from the fairness of the trial, and it is probably impossible at this distance of time to come to any definite conclusion. Sir James Stephen is extremely cautious here. He says that, if he had to depend upon the evidence called for the prosecution, he would not have convicted the prisoner—a notable admission on his part. It was the mass of perjury on the other side and the statements of Nandakumar's own witnesses that tipped the scale against him. There is a further doubt whether the English law making forgery a capital crime ought to have been considered at this time as applicable to India. The question is very technical and abstruse. Impey held that the act under which Nandakumar was tried, and which was passed in 1729, was extended to India in 1753, and that therefore a forgery committed, as his was, in 1770, fell under it, for which he had the precedent of Govinda Chand Mitra; but Stephen admits that the rule afterwards universally accepted by the courts was that the English criminal law as it existed in 1726 was what was in force in India at the time. On that reasoning the act of 1729 could not have applied.

There is a further question apart from those of the fairness of the trial, the guilt of the prisoner and the question of jurisdiction. There can be no doubt that the infliction of the death penalty was so excessively severe that it amounted to a miscarriage of justice, and for this at any rate the court, and possibly other persons, may justly be condemned. Stephen himself admits that fine and imprisonment would have met the case,² and Impey and Hastings have only themselves to blame if their conduct in the matter suggested to the world that they were determined to put Nandakumar out of the way. The Supreme Court by their charter had authority "to reprieve and suspend the execution of any capital sentence, wherein there shall appear, in their judgment, a proper occasion for mercy".³ They could have hardly had a more convincing case for the exercise of this discretionary power. Forgery was universally regarded by Indians as a mere misdemeanour, carrying with it hardly any moral condemnation. Hastings himself had written a few years before—and

¹ Lyall, *Warren Hastings*, p. 71.

² Stephen, *Nuncomar and Impey*, II, 35.

³ *Idem*, I, 19.

the words sound almost prophetic—"there may be a great degree of injustice in making men liable at once to punishments with which they have been unacquainted, and which their customs and manners have not taught them to associate with their idea of offence".¹ There was the additional reason that the execution of a man who was the accuser of the governor-general might be misunderstood by the Indian population. Impey afterwards declared that, if this ground had been put forward in any petition, he would have reprieved the prisoner, and Stephen agrees that he could have taken no other course. To this we may perhaps reply by the question: Was it really necessary, or ought it to have been necessary, to call the attention of the Chief Justice to the fact?

The judges therefore were responsible for the harsh decision to carry out the death penalty. Yet we must not necessarily assume that their motives were corrupt. They were very jealous of their prerogative, pedantic in their legal interpretations, and too self-opinionated to recognise that they had not been long enough in India to understand the necessity of adapting the jurisprudence of the West to the environment of the East. "I had", said Impey afterwards, "the dignity, integrity, independence and utility of that Court to maintain."² He held that the prevalence of forgery in Bengal required that very strong measures should be taken to suppress it, and that to have reprieved a man of such wealth and influence as Nandakumar would have created a suspicion that the Supreme Court was subservient to the executive. "Had this criminal escaped, no force of argument, no future experience, would have prevailed on a single native to believe that the judges had not weighed gold against justice."³

As for Hastings, he had constitutionally no power to reprieve the prisoner. He had therefore a perfect right to leave the matter to the judges, but he could undoubtedly have exerted himself in the cause of mercy, and perhaps it may be said that his character would have stood far higher if he had done so. He here showed that streak of relentlessness in his otherwise kindly nature which appeared on one or two other occasions. He was without pity, and glad that Nandakumar was being removed from his path. "I was never", he wrote, "the personal enemy of any man but Nandakumar, whom from my soul I detested, even when I was compelled to countenance him."⁴ Hastings, we have said, failed to exert himself to procure a reprieve, but it must be added that there is some reason for thinking that one of his dependents, an Italian named Belli, exerted himself to prevent Farrer from presenting a petition for a reprieve.

¹ Monckton Jones, *Warren Hastings in Bengal*, p. 158.

² Stephen, *Nuncomar and Impey*, I, 260.

³ *Idem*, p. 257.

⁴ Gleig, *op. cit.* III, 337-8.



Farrer persisted in his efforts to procure petitions. One was to be signed by the jury, but only a single jurymen would lend his name. The second was to come from the council. Only Francis approved of it. Monson and Clavering declined to have anything to do with it, on the ground that it "had no relation whatever to the public concerns of the country"—a reason that did not usually influence them—and that they "would not make any application in favour of a man who had been found guilty of forgery".¹ It is difficult to understand why the majority of the council did not petition for a reprieve. They owed it to their wretched dupe Nandakumar, and they might have seriously embarrassed Hastings and the court. The theory of Hastings's enemies afterwards was that the execution had struck such terror into the hearts of all men, that no one dared henceforward to cross his path; but it seems impossible to believe that such motives could affect men in the position of Monson and Clavering. There is the less reason for the supposition, since the contemptuous and heartless way in which they answered Farrer seems to show that they had given up believing in Nandakumar, if they had ever done so, and were ashamed of their connection with him. What of Francis? Although he had given a perfunctory approval of the proposed petition, he made no other effort. He entirely disregarded the piteous letter written to him by Nandakumar from prison, and, as Stephen says, "left him to die, when he could have saved him with a word".² However much the death of Nandakumar reflects upon the mercy of Hastings and the judges, it casts the darkest and most sinister shadow over the reputation of the men who used him for their own purpose and then callously and contemptuously flung him to the wolves. To Francis no doubt came the dastardly consolation that Nandakumar dead would be an even more potent weapon than Nandakumar living, for his future campaign of persecution against the governor-general.

Nine days after the execution, Clavering laid before the council a petition from Nandakumar, which he had received the day before that event, in which for the first time the doomed man suggested that he was the victim of a conspiracy between the judges and the governor-general. Francis seems to have seen the use that might be made of this document, but for the moment he took the lead in reprobating it. He described it as "wholly unsupported and . . . libellous",³ and proposed and carried his resolution that it should be burnt by the common hangman. When, in after years, he was confronted with his action at the time, he declared that it was due to the fact that he "feared for Clavering's safety, not knowing to what length those judges, who had dipped their hands in blood to answer a political purpose, might proceed on the same principle".

¹ Stephen, *Nuncomar and Impey*, I, 233.

² *Idem*, p. 235.

³ *Idem*, II, 94.

All the circumstances in regard to this document are somewhat mysterious. When it was presented, Hastings proposed that it should be sent to the judges, but the majority opposed him and accepted Francis's resolution that it should be destroyed with all copies. All this took place in the secret department of the council on 14 August. On 28 August the judges asked to be furnished with a copy of the libel. The council declined their request, and on the motion of Francis a letter was sent to them asking them to say "from whom you receive the imputed information, which appears to have been conveyed to you on this and other occasions, of the proceedings of this Board in our secret department".¹ The judges were also informed that the petition and all copies had been destroyed. In spite of this, Hastings gave a copy of the document to Impey under an oath of secrecy that he should not disclose it except to his fellow-judges. This fact was revealed twelve years later, when Impey produced a copy at the time of his impeachment. Three deductions follow from this incident. In the first place, it is clear that Hastings went behind the decision of the council, a highly unconstitutional act, and also violated his oath of office. In regard to this his staunch defender Stephen can only say:

Oaths of such a nature never bind closely, and it is one of the great objections to their use that, if they are rigidly enforced they often do cruel injustice, and that, if tacit exceptions to them are admitted, they not only become useless for the immediate purposes for which they are imposed, but are also snares to the honesty of those who take them. Whether in the particular case there was any moral guilt in the breach of the oath of secrecy, and whether its terms were, or were not, subject to exceptions express or implied, are points on which I express no opinion.²

Secondly, the facts reveal a certain lack of straightforwardness, which, however much we may excuse it, owing to the fiendish persecution to which he was often subject, sometimes characterises Hastings's conduct. As Stephen admits, he was "a curiously cautious secret man"—"of his conduct to his colleagues I will only say that, if he had acted openly, he would have done better than he did".³ Lastly, we cannot shut our eyes to the fact that the incident implies, as Francis noted and Stephen agrees, a very strong intimacy between Hastings and the Chief Justice, and "it greatly weakens Impey's argument that he had no means of knowing the particulars of Nandakumar's accusations against Hastings, because they were made in the secret department under an oath of secrecy".⁴

No part of Lord Macaulay's essay is so prejudiced as the famous passage on the terror in Bengal caused by the action of the Supreme Court, and the corrupt nature of the bargain or sale by which in the end Hastings is alleged to have bought or bribed the Chief Justice. The question is a very difficult one and much of the evidence is

¹ Stephen, *Nuncomar and Impey*, I, 251.

³ *Idem*, p. 116.

² *Idem*, II, 115.

⁴ *Idem*, p. 115.

contradictory. Before considering it in detail, we may perhaps lay down the following points:

(i) A conflict of jurisdiction was inevitable; it was inherent in the charter establishing the court and in the clauses of the Regulating Act. The framers of that act shrank from the logical course of proclaiming the king of England sovereign in Bengal, but that sovereignty was really implied in the very constitution of the court. And, as Macaulay said, they "had established two independent powers, the one judicial, and the other political; and with the carelessness scandalously common in English legislation, had omitted to define the limits of either".

(ii) It cannot be denied that the court caused much disturbance and discontent by exercising its powers too rigidly and too pedantically. But the point is, what classes were aggrieved and offended? If it can be shown that the zamindar class and the European inhabitants of Bengal objected to the court because it restrained oppressive practices against Indians, then the agitation is highly honourable to the judges, and this is as a matter of fact the claim put forward by Impey's son and largely accepted by so impartial and exact an enquirer as Sir James Stephen.

(iii) We must in any case entirely discard the overcharged and overheated language of Macaulay. All we know of Sir Elijah Impey's life makes it impossible that he could ever have been the monster of iniquity described by Macaulay. We must remember that the worst charge against Impey—and it may not be true—is that he harried and distressed the population by exercising too meticulously the legal powers given him, and that, in accepting the new office offered him by Hastings, he was not careful enough to think out all the consequences, or to visualise the manner in which the affair would strike hostile observers. The whole incident casts a serious slur on the literary and historical integrity of Macaulay.

There were many points in dispute as between the council and the court; for instance, the court admittedly had jurisdiction over British subjects but the words had not been carefully defined.

"In one sense", says Stephen, "the whole population of Bengal, Behar, and Orissa were British subjects. In another sense, no one was a British subject who was not an Englishman born. In a third sense, inhabitants of Calcutta might be regarded as British subjects, though the general population of Bengal were not."¹

Secondly, had the court jurisdiction over the provincial councils? Thirdly, had it jurisdiction over the zamindars?

Something must now be said of the progress and gradual growth of the dispute. Hastings obviously looked forward to the advent of the court with dread, but hoped that his friendship with Impey might prevent the worst consequences. In 1774 he wrote to a friend: "The court of justice is a dreadful clog on the government, but I thank

¹ *Idem*, p. 126.

God, the head of it is a man of sense and moderation".¹ Clearly, if the question had only lain between the governor-general and the Chief Justice, a *modus vivendi* would have been arrived at.

Hastings, therefore, did everything in his power to smooth the path for the judges, and was determined if possible to put the best construction on all their actions. He would, of course, in writing to Lord North, naturally avoid speaking ill of the court, but we find him definitely committing himself to the statement that the protection which it affords to the weak against oppression had already been felt by many. In 1776 he wrote:

The conduct of all the judges has been directed by the principles of moderation, and a scrupulous attention to the just authority of government, and to the laws and customs of the people. I am afraid that to this prudent caution alone it must be ascribed, that the undefined state of the powers of the Governor-General and Council and of the Supreme Court of Judicature have not been productive of ill consequences both to the company and to the country.²

He foresees difficulties, because it will scarcely be found possible in practice "to make the distinction intended by the Act and Charter, between such persons as are employed in the service of the Company, or of British subjects and other native inhabitants". He suggests, to further a good understanding between court and council, that the Chief Justice should have "a fixed or occasional seat" at the council board, and that the Company's courts should subsist by delegated powers from the Supreme Court and be dependent upon it.³

In 1776 he worked out and sent home a plan for amalgamating the Supreme and the Company's courts—a scheme which would have in part anticipated that which he effected less constitutionally on his own initiative in 1780. His plan was, first, to extend the Supreme Court's jurisdiction to all parts of the province, that is, to do away with the nawab's shadowy authority and ensure "that the British sovereignty, through whatever channels it may pass into these provinces, should be all in all".⁴ Secondly, to unite the judges of the Supreme Court with members of the council in control of the Sadr diwanni adalat, or the Company's chief civil court of appeal. Thirdly, to give the provincial councils a legal authority in the internal government of the country and in the collection of revenue. Of this plan Hastings writes: "All the judges approve of it, and I like it myself, which is not always the case with my own productions".⁵ The plan was of course opposed by the majority of the council, who showed their usual controversial ability and lack of real statesmanship (for it was impossible to act as though a *tabula rasa* lay before them), saying:

It is proposed to give the Supreme Court a complete control over every part of the country. . . . The complaint is that they have assumed more than they have a right to; the redress proposed is to set no limits to their power.⁶

¹ Gleig, *op. cit.* I, 471.

² *Idem*, II, 16.

³ *Idem*, I, 541-2.

⁴ *Idem*, II, 14, 50.

⁵ *Idem*, p. 35.

⁶ Forrest, *Selections from . . . State Papers in the Foreign Department of the Government of India*, II, 540.

At first Hastings attributed the disputes, when they came, mainly to the majority on the council: "It seems to have been a maxim of the Board to force the court into extremities for the purpose of finding fault with them", and he admits that there have been "glaring acts of oppression committed by the Board, which would have produced the ruin of the parties over whom they were exercised, but for the protection of the court". At this time, too, Hastings agreed that it was necessary to bring before the court persons who were eventually excluded from its jurisdiction in order to establish their exemption: "their right to this exemption must be tried to be known".¹ Of himself he says with truth: "On every occasion which was likely to involve the Board in contests with the court, I have taken a moderate and conciliating part".² But the plan of 1776 not having been accepted, the position gradually became worse and Hastings and Impey drifted apart.

The trouble centred round two famous cases. The first was the Patna case, 1777-9. The question at issue was the right of the Supreme Court to try actions brought against the Indian judicial servants of the Company for acts done in their official capacity. The Supreme Court cast in heavy damages the Muhammadan law officers of the Patna council. Sir James Stephen has exhaustively analysed the whole case, and shows pretty conclusively that the Supreme Court was mainly in the right. The provincial councils were worthless bodies and had allowed their Indian officials far too much power:

If the Patna council was a fair specimen of the rest, the provincial councils, considered as courts of justice, were absolutely worthless, and no system for the administration of justice, which deserved the name, existed at that time out of Calcutta.³

The second case was the Kasijora case, 1779-80. The question at issue here was whether the Supreme Court had the right to exercise jurisdiction over everyone in Bengal, Behar and Orissa, and especially over the zamindars. Hyde had issued a writ against the raja of Kasijora, a zamindar of the Company. The council told the raja he was not subject to the jurisdiction of the Supreme Court, and, when the Supreme Court sent sheriff's officers to apprehend him, the council sent some companies of sepoys to arrest the sheriff's officers and bring them back to Calcutta. Hastings might well say: "We are upon the eve of an open war with the court".⁴ Even now he did his best to look at the question fairly. He still felt doubtful about the legal point, though he was convinced of the practical inconveniences arising from the court's action. Referring to the danger to the public revenues and to the quiet of the provinces, and to the irregular and illegal nature of the writ, he says: "God knows how far we are right on the last conclusion. I am sure of the former".⁵ But he now came to agree

¹ Gleig, *op. cit.* II, 36.

² *Idem*, p. 248.

³ Stephen, *Nuncomar and Impey*, II, 178.

⁴ Gleig, *op. cit.* II, 244.

⁵ *Idem*, p. 245.

with the majority of his council, that zamindars were neither British subjects nor the servants of British subjects, and that the court could not be allowed to drag "the descendants of men who once held the rights of sovereignty in this country, like felons, to Calcutta on the affidavit of a Calcutta banyan or the complaint of a court serjeant".¹

The justice of the whole matter is very difficult to decide. It has generally been assumed that Hastings was in the right, especially as he was normally so loth to infringe the powers of the court. But Sir James Stephen declares that in the Kasijora case "the council acted haughtily, quite illegally, and most violently".² There could, at any rate, be no doubt that Impey was acting in good faith and he felt bitterly the burden of taking on his shoulders all the unpopularity. He felt bound to protect, as he thought, the peasant and the poorer classes against the European magistrates, "who never appeared themselves" but oppressed the ryots through native agents.³ We find him saying in a private letter at this time: "We are beginning to make the vultures of Bengal to disgorge their prey".⁴

At the same time it must be admitted that the position in Bengal was rapidly becoming deplorable. The proceedings of the court were extremely vexatious to a large class of people, and there was no doubt that the judges were becoming very unpopular. The memory of this long lingered in Bengal. Cornwallis, who was one of the most tolerant of men and who could never be induced to speak against his colleagues or predecessors unless it were necessary, wrote in 1786: "I trust you will not send out Sir Elijah Impey. All parties and descriptions of men agree about him".⁵ Further, though the evidence from this source is probably largely vitiated by partiality, the ninth report of the select committee of 1781 declared that they had been able to discover very few instances of relief given to the natives against the corruptions or oppressions of British subjects. "So far as your committee has been able to discover," they wrote, "the court has been generally terrible to the natives, and has distracted the government of the company without substantially reforming any one of its abuses."⁶

In any case Hastings naturally and rightly desired to put an end to the deadlock, and in 1780 he hit upon the ingenious scheme of offering Impey the presidency of the Sadr diwanni adalat. It is important to realise exactly what this meant. Impey was already at the head of the Supreme Court, sent out in the name of the king to exercise jurisdiction over all British subjects, and especially to deal with complaints against the Company's servants. He was now placed at the head of the judicial system of the Company, which was largely

¹ Gleig, *op. cit.* II, 248.

² Stephen, *Nuncomar and Impey*, II, 220.

³ E. B. Impey, *Memoirs of Sir Elijah Impey*, p. 134.

⁴ *Idem*, p. 148.

⁵ Ross, *Correspondence of . . . Cornwallis*, I, 238.

⁶ *Report from Committees of the House of Commons*, VI, 48.

staffed by those very servants. Macaulay's accusation is that Impey accepted a bribe, compromised the independence of the Supreme Court and finally became "rich, quiet, and infamous".¹ Contemporary opinion in England, especially after Francis had returned home to fan the flame, was not much more favourable. In May, 1782, the court of directors and the House of Commons petitioned the crown for Impey's recall. He left India in 1783 to answer the charge

of having accepted an office granted by, and tenable at the pleasure of, the servants of the East India Company, which has a tendency to create a dependence in the said Supreme Court upon those over whose actions the said court was intended as a control.²

It is difficult to understand the warmth of feeling aroused. The practical advantages of the plan were great. A real control was now exercised by a trained and expert judge, through an appeal court which was at last a reality, over weak provincial courts which badly needed guidance. The old Sadr diwanni adalat had been a shadowy body, and, in practice, says Sir James Stephen, never sat at all because the governor-general, its nominal president, had no time to undertake judicial duties. Hastings himself could describe it in 1776 as "having been long since formally abolished".³ The plan also did away with the friction between the judicature and the executive. It enabled Impey to introduce his code of procedure at the cost of eight months' severe labour—that code of which Sir James Stephen writes: "It is not a work of genius like Macaulay's penal code... but it is written in vigorous, manly English, and is well arranged".⁴

At the same time some tactical mistakes were undoubtedly made. It was an unfortunate circumstance that the salary attached to the new office was revocable at the will of the governor-general and council, but it was almost certainly inevitable in the conditions. The Company's government had no power to create an office independent of itself. Still, it enabled the East India Company's legal adviser to say: "Impey is found one day summoning the Governor-General and the council before his tribunal for acts done as council, and the next accepting emoluments nearly equal to his original appointment to be held during the pleasure of the same council".⁵ All this, unhappily, gave the impression that Impey was compromising his dispute with the council for a money consideration. Secondly, since the Supreme Court had been especially created to be independent of the council, it looked as though the spirit of the Regulating Act was being violated. Sir James Stephen himself,

¹ Lord Macaulay, *Essays*, p. 624.

² *Parliamentary History*, xxii, 1411.

³ Gleig, *op. cit.* ii, 29.

⁴ Stephen, *Nuncomar and Impey*, ii, 246.

⁵ *Reports from Committees of the House of Commons*, v, 422.

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Impey's strenuous champion, thinks that the Chief Justice had put himself in an invidious position.

He did undoubtedly weaken, if it is too much to say that he forfeited, his judicial independence. . . . He exposed himself to a temptation to which no judge ought to expose himself. . . . [His action] was wrong, though I do not think it was actually corrupt.¹

Thirdly, it is perhaps reasonable to ask whether such sweeping changes ought to have been made without approval first gained from home.

We have, however, to remember certain further circumstances in Impey's favour. He wrote at once to the Attorney-General in London, offering to refund the salary, if ministers thought the acceptance of it improper; and apparently he did afterwards refund it. He claims to have told Hastings that his assumption of the office would not in the least affect his conduct in regard to the question at issue between the council and the court. He wrote in 1782 with some truth:

I have undergone great fatigue, compiled a laborious code, restored confidence to the suitors and justice and regularity to the courts of justice, and settled the internal quiet of a great empire. . . . and for my recompense shall have lost my office, reputation, and peace of mind for ever.²

Finally, to some extent, as Impey declared in his speech at the bar of the House of Commons, the judges reaped all the odium of the violent struggle of parties. One faction bitterly attacked the judges

as being partisans of the opposite faction. That opposite faction, cautious to avoid the imputation of undue connection with the judges, found it in their interests not to defend them. Neutral men (if such there were) took no part, and the judges, who really were (as they ought to have been) of no party, were left undefended.³

Impey on his return to England was left undisturbed for four years, but in 1787 he was impeached by Sir Gilbert Elliot, afterwards Governor-General of India and Earl of Minto. Six charges were brought against him, namely Nandakumar's case, the Patna case, the illegal extension of the jurisdiction of the Supreme Court, the Kasijora case, the acceptance of the office of judge of the Sadr diwanni adalat, and the taking of the affidavits in Oudh in relation to the Chait Singh business. The impeachment was frankly made a party affair. Almost all the prominent Whig leaders were associated with it. It broke down completely and humiliatingly. Only the first charge was proceeded with. Summoned to the bar of the House of Commons, Impey made an eloquent and triumphant defence. He spoke extemporaneously and without the aid of notes. His speech, which lasted two days, gives a striking impression of his ability. No one can read it without feeling that it is the work of a capable and sincere man. It is far franker and more spontaneous

¹ Stephen, *Nuncomar and Impey*, II, 238.

² *Parliamentary History*, xxvi, 1347.

³ *Idem*, p. 245.

than the laboured and confused paper read as an *apologia* by Hastings.

The thorough unfairness of the Whig attitude is shown by the fact that Burke and Fox made it a matter of complaint that Impey had delivered an unprepared speech and had not submitted a written document, whereas, when Hastings presented a written defence, it was alluded to contemptuously by Burke as that "indecent and unbecoming paper which lies on our table".¹ Impey's masterly speech really shattered the case. Pitt declared that, after hearing it, he could say that he never gave any vote with less hesitation than the one he was going to give against the impeachment. The division on the first charge was 73-55 against the impeachment. A half-hearted attempt was made later to raise the second charge, the Patna case, but it was negatived without a division. It would seem that few men have met with less justice from history and the verdict of their own contemporaries than Sir Elijah Impey.

In the meantime the question between the council and the court had been definitely settled by statute, and, as Sir Courtney Ilbert says, the decision of parliament was substantially in favour of the council and against the court on all points. Two petitions had been sent home, one by the governor-general and council, and the other by 648 British subjects resident in Bengal. The first dealt mainly with the Kasijora case. The council claimed that it was bound to protect the people against "the control of a foreign law, and the terrors of a new and usurped dominion".² If the court prevailed, "these provinces, and the British dominion in India, must fall a certain sacrifice to the ultimate effects of the exercise of an impolitic, unnatural and lawless authority".³ Finally, they declared that they had no alternative but public ruin, if they submitted to the jurisdiction assumed by the Supreme Court, or personal ruin, if they opposed it.⁴ The second petition protested against the danger of "giving to the voluminous and intricate laws of England a boundless retrospective power in the midst of Asia".⁵

These petitions were the real cause of the appointment of the Select Committee of 1781, to which reference has been already made, and the result was the act of that year amending the constitution of the Supreme Court. The most important of its provisions was that the governor-general and council were not to be subject to the court for anything committed, ordered, or done by them in their public capacity, but this exemption did not apply to orders affecting British subjects. The Supreme Court was to have no jurisdiction in matters of revenue or its collection. No Indian was to be liable to the court's jurisdiction by reason of being a landholder or a farmer of rents. The

¹ Bond, *Speeches in the Trial of Warren Hastings*, I, 6.

² *Parliamentary History*, XXI, 1170.

⁴ *Idem*, p. 1174.

³ *Idem*, p. 1173.

⁵ *Idem*, p. 1178.



court was again definitely given jurisdiction over all inhabitants of Calcutta, but Hindu or Muhammadan laws were to be administered in cases of inheritance, contract and successions.

We must on the whole then conclude that the verdict of the British in India, of Lord Cornwallis and of parliament, was a triumph for the council's view of the controversy as against the court, on the question of fact, and by fact is meant the vexatious and harassing nature of the court's procedure. But, turning from the objective to the subjective aspect of the case, and considering the motives of the parties concerned, we can only conclude that hard measure was dealt out both to Impey and his colleagues.



CHAPTER XIV

THE FIRST CONFLICT OF THE COMPANY
WITH THE MARATHAS, 1761-82

FROM 1750 to 1761 it was an open question whether the Marathas or the Afghans would become the masters of India. The answer was given by the battle of Panipat fought in January, 1761, between the Marathas and the Durani, Ahmad Shah, which resulted in the total defeat of the Hindu confederacy, and the end of the Moghul Empire, save as a mere name. It is worthy of note, that contrary to the ordinary sequence of events in Asiatic countries, no change of dynasty occurred at Delhi, where the effete descendant of the house of Timur remained seated on the throne. Had Ahmad Shah retained his hold on Northern India, the consolidation of the English power would have been far less easy of accomplishment. For the Maratha confederacy, although it had the great binding force of a common racial origin as its foundation, was rent by internal jealousies, while it depended for its aggrandisement on a system of brigandage, which ultimately drove many other Indian states into the arms of the English.

The very growth of its power, indeed, carried in it the seeds of dissolution. As the area in which the confederacy operated expanded, its military commanders, prosecuting campaigns far from headquarters, rapidly lost much of their respect for the central power at Poona, a respect which the characters of the Peshwas who succeeded Madhu Rao did nothing to maintain. Holkar, Sindhia, the Gaekwad, the Bhonsle and others, in consequence, worked more and more in their own private interests to the neglect of those of the Peshwa and of the Marathas as a whole.

The Peshwa, Baji Rao, his spirit broken by the defeat at Panipat, died in June, 1761, his son Madhu Rao being installed Peshwa in September by the raja at Satara, whither he proceeded for the ceremony accompanied by his uncle Raghunath Rao. For the transfer of power from the descendants of Sivaji to the family of one of the ministers did not displace the occupant of the throne at Satara or abolish his nominal rule. Madhu Rao was, however, only seventeen years of age and his uncle kept the reins of the administration in his own hands.

The Nizam of Hyderabad, who saw the chance of profiting by the changes at Poona, prepared to attack the Marathas, upon which Raghunath Rao made overtures to Crommelin, then governor at Bombay. The Bombay Council were most anxious to strengthen the defences of their harbour by securing possession of Bassein Fort,

Salsette and the islands in that neighbourhood, and were quite ready to negotiate. Raghunath Rao, however, anxious as he was to obtain military assistance, was not as yet prepared to surrender such important places. At this juncture the Nizam's Maratha troops deserted him and obliged him to come to terms, whereupon Raghunath Rao promptly broke off his negotiations with Bombay. The incident is important. It deliberately introduced the English as arbiters in Maratha affairs, and, as later events will show, brought them into that personal association with Raghunath Rao which was to become a deciding factor in the consolidation of the British power in Western India.

So far Raghunath Rao had kept all the power in his own hands. But his nephew was not of the metal long to brook control, and early in 1762 insisted on asserting his independence. His uncle and his diwan Sakharam Bapu thereupon resigned and the young Peshwa appointed his own officers. Among them was one who played a conspicuous part in the history of Western India, Balaji Janardhan, better known as Nana Phadnavis, from the office of *phadnavis* or chief accountant which he held from 1763. His family came from the Ratnagiri district. His grandfather had been employed by the Peshwa Balaji Vishvanath, whose son, Nana's father, was appointed *phadnavis*, a post that became hereditary in the family.

The changes at Poona did not make for peace. Raghunath Rao and his officials were annoyed at the loss of power, and this jealousy was fanned by the strong personal animosity which existed between Gopika Bai, the Peshwa's mother, and Anandi Bai, the wife of Raghunath Rao. Anandi Bai, to whom Raghunath Rao was devoted, was a woman of very violent character, and exercised absolute control over her husband, much of whose subsequent misfortunes were due to the sinister influence of his wife.

At her instigation Raghunath Rao now proceeded to make overtures to the Nizam, who readily responded, and, rapidly gathering a body of Maratha and Moghul troops, they advanced together on Poona, an unfortified city, defeating a force sent to oppose them. Madhu Rao, driven into a corner, in order to save the situation and preserve the integrity of the Maratha state, went personally to his uncle and submitted. He was placed in confinement but was treated with all respect.

Assumption of control by Raghunath Rao inevitably led to a spread of discontent. The Nizam, ever on the watch for such opportunities in hope of reducing the Maratha power, in 1763 adopted the cause of Janoji Bhonsle of Berar who claimed to act as regent for the young Peshwa. Raghunath Rao was wholly unprepared, but his nephew, by using his great personal influence, induced Holkar and the Gaekwad to assist his uncle. The Maratha army, avoiding an encounter with the Nizam, ravaged the Bhonsle's districts in Berar and

then entered Hyderabad territory. The Nizam, finding he could not stop the Marathas, marched to Poona, which he plundered. Raghunath Rao in the meantime had contrived to buy off Janoji Bhonsle, who agreed to desert the Moghuls when occasion offered. At Rakshasbhavan, on the Godavari river, the two armies met; the Bhonsle quietly withdrew and the Nizam was defeated with severe loss. But the Nizam, always a consummate actor, went personally to Raghunath Rao, and by working on his feelings and appealing to their old friendship, induced his conqueror to pay him ten lakhs of rupees. This curious arrangement was characteristic of Raghunath Rao's vacillating disposition.

Madhu Rao again offended his uncle by insisting in commanding the army which was sent, in 1764, against Hyder 'Ali of Mysore, but the offence was to some extent mitigated by the completion of the campaign being left to Raghunath Rao. Nephew and uncle were now on friendly terms and possibly might have continued so, for some time at least, but for Anandi Bai's violent conduct which induced Gopika Bai to advise her son to place his uncle under some restraint, a step which Madhu Rao, who could easily control his uncle when away from his wife's influence, was most averse to taking.

The English, although not as yet definitely drawn into the intrigues and squabbles of Maharashtra, were fully aware of the trend of events. Lord Clive had, in 1765, restored to Shuja-ud-daula, the nawab of Oudh, the territories taken from him after the battle of Baksar (October, 1764) except the two districts of Kora and Allahabad assigned to the emperor Shah 'Alam, who was at that time dependent on British charity. His reason for adopting this policy was his aversion to adding to the Company's territory, as he clearly foresaw that the Company must either confine its activities to the area it already possessed, or go forward as a conqueror, which, in his opinion, was a scheme so extravagantly ambitious and absurd that it could not be considered for a moment, unless the whole system of the Company's interest was entirely remodelled.¹ It was, therefore, not because the directors and administrators of the Company failed to see whither events were leading them, that constant attempts were made to limit the area of activities, but because the inevitable results of such expansion were only too fully appreciated. The collapse of the house of Timur had opened the road of conquest to any strong integral power, a position the English alone could claim, but it meant exchanging the rôle of a merchant for that of a military adventurer.

Clive, writing in 1765, summed up the situation in these words:

We have at last arrived at that critical conjuncture, which I have long foreseen, I mean that conjuncture which renders it necessary for us to determine whether we can, or shall, take the whole to ourselves. . . it is scarcely hyperbole to say, that the whole Mogul empire is in our hands. The inhabitants of the country . . . have no

¹ Forrest, *Clive*, II, 176.

attachment to any Nabob whatever, their troops are neither disciplined nor commanded nor paid as ours are. Can it then be doubted that a large army of Europeans would effectually preserve to us the sovereignty not only by keeping in awe the ambitions of any country prince, but rendering us so truly formidable that no French, Dutch or other enemy will presume to molest us?¹

Although the English had in 1766 made a treaty with the Nizam against Hyder 'Ali they had not yet definitely entered into the struggle in Maharashtra, but the events which took place there between 1765 and 1772 paved the way for the *dénouement* of 1782.

The Peshwa in 1766 decided to punish Janoji Bhonsle of Berar, who was intriguing against him, and in order to do so formed an alliance with the Nizam, an instance of the kaleidoscopic interchanges between friends and foes which is so characteristic of the history of Western India.

It must be mentioned that Malharji Holkar, the founder of the present Indore ruling family, who had accompanied the force under Raghunath Rao, died on his way home at 'Alampur on 20 May, 1766. He had been one of the Peshwa's foremost adherents, and his death, which left Indore under the rule of his daughter-in-law Ahalya Bai, with Tukoji Holkar as her military commander, considerably weakened the support obtainable from the house of Holkar, while it finally gave Sindhia an ascendancy which his house has retained ever since.

In 1767 Madhu Rao, fearing the rapidly rising power of Hyder 'Ali in Mysore, attacked and defeated him. The growing power of Madhu Rao, whose strong personality had now fully asserted itself, soon engaged the attention of the Bombay Council and they began to court the Peshwa officially, Mostyn being sent to Poona to ascertain and report on the actual state of affairs there, and to endeavour, without committing himself to a treaty, to prevent the Peshwa from contracting an alliance with the rulers of Mysore or Hyderabad. This increasing power of the Marathas under Madhu Rao's direction was indeed a matter of so much concern to the council that in their orders to Mostyn they laid stress on the fact that no means should be omitted to check it. But nothing resulted from this embassy.

Raghunath Rao had, in pursuit of his own ends, for some time been gathering a force together with the assistance of the Gaekwad and Holkar. He now marched to the Tapti river where he hoped to be joined by Janoji Bhonsle. But Madhu Rao gave him no time, attacking him and making him prisoner. The Peshwa then advanced against Janoji (1769), forced him to come to terms, and also made overtures of friendship to the Nizam.

A force was this year sent into Hindustan under the command of Visaji Kishan, accompanied by Sindhia and Holkar, to operate against the Rajputs, Rohillas and Jats.

¹ Forrest, *Clive*, II, 256.

In 1770 the Peshwa's health began to fail. He was consumptive, and the severe strain of the last few years had told upon him. He was unable to take command in a campaign against Hyder 'Ali, who was attacked and defeated by Trimbak Rao. This defeat was viewed with alarm by the councils of both Bombay and Madras, as the territory of Mysore formed a barrier against Maratha aggression into the southern presidency, but Hyder would not listen to any overtures from Bombay, while the Madras authorities were prevented from acting by the ill-advised interference of Sir John Lindsay.¹

The Peshwa's illness increased and he died on 18 November, 1772, at the age of twenty-eight. His death had long been expected and caused no immediate upheaval; but the ultimate effect was tremendous, and it has been truly said that the battle of Panipat was scarcely more fatal to the solidarity of the Maratha Empire than the early death of Madhu Rao. He was a man of unusually fine character, an invariable supporter of the weak against the strong, of the poor against the tyranny of the rich; he stood for justice and equity in all things, and fought vigorously, if with but little result, against the rampant corruption of his day. His death swept away the only barrier which restrained the floods of political intrigue, and they now rushed forward to undermine what was left of the foundations of Maratha ascendancy laid by the great Sivaji.

Mention was made of the expedition sent into Hindustan, under Visaji Kishan, in 1769. After exacting tribute from the Rajput princes, the Rohillas and the Jats, the Marathas removed the aged emperor from Allahabad, where he had been residing since 1764 under British protection, and installed him once more at Delhi, at the end of December, 1771. Further exploits were prevented by Madhu Rao's death, and the force returned to the Deccan.

From 1772 onwards the English began to find themselves drawn more immediately into Maratha affairs, and rapidly assumed the rôle of a protagonist.

The events from 1772 to 1782 are apt to be rendered confusing by the number of actors who appear upon the scene, and by the kaleidoscopic interchanges between friend and foe. It is, however, possible to grasp the trend of events if attention is concentrated on the protagonists, and upon the central figure in the drama, that of Raghunath Rao.

Raghunath Rao, more familiarly known by the shortened form of his name as Raghoba, or, as he is almost invariably styled by Indian writers, Dada Sahib, was the second son of the Peshwa Baji Rao Balal (1720-40), and was thus brother of Balaji Baji Rao (1740-61); uncle of the two Peshwas Madhu Rao and Narayan Rao; great uncle of Madhu Rao Narayan; and father of the last of the Peshwas, Baji Rao.

Round Raghunath Rao, a man of great personal bravery but of weak vacillating character, the events of this period revolve:

¹ Cf. p. 297, *infra*.

Occupying at the outset a position of some importance as a claimant to the Peshwaship, he at length became a mere puppet, to be used for political ends, and he finally passes, almost unheeded, off the stage, before the conclusion of the Treaty of Salbai, stricken by disease and disappointment, to die a few months later.

The two protagonists were the English and the ministers at Poona, for after Madhu Rao's death, the succeeding Peshwas counted for little. The dominating personality at Poona was Nana Phadnavis.

The directing hand in the case of the English was that of Warren Hastings, who, in spite of the continuous opposition in his council, the imbecility of the local authorities in Bombay and Madras, serious complications in Oudh, and continuous financial straits, guided events with a consummate courage and skill that placed the English ten years later in a position to dominate the situation throughout the future. Others who played important but subordinate parts, sometimes on one side and sometimes on another, were the Nizam of Hyderabad, Hyder 'Ali of Mysore, the Gaekwad of Baroda, the Bhonsle of Berar and the great Maratha sardars, Tukoji Holkar and especially Mahadji Sindhia, whose rivalry with Holkar became a deciding factor in Maratha party squabbles. The last by his astute manœuvring emerged, after the Treaty of Salbai, as the leader in Indian politics, a position he retained until his death in 1794.

This period from 1772 to 1782 is one of the most important in history of the British in India. The defeat of the nawab of Oudh at the battle of Baksar (1764) had brought peace to Bengal, and the Deccan became the new theatre for the struggle. The Marathas were at this time the most important power in India, having practically displaced the Moghul emperor in all but name.

To return to events at Poona, the restraint to which Raghunath Rao had been subjected by his nephew was not very rigorous, and no sooner did he perceive that the Peshwa's days were numbered than he commenced to intrigue with the Nizam and Hyder 'Ali for support in his claims to the Peshwaship. But Madhu Rao, fully alive to the weak character of his younger brother, just before his death, summoned his uncle to his bedside and confided his successor to his care. Narayan Rao, a weak man given over to sensuality, was duly invested as Peshwa at Satara, and Sakharam Bapu became minister, with Nana Phadnavis in his hereditary position. The implacable enmity that existed between the Peshwa's mother, Gopika Bai, and Anandi Bai soon led to a rupture between nephew and uncle, and Raghunath Rao was again placed under restraint and confined in the Peshwa's palace at Poona.

On 30 August, 1773, symptoms of discontent manifested themselves amongst the Peshwa's infantry, and Hari Pant Phadke, the army commander, was warned to take precautions, which unfortunately he omitted to do. While the Peshwa was resting at mid-day a com-



motion arose and a body of men from the regiment burst into the palace led by one of the officers, Sumer Singh. Narayan Rao fled to his uncle's apartments for safety, where Raghunath Rao appears indeed to have interceded for his life, but Sumer Singh then threatened Raghunath Rao also, and he withdrew, while the conspirators murdered the young Peshwa with their swords.

There is no doubt that Raghunath Rao was fully cognisant of the rebellion, but he was attached to his nephew, as far as so egotistical a nature was capable of affection, and it is probable that the confinement of Narayan Rao was all he had intended, the tragic ending being due to the sinister intervention of Anandi Bai.

It was agreed that Raghunath Rao's claim to the Peshwaship must now be recognised, and he was duly invested. But it was fated that whenever Raghunath Rao was placed in a position of command troubles should at once commence. He proceeded to appoint as his ministers new men who were lacking in the necessary qualities, while his own excessively suspicious nature made him distrust even his own nominees.

His first troubles arose with the Nizam who, always ready to profit by events at Poona, prepared to attack the Marathas. Raghunath Rao, however, defeated him, but once more surrendered any advantages he might have obtained, and characteristically yielding to the Nizam's flattery and cajolery restored all that was to have been taken from him.

Raghunath Rao was turning his attention to Hyder 'Ali and the nawab of the Carnatic, when the dislike with which he was universally regarded developed into concerted opposition, conducted by Sakharam Bapu and Nana Phadnavis, and he hastened back to Poona. At length the plan was made public. A trump card had been placed in his opponents' hands, for it was found that Ganga Bai, the Peshwa's widow, was pregnant. On her husband's death she had proposed to become sati, but Anandi Bai, knowing her own part in the tragedy of Narayan Rao's death, contrived to confine her until her husband's cremation was complete, as she feared a sati's curse. Now Nemesis was satisfied. The confederates removed Ganga Bai to safety in Purandhar Fort where she was placed in charge of Parvati Bai, the widow of Sadashiv Rao Bhao, who had been killed at Panipat. On 18 April, 1774, a son was born to Ganga Bai, and Raghunath Rao's claims to the Peshwaship were finally extinguished. The confederates at once formed a council of regency.

Raghunath Rao was in the middle of the campaign against Hyder 'Ali when he received news of the imminent birth of a child to the late Peshwa, and hastened back to Poona, defeating a force under Trimbak Rao Mama sent out by the regency to oppose him. In consequence of this victory troops, as usual, flocked to his standard, and consternation reigned in Poona, when, with typical indecision,

he suddenly abandoned his advance on the capital and turned in the direction of Burhanpur. It was at this moment that the birth of Ganga Bai's son was publicly announced. The child was at once formally invested as Peshwa. From this time Raghunath Rao becomes, in fact, a mere pawn in the complicated intrigues and consequent struggles, in which the Maratha leaders gradually played more and more for their own individual aggrandisement and but little for the cause of the Maratha state, thus facilitating the ultimate supremacy of the English.

Raghunath Rao, finding himself in this desperate case, turned once more to the English, with whom he had coquetted in 1761. The Bombay Council had never lost sight of the necessity for acquiring Bassein, Salsette and the islands in Bombay harbour. Indeed the directors in London, in their dispatch of April, 1772, had instructed the council to appoint a regular envoy at Poona, who would endeavour to secure such rights and privileges as might be beneficial to their commerce and the safety of their possessions, and in particular these coveted places.

On receiving overtures from Raghunath Rao, therefore, although averse from an alliance with the Marathas, they seized this opening to renew their demands for Bassein, Salsette and the islands. Raghunath Rao, however, marched away to Indore soon after, in the hope of enlisting Holkar and Sindhia on his side, but finding that, if not actually hostile, they were at any rate indifferent to his cause, he returned. On his return, Gambier, the Company's agent at Surat, was asked by Raghunath Rao if the English would provide him with a force sufficient to carry him to Poona and establish him in the government, in return for which he would defray all costs and make substantial grants to the Company.

The Bombay Council were uncertain, in view of the passing of the Regulating Act, whether they had powers to make a treaty without sanction from Bengal, but, as they had not been notified of the arrival of the new councillors at Calcutta, they decided to act. Raghunath Rao, however, positively refused to cede Bassein and Salsette. While this matter was still under discussion news arrived that the Portuguese were about to endeavour to recover Bassein, taken from them by Chimnaji Appa in 1739. The council, faced with this new danger, decided to obtain possession of Salsette at all costs. An attack was made on Thana Fort, the key to the district, and it was captured on 31 December, 1774.¹

The council defended this attack in a letter to the governor-general on the grounds that it would have been fatal to allow the Portuguese to acquire Salsette, as they would have

had it in their power to obstruct our trade, by being in possession of the principal passes to the inland country... which, of course, would have been of infinite

¹ Forrest, *Bombay Selections, Maratha Series*, 1, 179-208.

prejudice to the trade, revenue and interests of the Company in these parts, in so much that we should in great measure have been subject to the caprice of the Portuguese.¹

The council at Calcutta, except Warren Hastings himself, expressed their disapproval of the capture of Salsette, which they held had seriously damaged the Company's reputation for good faith. The Poona ministers had in the meantime contrived to bribe Holkar and Sindhia away from Raghunath Rao, who retired into Gujarat towards Baroda, leaving his wife Anandi Bai, who was enceinte, in Dhar Fort, where she gave birth in January, 1775, to Baji Rao, destined to be the last of the Peshwas. Raghunath Rao's object in moving into Gujarat was to get into touch with the English and also to obtain the assistance of Govind Rao Gaekwad, who was engaged in besieging his brother Fateh Singh in Baroda.

This quarrel, into which the English were drawn, arose in 1768 on the death of Damaji Gaekwad. Damaji left four sons, Sayaji who was imbecile, Govind Rao, Manaji and Fateh Singh. Govind Rao was the son of the senior wife and claimed on that basis. Fateh Singh, who was manager for Sayaji, supported him. After the murder of Narayan Rao Peshwa, Govind Rao obtained the support of the Poona ministers for his cause and was granted the hereditary family title of *Sena Khas Khel*.

Negotiations continued between the English and Raghunath Rao and finally on 7 March, 1775, the Treaty of Surat,² as it is called, was signed. It consisted of sixteen articles of which the most important provisions were that the earlier treaties of 1739 and 1756 be confirmed; that the English would assist Raghunath Rao with a force of 2500 men, he defraying the cost, and undertaking not to side with enemies of the Company; Salsette, Bassein and the islands were to be ceded in perpetuity with a share of the revenues of the Broach and Surat districts; Maratha raids into Bengal and the Carnatic were to cease; any peace made with Poona was to include the English. As security Raghunath Rao deposited six lakhs. Such was the treaty which, as Grant Duff says, occasioned infinite discussions amongst the English in India and in Europe, and led to the first Maratha war.

Before the treaty was completed the Bombay Council had assembled troops under Colonel Keating who arrived at Surat, by sea, on 27 February, 1775.³

Raghunath Rao had, however, been forced to fly from Baroda owing to defection amongst his own troops, and the arrival of an army from Poona under Hari Pant. He first made his way to Cambay where he was assisted by Charles Malet to reach Surat. Here he met Colonel Keating, who describes him as "a man of sound judgment and of quick and clear conceptions", an estimate of Raghunath Rao's

¹ Forrest, *op. cit.* I, 205.

² *Idem*, pp. 211-15; Aitchison, *Treaties*, VI, 21.

³ Forrest, *op. cit.* I, 217.

character, which it may be safely said, was not generally held. The view ordinarily taken of Raghunath Rao's disposition is often alluded to by Ahalya Bai Holkar in her letters, where she refers to his entire lack of judgment, which, she adds, was well known to the English, who in consequence invariably acted without consulting him and merely used him in furthering their own designs. It is clear that the Bombay Council, perhaps influenced by events in Bengal, imagined that their small force could easily account for the whole of the Maratha army, and Colonel Keating was, therefore, instructed to assist their ally against all his enemies, as well as against the ministerial party and their adherents, and to do everything to bring the war to a speedy and happy conclusion.

The first difficulty that arose was Raghunath Rao's lack of funds and the consequent disaffection in his army. Colonel Keating was obliged to advance money before they would even march.¹ The allies advanced and after a minor engagement or two encountered on 18 May, 1775, the ministerial army on the plain of Adas [Arras], which lies between the town of Anand and the Mahi river. This was the first direct encounter between the Maratha forces and the English since Sivaji's attack on Surat in 1664. At one time the allies were in serious trouble but the steadiness of the English troops and the coolness of Colonel Keating secured the complete discomfiture of the enemy.² This victory decided Fateh Singh Gaekwad to make an alliance with the English, with whom he had for some time been playing fast and loose. The destruction of the Maratha fleet by Commodore John Moore, at almost the same time, drove the ministers at Poona to desperation. Raghunath Rao's affairs were now in the ascendant, and important members of the Maratha community were preparing to join him when the whole situation was suddenly changed by the action of the council at Calcutta.

On 3 February, 1775, the governor-general and council at Calcutta wrote to Bombay expressing surprise that the capture of Salsette had never been reported to them,³ and later, on 8 March, intimated their alarm at the support offered to Raghunath Rao, which was wholly inconsistent with their traditional friendly relations with Poona and with Sabaji Bhonsle. Divided as the Calcutta Council were in most things, they were united in condemning this act of the Bombay government. On 31 May, 1775, the Supreme Government again addressed⁴ the Bombay Council, pointing out that their action was not merely impolitic but directly contrary to the Act of Parliament; and they concluded, "we...peremptorily require you to withdraw the Company's forces to your own garrison, in whatsoever state your affairs may be in, unless their safety may be endangered by an instant retreat".

¹ Forrest, *op. cit.* 1, 220-5.

² Forrest, *op. cit.* 1, 232.

³ *Idem*, p. 226; Forbes, *Oriental Memoirs*, II, 95.

⁴ *Idem*, p. 238.

Warren Hastings was not in favour of these orders but was outvoted by his council. The Bombay Council, convinced that they had acted for the best, if unconstitutionally, fought to the end for their policy. They pointed out the immense advantage they had obtained in securing Salsette and the fairness of the terms come to with Raghunath Rao, who was, in their opinion, the rightful heir to the Peshwa-ship. They added, with some reason, that if at that distance they were always to await confirmatory orders from Calcutta it must be fatal to any policy, a fact, it may be remarked, that had not escaped Hastings, who in a minute on this question expresses his doubts as to the action which should be taken in view of the impossibility of their knowing what the actual state of affairs at Bombay might be by the time their orders arrived. So eager were the Bombay Council, however, to carry their point that they sent one of their members, Taylor, to Calcutta. He submitted a very able, clear, and on the whole fair and accurate report on Maratha affairs, past and present, to the governor-general, explaining the methods followed in Maratha politics.¹ He laid stress on the importance to the very existence of Bombay, in having control, through Salsette, of the passes by which goods travelled inland, and of Bassein and the islands for the protection of the harbour. By supporting Raghunath Rao these safeguards were being secured. The Bombay Council, he said, had never intended to flout the authority of the governor-general and, in their opinion, the new act even supported their position, inasmuch as it exempted them from referring to Calcutta cases in which they had received direct orders from England, and they had received repeated and special orders regarding the safeguarding of Bombay. Moreover, success had attended Colonel Keating's operations, and any desertion of Raghunath Rao at this juncture would throw him into the arms of the Nizam and Hyder 'Ali, or of Holkar and Sindhia, and the trouble would recommence. Indians also did not in the least understand this sudden limiting of the powers of the Bombay Council, and the abandonment of Raghunath Rao would be considered a deliberate breach of faith. Parliament, Taylor said, when it armed the Supreme Government with controlling power over the other presidencies, had never intended, "that they should appear so degraded and so contemptible in the eyes of the native governments as the Presidency of Bombay must be, unless you will commit the treaty of peace to their management".

But the Supreme Government was adamant and sent its own officer, Lt.-Colonel Upton, from Calcutta to Poona with full powers to negotiate a treaty. The dispatches of this date from Calcutta clearly show the Bengal Council's ignorance of conditions in Western India, even on the part of Hastings himself, who frankly expressed his surprise at the vigour of the Maratha confederacy. Hastings wrote

¹ Forrest, *op. cit.* I, 247-68.

personally, at the same time, to Sakharam Bapu, at Poona, explaining the new controlling powers vested in him as governor-general and the illegality of the Bombay Council's action in supporting Raghunath Rao without his sanction, and intimating the dispatch of his envoy; he concluded, "I have heard of your wisdom and capacity from everywhere, therefore trust in your person that you will not fail to get the business done through your interest".¹

Although the Bombay Council were not free from blame, this action on the part of the Supreme Government meant playing directly into the hands of the Poona ministers, and they at once saw the advantage it gave them.

As Taylor had pointed out, the first effect of this interference was to lower the prestige of the Bombay authorities in the eyes of all Maharashtra, while it simultaneously exalted, for the time being, the prestige of the ministers.

In accordance with these orders from Calcutta, Colonel Keating was at once made to withdraw his forces, the Bombay Council in conveying these orders to him sincerely lamenting "that these gentlemen have so unluckily taken upon themselves to interfere as they have done, at this juncture". He retired to the neighbourhood of Surat.

Colonel Upton proceeded to Purandhar, where he arrived in December, 1775, and commenced his negotiations. But he was in no sense a match for the astute Brahman ministers, who, while they loudly extolled the far-sighted statesmanship of the governor-general, proceeded to seize every possible advantage of the new turn in affairs. They refused to consider for a moment the cession of Salsette or Bassein or of the revenues of Broach, taking their stand upon the ground that the governor-general could not claim to draw advantages from a war which he had condemned as unjust. On the other hand they demanded the surrender of Raghunath Rao and the restoration of all territory acquired since hostilities commenced. Colonel Upton on 7 February, 1776,² reported the deadlock to Calcutta on which the governor-general and his council determined to resume hostilities. Troops were prepared and Raghunath Rao, the Nizam, Hyder 'Ali, the Bhonsle, Holkar and Sindhia were all addressed and desired to join the English, or at least to remain neutral.

This unexpected *volte face* brought the ministers to their knees and they at once conceded practically all that Colonel Upton demanded, and on 1 March, 1776, the Treaty of Purandhar was signed.³ The gist of the treaty was: the establishment of a general peace with the Marathas; the retention of Salsette, if the governor-general so desired; the cession of the Broach revenues; twelve lakhs of rupees to be paid to defray expenses incurred in the war; the Treaty of Surat to be

¹ Forrest, *op. cit.* 1, 246.

² *Idem*, p. 274.

³ *Idem*, p. 277; Gleig, *Warren Hastings*, II, 194 ff.; Aitchison, *Treaties*, VI, 28.

formally annulled; and Raghunath Rao's army to be disbanded within a month, he himself retiring to Kopargaon in Gujarat on a pension of 25,000 rupees a month, with a retinue consisting of a body of 1000 horse and certain domestic servants. The Bombay Council rightly condemned this treaty as highly injurious to the interests and reputation of the Company.

Raghunath Rao was wholly bewildered by these transactions and imagined that they were due to the insufficient liberality of the terms he had offered, and he at once proposed others, which could not of course be considered. He then decided to refuse the terms agreed upon and to continue fighting, an attitude in which he was encouraged by the friendly overtures of Mahadaji Sindhia, who was now commencing to work out the policy which was, a few years later, to make him independent of Poona. But Raghunath Rao, whose character invariably alienated those who might have assisted him, found that none of the Maratha leaders would give him any practical help. The Bombay Government, on their part, would not lift a hand in support of a treaty which they considered grossly unfair to themselves, but they readily afforded asylum to Raghunath Rao at Surat, in spite of the protests of Colonel Upton, who considered it as a direct breach of the treaty. But they held that they were well within their rights in protecting their late ally from personal danger at the hands of his enemies. Hastings, although he felt bound to ratify the Treaty of Purandhar, disapproved of it.

While affairs were in this uncertain state a dispatch, dated 5 April, 1776, came from the directors in England approving the Treaty of Surat and directing that the territory obtained from Raghunath Rao should be retained. On this the Bombay Government threw the Treaty of Purandhar to the winds and Raghunath Rao was invited to Bombay, where he arrived in November and took up his residence on Malabar Hill. The Peshwa at once objected to the asylum thus given to the ex-Peshwa.

Colonel Upton was recalled to Bengal (1777) and Mostyn was then sent to Poona to superintend the carrying out of the treaty. But nothing resulted, as he was suspected by the ministers, who believed that he was the person responsible for the capture of Salsette, while dissensions between the aged Sakharam Bapu and Nana Phadnavis tended to complicate matters still more.

These negotiations were dragging on when an entirely fresh turn was given to events by the unexpected appearance of a French adventurer, called St Lubin. He landed at Chaul from a French ship and stated that he was an accredited ambassador from the French king Louis. He was in fact, as Mr Farmer reported,¹ "a most perfect adventurer" who had previously lived at Pondichery and had some connection with the Madras authorities. He had contrived to

¹ Forrest. *op. cit.* i, 296.

ingratiate himself with Sartine, the French minister of marine, alleging that he was an intimate friend of the raja at Satara, whose children he had taught to ride. He soon disgusted his colleagues by his arrogance, and the mission came to nothing. Nana affected, at any rate, to credit his story, as he was not prepared to lose such an opportunity of opposing the English, and St Lubin was received with a respect and ceremony never shown to the British resident, being met personally, as he alighted from his elephant, by Sakharam Bapu and Nana. The idea of a French intrigue in India was sufficient to stir up the resentment of every Englishman in the country. At the same time a dispatch dated 7 April was received from the directors regretting the sacrifices made by the Treaty of Purandhar, but stating that it must be adhered to unless any attempts were made by the ministers to evade its conditions, in which case the Bombay Government would be at liberty to form a fresh alliance with Raghunath Rao on the basis of the Treaty of Surat. As the ministers had never carried out the stipulations of the Treaty of Purandhar the Bombay Government at once formed a fresh alliance with Raghunath Rao.

In 1778 Sakharam Bapu, whose quarrel with Nana had reached an acute stage, with Holkar's assistance commenced intriguing to support Raghunath Rao, and enlisted Moroba Phadnavis, a cousin of Nana, on his side. Moroba appealed to the Bombay Council who agreed to assist him, informing Hastings of their action, which met with his approval and that of Mr Barwell, though strongly opposed by the rest of the council, and he agreed to send a force to aid them. The force assembled at Kalpi, Colonel Leslie being put in command with orders to march across India to Bombay.¹ This feat had never before been attempted and was stigmatised by Dundas as one of Hastings' "frantic military exploits", exploits, nevertheless, which fully justified their inception and proved the governor-general's courage and understanding of Indian psychology. Events were becoming insistent, and fully established the truth of Hornby's opinion, expressed in a minute written at the time, that we were fast verging on a period which must compel the English nation either to take some active and decisive part in events or relinquish for ever all hopes of bettering their situation on the west of India.

Moroba Phadnavis soon proved to be a broken reed, while Sakharam Bapu, always a trimmer, declined specifically to announce his support of Raghunath Rao. The Bombay Council were deliberating how to effect a change in the control at Poona when Nana, who had been driven temporarily to take refuge in Purandhar Fort, managed to cajole Moroba into deserting Raghunath Rao, and soon after, with the connivance of Sindhia, seized his cousin and imprisoned him at Ahmadnagar, Holkar, who had been supporting him, being easily bribed, with nine lakhs, to stand aside. Nana was now again in

¹ Forrest, *op. cit.* 1, 327.



power, but he had miscalculated the effect of the change at Poona on the English, who at once called upon him to state whether he was prepared to carry out the Treaty of Purandhar, and dismiss St Lubin, with whom he was still coquetting, and to whom it appears he had made certain promises, though probably with no intention of fulfilling them. Nana was in a dilemma. It was impossible for him to conciliate the ex-Peshwa, towards whom his enmity was too well known, while on the other hand he had no desire to fulfil the conditions of the Treaty of Purandhar and so come to terms with the English.

This evasion was enough for the Bombay authorities and they felt that they might now act under the instructions conveyed to them by the dispatch of 23 March, 1778, from the Supreme Government, which empowered them to take any step necessary to subvert a hostile party in the Maratha state.¹ The Bombay Council thereupon decided that Raghunath Rao should be installed at Poona as regent for the young Peshwa, Madhu Rao Nayaran, since he could no longer claim the Peshwaship.²

Nana, fully cognisant of their intentions, took immediate steps to oppose them. He removed the aged Sakharam Bapu from all voice in affairs and collected troops. Sindhia and Nana held complete control, Holkar, whose leaning towards Raghunath Rao made him suspect, being employed at a distance. Luckily the Bombay Government had a most able agent, Lewis, at Poona who kept them fully informed of Nana's activities.

The Bombay forces were weak, and Draper urged caution, but was outvoted by the rest of the council, though Colonel Leslie's force, on which they relied for support, was still far distant in Bundelkhand. Hastings remarked, when criticising these proceedings, that the passions of the Council were enlisted on Raghunath Rao's side because in supporting him they were carrying out their own personal wishes.

The council placed their forces under the command of Colonel Egerton, an officer whose health was bad, and whose purely European training and entire ignorance of Indian conditions wholly unfitted him for the post. Thus, with a mere handful of troops under an inefficient commander, and most ill-considered preparations for hostilities, the Bombay Council set out to defy the whole strength of the Maratha Empire; that they in fact suffered comparatively lightly was due to good fortune and not to any action of their own.

The campaign started in November, 1778, the force consisting of 3900 men, of whom 592 were Europeans. Owing to jealousies in the Bombay Council a curious and fatal arrangement was adopted, by which the control of the troops in the field was vested in a committee of three, consisting of the commanding officer and two civilians. The

¹ Forrest, *op. cit.* 1, 314.

² *Idem*, p. 334.

movements of the troops were in fact controlled by Colonel Carnac acting as civil commissioner, in spite of Colonel Egerton's protests. He was by profession a soldier, who had distinguished himself in Bengal, but he failed lamentably on this occasion. Governor Hornby afterwards admitted that the powers granted to the committee were far too comprehensive and had escaped his notice when they were issued. Raghunath Rao, in his usual vacillating way, now began to raise various objections and insisted on being granted certain concessions before he would move. The force, encumbered with an enormous baggage-train of 19,000 bullocks, was scarcely able to march two miles a day.

Raghunath Rao at length appreciated that he was being used as a mere pawn in the game. In December, 1778, he sent an envoy to Dom José da Camara, the captain-general at Goa, asking for assistance in troops and munitions and offering in return to cede Bassein and other forts as well as territory in the neighbourhood of Daman. The envoy said that Raghunath Rao had become suspicious of British intentions in regard to his affairs and feared that their real object was to place him in the same position of subjection as that in which they had placed the nawab of Bengal; hence he was most anxious to become an ally of the king of Portugal. The captain-general commended the proposal to his superiors, but nothing came of it.¹

In January, 1779, Colonel Egerton had to resign the command through ill-health and Colonel Cockburn took over the force. Raghunath Rao and his adopted son Amrit Rao now joined the army which proceeded up the ghats. On 9 January the army reached the village of Talegaon, twenty miles north-west of Poona, to find it destroyed and themselves confronted by a large Maratha army. Colonel Carnac was seized with panic and instead of boldly pushing on to Poona, most fatally counselled retreat, his panic being augmented by Raghunath Rao who assured him that until a substantial victory was gained no influential Maratha would join his standard. Colonel Cockburn considered he could reach Poona with the troops, but that he could only do so by abandoning the enormous baggage-train. Raghunath Rao begged them not to retire, but in vain, and on 11 January all the heavy guns were thrown into a tank, the stores were burnt, and the force started on its return journey, as it fondly believed unbeknown to the enemy, some 50,000 strong.

On 12 January, 1779, the force encamped at Wadgaon, twenty-three miles north-west of Poona. The retreat was at once known to the enemy who attacked continuously. On the 13th further retreat was held to be impossible, and Farmer, secretary to the committee, was sent to negotiate terms. As a preliminary Nana demanded the surrender of Raghunath Rao, and this would have been perforce

¹ Letter from the captain-general to Martinho de Mello e Castro of 22 December, 1778 (unpublished).

agreed to, but luckily the ex-Peshwa decided the matter for himself by taking refuge with Sindhia. The action taken by Colonel Carnac was inconsistent, for while Farmer was instructed to point out that no treaty could be made without the sanction of the Supreme Government, Holmes was at the same time deputed with full powers to negotiate with Mahadaji Sindhia. Sindhia was delighted at this mark of distinction as it assisted him to attain the position he had so long coveted, that of acting as an independent arbiter between the two Maratha parties.

Finally terms were settled: that all acquisitions of territory made since 1773 should be restored; that the force advancing from Bengal should be stopped; that Sindhia was to obtain the share of the Broach revenues; and that a sum of 41,000 rupees and two hostages were to be surrendered as security for performance. Such was the disgraceful Convention of Wadgaon, fatal alike to the interests and good name of the Company. The army retired but the order countermanding the advance of the Bengal force was suspended.¹

This ill-starred venture of the Bombay army was at once repudiated by Hastings who felt the disgrace acutely, and wrote: "We have already disavowed the Convention of Wargaum. Would to God we could as easily efface the infamy which our national character has sustained".² He considered, however, that the promise in the treaty made to Sindhia should be carried out, in return for his support. The directors, on receiving the report of the convention, ordered the dismissal of Colonel Carnac, Colonel Egerton and Colonel Cockburn from the Company's service. The scheme deserved, indeed, no better fate in view of the impolitic lines on which it was conceived and the lack of care devoted to its execution. It was in fact born of pique, pique at the control exercised by the Supreme Government, and of the insane desire to show what Bombay could do on their own initiative, combined with a greater consideration for private interests than for the general good of the Company, the limited views of the commercial adventurer obscuring the wider outlook required by statesmanship.

Hornby, however, rose to the occasion. He also disavowed the convention,³ which Carnac had, indeed, no power to make, and at once took steps to recruit and improve his army. He believed, moreover, that Sindhia, who was known to be inimical to the French, would be open to an alliance, and he urged the payment to Mahadaji of the sum of 41,000 rupees settled under the Convention of Wadgaon.

Colonel Leslie, who had been instructed to march with all speed to Bombay, had wasted time embroiling himself with the chiefs in Bundelkhand. When the detachment started, Nana had been asked to grant passports for the march. He objected, on the ground that

¹ Forrest, *op. cit.* I, 333-6; Aitchison, *Treaties*, VI, 39.

² Forrest, *Selections from the State Papers in the Foreign Department*, II, 672.

³ Forrest, *Maratha Series*, I, 385.

as the force was sent to counteract French machinations, its advance was now unnecessary, since St Lubin had gone. But Holkar and Sindhia, who feared that their possessions in Malwa might suffer, agreed to allow the detachment a passage. Nana ultimately also granted permission, but secretly told his officers and the Bundelkhand chiefs to oppose the advance. Hastings, in view of Leslie's incompetence, had decided to replace him by his second-in-command, Colonel Goddard, and letters had been issued to the Bundelkhand chiefs, disavowing Colonel Leslie's acts. At this moment, however, news arrived of Leslie's death on 3 October, 1778. Goddard was a man of very different calibre. He used the utmost tact, and advanced with great rapidity through Bhopal, where Nawab Hayat Muhammad Khan assisted him to the utmost in spite of Maratha threats.¹ On 2 December he reached the Narbada where, in accordance with Hastings's instructions, he awaited a communication from Mudaji Bhonsle, with whom Hastings hoped to form an alliance thus detaching him from the Peshwa's party. But Mudaji declined, and informed Colonel Goddard that he could not negotiate.

The Bombay Council now sent urgent appeals to Colonel Goddard to expedite his march, and although, by Hastings's express orders, Goddard was independent of Bombay control, he considered it was incumbent on him, in the interests of his country, to comply.

He reached Burhanpur on 30 January, 1779, and Surat on 26 February. Thus by his tact and skill did Goddard bring this "frantic military exploit" of Hastings to a successful conclusion, and as Hastings had foreseen, immensely increase the prestige of the British arms throughout India. Writing to Laurence Sullivan² (1779) Hastings says that the precipitate and miserable enterprise of the Bombay Presidency had blasted his political plans, but that Goddard's march had gained no trivial or speculative advantage as it had shown the people of India the difference between the powers of the capital government of the British nation and the feeble efforts of an inferior presidency, and had done far more than military victories to confirm our ascendancy. On reaching Bombay Goddard was given a seat on the council and the position of commander-in-chief.³

Mahadaji Sindhia had not as yet responded, as Hornby had hoped he would, and hence nothing remained but to continue the war, a somewhat alarming situation, in view of the fact that the Bombay Council had no funds for the purpose. Hastings had instructed Goddard, who remained directly under his orders,⁴ to endeavour to make peace with the ministerial party at Poona on the lines of the Purandhar Treaty, adding a clause specifically excluding the French from acquiring any settlements in Maratha territory. He refused, however, to agree to Hornby's proposal to intervene and settle the

¹ *Bhopal State Gazetteer*, p. 16.

² Forrest, *Home Series*, II, 368.

³ Gleig, *Warren Hastings*, II, 272.

⁴ Forrest, *Maratha Series*, I, 386.

quarrel between Govind Rao and Fateh Singh Gaekwad. As regarded Sindhia, Goddard was to wait until he showed a desire to form an alliance before approaching him. At this time, however, Sindhia was secretly instigating hostilities against the Company while simultaneously sending his agents to talk platitudes at Bombay.

Sindhia now saw that nothing was to be gained by supporting Raghunath Rao, whereas his hold over Nana would be strengthened if the ex-Peshwa returned to the English. He used his influence, therefore, to get Nana to grant the ex-Peshwa a jagir in Bundelkhand, and then connived at his escape from custody while proceeding there.¹ Raghunath Rao at once fled to the protection of Goddard, who made him an allowance of 50,000 rupees a month, which Hastings considered excessive. No treaty was, however, arranged for him, and from this moment he drops out of practical politics, the support of one so unpopular with the whole of his compatriots being too obvious a mistake to be continued. The English now became in name, as well as in fact, a principal in the struggle which ensued.

Negotiations continued between Nana and General Goddard without any definite result until, at the end of the rains, Goddard learnt of the formation of a confederacy of the Marathas, the Nizam and Hyder 'Ali, which was to make a series of simultaneous attacks on the English possessions. A final request to Nana for a definite reply elicited a reiteration of the demand for the surrender of Raghunath Rao and the restoration of Salsette, as preliminaries.

Without sending an answer to this demand, General Goddard proceeded to Bombay, where he expedited the dispatch of a force under Colonel Hartley, and obtained sanction to make a treaty with Fateh Singh Gaekwad. At the same time Hastings, in order to create a diversion in the north, entered into a treaty with the rana of Gohad, who had always been a thorn in the side of the Marathas.

On his return to Surat Goddard dismissed the vakils of Nana Phadnavis and opened negotiations with Fateh Singh who, however, gave no definite reply until Goddard, crossing the Tapti on 1 January, 1780,² captured Dhaboi, on which he signed a treaty (26 January) agreeing to assist General Goddard with a force of 3000 horse and cede the revenues of certain districts as soon as he was put in possession of Ahmadabad, the Peshwa's possessions north of the Mahi river being also made over to him.

Goddard at once marched on Ahmadabad, which was carried by assault by Colonel Hartley on 15 February, eighty-one Europeans being killed and wounded including ten officers.³ Sindhia and Holkar now advanced in support of the Peshwa, though how far Sindhia was in earnest seems doubtful, as on reaching Baroda he released Farmer and Captain Stewart, the hostages for the Convention of Wadgaon,

¹ Forrest, *Maratha Series*, 1, 387.

² *Idem*, pp. 392-96.

³ *Idem*, pp. 397-99.

and also sent his agent, who assured General Goddard of his master's friendly feelings towards the English and of Nana's enmity. Goddard made no overtures, merely replying in the same vein, but requiring Sindhia, if he wished to treat, to send definite proposals within three days, thus defeating any intention of the Maratha leader to keep him inactive until the dry season was over. Nothing came of these pourparlers, while Sindhia began to negotiate with Govind Rao Gaekwad, the rival of Fateh Singh.

Goddard, finding negotiation useless, proceeded to attack. He advanced against the Marathas and drove them back with severe loss, but without any material gain as the enemy following their usual tactics, merely encamped at a short distance, in an endeavour to lead the English into a long fruitless pursuit.

In spite of protests from Bombay, where the council were urging the need for capturing Bassein, General Goddard refused to leave Gujarat, as it would have meant abandoning his ally Fateh Singh Gaekwad.

The approaching summer found the fortunes of the English at a somewhat low ebb. Funds were exhausted, in all three presidencies; the Nizam, and Hyder 'Ali, who had swept over the Carnatic up to the gates of Madras, were supporting the Marathas; and fears were entertained of the co-operation of a French fleet on the east coast. But numerous successful engagements of minor importance took place, including the seizure of Kalyan (October, 1780).¹

Amidst all these difficulties Hastings never lost his head. He created a diversion in Central India by dispatching Captain Popham from Bengal to support the rana of Gohad. Captain Popham after capturing the fort of Lahar, fifty miles from Kalpi, advanced to Gwalior which he carried by a brilliant night escalade on 3 August, 1780.² This, an achievement of great merit in itself, was of far greater importance in its political effects. This fort had always been looked upon throughout India as impregnable, and its capture raised the prestige of the English enormously. Warren Hastings writing to Laurence Sullivan on 27 August, 1780,³ thus refers to this episode: "I shall begin by reciting to you an event of the greatest importance . . . an enterprise . . . [of which] in this country the effect is not to be described . . . it is the key of Indostan". But it also had another, and perhaps even more important, result. Sindhia, to whom the fort belonged, was dismayed at its loss and at once hurried northwards, abandoning his colleagues.

To turn for a moment to the other members of the confederacy. Hyder 'Ali had attacked the Carnatic, and Mudaji Bhonsle had sent his son Chimnaji against Cuttack, but as he had no real intention of seriously aiding the cause, he was easily bought off by Hastings.⁴

¹ Forrest, *Maratha Series*, I, 413-15.

² *East Indian Military Calendar*, 1823, II, 93.

³ Gleig, *Warren Hastings*, II, 311.

⁴ Forrest, *Selections from the State Papers in the Foreign Department*, II, 707.

Mudaji had, in fact, himself originally informed Warren Hastings of the confederacy formed between Nana Phadnavis, the Nizam, and Hyder 'Ali, also intimating that the obligation to attack Bengal had been laid upon him, and that he could not refuse to obey. His son Chimnaji was, however, instructed to delay his march as much as possible. This he effectually contrived to do, reaching the Bengal border in May, 1780, instead of in October, 1779, as he might have done. Hastings, well aware of the enmity which existed, the alliance notwithstanding, between the Poona ministers and Hyder 'Ali, asked Mudaji if he would act as mediator between the English and Nana Phadnavis, and even sent him a draft treaty. But these negotiations came to nothing. Hastings then deputed David Anderson to interview Chimnaji and inform him that a force, under Colonel Pearse, was marching from Bengal to Madras,¹ and to ask for his assistance for the detachment. This was granted, and the promise most faithfully kept. Anderson then went to Cuttack where he induced Mudaji to recall his forces on the payment of fifteen lakhs. The Nizam took no active part in the proceedings of the confederacy.

In October General Goddard advanced on Bassein and, starting operations against the fort in November, captured it on 11 December. The fall of Bassein was a very serious blow to Nana, as besides the loss of a stronghold the moral effect of the victory was almost as great as that caused by the capture of Gwalior, owing to the fact that it had been taken from the Portuguese in 1739 and thus represented a victory over Europeans.

Goddard in 1781 received orders to conclude peace if he saw any chance of effecting it. The Madras Presidency, in particular, was anxious for a cessation of hostilities, ascribing the attacks made on them by Hyder 'Ali to the support of Raghunath Rao and the consequent war. Sir Eyre Coote, at this time in Southern India, wrote to Goddard in the strongest terms pointing out that he must impose upon him as a duty he owed to his king, his country and his employers to leave no means untried to effect a peace.² He also wrote in similar strain to the Bengal Council (March, 1781). He says,

I have frequently declared it to you, gentlemen, as my firm opinion that we are altogether unequal to the difficult and dangerous contention in which we are now engaged... and I must once more call upon you... to apply the least dangerous and least expensive means whereof a change may be speedily brought about on a system of policy so ruinous in itself and so destructive to their [the Company's] interests.³

After the capture of Bassein Goddard moved up and forced the Bhor Ghat pass. But he allowed himself to be delayed in negotiations, which Nana began in order to give himself time to bring up more

¹ Forrest, *Selections from the State Papers in the Foreign Department*, II, 749.

² Forrest, *Maratha Series*, I, 445-7.

³ Forrest, *Selections from the State Papers in the Foreign Department*, III, 760.

troops. Holkar and Hari Pant advanced with a large force and when Goddard, seeing that the negotiations were leading to nothing, tried to retire on Kalyan and Bombay, he was attacked fiercely and lost 400 men killed and wounded. This it may be noted was the only reverse Goddard ever suffered.

Sindhia who had hastened northwards on the fall of Gwalior was defeated on 16 February, 1781, at Sipri (now Shivpuri) by Major Camac, who had been sent in June, 1780, to support the rana of Gohad. The effect of the fall of Gwalior and of Bassein, his own defeat and the enhancement of his rival Holkar's reputation by the victory at Bhore Ghat, convinced Sindhia that his real advantage lay in coming to early terms with the English, and he never again took up arms against them. He opened negotiations with Colonel Muir and signed a treaty on 13 October, 1781.¹ By this treaty Sindhia agreed to retire to Ujjain while Colonel Muir recrossed the Jumna. But the really important clause in the agreement was that by which Mahadaji undertook to effect a treaty between the ministers and the English and so stand guarantee for its observance.

Hastings, on receiving this news, deputed David Anderson, in January, 1782, with full powers to conclude a treaty.² His instructions to Anderson are contained in a letter dated 4 November, 1781, from Benares. The points which Anderson was to bear in mind were: to make an alliance with the Peshwa through Sindhia's mediation against all enemies, but in particular against Hyder 'Ali; otherwise simply peace, on the condition that we restored all territory gained during the war, except the city of Ahmadabad and lands granted to Fateh Singh Gaekwad; adequate provision to be made for Raghunath Rao; Bassein to be kept if possible, even if all the lands obtained by the Treaty of Purandhar had to be restored, except Salsette and the islands and revenues of Broach; but if the retention of Bassein hindered the settlement of the peace, it must be given up; nothing was to be done hostile to the raja of Berar; Fateh Singh Gaekwad was to be included in the treaty; the treacherous rana of Gohad was to be left to make his own terms; all other European nations were to be prohibited from founding new settlements; and if possible the Marathas were to be induced to attack Hyder 'Ali.

Hastings, when he learnt of Colonel Muir's negotiations, was at Benares, surrounded by rebels, almost in their hands, yet, wholly undisturbed, he issued these instructions to his envoy. Well might he refer to this transaction with pardonable pride in one of his letters as having "conducted a successful negotiation of peace with Mahdajee Sindia in the most desperate period of my distresses".³ Anderson

¹ Forrest, *Selections from the State Papers in the Foreign Department*, III, 813; Aitchison, *Treaties*, IV, 33.

² Forrest, *Selections from the State Papers in the Foreign Department*, III, 821-2.

³ Gleig, *Warren Hastings*, II, 453.

joined Mahadaji Sindhia, who was acting as our intermediary, and on 17 May the Treaty of Salbai was signed.¹

The Treaty of Salbai contains seventeen clauses, the chief stipulations being: that the whole of the territory conquered since the Treaty of Purandhar (1776) should be restored, together with three lakhs' worth of revenue at Broach; the Gaekwad's possessions to be restored to what they were before the war, in 1775; Raghunath Rao, within three months from the signing of the treaty, to fix on a place of residence, receiving no further help from the English, the Peshwa undertaking to pay him an allowance of 25,000 rupees a month, if he would of his own accord repair to Sindhia; Hyder 'Ali to return all territory recently taken from the English, and the nawab of Arcot; and the Peshwa and the English undertook that their several allies should remain at peace with one another.

Anderson writing about these negotiations (27 February, 1783) remarks on Sindhia's difficulties as intermediary owing to differences among the ministers at Poona, the opposition of his rival Holkar, who was supported by Hari Pant, and the Nizam's intrigues.² The treaty was ratified on 20 December, 1782, but the final adjustments were delayed by Nana till the next year, as he was still striving for the restoration of Salsette and was, in fact, secretly intriguing with Hyder 'Ali in hopes of being able to reject the treaty altogether.

But on 7 December, 1782, Hyder 'Ali had died. In any case his support would have been unlikely, as he was said to be convinced of the futility of opposing these new forces which had entered the arena of Indian politics, and to have left a written message for his son Tipu enjoining him to make peace with the English on any terms, and so avoid ruining himself, advice which Tipu did not follow. Hyder 'Ali's death obliged Nana to ratify the treaty, which he did not do until 20 February, 1783.

The importance of this treaty, which placed the political relations of the English and the Marathas on an entirely new and definite footing, cannot be over-estimated. It formed the turning-point in the history of the English in India. It secured us peace with the Marathas for twenty years, and, without the acquisition of any fresh territory, it established, beyond dispute, the dominance of the British as controlling factor in Indian politics, their subsequent rise in 1818 to the position of the paramount power, being an inevitable result of the position gained by the Treaty of Salbai.

No greater vindication of Hastings's policy can be asked for than this successful termination of seven years of constant struggling, no finer monument be raised to his courage, talents and amazing powers of organisation—for it was he, single-handed, who found money and men, and steered the political course which led to victory.

¹ Gleig, *op. cit.* II, chap. xii; Aitchison, *Treaties*, IV, 41.

² Forrest, *Selections from the State Papers in the Foreign Department*, III, 929.

It forms the turning-point in Mahadaji's career. Mahadaji and Nana were both desirous of forcing Tipu to conform to the Treaty of Salbai in order that he should figure as a tributary, but each of them wished to claim the whole credit for doing so and Sindhia was not prepared to abrogate his newly-established independence of Poona by sharing that credit with Nana. Hitherto, though he had often disregarded orders, Mahadaji had considered himself a vassal of the Peshwa, and had generally acted in conformity with the wishes of his chief. During the next twelve years, however, assured that the English would leave him a free hand, he becomes the most prominent actor on the stage of Indian history, pursuing with quiet tenacity, but without ever forgetting, as his successor did, the limits of his strength, his policy of personal aggrandisement, a policy, moreover, which, to a very large extent, determined the general course of events in India, up to his death in 1794.



CHAPTER XV

THE CARNATIC, 1761-84

IN the Carnatic the course of events was very different from that in Bengal. In both provinces the English had attained military supremacy; but in the south they did not follow this up by the almost immediate assumption of political control. The reasons for the difference seem to be that with the overthrow of the French the Carnatic had become a secondary area not rich enough to provoke direct administration or to bring the interests of the nawab and the Company's servants into direct conflict. The pet vice of the latter in the Carnatic was indeed quite different from that which prevailed in Bengal. In Bengal they had sought to trade untaxed; in the Carnatic they found their easiest advantage to lie in lending money to the nawab. Muhammad 'Ali had from the first found himself in embarrassed circumstances. The war with the French had been carried on at his expense though largely with the Company's funds; so that the fall of Pondichery found him with a debt of 22,25,373 pagodas owing to the Company. In 1766 this had been reduced to 13,65,104 pagodas; but in reality his financial position had grown worse instead of better, for at the later date he owed private creditors a sum exceeding that which he had owed the Company in 1761. These private loans had been borrowed at the high rates of interest prevailing in the country—at first from 30 to 36 per cent.; then 25 per cent.; and then on the intervention of the governor, Palk, to 20 per cent. When questioned, the nawab stated, probably with truth, that he would have had to pay higher rates to Indian lenders. In 1766 the interest was reduced by the Company's orders to 10 per cent. The existence of this large private debt, which so far from being liquidated went on increasing throughout the whole of Muhammad 'Ali's government, branching out into all those divers funds which Burke enumerated with such passionate emphasis, affected the whole of the relations between the English and the Nawab Walajah, as he became after Clive's Treaty of Allahabad. Having the control of so large a portion of the private savings of the settlement, the nawab was able to exercise a most unwholesome influence over the policy of the council, particularly in regard to Tanjore; and was sure of a following even when the Company or the governor was positively opposed to his designs. Not a governor but was corrupted by his bribes or calumniated by his hatred. For a time at least the financial interests thus created dominated Madras in the person of Paul Benfield, who, though probably not quite deserving all the strictures of Burke, undoubtedly subordinated public affairs to the exigencies

of private concerns. The true history of the period will perhaps never be written. The persons principally concerned did not entrust their designs to the publicity of the Company's records; and though a certain number of private papers have come to light, many others have been destroyed or concealed; so that we are often left to guess at what actually happened.

While the French war was still continuing, there was a strong inclination on the part of the council to take over the direct administration of the territory secured by the Company's arms. But the nawab's protests and perhaps more solid arguments induced the council to abandon that idea;¹ nor, even under the pressure of circumstances, did it in fact proceed to that extremity. Probably the financial help which was received from Bengal saved the nawab's independence. At the fall of Pondichery he found his nominal power undiminished. He had granted to the Company the district immediately surrounding Madras, and mortgaged other parts of his dominions, but the English displayed no desire to take any part in the administration of these areas; and even in the Company's jagir the revenue was ultimately leased out to the nawab himself.

In the south the first ostensible exercise of power resulted from Clive's Treaty of Allahabad. Among the other grants which he secured from Shah 'Alam was one exempting Walajah from his traditional dependence on the Deccan and another for the Northern Sarkars, which in the time of French greatness had been granted by the Nizam to Bussy, and which after the expulsion of the French had lapsed into the hands of that prince. By this time the feeble prince, whom Bussy had had such difficulty in maintaining at Hyderabad, had been replaced, and put to death, by his more vigorous brother, Nizam 'Ali. The latter had already made more than one offer of the sarkars to the English on condition of military help; but these had not been accepted, in view of the Company's strong desire to limit its responsibilities; and offers, the origins of which are obscure, to set up Walajah in the Deccan instead of Nizam 'Ali, had also been rejected under English dissuasion.² However, the English now took steps to carry the grant of 1765 into effect. Caillaud was sent up into the sarkars, and succeeded in occupying them practically without resistance. But it was not to be expected that Nizam 'Ali would silently acquiesce in this dismemberment of his dominions. In the end Caillaud was sent to Hyderabad to settle the dispute, and on 12 November, 1766, he concluded a treaty with Nizam 'Ali on the following terms: in return for a grant of the five sarkars the Company agreed "to have a body of troops ready to settle the affairs of His

¹ Madras Mil. Consultations, 1754, p. 145; 1755, pp. 146 sqq.; 29 August and 1 September, 1757.

² Bengal Select Committee to Madras, 27 April, 1768; R. J. Sullivan, *Analysis of the Political History of India*, p. 104.

Highness's government in everything that is right and proper, whenever required", but it retained liberty to withdraw the troops if demanded by the safety of the English settlements, and it was to pay a tribute of nine lakhs a year in each year in which its military assistance was not required. By a final article the Nizam was to assist the English when needed.¹ This agreement was pointed directly at Hyder 'Ali, against whom the Nizam had already entered into an alliance with the Marathas, and with whom now the English were inevitably embroiled. The Company condemned the negotiations as showing great lack of firmness.

Hyder 'Ali, who had very recently established his power in Mysore, was the son of a soldier who had risen to the post of commandant of the fortress of Bangalore. During the Seven Years' War he had coquetted with the idea of assisting the French, but had judged the situation too correctly to involve himself in their failing fortunes. Instead, he had succeeded in placing himself in the position of the chief minister—the *dalavay*—seizing the person of Khande Rao, the last holder of that post, and keeping him imprisoned in an iron cage until he died. The raja was kept a prisoner in his palace, and shown to the people once a year; but altogether ceased to enjoy power or influence. The new ruler of Mysore was an unlettered soldier, but a man of great energy and talent. His main preoccupation was the extension of his dominions. He quickly extended his rule to the Malabar Coast; but when he turned his attention to the north he found his way blocked by the Marathas and the Nizam. Meanwhile his conquests on the Malabar Coast had brought him into contact with the English factories there. At first the Bombay Presidency was in favour of an agreement. It decided to afford Hyder facilities for building fighting vessels in the Marine Yard at Bombay; and hoped that Madras would be able to accommodate the disputes subsisting between Hyder and Walajah. Hyder also hoped for advantages from supplies of arms and gunpowder from the English, and offered his alliance, both parties affording military help to the other in case of need. This was in 1766, just before Caillaud's treaty with the Nizam. But by then Hyder's conquests of the petty Nair chiefs with whom the English were in alliance had on the whole indisposed the Bombay Government to any formal alliance with its restless neighbour, though it was at the same time anxious to avoid hostilities if possible.² In the meantime, as has been seen, the Madras Government had agreed to assist the Nizam against Hyder as the price of the cession of the Northern Sarkars, rather than face the probable alternative of an alliance between Hyder 'Ali and the Nizam against Walajah.

¹ Caillaud's proceedings on this mission are recorded in two volumes (*Military Sundries*, 31-32) in the Madras Record Office.

² Forrest, *Bombay Selections*, II, 123-31.

English hopes rested on the triple alliance of themselves, the Nizam, and the Marathas. But the Marathas, who were first in the field, were quickly bought off by Hyder. The Nizam, accompanied by a detachment under the command of General Joseph Smith, invaded Mysore, and advanced within sight of Bangalore. But the attack was not seriously pressed home; the invaders entered Mysore on 29 April, 1767, but all the time Mahfuz Khan (brother and rival of Walajah) remained in the Nizam's camp as Hyder's agent; many letters passed between the enemies; and a secret understanding was reached, probably while the Nizam was still before Bangalore.¹ Thus the English were abandoned by the allies on whose assistance they had relied, and left by themselves to encounter the full brunt of Hyder's attack. They had indeed managed matters with a great want of skill.

The war which followed (August, 1767, to April, 1769) was one of tactical success and strategic failure in the Carnatic. At Changama and Tiruvannamalai Smith succeeded in driving Hyder off the field of battle; and after the severe lessons which he received on those occasions, Hyder was careful how he ventured within the reach of the English infantry; but these successes led to nothing. The English leaders had not at their disposal sufficient bodies of cavalry to keep the enemy's horse out of the Carnatic. They were further distracted by personal jealousies between Smith, the senior commander, and Colonel Wood, the favourite of the council. And they were harassed by the appointment of "field-deputies" sent by the council to keep watch over their movements. On 23 February, 1768, the Nizam made peace with the English in the same irresponsible manner as he had broken with them; confirming his previous treaty engagements, consenting to a limitation of the forces which the English were obliged to send to him on demand to two battalions and six guns, and ceding to the Company the diwanni of Mysore when that country should have been conquered from the enemy. About the same time the Bombay forces managed to capture the town of Mangalore; but the place was not defended when Hyder appeared to recover it, and the peace with the Nizam made little difference to the course of the war. The Carnatic lay still open to the ravages of the enemy horse, so that the principal sources of English finance were dried up; and, finally, when in the month of March, 1769, Hyder appeared before Madras at the head of a body of cavalry, and when Smith had conspicuously failed to expel the enemy from the nawab's country, the Madras Government resolved to make peace. But it had to do so on Hyder's terms. These were generous enough, but included the burden of a defensive alliance, so that the Madras Council was still far from free of the political difficulties in which it had become involved. In the

¹ Smith's Narrative, *ap.* Orme MSS, Various, 10; and Cosby's Journal (Brit. Mus. Add. MSS, 29898).

following year a further treaty was concluded between Hyder and the Bombay Government, which thereby secured further commercial privileges.¹

The general conduct of the war, incompetent as it had been, was a small evil compared with the purposeless, undecided policy by which it was preceded and followed. At this time the interests of Southern and Western India were closely connected; the Marathas, the Nizam, Hyder 'Ali, and the English at Bombay and Madras, were in close and intimate association from which they could not escape. Moreover, the interests of the three Indian powers were mutually destructive. The one certain thing about the situation was that an alliance between any two of them against the third would be only temporary, and would be dissolved by its own success. In these circumstances the obvious course for the English was to avoid entanglements with any of the parties. But what they did was to ally themselves first with the Nizam, then with Hyder, and then with a party of the Marathas, without any clear idea of the responsibilities to which they were pledging themselves, and without the vigour to carry out the responsibilities which they had undertaken. But we must remember that they had certain excuses for the imbecility of their policy. In the first place their interests were divided between the rival presidencies of Madras and Bombay; and when under the Regulating Act the government of Bengal tried to impose on the subordinate presidencies a common policy, its action was neutralised by the jealousies of the minor governments for each other and for the Supreme Government. In the second place the action of the Madras Presidency was hampered by the conduct of its *protégé* the nawab Walajah. He was jealous of the superior rank of the Nizam; he was jealous of the assumed and (in his eyes) illegitimate rank of Hyder; he was jealous of the influence which the English claimed to exercise in his councils in virtue of the military power which alone preserved his position in the face of an enemy incomparably his superior in vigour and talent. So that while the English had imposed on themselves the impossible duties of assisting both the Nizam and Hyder in their various policies, the nawab was always seeking to impose on them the further duty, hardly more inconsistent with their treaty obligations, of assisting the Marathas. In the third place the local governments were always liable to the interference of the home authorities, sometimes ill-informed, sometimes ill-authorised, but at this time generally incalculable.

In 1770 this was illustrated by the arrival of a small naval squadron in Indian waters, under the command of Sir John Lindsay, who proceeded to take an active, authorised, but illegitimate part in the politics of Madras. His appointment was the result of a series of intrigues in England in which the ministry was on the whole

¹ Dupré to Orme, 10 June, 1769 (Love, *Vestiges*, II, 599); Auber, I, 266.

discreditably concerned. The discussions of 1766-7 had left the ministry decidedly inclined to interfere in the conduct of Indian affairs; and occasions were not wanting to provide it with excuses. In 1768, on the news that the government of Bengal had allowed the French at Chandernagore to mount cannon on their walls contrary to the treaty of Paris, Shelburne had written with some justification:

I cannot conceal from you His Majesty's surprise that so extraordinary a transaction with a foreign power, by which the articles of a treaty of peace have been dispensed with, should have passed in India by the sole authority of the Company's servants and have received your approbation at home, without your having previously attempted to know His Majesty's opinion or receive his commands upon so hazardous a concession....¹

In the following year complaints were received from the ambassador at Constantinople about the conduct of the Company's servants in the Persian Gulf;² and at the same time, the Company gave an opening to the ministry by asking for naval assistance on an alarm of French preparations. At this moment the Company was proposing to send three supervisors to India with extraordinary powers. Grafton, who was now secretary of state, seized the occasion to try to secure some controlling share in the proposed commission; he suggested that the commander of the naval force which the Company had asked for should be joined with the supervisors.³ This proposal was rejected by the Company. About the time that these affairs were in progress there arrived from Madras John Macpherson on a mission from the nawab of Arcot. He had gone out as purser on an East-Indiaman, and had got access to the nawab on the pretext of showing him "some electrical experiments and the phenomenon of the magic lantern".⁴ He appears to have persuaded Grafton that the nawab was a much ill-used person. The result was that, as the Company would not agree to giving Lindsay the powers that the ministry demanded, he was sent with a secret commission, which was not communicated to the Company, empowering him not only to act as plenipotentiary on behalf of the crown with all the princes of India, but also to enquire into the relations between the nawab and the Company's servants on the Coromandel Coast.

"As there is great reason to fear", his secret instructions ran, "that the Nabob of Arcot has been treated in a manner by no means correspondent to the friendly stipulations which His Majesty procured in his favour at the Company's request [in the Treaty of Paris]... it is therefore His Majesty's pleasure that you make the strictest enquiry into their conduct towards the Nabob of Arcot since the last peace in order to judge how far it has coincided with His Majesty's friendly declarations."⁵

¹ Shelburne to the Company, 21 January, 1768 (Lansdowne House MSS, No. 99).
² Michell to Wood, 17 March, 1769 (P.R.O., C.O. 77-21).

³ Wood to the Chairs, 26 July, 1769 (*loc. cit.*).

⁴ Harland to Rochford, 1 September, 1772 (I.O., Home Miscellaneous, 110, p. 495).

⁵ Weymouth to Lindsay, Secret, 13 September, 1769 (P.R.O., T. 49-1).

Lindsay arrived at Bombay early in 1770 and after some preliminary enquiries into the position of the Marathas, sailed for Madras. His secret mission naturally involved him in disputes with the council, which knew nothing of it, and had received no instructions to admit him to a part in its political deliberations. The result was that the commodore was thrown into the nawab's arms and adopted his political views. He advocated an alliance with the Marathas and the abandonment of the treaty with Hyder; and interfered at Bombay to prevent the council there from entering into a treaty promising Hyder the same friendship and support that had been promised by the Treaty of Madras. In the course of the war between Hyder and Madhu Rao in 1770-1 Lindsay did his utmost to bring the Company in on the side of the Marathas; and his successor, Harland, in 1771, actually threatened to enter into negotiations and frame a treaty with Madhu Rao on his own account. When the council objected that that would be a violation of its treaty with Hyder, Harland replied:

Should it be found expedient to enter into an alliance with any Indian power for the preservation of the Carnatick, for the security of the possessions of the East India Company in it, and to give a probability of permanency to the British interests in this country, which may be incompatible with the agreement you made with Hyder Ally, in 1769, it would be so far from a breach of national faith that even as private persons you stand exculpated.¹

The threatened treaty was indeed avoided. But backed by the plenipotentiary on the one side, and the corrupt influences of the private debt on the other, the nawab became irresistible and exacted from the council its agreement to the attack and capture of the little kingdom of Tanjore. Its relations with the nawab were regulated by a treaty of 1762 which Pigot, the governor, and the council of that time had forced upon the nawab. It was alleged that the raja had violated its terms partly by neglect to pay the stipulated tribute, and partly by hostile intrigues with Hyder 'Ali and with Yusuf Khan, the sepoy commandant who had rebelled at Madura and whom it had taken the English long months and considerable efforts to reduce. The first attack took place in 1771; but on that occasion the raja was allowed to remain on terms. But two years later he was again attacked, and this time his kingdom was annexed to the nawab's possessions. About the same time English expeditions were sent to reduce the two great southern poligars of Ramnad and Sivaganga.

These acquisitions caused much stir in England. By some, and by the Burkes in particular, they were attributed to the corrupt intrigues of the Company's servants. A whole pamphlet literature sprang up on the subject, fathered by the Burkes and their friends on the one side, and by the two Macphersons on the other. The truth of the matter, as distinguished from the mere external facts, remains very

¹ Harland to Dupré, etc., 25 December, 1771 (P.R.O., C.O. 77-22).

obscure. It is certain that the presidents, Bouchier and Wynch, were exceedingly averse to these extensions of the nawab's power; and these events were associated with and followed by furious disputes between the nawab and the Madras authorities. Matters became worse when the Company sent orders that Tanjore was to be given back to the raja. George Pigot, who had so distinguished himself in the Seven Years' War and had bought himself an Irish barony, returned as governor for a second term to put these orders into execution. This brought him into violent collision not only with the nawab but also with the creditors, Benfield at their head, who had acquired interests in Tanjore which were injured by the orders for its retrocession. They were supported by a majority of the council and by the commander-in-chief, Sir Robert Fletcher, who had formerly displayed his talent for intrigue in the officers' mutiny in Bengal. Pigot claimed, as did Hastings in like case, to have the power of adjourning the council at his pleasure and of refusing to put motions of which he disapproved. But unlike Hastings, he attempted to establish his claims by moving the suspension of his principal opponents, and thus excluding them from the council. This measure was countered by a conspiracy, in which Benfield and the nawab were much concerned, having for its object the seizure of his person and the overthrow of his government.¹ The conspirators were assisted by the second-in-command, Colonel James Stuart, who condescended to act as their decoy; and Pigot was seized as he drove from the fort to the governor's garden house one evening in August, 1776, and hurried off into military confinement at the Mount. He died in the following year while still in confinement.

This event marked the apogee of the nawab's power. He had not only evaded all attempts to establish the Company's influence in his territories or to control his administration, but he had also brought to condign punishment a governor who had ventured to thwart his will, even though that governor was acting under the explicit orders of the Company. Indeed this series of events at Madras illustrates quite as clearly as the simultaneous events in Bengal how far the ill-judged interference from England had weakened the stability of the English government in India. Nor was the balance to be restored until Pitt's India Act had re-established one effective control over Indian affairs. In the present case although the guilty members of the council were recalled and tried before the Court of King's Bench, their punishment was limited to fines of £1000 each; and although for the moment Benfield was recalled, he was allowed to return to the scene of his intrigues in 1781.

After a short interregnum Sir Thomas Rumbold was appointed governor and sent out to Madras, with Sir Hector Munro, the hero of Baksar, as commander-in-chief. Rumbold, against whom at a later

¹ See Palk MSS, p. 289.



date was exhibited a bill of pains and penalties, was accused of having displayed great corruption in his administration. But the principal evidence of his having done so consists in his having summoned the zamindars of the Northern Sarkars down to Madras in order to make a settlement with them. This was taking that very profitable business out of the hands of the local chiefs, and probably explains why such an outcry was raised against what may well have been a perfectly innocent and even meritorious action.

But Rumbold's political conduct was more open to criticism. He was reluctant to follow the lead of the government of Bengal, and succeeded in provoking the resentment of the Nizam at the very time when the war with the Marathas made good relations with the other powers of India of supreme importance. Under the treaty of 1766 as revised in 1768 the Company held the Northern Sarkars on condition of paying an annual tribute of nine lakhs of rupees. As the sarkar of Gunttoor had been granted for life to Nizam 'Ali's brother, Basalat Jang, a deduction of two lakhs was made on that account; so that in fact the Company only held four out of the five sarkars and owed a tribute of seven lakhs. This was a heavy burden; and Basalat Jang had used his liberty to entertain a body of French troops on whom the English naturally looked with suspicion. In these circumstances war with the French broke out in 1778 and was followed by the immediate reduction of Pondichery by Munro. So far all was well. But Rumbold proceeded to attempt to secure the sarkar of Gunttoor by direct negotiations with Basalat Jang. In this he succeeded; and at once the district was leased to Walajah. To the Nizam, ruffled by such conduct, he then proposed that the Company should discontinue its payment of tribute. His reasoning on this head is difficult to understand. He argued that the Nizam had broken the treaty of 1768 by taking into his service the French troops who had been driven from that of Basalat Jang; that this of itself relieved the Company from any obligations which it had under the treaty; and that the Nizam was likely to recognise this and acquiesce in the abandonment of tribute, if he were civilly asked to do so. To Hastings the proposals seemed big with mischief. He at once intervened, diplomatically representing the Madras proposals as proceeding from the unauthorised action of the Madras envoy; and, when the Madras Government refused to accept his decision, and recalled the Madras servant, Hollond, whom it had sent to Hyderabad, he appointed him to act as Resident with the Nizam on behalf of the Bengal Government. The matter led to a most unedifying dispute between the two governments. Rumbold held that the Supreme Government had exceeded its powers under the act in writing direct to the Nizam and Hollond.

The manner in which they took up our proceedings... and the manner in which they interfered to put a stop to them... too plainly indicate that the design was

not to serve any interest of the Company as to exercise...an act of authority with a view of raising their authority at the expense of ours....¹

Madras dismissed Hollond for having communicated his instructions to Bengal and having obeyed the orders of that government; but in the long run was obliged to yield so far as to restore Guntoor to Basalat Jang, although that was deferred until the opening of the Second Mysore War had robbed this action of all appearance of grace or goodwill. The net result was that the Nizam was seriously indisposed against the English at the very moment when his goodwill would have been more valuable than at any time since the last war with Hyder.

Hyder too was alienated from them at the same time and in part by the same train of events. He had long had his eye on the sarkar of Guntoor and was much offended at the English attempts to gain possession of it. By way of signifying his annoyance he prevented the English troops marching to occupy it from moving through his territories. The war with the French gave him further motives for anger. By reason of his conquests on the Malabar Coast he claimed full sovereignty over the whole area, including the European settlements. The Europeans had never acknowledged this claim; the English in particular had rejected it; and now, in defiance of his warning that he regarded the French factory of Mahé as lying under his protection, the Madras council dispatched an expedition which besieged and captured it. But in all probability what indisposed him much more than either of these circumstances was the fact that he had been wholly unable to induce them to renew that treaty of offensive and defensive alliance which they had concluded in 1769 but never carried out. He had made more than one overture with that end in view, one of them so late as 1778;² but while they were ready enough to make declarations of friendship, which in fact would have committed them to nothing, they had evaded his principal demand. He had therefore made up his mind that nothing was to be gained from their alliance; and turned his attention to the French. The outbreak of the Maratha War gave him a further opening, of which he was not slow to avail himself; and the quarrel between Rumbold and the Nizam freed him from every anxiety for his northern frontiers. These reasons, one presumes, impelled him to decide to attack his life-long enemy Walajah and the latter's English protectors, in the middle of 1780.

His hostility of feeling though not his intention of war was well known at the beginning of the year. In 1779 the missionary Swartz was sent to Hyder to sound his intentions and got nothing from him but threatening messages.³ In January, 1780, George Grey, a Com-

¹ Military dispatch from Madras to the Company, 3 April, 1780.

² Rumbold's minute, *ap.* Madras Mil. Consultations, 4 July, 1778.

³ *Idem*, 23 October, 1779.

pany's servant, was sent with a similar intention; but Hyder refused to accept the presents with which he was charged.¹ In ordinary circumstances this would have been warning sufficient. But unluckily about this time a regiment of king's troops—Macleod's Highlanders—arrived at Madras; and the council easily persuaded itself that Hyder would not dare to attack the English now that they had received this accession of strength. Early in April Rumbold, whose health had been for some time but indifferent, sailed for England, without any real apprehensions of the storm that was overhanging the presidency. After the event his contemporary enemies accused him of having known of Hyder's intentions and fled from the dangers which he had brought about. But in fact he does not seem to have displayed more than that very ordinary degree of blindness which all but men of extraordinary gifts display in the face of the future.² Rumbold's own talents were not such as to make his presence or absence a matter of great concern. But unhappily he left the chair to a man, John Whitehill, who in many ways recalls the character of Foote's *Nabob*, Sir Matthew Mite. To mediocre talent he joined a passionate acquisitive temperament, impatient of opposition, incapable of cool judgment. He was believed to have shared in the corruption which had distinguished the revenue collections in the sarkars, and to have been concerned in the equipment of a French privateer. Unluckily too the commander-in-chief, Munro, was a man whose best days were long past; personally honest, he was also slow-minded, irresolute in an emergency, unable to profit by the ideas of other people. He could see no reason for opposing the governor so long as the latter did not interfere with his military plans. Rumbold's departure left the Select Committee, to which was entrusted the conduct of political affairs, reduced to four members; so that the governor and commander-in-chief, so long as they agreed, had full control of the situation. At an earlier time the disputes between those high personages had almost brought Madras to ruin; but now their agreement went nearer still to produce the same unhappy end. Despite the warnings they received of Hyder's preparations, they were united in a foolish optimism which they did not abandon till they received the news (23 July) that his horse was already ravaging the Carnatic.

Even then they did not realise the seriousness of the position. With that contempt of the enemy, which, as Macleod observed, generally leads to "a damned rap over the knuckles",³ Munro resolved to concentrate his forces at Conjeeveram instead of near Madras, with the result that the active Hyder intercepted and destroyed at Polilur a detachment marching under Colonel Baillie from the northward.

¹ Grey's Journal, I.O., Home Miscellaneous, 250, pp. 1-19.

² Rumbold's minute, *op. Madras Mil. Consultations*, 1 April, 1780, p. 440.

³ Hook, *Life of Baird*, I, 17.

The action passed so close to the main body of the English that they heard the guns firing, and, had Munro moved resolutely towards Baillie, the courage and confidence of his troops might have carried the day even against Hyder's superiority of force. But the campaign had been begun hastily, without due preparation, and without the necessary supplies or transport. That, and Munro's blind confidence in the English success, prevented him from making any decisive movement. On learning what had actually occurred, his confidence gave way to panic, and he retired hurriedly, losing much of his baggage, to Chingleput, and then to Madras.

The material loss had been considerable, but it was unimportant compared with the loss of *moral* which accompanied this disastrous opening of the war. The nawab's garrisons at Arcot and elsewhere surrendered, as they had done in the last war, after but the feeblest of defences, except at Wandiwash, where Lieutenant William Flint, of the Company's service, arrived just in time to take the command out of the hands of the nawab's killadar and inspire the garrison with such confidence in his leadership as secured a long and successful defence. At Madras, meanwhile, Whitehill and the Select Committee could find no prospect of successfully carrying on the war but in obtaining help at the earliest moment from Bengal. The news reached that presidency on 23 September. Hastings rose to the occasion. On 13 October the commander-in-chief, Coote, sailed to assume the command, with nearly 600 Europeans and fifteen lakhs of rupees; a considerable body of sepoys set out overland; and orders were issued for the suspension of the governor, Whitehill, on the ground of disobedience to the orders of the Supreme Government in the matter of Guntoor. The monsoon months were occupied in putting these orders into execution and preparing to take the field, and at last on 17 January, 1781, Coote marched from St Thomas Mount.

The campaign which followed closely resembled that of Joseph Smith in the First Mysore War. Coote lacked cavalry to meet that of the enemy; he lacked transport, partly owing to the lack of preparations before war broke out, partly owing to the systematic ravaging of the country by Hyder; and his movements were further hampered by a great train of artillery, which he probably needed to keep the enemy horse at a respectful distance, and by enormous hordes of camp-followers, whom he would not take adequate measures to reduce. In these circumstances, due partly to the inefficient government which had been in control, partly to the defects of the military system which had grown up, and partly to the vigorous conduct of his adversary, Coote never succeeded in commanding a greater extent of territory than was covered by his guns. He won a considerable tactical victory at Porto Novo (1 July, 1781), where Hyder committed himself more closely to action than he ventured to do again; and at Polilur, the scene of Baillie's destruction (7 August),

and Sholinghur (27 September) he drove the enemy from the field of battle; but although these successes restored the English confidence in themselves and their leader, such a war of attrition would exhaust them sooner than the enemy; and neither in this year nor in 1782 did Coote make the least progress towards driving Hyder out of the nawab's possessions, while the English resources and finances steadily decayed.

Meanwhile a French squadron had appeared in the Indian waters, under the command of a leader of transcendent abilities. Early in 1782 Suffren, who had succeeded to the command of the French squadron by the death of d'Orves, announced his arrival by the capture of grain vessels bound for Madras from the northward. At this time the English men-of-war were under the command of Sir Edward Hughes, a stout fighter, but without the spark of genius. In the previous year he had actively co-operated in the capture of Negapatam from the Dutch, and had then sailed to Ceylon, where he had taken Trinkomali. He had under his command nine ships of the line, of which six had been in the East for some time, with the result that their bottoms were foul and their crews depleted. Against them Suffren could place twelve ships in the line. In the course of 1782 four actions took place between the two squadrons—17 February, 11 April, 5 July, and 3 September. From the first the English began to get rather the worst of it, in consequence of the superior numbers and superior tactical skill of the French leader. Twice he succeeded in bringing the greater part of his squadron to bear on a small part of ours, but on the whole the English held their own by a stubborn resistance against superior concentrations. In February the French landed some 2000 men under the command of Du Chemin; but luckily he proved not nearly so competent a leader as Suffren, and his junction with Hyder led to no change in the military situation. On 31 August Trinkomali surrendered to Suffren, Hughes having failed to refit himself in time to relieve it.

On the whole the campaign against Hyder in the Carnatic seems to have been conceived on false lines. The easiest way to drive him out was not to accept battle in the nawab's territory but to carry the war into the enemy's dominions, which lay exposed to attack from the sea all along the Malabar Coast. Then he would have been obliged to decide whether to ravage his own country or to allow the enemy to make war in it at ease. In either case he would early have become disgusted with a war carried on to his own evident detriment. This was self-evident, and, as soon as Bombay had been relieved by the progress of Hastings's negotiations from the pressure of the Maratha War, the Supreme Government urged upon that presidency the necessity of taking measures for an expedition against Hyder's western provinces.¹ The Madras Government had constantly urged

¹ Bengal to Madras, 16 May, *ap.* Madras Mil. Consultations, 5 June, 1782, p. 1710.

the same point, much to Coote's indignation, who thought that the principal forces should be concentrated in the Carnatic under his own command.¹ However, a body of reinforcements from Europe had been landed at Calicut, and the royal officer in command, Colonel Humberstone, had assumed command of the Bombay troops there and moved inland, a threat which had compelled Hyder to send his son Tipu with a part of his army to repulse the invaders. Humberstone had been too weak to do more than make a demonstration and had had to fall back before Tipu's advance; but in the beginning of 1783 the Bombay Government equipped an expedition, under the command of one of its own officers, Brigadier Mathews, to attack Mangalore and the province of Bednur. His success was unexpectedly rapid. Mangalore was carried, the passage up the ghats was forced with ease; and the capital of the province surrendered almost at once. But this success was due rather to the weakness of the enemy than to the skill of the English. The Mysorean commander, Aiyaz Khan, was disaffected to Tipu, who had then just succeeded his father, and surrendered the capital of the province, Bednur, on condition of retaining the management of the country under the new masters. But these swift successes were quickly followed by complete overthrow. Mathews scattered his scanty forces in detachments all over the country, and neglected to concentrate them or secure his communications with the coast on the news of Tipu's approach. Then, too, the army had been distracted by quarrels over the Bednur prize-money, and disputes between the king's and the Company's officers. So that when Tipu appeared, as he speedily did, having for that purpose withdrawn most of his troops from the Carnatic, he was able to re-establish his power as quickly as he had lost it. Mathews and all his men fell into the enemy's hands; and small garrisons in the sea-ports of Mangalore and Honawar alone remained to keep up the struggle.

In the autumn of 1782 Coote had returned to Calcutta, leaving the command with Stuart, the officer who had played so dubious a part in the Pigot business of 1776. Like Munro he had lost all the talent he had ever had; and he had, moreover, lost a leg at the second battle of Polilur, so that he was not only unenterprising but also immobile. During the monsoon of 1782 he failed to get the army ready to take the field again; so that when Hyder died early in December, he was unable to take advantage of the three weeks that elapsed between Hyder's death and Tipu's arrival from the Malabar Coast where he had been opposing Humberstone. He did not actually take the field until the short successes of Mathews had summoned Tipu with the bulk of his army to the other side of India. This was the first piece of good fortune that had befallen the English since the beginning of the war. It was lucky that Stuart did not have

¹ Coote to Madras, 21 June, *ap. Madras Mil. Consultations of same date, 1782, p. 1893.*

to encounter Hyder in the field; it was supremely lucky that he did not have to encounter Hyder reinforced with the large body of French troops under Bussy who arrived on the coast in the month of April, only to find that their expected allies were elsewhere. In these circumstances Bussy established himself at Cuddalore. In May Stuart reluctantly marched south to oppose him. After a march of extraordinary languor he arrived before Cuddalore on 8 June. On the 13th followed a stubborn action in which the English secured only a very incomplete success. Stuart's movement had been covered by Hughes's squadron; but on the 20th in action against Suffren the latter was so severely handled that he had to abandon his position and put back to Madras to refit. On the 25th Bussy attacked Stuart's position. The French were repulsed; but Hughes's retreat had placed the English army in a most dangerous situation. Stuart at this crisis wrote that he could not answer for the consequences if Hughes had really gone to Madras.¹ But luck still was on the side of the English. On the 23rd Benfield received news by a special messenger that the French and English had signed the preliminaries of peace. The news was communicated at once to Bussy who agreed to a suspension of arms, and the English army was saved.

The Madras army was thus set free to renew the struggle with Tipu; it had been already decided to try a complete change of operations and commanders; Colonel Fullarton, though far from being the next senior officer to Stuart, was selected to attack the southern possessions of Mysore. A beginning had already been made earlier in the year by the capture of Dindigul. On 1 June, Fullarton captured Dharapuram, and was preparing for a further advance when he received orders to suspend operations until the issue of peace proposals to Tipu should be known.

Ever since 1781, when Lord Macartney arrived as governor of Madras, in succession to a series of Company's servants who had clearly fallen short of the demands of their position, the Madras Council had eagerly desired the conclusion of peace. In September, 1781, Macartney, in conjunction with Coote, Hughes and John Macpherson, who was passing through Madras on his way to take his seat in the council of the governor-general, took it on themselves to address the Maratha ministry at Poona, assuring it of the sincerity of the English proposals for an accommodation.² This measure Hastings had naturally and bitterly resented. Later on the Madras authorities had repeatedly asked the Bengal Government for powers to negotiate a peace with Hyder; a request which Hastings had evaded, preferring to entrust the negotiations to Coote. Coote's discussions,

¹ Stuart to Madras, 28 June, *ap.* Madras Mil. Consultations, 4 July, 1783, p. 2903.

² Letter of 11 September, 1781, *ap.* Madras Mil. Consultations, 30 January, 1782, p. 243. Cf. Macartney to the Chairs, 31 July, 1781 (I.O., Home Miscellaneous, 246, p. 16) and Macartney, Coote and Macpherson to Hastings, 11 September, 1781 (Brit. Mus. Add. MSS, 22454, f. 25).

however, had come to nothing; so also did informal overtures which were made to Tipu by Macartney, without sanction from Bengal, early in 1783. But the preliminaries concluded in Europe contained stipulations (Article xvi) to the effect that all allies should be invited to accede to the present pacification. On the strength of this, Macartney reopened conversations with Tipu, thinking it likely that the loss of his French allies, following on the peace which Hastings had made with the Marathas, would permit of effective negotiations; and on applying to Bengal, he received a guarded permission, not to enter into a separate treaty with Tipu, but to negotiate for a cessation of hostilities and a release of prisoners. In other words, Hastings relied on the provisions of the Treaty of Salbai to secure a settlement. Macartney, however, was bent on making peace, being confident that that would serve the interests of the Company better than waiting indefinitely for Sindhia to take action against Tipu. He dispatched commissioners to confer with Tipu, who was still lying before Mangalore. The commandant of the English garrison, Colonel Campbell, had accepted very disadvantageous terms for a suspension of hostilities. He had agreed for instance to receive no supplies of victuals by sea—the only way by which he could possibly receive supplies.¹ Each occasion on which the Company's vessels revictualled him occasioned therefore sharp disputes; and Tipu seems to have considered himself warranted by his acquiescence in continuing work on his entrenchments, which was also a contravention of the suspension of arms. At last on 29 January, 1784, Campbell preferred giving up the place to continuing longer to hold it, being driven to this by the rapidity with which the garrison was falling sick. The situation before Mangalore had produced more than one report that hostilities had broken out again. As a result, in December, 1783, Brigadier Macleod had seized Kannanur, belonging not indeed to Tipu but to one of his allies; while Fullarton also had renewed his attack on the southern possessions of Tipu, capturing Palghaut and Coimbatore before his movements could be countermanded by the deputies on their way to Mangalore.

The latter reached that place shortly after it had surrendered and immediately opened negotiations. On 7 March terms were agreed to which completely ignored the Treaty of Salbai. However, they were not unreasonable. Both parties were to give up their conquests; all prisoners were to be released; certain specified allies were included. In short, much the same terms were obtained from Tipu as Hastings had managed to get from the Marathas. But men's minds were irritable with defeat and the treaty became the object of a host of legends. Tipu was said to have treated the deputies with unparalleled indignity, erecting a gallows by their encampment, and keeping them in such a state of panic that they contemplated flight to the English

¹ Articles dated 2 August, *ap.* Madras Mil. Consultations, 27 September, 1783, p. 4232.



ships lying off the town. There is reason to think that these stories had their origin in the excitable imagination of Brigadier Macleod. They seem to have passed to Calcutta by way of Bombay, along with extraordinary versions of the ill-treatment accorded to the prisoners by Tipu. The facts seem to have been that the commissioners of their own accord pitched their tents near a gallows which had been set up before the surrender of Mangalore for the execution of one of Tipu's officers who had entered into communication with the English garrison; and that, while the prisoners were not well treated, there are no grounds for believing that any of them were deliberately murdered. In one respect Tipu certainly violated the treaty. He did not release all the prisoners in his hands. This was made a very serious charge against Macartney. But we must remember that in 1792, after a successful war, Cornwallis did not succeed in getting Tipu to release all the prisoners whom he had taken; and it is clearly unfair to condemn Macartney for failing to do what Cornwallis himself after a successful war could not effect. The probability is that in each case the persons detained were those who had submitted to circumcision and accepted Tipu's service; and who, though kept under a guard, were considered by Tipu as on a different footing from those who had consistently rejected his offers and defied his threats. These matters, along with the fact that the treaty was distinct from, and independent of, the treaty of Salbai induced Hastings to condemn it with extraordinary asperity, and to move Macartney's suspension for having disobeyed the orders of the Supreme Government. But he can hardly have judged the matter with an unbiassed mind. The episode of the treaty came at the end of a long series of disputes between the Bengal and Madras Governments in which Hastings displayed something less than the serene and balanced judgment of which at one time he had given such striking evidence.

At the close of 1780 Lord Macartney had been appointed governor of Madras at the moment when Hastings's friends, with Laurence Sullivan at their head, had contracted a short-lived alliance with the ministry under North. Macartney was therefore pledged to the support of Hastings, and indeed came out with the full intention of so doing. But on his arrival he found himself unable to adopt the measures which Hastings had recommended to the southern presidency. Hastings had urged an alliance with the Dutch, in order to obtain from them a force of European infantry in return for the cession of the district of Tinnevely by the nawab. But Macartney had brought out with him orders to seize the Dutch factories, since the United Provinces had just joined the French and the Americans in the war against Great Britain. In the second place Hastings had advised the cession of the sarkars to the Nizam on condition of substantial assistance from him against Hyder. Macartney had no specific orders from the Company on this head; but none the less he

stoutly refused to dismember the Company's possessions; he urged that such a cession would not produce effects commensurate with the cost, and in that he was very likely right. A third cause of difference between the two was fortuitous. Hastings, on Macartney's arrival, had written to him advising that the raja of Tanjore should be required, and if necessary compelled, to contribute his share to the cost of the war. Macartney was in agreement with this view; and forwarded an extract from Hastings' letter to the chairman and deputy chairman of the Company in support of his own arguments. Unfortunately the letter arrived in England when Sullivan and Hastings's friends had lost control of the directorate; and led to severe and unmerited reproaches directed against Hastings by the new chairs. Hastings accused Macartney of having betrayed him to his enemies; and does not seem to have been convinced by Macartney's temperate and candid explanation.¹ Gleig, it may be noted, was mistaken in supposing that no answer was returned to Hastings's letter of accusation. Besides these occasions of difference in which Macartney was in the right there was that unfortunate letter to the Marathas, which has already been mentioned, in which he was decidedly in the wrong. The result was a strong tendency in each to suspect and question the opinions of the other.

At the same time Macartney was involved in disputes with Coote and with the nawab. In sending Coote to Madras the Bengal Government had invested him with separate and independent powers, as the Madras Government had done with Clive, in not dissimilar circumstances in 1756. Coote interpreted them in the widest possible sense, neglecting to attend the meetings of the Select Committee and declining to explain his plans for the conduct of the war, while he harassed the committee with ceaseless complaints regarding the shortness of transport and supplies. Both sides complained to Bengal; and Bengal preferred to support Coote, without seriously considering the Madras assertions that the financial management of the army, as distinguished from the military conduct of the war, was wasteful and extravagant. Underlying these disputes were intrigues in which Paul Benfield took a considerable part, exasperating Coote's irritable mind against the unfortunate governor.

From the first the resources of Madras had been wholly unequal to the maintenance of the war. Bengal had contributed largely, sending no less than 265 lakhs of rupees, in specie, bills, and supplies, in the course of the four years that the war continued. But the government had frequently and loudly declared that it was incumbent on the Madras Government to do everything in its power to increase its own resources, particularly the contributions from the nawab's revenues. But that spring had completely dried up. Twenty years of financial

¹ Macartney to Hastings, 10 May, 1783 (Brit. Mus. Add. MSS, 22455, f. 47 verso).

mismanagement had exhausted the nawab's treasury, never very full. In the crisis which resulted from Hyder's invasion, he had sought to evade payment rather than to provide with funds the only power that would protect him. To the demands of the Madras authorities he had returned blank refusals. Foreseeing that this course could not be continued indefinitely, he had sent a mission to Calcutta where terms were settled between him and the Supreme Government, which proceeded to dispatch to Madras a special agent, chosen with singular lack of tact from among the Madras covenanted servants, to watch over the performance of the treaty. This was in 1781, before Macartney had arrived. In so doing Hastings and his council had clearly overstepped the limits of their statutory powers; but they had not doubted their power of coercing the Madras Government into obedience. It was as discredited as had been that of Drake in 1756. But Macartney's arrival had changed the situation altogether. He soon made this clear. He and the Select Committee declared that they could not acquiesce in the appointment of an agent to perform the functions with which they were specially charged by the Company. But though they refused to recognise the agent whom Hastings had appointed, they did adopt the Bengal treaty as the basis of a new agreement which Macartney proceeded to negotiate with the nawab. On 2 December, 1781, the latter executed an assignment of his revenues to Macartney in person for a fixed term of five years, reserving to his own use one-fifth of what amounts should be collected. This agreement was formally approved by the Bengal Government. But it soon was evident that it was no more genuine than had been all the previous promises of the durbar. The revenues which were collected were not paid in to the Company, but secretly transmitted to the nawab. When it was proposed to appoint inspectors to watch over the revenue officials, the nawab refused to grant them the necessary powers; when it was proposed to lease out the country to renters, the nawab refused to sign the documents appointing them. In these circumstances Macartney resolved no longer to give way, but to exercise himself the power of appointing the renters. In this conduct he was confirmed by a letter from Bengal, written indeed without knowledge of the crisis that had arisen at Madras, but strongly and pointedly urging the absolute necessity of making the assignment a reality in order that all the resources of the country might be made available for the conduct of the war. In this course Macartney persevered with considerable success. The Committee of Assigned Revenue, which he appointed to manage the business, introduced great reforms into the nawab's disordered administration. The gross revenue levied from the cultivators was reduced from 14.4 to 13.8 lakhs of pagodas in the six districts which remained under effective control, while at the same time by the abolition of a host of needless charges the net revenue was increased from six to twelve lakhs, and



the total collections of assigned revenue amounted between the end of 1781 and September, 1784, to over thirty-three lakhs of pagodas, or over one hundred lakhs of rupees, not a fanam of which would have been secured for the Company's use but for Macartney's insistence on making the assignment a reality instead of a mere bit of window-dressing.

The nawab, however, was untiring in his endeavours to secure the abolition of the grant which he had made but had not intended to make effectual. First he offered to Coote the management of the revenues which he had already granted to Macartney; and then he sent another mission to Bengal to induce the government to cancel a measure of which it had repeatedly and formally approved. At first the mission met with no success. But in the autumn of 1782, just about the time of the return of Coote, Hastings changed his attitude. The reasons remain obscure, but were almost certainly connected with the necessity under which he thought he lay of preserving the support of Benfield's friends in London. At the moment he, Macpherson, and Coote were united on the need of annulling the assignment. But when the matter came up for final decision in the early part of 1783, though it was resolved that the assignment should be annulled, yet, when Hastings proposed to give Coote provisional powers to suspend Macartney in case he failed to obey the orders of Bengal, he failed altogether to carry the council with him. He and Coote alone voted for the proposal; so that when Coote at last did return to Madras, he lacked the orders to coerce Madras into obedience to most unpalatable resolutions. That government, however, being privately informed of Hastings's intentions, had resolved no longer to recognise the special powers which Coote had formerly enjoyed, nor to render up the assignment until the orders of the court of directors should be received. Coote died immediately on landing at Madras, otherwise a fierce struggle must have resulted from the decisions of the Bengal and Madras Governments respectively. As it was the matter did not pass beyond the stage of controversy, the Madras Government obstinately refusing to obey the orders of Bengal until in 1785 the matter was settled by orders from the Company requiring the assignment immediately to be cancelled. On this Macartney at once resigned and went home rather than carry out a policy which he was convinced, and rightly, could lead to nothing except misgovernment.¹

These disputes with the Bengal Government did not exhaust the difficulties which Macartney had to encounter. His controversy with the commander-in-chief continued after Coote's departure to Bengal and even after Coote's death. The military talents of Stuart, Coote's successor, were too slender in any way to warrant the continuance of

¹ Dodwell, "Hastings and the Assignment of the Carnatic", *English Historical Review*, XL, 375-96.

the special powers which the commander-in-chief had been exercising; and the Select Committee assumed the control of military affairs. Stuart, however, paid it but an unwilling obedience and in some points departed from its actual instructions. As soon as news of peace with France was received, he was therefore summoned to hand over the command of the army and return to Madras. There the dispute developed with vigour and threatened to merge itself with the dispute over the assignment. There appeared that same ominous conjunction, the nawab, Benfield and Stuart, which had produced the arrest of Pigot just seven years before. Macartney arrested Stuart, and sent him off to England, while Benfield was ordered down to a small station at a considerable distance from the presidency, where he could do no harm. It is impossible to say with certainty to what extent Macartney was justified in his belief of impending violence. But there were many suspicious circumstances, and he cannot be blamed for keeping on the safe side. Unluckily the matter involved him in further disputes with the military authorities. Coote had been commander-in-chief of the king's troops in India as well as of the Company's and had been succeeded in this dual office by Stuart. When the latter was dismissed in 1783 no difficulty arose over the command of the Company's forces, but the command of the king's was a very different question. The officer next in succession was Sir John Burgoyne, who honestly, and, in the circumstances, justly, doubted Macartney's power of removing the commander of the king's troops. The two men failed to reach any agreement on the point; and the outcome was that Macartney and the Select Committee nominated Colonel Ross Lang, of the Company's service, to the command-in-chief, with the rank of lieutenant-general, which placed him in command of all the king's general officers on the coast. This was a measure of very doubtful prudence. But for the sober conduct of Burgoyne, it might have led to open disorder. At first all the general officers withdrew from the army, directing their subordinates to obey the orders issued by Lang. The object of this was to permit the commands of government to be obeyed without giving up the principles of the service which were regarded as sacrosanct. But Macartney instead of accepting this compromise in the spirit in which it was offered was bent on triumph at any price. Burgoyne was placed in arrest; the other general officers were struck off staff allowances until they submitted. In the early part of his struggles with the military he had on the whole been in the right; but in the concluding part of his contest, with the king's general officers, he showed much want of tact; and owed his success to the public spirit of his adversaries rather than to his own wisdom. Finally the matter was regulated by a decision from home that in future king's officers holding commands under the East India Company should receive letters of service authorising them to exercise their rank only so long as they continued

in the Company's service, so that dismissal from the latter automatically ended their authority in India.

It must be remembered that Macartney was placed in a position of extraordinary difficulty owing to the lack of definition of powers as between the Bengal and Madras Governments, and between the civil government and the military commanders. The first was due to the neglects of those who drew the Regulating Act; the second in part to the anomalous position of the king's officers in India, in part to the decision of Hastings in the crisis of 1780 to free Coote from dependence on the civil government at Madras. Only a man of very extraordinary gifts could have overcome such difficulties with complete success.

CHAPTER XVI

CHAIT SINGH, THE BEGAMS OF OUDH AND FAIZULLA KHAN

THE Company's exchequer had been seriously drained by the Maratha War, and the outbreak of hostilities with France in 1778 warned Hastings that he must consider new methods of raising money.

He had recourse to the rather harsh and discreditable policy which brought upon him the impeachment and which, when every possible excuse has been made for it, remains the one serious stain on his administration. Was there no other alternative? Would it not have been possible to raise a loan as would have been done in modern times? The answer is that Hastings was very unwilling to contract another bonded debt, for he had received much credit with the directors for having paid off that which he found existing when he came to India. He decided that he was justified in demanding from Chait Singh, the raja of Benares, a special sum of over £50,000 in addition to his regular tribute, or rent, of £225,000. The council agreed, and were therefore equally responsible with Hastings for the exaction. Francis, it is true, was inclined to demur and suggested—a suggestion which was not accepted—that Chait Singh should be assured at the same time that the demand was entirely exceptional, but in the end he acquiesced in Hastings's policy. The same demand was made in the two following years. Chait Singh naturally, following the invariable practice in the East, protested against these exactions, but after slight delay he paid the money.

The British methods of enforcing payment were certainly harsh. In 1779 Chait Singh asked that the payment should be limited to that year, and his "contumacy" was punished by an order to pay the whole in one sum instead of in instalments. When again he asked for an indulgence of six or seven months, he was told that if he failed to meet the original demand he would be treated as though he had refused altogether. He urged that his agreement with the Company should have exempted him from all contributions beyond the normal tribute. Troops were then ordered to march into his territory, and an extra charge of £2000 was made against him for their expenses.

In 1780, on the same day that he paid the last instalment of the third £50,000, an entirely new demand was made upon him that he should provide the Company with 2000 cavalry, although when the Company took over the sovereignty of Benares in 1775, he had been merely recommended to maintain a body of that number of horse, and was told that there would be "no obligation on him to do it".¹

¹ Reports from Committee of the House of Commons, v, 489.

Chait Singh replied that he was unable to spare so large a number. The demand was then reduced to 1000. He mustered 500 horse and 500 infantry and sent a message to Hastings that these troops were ready for his service. Chait Singh declared that he never received an answer to this message, a statement which is almost certainly accurate, for Hastings in his *Narrative of the Insurrection* practically admits it: "I do not know but it may be true. He had received positive orders, and those had been repeated. It was his duty to obey them, not to waste my time with letters of excuse".¹

Hastings now made up his mind to inflict upon Chait Singh the immense fine of half a million sterling: "I was resolved to draw from his guilt the means of relief to the Company's distress. . . . In a word I had determined to make him pay largely for his pardon, or to exact a severe vengeance for his past delinquency".² Hastings was by this time entirely his own master, for Wheler was the only councillor left at Calcutta. An arrangement was made by which Hastings himself was to go to Benares and settle the question as he deemed best, while Wheler was to remain on duty in Bengal. The governor-general went northward in July. Chait Singh met him at Baksar and abjectly humbling himself, asked for pardon. Hastings refused to give him any answer till his arrival at Benares. There he again refused to grant him a personal interview and merely transmitted his demand in writing. He received a letter from the raja, which to an impartial judge would seem to err, if at all, in the direction of servility, but which Hastings described as "Not only unsatisfactory in substance but offensive in style".³

Though Hastings had taken with him only a weak escort, he ordered Chait Singh to be put under arrest. The raja humbly submitted but the troops, infuriated by the indignity placed upon their ruler in his own capital, suddenly rose and massacred a company of British sepoy with their officers. Chait Singh, fearing for the consequences, escaped in the turmoil and joined his rebellious army. Hastings was in the most imminent danger and had to fly for safety to Chunar. There he showed his customary coolness and presence of mind, rallied all available forces to his aid and drove back his enemy. Chait Singh, maintaining his innocence of the massacre, was hunted over the Ganges and fled to Gwalior. His dominions were sequestered and were conferred upon a nephew, the tribute at the same time being raised from £225,000 to £400,000. The council at Calcutta, now consisting of Wheler and Macpherson, were obviously embarrassed in their attempts to defend and ratify these proceedings of their chief. They felt bound to ask themselves certain questions, first, "Where were the Governor-General's particular instructions for such extra-

¹ Warren Hastings, *A Narrative of the Insurrection which happened in the Zamindary of Benares*, p. 27.

² *Idem*, p. 9.

³ *Idem*, p. 19.

ordinary demands upon Chait Singh?" To this they replied that "he was fully authorised by the general tenor of his instructions" and that in not requiring more particular injunctions "there was a delicacy in the mode he preferred and it imposed a greater responsibility." Their second question was, "Why was Chait Singh put in arrest when he offered to make every concession?" to which they replied that nothing but arrest could have convinced Chait Singh of Hastings's determination. Their third question was "Whether there was not a compact between him and the Company which specified that he was only to pay them a certain annual tribute?" They agreed that this "involves much argument", but they accept Hastings's own version of the sanad or original agreement with Chait Singh given in his *Narrative*. They admit that his actions "certainly precipitated the storm from the cloud in which it had gathered", and that these acts "judges at a distance, judges unoppressed with the actual embarrassments of this government, may with great speciousness of argument condemn".¹ Their attitude suggests a certain uneasiness, together with an obvious desire to defend the governor-general. We must deal here very shortly with certain technical and legal points which were discussed at immense length in the impeachment. The first is whether Chait Singh was an independent raja or a mere zamindar. The fact was that though he undoubtedly had a zamindari status, he had a very real measure of independence and quite an exceptional position. Hastings had committed himself in the past to the view that he was far more than a zamindar, but this question clearly does not affect the main point at issue, which is whether Chait Singh, whatever his exact degree of dependency upon the British, was treated with fairness and mercy. In any case, as Grey pointed out in the impeachment, Hastings's defenders were impaling themselves upon the horns of a dilemma, if they maintained that Chait Singh was a mere zamindar and at the same time that the demand made upon him was justifiable. In that case the exaction ought to have taken the form of a general universal tax levied on all the zamindars under the Company's rule; but it was directed only against Chait Singh. Hastings had admitted that "there was no other person in the situation of Chait Singh",² which was really fatal to the "mere zamindar" theory. The second question is whether the Company had not bound itself to levy no contribution upon him beyond his normal tribute or rent of £225,000. It would take too long to discuss this question in all its detail, but there is no doubt of the technical point that such a promise had been definitely given in 1775. A later grant, it is true, of 1776, contained the words that "all former sanads had become null and void", and it was upon this fact that Hastings tried to base a technical defence; but it is clear that Chait Singh had

¹ Forrest, *Selections from the State Papers in the Foreign Department*, III, 830-2.

² Bond, *Speeches in the Trial of Warren Hastings*, I, 328.

objected, as he had every right to do, to the insertion of these words, and that the grant was altered accordingly. Hastings also claimed that:

it [is] a right inherent in every government to impose such assessments as it judges expedient for the common service and protection of all its subjects; and we are not precluded from it by any agreement subsisting between the Raja and this government.¹

These Asiatic views naturally exposed Hastings to the attacks of Burke.

A third question whether Chait Singh was in rebellion against the Company hardly deserves examination. It is perfectly certain that, until his troops broke out in detestation of the treatment to which their ruler was subjected, the idea of rebellion had never dawned upon the raja. The truth is that Hastings in his desperate need for supplies allowed himself to depart from his usually generous and kindly attitude towards Indian powers. Whatever the legal rights and wrongs of the matter, no sane person can deny that Hastings's treatment of the unfortunate raja was merciless and vindictive. This can be illustrated by one incident which occurred in the year 1780. In that year after the demand for a third sum of £50,000 had been made, Chait Singh sending a confidential agent to Calcutta offered Hastings a present of about £20,000. Hastings at first refused it, which was of course the only proper course to take, for the sum was meant as a bribe to save Chait Singh from the larger amount of £50,000. If it was right to levy the latter sum, it was unquestionably most improper to receive the former. But Hastings after a few days, being in serious need of money to equip an expedition against Sindhia, accepted the money. We need not here consider the unconstitutional nature of his act in taking such sums without the knowledge of his council, the difficulties in which he involved himself by representing the money as a gift from his private estate or the unfortunate view of money transactions which the whole affair implies; but it is difficult to understand how any man of ordinary feeling and consideration for his fellow-creatures could accept the proffered gift of £20,000 and then immediately exact the larger sum of £50,000, confront his suppliant with a further demand for troops, and, on the ground that the demand was not met, proceed to levy a fine of £500,000. There seems no doubt, as Sir Alfred Lyall points out and as Hastings' own language shows, that the governor-general had never quite forgiven Chait Singh for having in the crisis of 1777 sent an emissary to make favour with Clavering.

Quite apart from the morality of the transaction, Hastings lies open to criticism in regard to the policy of it. He has been justified, after all other defences have been surrendered, on the ground that the

¹ *Reports from Committees of the House of Commons*, v, 463.

political situation was so serious as to justify any means of obtaining money. The answer to this is that he obtained none, and, what is more, placed his own valuable life in the utmost peril. By his imprudent action in arresting Chait Singh he was responsible for the uprising of the people of Benares; the raja escaped with part of his wealth—the amount he took with him was in all probability grossly exaggerated—and the rest of it amounting to twenty-three lakhs of rupees was seized by the troops at Bijaigarh who promptly proceeded to divide it up amongst themselves. This was largely due to an indiscreet letter of Hastings himself which encouraged the army to claim the prize money. The immediate result therefore on the financial side was that the Company incurred the expense of the military operations that ensued. For the moment they got nothing, and it was an immediate subvention that was required. Hastings afterwards boasted, "I lost the zemindari with the rent of 22 lakhs; I recovered it with a revenue of 40".¹ But this only applied of course to the future, and as a matter of fact for a long time the augmented revenue (partly owing to the simultaneous occurrence of a famine) could not be raised. Two successive ministers of finance were dismissed because they failed to produce it. All the evidence shows that it was a very long time before Benares recovered from the heavy exactions made upon it. Hastings, with a curious detachment which often prevented him from seeing, or at any rate from acknowledging the consequences of his own actions, himself bears witness to the desolation of the country without apparently the least apprehension that he was in any way responsible for it. In June, 1784, he wrote that he would avoid Benares on his way back to Calcutta, "for I underwent the persecution of mobs of complainants from Buxar to Joosee in my way thither, and there is now a little mob parading even at my gate".² In 1788 Lord Cornwallis sent Jonathan Duncan as a commissioner to report on the condition of Benares. His report dealt one by one with the districts of the province and is a most serious indictment of the treatment meted out to Benares. In one district it is said that a third of the land is uncultivated. In another for about twelve or fourteen miles, "the whole appeared one continual waste as far as the eye could reach". In a third in a stretch of about twelve miles "not above twenty fields of cultivated ground are to be seen: all the rest being as far as the eye can reach, . . . one general waste of long grass". The report adds significantly that this falling off in cultivation is said to have happened in the course of a few years, that is, since the late raja's expulsion.³

Hastings having failed, as we have seen, to obtain any money from Chait Singh had to seek for another source of supply. The nawab of Oudh, Asaf-ud-daula, owed the Company at this time, for arrears of

¹ Gleig, *op. cit.* II, 421.

² *Idem*, III, 185.

³ *Minutes of the Evidence in the Trial of Warren Hastings*, pp. 261-2.

subsidy, about fifteen lakhs of rupees, and he professed that he had no means of discharging the debt. His mother and grandmother, the begams or princesses of Oudh, had inherited from the late nawab large jagirs or landed estates and a treasure amounting it is said to about £2,000,000. The nawab had long desired to get control of this wealth and claimed that it was unjustly withheld from him. The will had never been produced and it was claimed that by the Muhammadan law the begams had no right to inherit so large a proportion of the late ruler's property. In any case, it was said, this property was really part of the wealth of the sovereign of the country and the first claim upon it ought to have been the late nawab's debt to the Company. All this was no doubt largely true, but in 1775 the widow of Shuja-ud-daula, on the urgent representation of the British Resident, agreed to pay her son £300,000 in addition to £250,000 already given to him, on condition that he and the Company guaranteed that no further demand should ever be made upon her. The guarantee was given. In 1781 Asaf-ud-daula, urged on thereto by the Resident, as is clear from the private correspondence between Hastings and Middleton, asked that he might be allowed to resume the estates and seize the treasure of the begams. Hastings in sore need of money agreed to the proposal and withdrew the Company's protection from the begams. At this point the nawab, who had probably never desired to seize the treasure, and was afraid, as the Resident said, of the "uncommonly violent temper of his female relations", began to hang back, and had henceforward to be steadily driven on by the British authorities to avail himself of the opportunity thus given him. In December, 1781, Hastings wrote to Middleton, "You must not allow any negotiations or forbearance, but must prosecute both services until the begams are at the entire mercy of the nawab".¹ In January, 1782, he writes to say that he had hoped the nawab would have immediately entered upon the measures agreed upon, but "after having long waited, with much impatience, for this effect, I was apprised... that the nawab, from what cause I know not, had shown a great reluctance to enter on this business". He tells the council that if the Resident cannot carry out the instructions, "I would myself proceed to Lucknow, and afford the nawab any personal assistance for carrying them into execution... I dread the imbecility and irresolution, which too much prevail in the nawab's councils". Hastings refers to "the pressing letters which I have written to the nawab, the strong injunctions which I have repeated to the Resident".² Middleton replied that "the temporising and indecisive conduct of the nawab seem to promise an issue very different from that expected in your commands".³ Hastings, however, was not to be deterred from his object by the unwillingness of

¹ Forrest, *Selections from the State Papers in the Foreign Department*, III, 950.

² Report from Committees of the House of Commons, VI, 537.

³ *Idem*, p. 538.

the nawab or the shrinking from strong measures of his representative, and in February we find him writing to Scott that he had been compelled to rouse Middleton's activity "by letters written in a style of the greatest severity".¹

Middleton, not having satisfied Hastings as sufficiently energetic in applying coercion, was superseded as Resident by Bristow, and Bristow wrote in June:

The begam complains that having no pension or jagir she now subsists, her family and herself, with the greatest difficulty....Previous to my arrival her eunuchs were kept for many months in confinement, and led out to corporal punishment....These measures failed, and you have before you the opinions given by Major Gilpin...that all that force could do has been done.²

The above quotations are perhaps sufficient to meet the theory that Hastings was not responsible for what his agents were doing at Faizabad and that the latter were merely carrying out the wishes of the nawab. As a matter of fact the nawab was a reluctant party throughout, and Hastings asks that a very severe rebuke should be given to his minister for having assumed "a very unbecoming tone of refusal, reproach and resentment in opposition to measures recommended by me and even to acts done by my authority".³ As to the actual treatment inflicted on the begam's two ministers, they were imprisoned from January to December, 1782, and they were for a time deprived of food and put in irons. It seems doubtful whether flogging was actually inflicted.

Finally in December, 1782, they paid over large sums of money and were released. The British officer who had charge of them wrote: "I wish you had been present at the enlargement of the prisoners. The quivering lips, the tears of joy stealing down the poor men's cheeks was a scene truly affecting".⁴

The justification put forward by Hastings for tearing up the Company's guarantee was that the begams had supported the rising of Chait Singh and were in rebellion against the British Government. The answer to this appears to be that, even if it were entirely true, the proper course would have been to confront the begams with the charge, produce the evidence and demand proofs of innocence, not to cancel the treaty and cast them to the tender mercies of the nawab, or rather to those of the British Resident.

The evidence for the alleged rebellion is conflicting. It depends upon the affidavits taken by Sir Elijah Impey, in his injudicious attempt to support the governor-general, the statements of Colonel Hannay and his officers, and those of Wheler and others. The affidavits are worthless. Sir James Stephen points out that only ten

¹ Gleig, *op. cit.* II, 449.

² Forrest, *Selections from the State Papers in the Foreign Department*, III, 969.

³ *Idem*, p. 982.

⁴ Bond, *Speeches in the Trial of Warren Hastings*, I, 707.

of them mention the begams and then only on hearsay, and if they are to be accepted at all, most of them equally inculcate the nawab himself—an awkward fact which was ignored by Hastings and the council. The evidence of Colonel Hannay can only be accepted with many reservations; he was in the service of the nawab and acquired a large fortune by questionable means. The country was no doubt in a state of disturbance and Hannay and his colleagues would be interested, as Mill suggests, in finding for these disturbances some cause other than their own malversations. The third piece of evidence, and the strongest, is the statement of Wheler, an honest man, that he believed the begams were really stirring up a rebellion. Against the theory of the defection of the begams, is, first of all, the extreme improbability of their taking any part in any serious movement against the British Government. Even those who afterwards adopted the charge, wrote and spoke during the events as though such a thing were impossible. For instance, in a letter from Middleton to Hastings on 18 January, 1782, the phrase occurs, "The reliance which notwithstanding the part I have avowed and acted with respect to her she probably placed in the support and mediation of our Government".¹ Further, in all the correspondence that passed between Hastings and Wheler at the time, there is no mention at all of any rebellion. The only question is how soon the money could be exacted from the begam and her ministers. In the private correspondence too between Middleton, Impey and Hastings there is nothing to lead one to suppose that the money was being levied as a fine for an insurrection. It seems probable that the charge of rebellion was *ex post facto*, made when it was found necessary to present a justification for the whole business. It was easy enough to do this, because under the wretched government of the nawab there was always an endemic insurrection going on in Oudh, the unfortunate rajas who owned him as their suzerain being frequently in revolt against his oppressions. In any case we must be fair enough to admit that the treatment meted out to Chait Singh, whatever its justification, was sufficient to make any Indian power adopt measures for its own protection. The truth is that, making every possible allowance for Hastings's financial difficulty, and granting for purposes of argument that the begams were quite willing to stir up every kind of trouble for him, we must yet agree that it was a sordid, shabby and sorry business. Before we leave the subject a curious episode must be mentioned. We have seen that Hastings in 1780 took a present of £20,000 from Chait Singh while engaged in pressing him for money. In almost exactly the same way in 1781, he was offered and accepted £100,000 from the nawab of Oudh. He employed it in the Company's service and then after a considerable delay and some amazing manipulation of the accounts, he reported the matter to the directors and made the

¹ *Minutes of the Evidence*, p. 820.

astonishing request that they should present it to himself as a token of their approval. We need not concern ourselves here with the decency or taste of his suggestion to the directors—the suggestion we must remember of a man whose official salary with allowances was about £30,000—but the transaction throws a vivid light on Hastings's laxity of view on all monetary transactions. The money was undoubtedly offered by the nawab as a bribe to Hastings to release him from the disagreeable task of coercing the begams. Hastings accepts it but continues his policy nevertheless, an exact parallel to his conduct in the Chait Singh case. The whole proceeding was kept secret from the council, a most unconstitutional act. If the money had been taken at all, it ought to have been accepted as a mere instalment of the debt due to the Company. In truth there is no defence at all for the acceptance of these sums. Modern historians sometimes write as though the practice was defensible, if it can be proved that Hastings spent the money in the public service. But the Regulating Act had forbidden presents absolutely, for the sake of Indian princes. The whole theory underlying them was highly objectionable. Either the giver obtained some special favour from the government, which means corruption, or he did not, which implies deception. The Select Committee of 1781 said with justice that the generosity of the donors "is found in proportion, not to the opulence they possess or to the favours they receive, but to the indigence they feel, and the insults they are exposed to",¹ and Burke for once was surely fully justified when he described presents from Indian rulers as "the donations of misery to power, the gifts of wretchedness to the oppressors".² Hastings we must admit seems to have had a blind spot in his mind as regards money matters.

A third case of Hastings's financial operations with an Indian ruler must be mentioned as it throws considerable light on the other two. We have explained how at the end of the Rohilla War the only chieftain of that race left in possession of territory was Faizulla Khan of Rampur. A peace had been made between him and the nawab of Oudh. By it he was to retain not more than 5000 troops and if the nawab was at war he was to "send two or three thousand men according to his ability".³ Faizulla Khan proved himself an able and vigorous ruler, as Hastings some years later freely admitted. Under him the country prospered and the people were contented. In February, 1778, there were some rumours that he was maintaining an unnecessarily large army. Middleton, Resident in Oudh, said that he might well have acted in this way owing to the injustice and oppression of the nawab, but the commissioner who was sent down to Rampur to investigate reported that Faizulla Khan had "preserved

¹ *Reports from Committees of the House of Commons*, vi, 585.

² Bond, *Speeches in the Trial of Warren Hastings*, i, 70.

³ *Reports from Committees of the House of Commons*, vi, 22.

every article of his treaty inviolate".¹ Faizulla Khan was, as a matter of fact, one of the very small band of Indian rulers like Ranjit Singh, who formed a great admiration for the British nation and recognised once and for all the advantage of trusting them. It is rather a lamentable reflection that he was very nearly entangled and ruined in the policy of Hastings. He asked that the treaty which Champion had made between him and the nawab might now receive the Company's own ratification, on the ground that it was "the only power in which he had confidence, and which he could look up to for protection".² The council agreed to his proposal and a special treaty was presented to him. Soon afterwards Faizulla Khan, whose treaty only bound him to assist the nawab, on a hint from Middleton offered to lend the Company 2000 horse. He was formally thanked for this mark of his faithful attachment to the Company and the English nation.

In November, 1780, Hastings obliged the nawab of Oudh to write to Faizulla Khan requiring him to furnish "the quota of troops stipulated by treaty...being 5000 horse".³ It is charitable to assume that in the original demand Hastings had simply made a mistake about the terms of his treaty. But this excuse could not be made for his subsequent action, for Faizulla Khan replied civilly and moderately pointing out that he was only bound to furnish 2000 or 3000 troops, not necessarily horse, "according to his ability", and offering to discharge his liabilities to the full by sending 2000 horse and 1000 foot. It has been well pointed out that if he had been able to provide 5000 horse he might have been charged with breaking the other article in the treaty which prevented him from maintaining more than that number as his total army. Hastings recorded a minute that Faizulla Khan had "evaded the performance of...the treaty"⁴ which was of course a direct falsehood. He then in March, 1781, slightly mitigating his demand, sent a deputation requiring the delivery of 3000 cavalry. As Faizulla Khan firmly but politely maintained his former position, Hastings made a formal protest against him for breaking the treaty and gave the nawab of Oudh permission to resume his lands. That Hastings knew perfectly well that the treaty had not been broken is proved by the amazing minute which he laid before the council at Calcutta:

The conduct of Faizulla Khan, in refusing the aid demanded, though not an absolute breach of treaty was evasive and uncandid...so scrupulous an attention to literal expression, when a more liberal interpretation would have been highly useful and acceptable to us, strongly marks his unfriendly disposition, though it may not impeach his fidelity.⁵

Even at this distance of time the thought that a British administrator could have written such words arouses a flush of shame and it may

¹ *Reports from Committees of the House of Commons*, vi, 24.

² *Idem*, p. 27.

⁴ *Idem*, p. 29.

³ *Idem*, p. 24.

⁵ *Idem*, p. 31.

safely be surmised that such a justification for charging a ruler with disaffection has never been offered before or since. Faizulla Khan escaped ruin partly because Hastings, it is to be hoped with a sense of compunction, postponed for a time the execution of the decree against him, and partly because before it was put into force the directors of the Company much to their honour sent a stern dispatch condemning the whole business and forbidding Hastings to go any further in the matter.

Hastings's final activities in India were devoted to an attempt at reconstruction in Benares and Oudh. Bristow had not succeeded in recovering the Company's balances from that incorrigibly insolvent debtor, the nawab of Oudh, and his own financial transactions seem to have been open to serious criticism. The nawab himself desired, or more probably had been ordered by Hastings to ask for, the recall of the Resident, and the abolition of the residency. Hastings may have been right in demanding a complete change of system in Oudh, but it must be confessed that his action in the matter was curiously tortuous, and no quite adequate explanation of his conduct has ever been offered. He had himself given Bristow the strictest orders to obtain a complete control over the government of Oudh. Soon afterwards he proposed to the council that Bristow should be recalled for having attempted to tyrannise over the nawab, and that the nawab himself, and his minister, Haidar Beg Khan, whom he had in the past severely criticised, should jointly be security for the Company's debts. The council at first defended Bristow on the ground that he had only been endeavouring to carry out his instructions, and that Haidar Beg Khan had consistently opposed all reforms. Finally, however, with great reluctance they accepted Hastings's proposal and agreed that he should proceed to Lucknow to carry out the change. Hastings arrived at the nawab's capital on 27 March, 1784, and attacked his new task with characteristic courage and buoyancy. "It is my ambition", he wrote, "to close my government with the redemption of a great government, family, and nation from ruin. . . it is the boldest enterprise of my public life, but I confidently hazard the consequences."¹ It is generally said that he was very successful, but there is not much evidence of it; he merely won a respite for the time by a heavy mortgage on the future. He conciliated the nawab by his dominating personality, by removing the residency, and by restoring the jagirs to the begams—an act of restitution which had been ordered by the court of directors. He also claimed to have "adjusted all the disputed accounts between the Nabob Vizier and the Company".² The position in Oudh was no doubt easier for the moment, but as soon as Hastings had departed, the hollowness of his reforms was revealed. It then appeared that, if the residency was removed, there had been established in its place an "agency of the governor-general", which

¹ Gleig, *op. cit.* III, 153.

² *Idem*, p. 184.

interfered quite as drastically in the affairs of Oudh, and was a still greater burden on its revenues. Whereas the expense of Bristow's residency had been £64,202 *per annum*, the cost of the new agency was over £112,000, of which £22,000 was the salary of the agent. As soon as Cornwallis came out, the nawab approached him with exactly the same complaint that he had addressed to Hastings, that the burden upon his country was insupportable. As for the alleged reform of the finances, Cornwallis writes: "I cannot express how much I was concerned . . . to be witness of the disordered state of his finances and government, and of the desolated appearance of the country. The evils were too alarming to admit of palliation".¹

In regard to Benares, Hastings laid before the council a scheme for securing the revenues, for removing incapable and oppressive officials, and for safeguarding the tenancy rights of the ryots; but even his unremitting defender Gleig admits, that in the regeneration of Benares he was not so immediately successful as in the case of Oudh.² No real reformation was possible, so long as the British Resident was allowed to amass, exclusive of his official salary, an income of £40,000 a year, and Cornwallis could only describe the whole position there as "a scene of the grossest corruption and mismanagement".³

While he was at Lucknow, Hastings had an interview with the eldest son of the Moghul emperor, who, a fugitive from the warring factions in Delhi, implored the aid of the British to re-establish his father's throne. It was thoroughly typical of Hastings—typical both of the defiant hardihood, which formed so strong an element in his character, and of the wilful blindness to obstacles lying athwart his path—that he was willing to engage upon this enterprise. Any other man in the face of an imminent retirement, would have been glad enough to disentangle himself from old responsibilities, let alone incur new ones. But Hastings urged upon the council as a reason for taking up the prince's cause "our relaxation from every other external concern"; and had the political effrontery to maintain: "I am not sure, but I believe, that we shall be applauded at home, if we take the generous side of the question".⁴ The council very wisely would have none of it, and Hastings, though he felt that their action went some way to save his own interests and peace of mind, could not resist the temptation of flinging a gibe at them for their want of courage and for their propensity to turn from the setting to the rising sun.

¹ Ross, *Correspondence of . . . Marquis Cornwallis*, I, 300.

² Gleig, *op. cit.* III, 194.

³ Ross, *op. cit.* I, 253.

⁴ Gleig, *op. cit.* III, 191.

CHAPTER XVII

THE IMPEACHMENT OF WARREN HASTINGS

HASTINGS left India in February, 1785, and arrived in England in June, unconscious of the tremendous attack on his life and work that was being prepared by the vindictive enmity and foiled ambition of Francis and the more honourable but misguided zeal of Burke. He was at first well received, especially at court, for George III was one of his firmest supporters. But in January, 1786, Scott, Hastings's agent, challenged Burke to produce his charges. Scott has been severely blamed for this, and contemporary observers, like Wraxall and Fanny Burney, declared that the prosecution was really due to him. Scott was undoubtedly an impetuous and injudicious man, yet, as Professor Holland Rose points out, he would scarcely have acted without Hastings's consent; and since the vote of censure of 28 May, 1782, still remained on the records of the House, the question would have had some day to be raised and settled. Burke moved for papers on 17 February, 1786, and in April brought forward his charges; at first eleven in number, they were afterwards increased to twenty-two. On 1, 2 and 3 May Hastings was granted permission to read a defence at the bar of the House. The actual reading was done partly by himself, partly by Markham, son of the archbishop of York. The step was a serious error in judgment; it would have been better for Hastings to have reserved his defence. The *apologia* was too long and wearied his hearers. It was badly put together and was not always consistent, for parts of it had been drawn up by different hands: by Scott, Shore, Middleton, Markham and Gilpin. It was combative and defiant in tone, for Hastings not only defended himself against censure, he claimed positive merit for all his actions. There was a certain moral splendour in such a demeanour, but in the present temper of the House it was not diplomatic. As one member said: "I see in it a perfect character drawn by the culprit himself, and that character is his own. Conscious triumph in the ability and success of all his measures pervades every sentence". On 1 June parliament refused to accept an impeachment on the charge of the Rohilla War by 119 votes to 79, Dundas and Pitt voting with the majority. On the 13th, the House accepted the charge on the Chait Singh case, and on this occasion Pitt and Dundas voted against Hastings. From that day to this an extraordinary amount of ingenuity has been exercised in the attempt to find some motive, recondite or unworthy, for this action. It has been suggested that Pitt was jealous of Hastings and his favour with the king; that he was over-persuaded by Dundas, who feared that Hastings might succeed

him at the Board of Control; that Pitt was not sorry to see the energies of a powerful and able opposition directed to a quarry other than His Majesty's Government. The first of these reasons seems only worthy of the author, Gleig, from whence it sprang. That Hastings, whose career rightly or wrongly had been subject to so much controversy, should ever become President of the Board of Control was entirely impossible. The third suggestion loses sight of the fact that though the trial lasted over seven years, the court only sat in full session 118 days out of that time, and there is not the least reason to suppose that the energy of the opposition in the ordinary work of parliament was in any way diminished.

All this subtlety is beside the mark, and overlooks the fact that there is a very simple and adequate explanation. It must be remembered that, till a full and elaborate defence was put forward at the trial, the evidence in the Chait Singh case looked extremely damaging. There is no reason to suppose that Pitt acted otherwise than as an honest man, that he weighed the evidence carefully, defended Hastings when he could conscientiously do so, as in the matter of the Rohilla War, and reluctantly voted against him where the evidence appeared to be *prima facie* strong. Above all, it often seems to be forgotten that he was only voting for a trial not for a condemnation. Apart from the inherent probabilities of the business, there is plenty of evidence to support this view. We have first the letter of Dundas to Cornwallis, 21 March, 1787:

The proceeding is not pleasant to many of our friends; and of course from that and many other circumstances, not pleasant to us; but the truth is, when we examined the various articles of charges against him, with his defences, they were so strong, and the defences so perfectly unsupported, it was impossible not to concur.¹

There is, secondly, a still more important piece of evidence that has we think generally escaped notice, namely a letter of George III to Pitt which is, it may be said, equally creditable to king and minister. George III was always a thorough-going believer in Hastings, and Pitt naturally desired wherever he could to meet the king's wishes. After the adverse vote on the Chait Singh charge, George III wrote:

Mr. Pitt would have conducted himself yesterday very unlike what my mind ever expects of him if, as he thinks Mr. Hastings' conduct towards the Rajah was too severe, he had not taken the part he did, though it made him coincide with the adverse party. As for myself, I own I do not think it possible in that country to carry on business with the same moderation that is suitable to a European civilised nation.²

It may be added that Wilberforce entirely believed in Pitt's integrity; he tells us that Pitt paid as much impartial attention to the case "as if he were a juryman". It is important to remember that there was

¹ Ross, *Correspondence of... Marquis Cornwallis*, I, 281.

² Stanhope, *Life of William Pitt*, I, 480.

no attempt to constrain men's opinions by the application of party discipline. The colleagues of the prime minister were left free to vote as they chose, and Grenville, Lord Mulgrave and the attorney-general opposed their chief in debate. There is a final argument which will only appeal to a limited class but will appeal with irresistible strength—we should have to alter our whole conception of the serene, pure and lofty mind of Pitt, if we believed that on such a question he were capable of being swayed by mere motives of the lowest political expediency.

On 7 February, 1787, the charge relating to the begams of Oudh was introduced by Sheridan in a speech, which was said to have eclipsed all previous displays of eloquence ever heard in the House of Commons, and the debate was adjourned that members might not vote till their minds were freed from the spell of the orator. On 8 February, the charge was accepted by 175 votes to 68, and finally in May the decision was made to impeach on twenty-two articles. These articles attempted to cover the whole of Hastings's administration. He was charged with having violated treaties made with the nawab of Oudh, with having interfered in that ruler's internal affairs, with having unrighteously sold to him Kora and Allahabad, with oppression and cruelty in the case of Chait Singh and the begams of Oudh, with an arbitrary settlement of the land revenues of Bengal, with fraudulent dealings in contracts and commissions and the acceptance of presents and bribes. The managers for the Commons were Burke, Fox, Sheridan, Pelham, Windham, Sir Gilbert Elliot, Charles Grey, Sir James Erskine and twelve others. The House most properly refused to allow Francis to be one of them. Hastings's counsel were Law (afterwards Lord Ellenborough), Plumer (afterwards Master of the Rolls), and Dallas (afterwards Chief Justice of the Common Pleas).

The impeachment was a calamitous mistake and before it had gone very far it developed into something like a cruel wrong. It was not unreasonable that some enquiry should be held; indeed, after the vote of censure of May, 1782, it was perhaps essential. The fair course would have been to hear Hastings's case and then parliament might have expressed a temperate disapproval of some of the methods he had employed in the case of Chait Singh and the begams of Oudh, and might well have commented severely upon the laxity of his ideas of account-keeping. Having ensured that these unhappy features of his period of office should not be allowed to become precedents for British policy in the East, they should have recognised the immense difficulties that confronted Hastings and acknowledged his magnificent services to his country. A grant of some high honour from the crown would naturally have followed, and the energies of the reformers might have been devoted, with Hastings's aid and co-operation, to amending the whole system of the Indian government.

The impeachment of Hastings was an anachronism, a cumbrous method of inflicting most unmerited suffering on one of the greatest Englishmen of his time, something very like a travesty of justice.

For this there were several reasons. The trial was intolerably lengthy. It lasted from February, 1788, to April, 1795, through seven sessions of parliament and 148 sittings of the court. The *personnel* of the judges was constantly changing—during the seven years there were 180 changes in the peerage. There was a great inequality between the defence and the attack. Hastings's counsel consisted of trained lawyers—all of them afterwards rose to high judicial office—men who used, and rightly used, all the technical devices of the law to protect their client. His accusers were parliamentary orators and debaters, masters of invective and controversy, but men unused to weigh testimony, to substantiate their charges in the cold and dry atmosphere of a court of law or to be guided by the rules of evidence. Lord Thurlow, Hastings's friend, and Lord Loughborough, who was on the whole hostile, agreed in reprobating the "looseness and inaccuracy" with which the articles were drawn up. They formed indeed an absurd hotchpot of charges, some involving, had they been proved, heinous guilt, others mere errors of policy or pardonable miscalculations. Over the whole trial there lies the false and histrionic glitter of an elaborate and self-conscious display. Sheridan's speeches were dramatic entertainments for connoisseurs of oratorical invective. The Whig party made the occasion a manifesto for their humanitarian sentiments and an exercise in vituperation. Burke, whose motives were the most reputable, for he was entirely sincere, was the worst sinner of all, in his utter surrender to a violent animosity against the accused and his refusal to accord to him even those rights and facilities which it would have been unrighteous to deny to the worst of criminals. Through constant disputes as to the admissibility of evidence and through the lack of technical juridical skill on the part of the prosecution the trial lasted just over seven years. Gradually it was found necessary to drop most of the charges. In 1791 it was resolved to proceed only with those dealing with Chait Singh, the begams of Oudh, fraudulent contracts, presents and bribes; the verdict was finally given on 23 April, 1795. Hastings was acquitted on all the articles on which a verdict was recorded. The highest minorities against him were on the charges relating to Chait Singh and the begams of Oudh, where the voting was 23 to 6.

The Lords reviewed the evidence with the greatest care. Though the trial had opened before 160 peers, only 29 recorded their votes. This was due to the fact that, by an informal understanding honourably observed, only those Lords actually voted who had either attended the trial from its commencement, or had been present during a majority of the days when the court was sitting. Lord Carnarvon had suggested that the House should itself determine

what lords had, and what lords had not, a right to vote".¹ But in the end it was resolved to accept the opinion of Lord Thurlow "that every lord must draw the line for himself; his own conscience and his own sense of honour must determine how many days' attendance entitled him to vote".² In the discussion Lord Thurlow and the bishop of Rochester were strong supporters of Hastings. Loughborough, the lord chancellor, was on the whole against him; Lord Mansfield, though a former friend, felt himself bound to censure some of his acts. It is clear that even Hastings's warmest allies were hard put to it to defend some parts of his financial administration and in the last resort could only do so on the plea that his difficulties were great and that "he was a man uncommonly regardless of money". It seems fairly certain that some votes were given for an acquittal, not because the judges condoned every act of the accused, but because they held that the long torture of the trial was a more than adequate punishment for some errors of judgment, financial irregularities and even acts of unjust severity committed in circumstances of supreme crisis and peril. For long it had been clear that this was the only possible issue. The curious thing is that Burke to the last refused to see it. He seemed determined to reach the acme of unreason and folly:

The crimes with which we charge the prisoner at the bar are substantial crimes. . . . They are crimes which have their rise in the wicked dispositions of men. . . . in avarice, rapacity, pride, cruelty, ferocity, malignity of temper, haughtiness, insolence; in short, my Lords, in everything that manifests a heart blackened to the very blackest—a heart dyed deep in blackness—a heart corrupted, vitiated and gangrened to the very core.³

It is not surprising that men revolted from such a monstrous position.

The defence, on the other hand, did their best to build a golden bridge for the retreat of the managers, and perhaps showed, by the reasonableness of their attitude in this respect, that they recognised that there was a case to meet and to defend.

"The Commons", they said, "have well exercised their honour by preferring a charge and bringing it here to be discussed, to know whether it is true or not; and it is no dishonour or disgrace to the House of Commons to say, ultimately, that upon that inquiry, it turns out that the charge is not well founded. . . . Their object is not the individual, but the crime. If the crime does not exist, they have no resentment against Mr. Hastings. . . . the House of Commons and every individual member of it has no other wish but that the charge should be fairly sifted and examined, to see whether their suspicions are well or ill founded; and. . . every member of the House of Commons will rejoice if it should turn out, in the event, that Mr. Hastings is able to exonerate himself from these imputations that have been cast upon him and upon the nation."⁴

But the sentiments thus described had no place in the heart of the leading manager. Burke would have none of it:

"No", he cried in answer to Plumer, "we never would, nor can we conceive that we should, do other than pass from this bar with indignation, with rage and

¹ *Debates of the House of Lords on the Evidence* . . . , p. 11.

³ Bond, *Speeches in the Trial of Warren Hastings*, I, 6-7.

² *Idem*, p. 13.

⁴ *Idem*, II, 692-3.

despair, if the House of Commons should, upon such a defence as has here been made against such a charge as they have produced—if they should be foiled, baffled and defeated in it. No, my Lords, we never should forget it. A long, lasting, deep, bitter memory of it would sink into our minds; for we have not come here to you in the rash heat of a day, with that fervour which sometimes prevails in popular assemblies and frequently misleads them. No; if we have been guilty of error, it is a long deliberate error; an error the fruit of long labourious inquiry... We are not come here to compromise matters at all. We do admit that our fame, our honours, nay, the very being of the inquisitorial power of the House of Commons are gone, if this man is not guilty. We are not come here to solve a problem, but to call for justice... I, for myself and for others, make this deliberate determination, I nuncupate this solemn and serious vow—that we do glow with an immortal hatred against all this corruption.”¹

It is not surprising that when a motion of thanks was made to the managers of the impeachment, one member declared that he would be willing to agree, if the leading manager were excepted, “who had by his conduct disgraced and degraded the House of Commons”. But Burke’s errors were the errors of a noble, if utterly misguided soul. He never recovered from the verdict. The day after it was given he left the House of Commons for ever.

Throughout the trial—in the darkest hour of his fate—Hastings had borne himself with the same dauntless courage which had enabled him to hold his head high under the cruel “bludgeonings of chance” in scenes far distant from Westminster Hall. Nothing, not even the scorching invective of his accusers, nor the long mental agony of the seven years’ ordeal, had been able to break that indomitable spirit. As in the council chamber at Calcutta, so at the bar of the House of Lords, treatment that would have crushed most men to the earth seemed only to brace him to a stubborn, heroic and provocative defiance. For his most questionable acts he claimed not pardon or indulgence but full justification and unmeasured praise. In facing his accusers he showed in every gesture and every inflection of his voice that icy yet burning scorn which sprang from his unconquerable belief in his own rectitude and which drove his adversary, Burke, into frenzies of impotent anger.

And so perhaps the greatest Englishman who ever ruled India, a man who with some ethical defects possessed in superabundant measure the mobile and fertile brain, the tireless energy and the lofty fortitude which distinguishes only the supreme statesman, was left with his name cleared but his fortunes ruined, and every hope of future distinction and even employment taken from him. The East India Company came not ungenerously to his assistance, and Hastings passed from the purview of history to spend the long-drawn evening of his arduous life, surrounded by a circle of devoted friends, in the peaceful seclusion of his recovered ancestral home at Daylesford.

¹ Bond, *Speeches in the Trial of Warren Hastings*, IV, 332, 334, 345.



CHAPTER XVIII

LEGISLATION AND GOVERNMENTS, 1786-1818

THE legislation of 1784-6 was developed and in some respects extended when the Company's privileges were reviewed by parliament in 1793 and 1813. On each occasion the principal object of attack was the commercial monopoly of the eastern trade, and on each occasion the Company had to give up something of its rights. In 1793 it was obliged to allow a certain amount of tonnage for private merchants' goods both outward and homeward; in 1813 it lost its monopoly of the Indian though not of the China trade. In this respect legislative action merely anticipated by a few years the consequences of economic developments. The application of machinery and power to the cotton manufacture and calico printing would in any case have soon brought to an end its main commercial activity in India—the export to Europe of cotton piece-goods. After a period of abnormal activity during the wars with France, this rapidly declined, and expired about the end of the third decade of the nineteenth century, just before the commercial powers of the Company were finally abolished by the act of 1833.

In the field of general policy the main tendency was to develop and emphasise that consciousness of moral obligation in administering the Company's possessions which had marked the act of 1784. In 1793 Wilberforce had striven, though in vain, to procure the insertion in the act of provisions for the admission and encouragement of missionaries in India. In that he had been defeated; but in 1813 section 33 declared that "it is the duty of this country to promote the interest and happiness of the native inhabitants of the British dominions in India", and section 43 empowered the government to expend not less than a lakh of rupees on the revival and encouragement of learning. At the same time, although missionaries were not specifically named, a section, which clearly had them in view, empowered the Board of Control to give licences of residence in India to persons improperly refused them by the court of directors; and another section set up a bishop and archdeacons in India.

So far as political institutions went, Pitt's India Act and the supplementary acts of 1786 had already defined the outlines of the Anglo-Indian constitution, which, though developed by subsequent legislation, was not fundamentally altered so long as the Company continued to exist. However, a good many changes in detail took place, and the actual working of the superior institutions then set up demands statement and illustration. This is particularly necessary as regards the Home Government, although the only formal changes of any

moment were the establishment of a paid board by the Charter Act of 1793 in lieu of the unpaid board set up in 1784, and the declaration of British sovereignty over the Company's eastern possessions in the Charter Act of 1813—which continued the administration in the Company “without prejudice to the undoubted sovereignty of the Crown of the United Kingdom...in and over the same”.

Meanwhile the board rapidly lost its powers, which were concentrated in the hands of a single person, the president. This change was not effected without some ill-feeling. Henry Dundas had from the first been the moving spirit, to the great indignation of some of his colleagues, especially Lord Sydney, who protested against the way in which Dundas pushed the interest of Scotsmen in India.¹ In 1786 it was intended to make the change formal; “In which case”, wrote Dundas, “I suppose your humble servant not only in reality but declaredly will be understood as the cabinet minister for India”.² But although this idea was ultimately carried out by the withdrawal of the *ex-officio* members from attending at the board, to the last the president required the formal assent, first of two and then of one of his colleagues to legalise his proceedings. The position of the president as regards the cabinet varied. It depended on the position of the person holding the office. So long as Dundas continued to hold it, his intimacy with Pitt ensured his inclusion in the cabinet; but others, Minto for example, held it without a seat in the cabinet.³ Relations with the court of directors also varied. Dundas almost invariably took a high hand with the court. At one time he had even contemplated taking all the administration out of the hands of the Company and leaving it with nothing but the conduct of the East India trade.⁴ But this probably seemed to Pitt too near an imitation of the bills of Fox, and even the hints which Dundas had let fall revived something of the language which had resounded through the country in 1783. When the negotiations for the renewal of the charter in 1793 had been completed, a member of the Company, in moving a vote of thanks to the directors and the ministry,

hoped by Englishmen it would be long remembered that an administration in the meridian of power, well knowing that the patronage of India would render that power immortal, and almost urged by the people to grasp it,...had had the magnanimity to refuse it and assign as reason to the House of Commons...that such an accession of power to the executive government was not compatible with the safety of the British constitution.⁵

But though in this project Dundas was foiled, in lesser matters he had his own way. When, for instance, in 1788 the Company protested against the dispatch to India of four royal regiments, and declined

¹ Sydney to Pitt, 24 September, 1784, *ap.* Stanhope, *Life of Pitt*, I, 227.

² *Cornwallis Correspondence*, I, 244.

³ *Minto in India*, p. 3.

⁴ *Cornwallis Correspondence*, II, 13.

⁵ *Debates at the East India House in 1793*, p. 120.



to provide the funds for their payment, a Declaratory Act was promptly passed, legalising the ministerial view of the question.¹ In the appointment of governors to the subordinate presidencies, too, he used the power of the board relentlessly to enforce his own wishes on the directors. But later presidents certainly exercised a less complete control. Castlereagh, for instance, wrote to Wellesley:

Your lordship is aware how difficult and delicate a task it is for the person who fills my situation (particularly when strong feelings have been excited) to manage such a body as the court of directors so as to shield the person in yours from any unpleasant interference on their part.²

The fact was that each part of the Home Government could make the position of the governor-general intolerable if it pleased; so that despite the superiority of the Board of Control and its access to the cabinet, and despite its power of sending orders through the Secret Committee of the directors, which the latter could neither discuss nor disclose, policy in general was determined, when disputes arose, on a basis of compromise; just as in the matter of appointments both sides had in effect a power of veto, so also, in discussions about policy, neither body cared to provoke the other overmuch save in exceptional circumstances. There were two recognised methods by which the orders to be transmitted to the governments in India might be prepared. In matters of urgency the president himself might cause a dispatch to be prepared, which was then sent to the Secret Committee, which could only sign it and send it off. Dispatches from India in like manner might be addressed to the Secret Committee, in which case they would only be laid before the court of directors if and when the president desired. But this was not the procedure generally adopted. Usually the chairman of the court would informally propose a course of action to the president; and the matter would be discussed between them, either in conversation or by private letters. The chairman would then informally propose a dispatch, which would be prepared at the India House, and sent to the Board of Control together with a mass of documentary information on which the dispatch was founded. This was technically called a Previous Communication. It was returned with approval or correction to the Company, and after reconsideration sent a second time to Westminster—the document on this second submission being called a Draft. This double submission—informal and formal—resulted from the clause in the act of 1784 by which amendments had to be completed by the board within fourteen days. After 1813 the term was extended to two months. If the court concurred with the amendments, the dispatch would then be sent off; but if they did not, the discussions might continue, in the last resort the board securing obedience by a *mandamus* from the Court of King's Bench. The

¹ 28 Geo. III, c. 8. Cf. *Cornwallis Correspondence*, I, 349, 354.

² *Wellesley Despatches*, III, 92.

procedure renders it exceedingly difficult without the information afforded by private correspondence to define the actual part played by the various presidents of the board in the determination of policy; the Previous Communications have seldom been preserved; and so one seldom knows to what extent a Draft was influenced by the preliminary discussions between the president and the chair.¹ The system was certainly slow and clumsy. But the importance of such a defect was largely neutralised by the length of time that communications took to reach India, and the large degree of discretion which the Indian governments necessarily enjoyed. With all its defects it was a vast improvement over the ruinous system which had preceded it, when the ministry was seeking to control Indian policy by a system of influence, and when there was no certain link between the cabinet and the head of the Indian administration such as was now provided by the ministry's share in the appointment of the governor-general, and the possibility of sending direct orders from the ministry to the governor-general through the president of the board and the Secret Committee of the court of directors. In the last resort and in matters of real importance the ministry could enforce its will on the most factious court of directors or on the most independent of governors-general; while no governor-general was now exposed to the shocking danger which had confronted Warren Hastings of having to determine policy without even a probability of support from either side of the House of Commons.

In other ways, too, the government of Bengal had been strengthened. Previous chapters have illustrated the fatal manner in which the limited powers of the governor-general and the limited control of the Bengal Government over the subordinate presidencies had worked. Under the new system the governor-general could enforce his will over refractory councillors if he were convinced of the need of doing so. Nor was he longer exposed to the opposition of Madras or Bombay without adequate powers of repressing it. The act of 1773 only gave a superintending power, and that with exceptions and limitations, with regard to the declaration of war and the making of peace; so that it still lay within the powers of the subordinate governments by their previous conduct of policy to render war or peace inevitable. But Pitt's India Act gave power of control over "all transactions with the country powers or the application of the revenues or forces... in time of war, or any such other points as shall be referred by the court of directors to their control". And, further, to prevent disputes regarding the extent of the powers of the government of Bengal, orders from the latter were to be obeyed in every case except only where contrary orders had been received from England and were still unknown to the superintending government.² The supplementary act

¹ Foster, *John Company*, pp. 246 sqq.

² Sections 31 and 32.



of 1786 had permitted the union in the same hands of the offices of governor-general and commander-in-chief; so that no effective opposition was now to be expected from the military as distinct from the civil power. But in spite of all these extensions, one serious limitation still remained—that imposed by the distances and the slow communications of India. Calcutta was a long way from Madras and Bombay; and what would be the position of the governor-general if he quitted Bengal and went to one of the subordinate presidencies to supervise or conduct affairs in person? The question emerged during the government of Cornwallis, when he went down to Madras to assume the command against Tipu Sultan. He was formally granted separate powers by his council; but as it was held in England that the council had no authority so to do, an act was passed¹ validating what had been done under such defective authority; and in the Charter Act of 1793² provision was made for the appointment of a vice-president during the governor-general's absence from Bengal, and the governor-general himself was empowered (1) to act with a local council in all things as with the council of Bengal, and (2) to issue orders to any of the Company's servants without previously communicating them to the local council. By virtue of these alterations the governor-general was enabled to proceed to either of the subordinate provinces and assume the full control of affairs there. The result was seen in the swift overthrow of Tipu, when Wellesley, following Cornwallis's example, proceeded to Madras in 1798 in order to control the preparations for the war with Mysore. Thus the later governors-general were freed from the restraints which had so disastrously hampered the action of Warren Hastings, and which he had vainly tried to overcome by the futile expedient of nominating residents on behalf of the Supreme Government at Madras and Bombay.

Nor were these statutory provisions more than was actually needed to keep the control of policy under one hand. Even Cornwallis had had to meet counteraction on the part of the governor of Madras, the unworthy John Hollond, who, mainly, it appears, owing to his concern in the nawab's debt, not only dispatched military expeditions without informing the Bengal Government, but also, when ordered to afford assistance to the raja of Travancore against Tipu, tried to bargain with the raja for the assistance it was his duty to give. Lord Hobart, governor of Madras, would order the naval squadron about without reference to the governor-general, Sir John Shore, and at last quarrelled so violently with his official superior that he preferred to return to England and forfeit his ultimate succession to the post of governor-general rather than continue under Shore's orders.³ Even Wellesley was, or thought he was, opposed in the

¹ 31 Geo. III, c. 40.

² Sections 52-54.

³ Teignmouth, *Life of Shore*, I, 372; *Cornwallis Correspondence*, II, 307.



preparations which he ordered for the war against Tipu, and used very direct language on the subject of his superior powers not only to the subordinate officers of the government of Bengal, but also to the subordinate presidencies. "The main-spring of the government of India", said he, "can never be safely touched by any other hand than that of the principal mover."¹

In another way also a great change for the better was made. Before the act of 1784 patronage was exercised in a peculiarly demoralising way. The home authorities, not content with having the nomination of the persons who were to enter the Company's civil and military services, had also sought to control their promotion. Covenanted servants and military officers would take a trip to England in order to gain admission to council, appointment to some lucrative office, or the command of a regiment or an army out of their turn. The relatives of directors expected special promotion without regard to their seniority or talents. Laurence Sullivan, for example, looked to restoring the fallen fortunes of his family by employing his influence in favour of his son. Men with powerful connections were constantly appearing in India—the illegitimate half-brother of Charles Fox, for instance—expecting to be provided for. The necessary result was that the government in India lacked that most salutary power of rewarding merit by promotion. Hastings in particular had found this a most grievous tax. But Dundas's legislation cut at the root of these pernicious practices. In the first place the India Act forbade vacancies in the councils to be filled by other than covenanted servants except in the case of the governor-general, the governors, and the commanders-in-chief, and confined promotion to due order of seniority except in special cases when full details were immediately to be sent to the court of directors. Then the act of 1786² limited the nomination to vacancies to the Company's servants on the spot and prescribed terms of service as the minima for offices carrying more than certain rates of pay. The Charter Act of 1793 went a step further and decreed that

all vacancies happening in any of the offices, places, or employments in the civil line of the Company's service in India (being under the degree of councillor) shall be from time to time filled up and supplied from amongst the civil servants of the said company belonging to the presidency wherein such vacancies shall respectively happen....No office, place or employment, the salary, perquisites, and emoluments whereof shall exceed £500 *per annum* shall be conferred upon or granted to any of the said servants who shall not have been actually resident in India as a covenanted servant of the said company for the space of three years at the least in the whole....

Six years' service was the minimum for posts of £1500 a year, nine years for those of £3000, and twelve years for those of £4000. The net results of these enactments were (1) that the flood of adventurers into India

¹ Wellesley Despatches, I, 290, 528.

² 26 Geo. III, c. 16, sections 13-14.



was checked; (2) that the jobs of the directors were curtailed; and (3) that after 1786 the civil and military services, and after 1793 the civil service, secured a monopoly of well-paid administrative employment in the old provinces, though not in new acquisitions. The policy of Cornwallis in confining employment in the higher ranks to Europeans had thus a legislative basis which has often been forgotten. Even had he wished to do so, it would not have been legal for him to nominate an Indian to any post carrying more than £500 a year, for no Indian was a Company's servant within the meaning of the acts.

And while the recruitment to the higher administrative posts was thus being limited to the members of the Company's service, the practice of appointment from home to special posts was also curtailed. "The system of patronage, which you so justly reprobated", wrote Shore to Hastings in 1787, "and which you always found so grievous a tax, has been entirely subverted."¹ Cornwallis put the matter to one of the directors very bluntly.

"I must freely acknowledge", he wrote, "that before I accepted the arduous task of governing this country, I did understand that the practice of naming persons from England to succeed to offices of great trust and importance to the public welfare of this country, without either knowing or regarding whether such persons were in any way qualified for such offices, was entirely done away. If unfortunately so pernicious a system should be again revived, I should feel myself obliged to request that some other person might immediately take from me the responsibility of governing...."²

A little later difficulties arose from the directors' nominations to posts on the board of revenue at Madras and their refusal to confirm Wellesley's nomination to the post of Political Secretary. But these were due rather to the directors' distrust of Wellesley's policy than to any revival of the old system. Save as regards the highest posts of all, the tendency was for the directors to be limited to the recruitment of their services by the nomination of writers and cadets, while the executive governments in India determined their promotion and employment.

On the whole the covenanted servants benefited by these changes. The old system had been exceedingly unhealthy, promoting intrigue, and that most vicious practice of private correspondence between subordinates and members of the direction in England on matters of public concern, in which the officials sought to secure favour in England by communicating news that they had learnt in the discharge of their official duties. This custom was prohibited (though not suppressed) in 1785. Burke expressed great indignation at the prohibition,³ but it was in fact the natural and necessary concomitant of the introduction of a modern system of administration, under which it neither is, nor is thought desirable to guard against the misconduct of the heads of the government by such indirect and devious means.

¹ Teignmouth, *Life of Shore*, I, 136.

³ *Life and Letters of Sir G. Elliot*, I, 100.

² *Cornwallis Correspondence*, I, 421.

In one direction, however, the covenanted servants lost ground. With the appointment of Cornwallis they became practically ineligible for the highest post in India. It is true that he was immediately succeeded by Shore, who was a covenanted servant; but his appointment was already regarded as somewhat exceptional in nature.¹ In 1802, in discussing the selection of Wellesley's successor, Castlereagh, who inclined strongly to the nomination of another Company's servant, Barlow, nevertheless wrote, "I am aware that there is the strongest objection on general grounds to the governments abroad being filled by the Company's servants, but there is no rule which is universal".² But having heard what Wellesley had to say on this head, and in view of the renewal of war in Europe, Pitt and Castlereagh decided to try to find a suitable man in England.³ It will be remembered that Cornwallis was sent out, only to die; and so Barlow succeeded to the chair. But his succession only proved, even more strikingly than the government of Shore had done, that under the new *régime* the Company's servants were apt to shirk responsibility and yield too ready a compliance with the wishes, right or wrong, of their honourable masters, the court of directors. Nor was the experiment repeated until the time of Lawrence, although the directors made a strong push in favour of Metcalfe in 1834, in opposition to the president of the board, Charles Grant, who had (it seems) proposed himself. But on that occasion Melbourne's ministry rejected the recommendation, founding its opposition on principles which had been laid down by George Canning during his short tenure of the presidency of the board.⁴ The system of appointing the governor-general from England must on the whole be considered to have worked well. The persons selected were in fact of very various character and talent; two indeed were failures outright; but in general their rank and standing secured for them a more ready and willing obedience than the Company's servants would have accorded to one of themselves; moreover, these English noblemen brought with them a wider experience of affairs, a broader knowledge of politics, a higher standard of political ethics than were likely to be found in India; nor should it be forgotten that they carried much more weight, and that their representations were treated with greater respect by the home authorities than would have been the case with the Company's servants.

The same system was extended to the governorships of the two subordinate presidencies. The earliest example of this was the appointment of Lord Macartney to the government of Madras in 1780. He was succeeded by a soldier, Sir Archibald Campbell, who

¹ *Cornwallis Correspondence*, II, 219.

² *Wellesley Despatches*, III, 91.

³ *Idem*, IV, 533.

⁴ *Kaye, Life of Tucker*, p. 449; *Kaye, Life of Metcalfe*, II, 237 n.; and *Wellesley Papers*, II, 248, 259.



had had experience of administration in the West Indies. Lord Hobart and Lord Clive (son of the hero of Plassey) filled the same office before the end of the century. But in the case of the subordinate presidencies the line was less firmly drawn and exceptions made less reluctantly. At almost the same time Elphinstone and Munro received the governments of Bombay and Madras, in recognition of their services in the last Maratha War.

"The more general practice of the court", Canning wrote during his short tenure of the Board of Control, "is to look for their governors rather among persons of eminence in this country than among the servants of the Company; and when I profess myself to be of opinion that this practice is generally wiser, it is, I am confident, unnecessary to assure you that such an opinion is founded on considerations the very reverse of unfriendly to the Company's real interest; but the extraordinary zeal and ability which have been displayed by the Company's servants civil and military in the course of the late brilliant and complicated war, and the peculiar situation in which the results of that war have placed the affairs of your presidency at Bombay, appear to me to constitute a case in which any deviation from the general practice in favour of your own service might be at once becoming and expedient."¹

On the whole the system was less advantageous in the case of the provincial governors than in that of the governor-general. The men willing to accept these second-rate posts were mostly second-rate men. Lord William Bentinck is the only man of real eminence who can be named among them; and Dalhousie was probably justified in advocating the abandonment of the practice.² The main advantage that can be fairly claimed for this extension of the recruitment from the English political world is that it multiplied contact between it and India and increased the number of persons in the British parliament who really knew what India or a part of it was like.

In form these subordinate governments were framed on the same plan as that of Bengal. The governor had a council of two civil members with the commander-in-chief when that post was not joined to his own. He enjoyed the same power of overruling his council as the governor-general. Under the Governor in Council were three boards—the Board of Trade, the Board of Revenue, and the Military Board—which conducted the detail of the administration, and normally were presided over by a member of council. Under the Board of Revenue there was at Madras, where large territories had come under the Company's control in the decade 1793–1802, a complicated district system (described in chapter xxv). At Bombay, where the great accession of territory only came with the peace of 1818, the district administration was on the whole of later development, and will be described in the succeeding volume.

The main defect in the organisation thus established under the legislation of the period was the union of general responsibility for

¹ Colebrooke, *Life of Elphinstone*, II, 100.

² Lee-Warner, *Life of Dalhousie*, II, 252.



the whole of British India and the special administration of Bengal in the hands of the governor-general and council. It meant almost certainly that the whole influence of the supreme government would be devoted to the imposition of the Bengal system on the other provinces, irrespective of its suitability, and that the Supreme Government would find itself with much more work to do than could be done by any one set of men. The first of these evils was that principally evident in the period here dealt with; the second that of the period which succeeded.



CHAPTER XIX

THE EXCLUSION OF THE FRENCH, 1784-1815

THE French rivalry must be reckoned in that series of lucky events and fortunate conditions which did so much in the second half of the eighteenth century to enable the English East India Company to rise to a position of predominance in India. Without intending it, French adventurers played the part of *agents provocateurs*. Indian princes were encouraged by their sanguine estimates of French co-operation to entertain designs against the English, while the impossibility of effective French support, from European considerations in time of peace and from lack of the necessary naval superiority in time of war, ensured that they would take up arms without the assistance on which they had reckoned. Since the previous century there had always been a certain number of adventurers in the service of the Indian states; and after the great period of Dupleix various causes combined to increase their numbers, activity and influence. The career of Dupleix, like that of Clive, had served to attract great attention in his country to India. It seemed to Frenchmen, as to Englishmen of the time, the land of easy wealth, so that the number of those who sought fortunes there rose. At the same time the decay of the Moghul Empire, and the rise of the numerous military states on its ruins, enlarged the demand for military leaders and organisers; while the resounding victories won by European arms, whether French or English, raised the value set upon all who could pretend to any knowledge of European tactics and discipline; so that the adventurers found themselves no longer mere artillerymen but commanders of regiments and brigades, personally consulted by the princes whose pay they drew. Finally the ideas of Dupleix and the Anglo-French rivalry which had sprung out of them had opened out new possibilities promising personal gain and national aggrandisement.

The result was that from the government of Warren Hastings down to that of Wellesley the Indian courts were full of Frenchmen, commanding large or small bodies of sepoys, and eager for the most part to serve their country by the exercise of their profession. A typical example of them is afforded by René Madec, who, after serving in the ranks under Lally and then joining the English service for a while, deserted and passed from court to court, serving now a Jat chief, now Shah 'Alam, and now Begam Samru, until in 1778 he retired and went home to his native Brittany. With him and others in a like condition Chevalier, head of French affairs in Bengal, was in constant communication, discussing schemes, now for the march of Madec into Bengal, now for the cession and occupation of Sind, whence a

French army was to march to Delhi, and then drive the English into the sea. Chevalier's policy was to spread great ideas abroad regarding French power, and he had no hesitation in offering to the emperor in 1772 the services of two or three thousand Frenchmen from the Isle of France. Madec in 1775 writes from Agra that when war breaks out with the English he will march down the Ganges and ravage the upper provinces of Bengal, holding the towns to ransom and doing his utmost to destroy the English revenues.¹ A little later we find St Lubin and Montigny at Poona, making treaties which neither party attempted to carry out, and venting large promises which the Marathas were much too astute to trust.

On the whole these political activities were more harmful than advantageous to the French cause, for they achieved nothing beyond a reputation for big words. Nor did Bussy's expedition of 1782 add much to the French position. It arrived too late. Before it had accomplished anything, it was paralysed by the news of peace, and that too of a peace which merely put the French back where they had been before. It was difficult for their agents to persuade Indian princes of the great successes they claimed to have won in America when they still remained in their old position of inferiority in India. Souillac might write assuring Sindhia that the English had been driven out of all their American possessions and declare that now the great object of the king of France was to compel the English to restore the provinces which they had stolen from the princes of India;² but Sindhia simply did not believe him. Bussy, who viewed the position with tired and disappointed eyes, wrote nevertheless with great truth to the minister, de Castries (9 September, 1783), that the terms of peace had produced an unfavourable impression, and that impossible hopes of Indian co-operation had been raised in France by the fables sent home inspired by vanity and self-interest. He actually advised the recall of the various parties serving with Indian princes, as being nothing but a lot of brigands—*un amas de bandits*.³

As regarded the future, too, the French plans were quite indefinite. It was proposed, for instance, to remove the French headquarters from Pondichery, as too near the English power at Madras, and too remote from the possible allies of France—Tipu and the Marathas. For a while the minister thought of removing it to Mahé on the other side of India, where perhaps Tipu would cede a suitable extent of territory, or else to Trinkomali, if it could be obtained from the Dutch, or to some point on the coast of Burma.⁴ But either of the last two presupposed the maintenance of a large naval force. Bussy again went to the heart of the matter. All this consideration of possible allies, he said, was beside the mark. Pondichery was suitable enough if the ministry would find the money to fortify it and garrison it with

¹ Barbé, *René Madec*, *passim*.

³ *Idem*, p. 137.

² Gaudart, *Catalogue*, I, 321.

⁴ *Idem*, p. 183.

1800 Europeans and 2000 sepoys; the French should do like the English—depend on themselves alone.¹ The only way to get allies, he says again a year later, is to send out large military and naval forces with plenty of money, and “everything to the contrary that you will be told on this point will be derived from that charlatanry that has so long obscured the facts”.²

As regards possible allies against the English in India the views of the ministry were frankly hostile. In 1787 de Castries resolved to recall one Frenchman, Aumont, who was then with the Nizam, and to replace the French agent, Montigny, at Poona by a Brahman wakil, since nothing was to be got out of the first, while with the second no common interests could be discovered. But Tipu was to be informed of the French desire to co-operate with him in hindering the English from remaining the masters of India. The king’s intention, de Castries went on, is to

tâcher de conserver les princes de l’Inde dans la tranquillité entre eux jusqu’à ce qu’il soit en mesure de les secourir, et comme nous parviendrons sans doute à combiner un jour nos forces avec celles de la Hollande, il faut attendre que cet arrangement soit fini pour pouvoir poser quelques bases avec cette puissance.³

Indeed at this moment, when Holland was sharply split into French and Orangist factions, the French seem to have counted on being able in a time of war to employ Dutch naval power and naval bases against the English, as partly came to pass in the Revolutionary and Napoleonic Wars, though even then the French were to find that the lukewarm assistance which they received from the Dutch was a poor counterpoise to the overwhelming force of the English navy and an incomplete compensation for having to protect the Dutch possessions as well as their own. In 1787, when these proposals were being considered, the Orangists were urging the adoption of an exactly opposite policy, that of an alliance with Great Britain. Neither treaty was formally concluded; but the eyes of both French and English seem to have been fixed upon the same points—Dundas declaring that the only thing which would make the alliance useful to us was the cession of Trinkomali, while de Castries issued orders that in the event of war with England Pondichery was to be evacuated and all troops and munitions of war removed to Trinkomali, which harbour seems to have been promised them by the French party in Holland.⁴

It was while these matters were under discussion that Tipu sent to France the first of the embassies by which he tried in vain to secure material assistance against the English in the event of war. The ambassadors proceeded by a French vessel, the *Aurore*, and were received with every courtesy; but beyond that they obtained nothing, for, as has been seen, de Castries did not, and indeed with any degree

¹ Gaudart, *Catalogue*, I, 142.

² *Idem*, pp. 157 sqq.

³ *Idem*, p. 361.

⁴ *Cornwallis Correspondence*, I, 357; Wilks, *Historical Sketches*, II, 124.

of financial prudence could not, desire so soon to renew the struggle. But they must have received a good deal of encouragement in view of future contingencies, and that must have contributed to stiffen Tipu's attitude. However, with the usual English good fortune, Tipu selected as the time for his provocative attack upon Travancore the time when the French were much too engrossed by their domestic affairs to spare a thought to India; so that he was left to meet Cornwallis's attack alone, and had already been reduced to sign away half his kingdom and surrender much of his treasure before the year 1793 renewed war in Europe.

Indeed French intrigues had been somewhat interrupted by the outbreak of the Revolution. In the French settlements in India the latter produced more excitement than bloodshed; and as soon as war broke out Pondichery was immediately besieged and quickly taken, and the other factories could offer no resistance; so that the revolutionary spirits soon found themselves under a foreign and military control, while of their possible allies Tipu was crippled, and the Marathas were looking rather to the conquest of their weaker neighbours in the north and south than to the attack of the powerful East India Company. So the Revolutionary War brought no immediate troubles on Indian soil. At sea, indeed, French privateers, fitted out at the Isle of France, captured many prizes; but though these losses weighed heavily on private merchants, they scarcely affected the resources of the East India Company, while at the same time the naval squadron under Rainier accompanied by an expedition equipped at Madras in 1795 occupied Ceylon, Malacca, Banda and Amboina, not unassisted by the partisans of the Orangist party, indignant at the establishment of the republic in Holland. An expedition from England occupied the Cape. The position in India, however, was thought too uncertain to launch enterprises against the French islands, which would have made a stouter resistance and required a considerable proportion of the English forces in India for their subjugation.

Although the French settlements in India had all been occupied, there still remained considerable forces under French control. At Hyderabad Raymond had built up a body of sepoy troops under French instruction and leadership; under Sindhia Perron had done the same; and although these armies were in the pay of Indian princes, no one could say when they might not be marched against the Company's possessions, with or without the consent of their ostensible masters. The appearance of a French expedition would almost certainly set them in movement. But such an expedition by the ordinary route was hardly practicable in view of the English superiority at sea and the absence of stations at which provisions or protection could be found. In these circumstances the French pressed into realisation a scheme which had long floated in their minds, that,



namely, of establishing themselves in Egypt, and thence preparing an attack on India.

A quarter of a century earlier Warren Hastings had attempted to open a trade with Suez. He had probably been impelled by considerations of imperial policy; the traders whom he supported may have been influenced by hopes of evading the regulations which confined the English trade to Europe to the East India Company itself. At a later time George Baldwin, under the influence of both motives, for a time succeeded in convincing ministry and Company of the need of a British consul in Egypt and the advisability of naming him to the office. But his efforts had come to nothing under the persistent opposition of the Turks to a policy which would have placed the half-independent ruling beys in intimate association with a European power. These ideas of the importance of Egypt had not been confined to the English. The French had shared them; and from about 1770 onwards many *mémoires* had been submitted to the ministers urging the importance of Egypt upon their attention. The trade between Alexandria and Marseilles was active; the French had maintained a consul in Egypt; and after the war of the American Revolution, de Castries's eastern projects had included the occupation of Egypt in case Austria and Russia combined to partition Turkey. In 1785 a French agent succeeded in concluding treaties with the leading beys; and these would have reopened the Red Sea route for Indian trade had not the Porte at once resolved to vindicate its authority and sent an expedition which overthrew the beys and for the moment re-established Turkish authority.¹ When therefore in 1798 Napoleon decided on the expedition to Egypt as a stroke aimed against the English, he was carrying into effect plans laid long before. But though he was locally successful, this partial success did the French cause more harm than good. Napoleon himself accurately appreciated the situation when he wrote: *La puissance qui est maîtresse de l'Égypte doit l'être à la longue de l'Inde*. Time was needed to concert measures with Tipu or the Marathas, to prepare and organise transport, whether by way of the Red Sea or by the route of Alexander.² Establishment in Egypt did not and could not lead at once to an attack on India; so that while in March, 1800, Napoleon was still talking of appearing on the Indus, Tipu had fallen and the French force at Hyderabad had been broken up.

The immediate effect of the French appearance in Egypt was to set all the English authorities in India on the alert; and at their head was a man of exceptional energy, of keen insight, of great organising power, Lord Mornington, better known by his later title of the Marquess Wellesley. On arriving at Calcutta in May, 1798, he was struck by the diffusion of French influence, and resolved not to allow

¹ Charles-Roux, *Autour d'une route, passim*; Brit. Mus. Add. MSS, 29210, ff. 341 sqq.

² Charles-Roux, *L'Angleterre et l'expédition française*, I, 227-9.

it to gather to a head. At almost the same time he learnt that Tipu had recently sent an embassy to the Isle of France, seeking military help, that the governor, Malartic, had issued a proclamation calling for volunteers, and that the embassy had returned to Mangalore with a small party thus collected. Mornington regarded, and rightly regarded, this as a sign of Tipu's reviving hopes. Then came news of Napoleon's success in Egypt, impelling the governor-general to meet the danger before it grew greater, and inspiring Tipu with the hope that help was nearer than it really was. As a first measure Mornington entered into negotiations with the Nizam, who in 1795 had suffered a severe defeat by the Marathas followed by considerable loss of territory. He was willing enough to sacrifice his French-led troops who had been beaten, though not by any fault of theirs, at Kharda, if thereby he could secure the services of a body of the Company's forces. Thus was signed the first of that group of treaties which contributed so much to establish the Company's dominion in India; and then Mornington demanded of Tipu that he should expel all Frenchmen from Mysore. Tipu, encouraged by the apparent approach of the French, could not bring himself to answer these demands till the English troops had already crossed his frontiers and the last Mysore war had begun. Once more French attempts had gone far enough to involve their friends in trouble without going far enough to afford them material aid.

As soon as the danger from Mysore had been overcome, Mornington contemplated three further objects. One was the conquest of the French islands, as the only effective measure that could be taken to stop the privateers from preying on English vessels; the second was the capture of Batavia; and the third was an expedition directed against the French in Egypt. With these alternatives in view, he assembled troops at Trinkomali. But the last of these was a project which the governor-general perceived could not be prudently undertaken except in co-operation with an expedition from England; and the first was prevented by the refusal of Commodore Rainier to co-operate, as he had received no specific instructions to that end. At first, therefore, Mornington's views were limited to his design against Batavia. But various circumstances deferred the dispatch of the expedition till at length on 6 February, 1801, dispatches arrived announcing Abercromby's expedition to Egypt, and desiring the assistance of a force from India.¹ Mornington's reluctance therefore to send the expedition so far to the east as Batavia was rewarded by his now being able to send it to the Red Sea with a minimum of delay. Baird, to whom the command had been entrusted, landed at Kosseir, marched across the desert to Thebes, and on 10 August reached Cairo, six weeks after it had surrendered to Hutchinson, Abercromby's successor, but in time to impress Menou at Alexandria

¹ *Wellesley Despatches*, II, 436.

with a full consciousness of his inability to continue the struggle.¹ The first French attempt to establish themselves on the overland route to India had been defeated.

The Revolutionary War thus came to an end in 1802 with a marked advantage to the English in the East. Nor did the brief breathing-space which followed last long enough to permit the French to regain a positive foothold in India. The treaty which had closed the war merely stipulated for the retrocession of the French and Dutch factories in India and of the Cape and the spice-islands to the Dutch. Ceylon remained permanently in English hands. But before Decaen, the newly appointed captain-general of French India, could reach Pondichery, the English ministry was already doubtful of the duration of peace. A dispatch (17 October, 1802) received by Wellesley 30 March, 1803, directed him to delay the restitution of the French factories; and though these instructions were cancelled by later orders of 16 November (received 8 May),² yet even then the Indian government was warned against the possibility of French attempts upon the Portuguese possessions in Asia.³ Soon after came news of the critical situation in Europe; and on 6 July the governor-general learnt that the renewal of war was officially thought very probable. In the first week of September he learnt that diplomatic relations had been broken off, and a few days later that war had been declared. It was what with his usual discernment he had expected. At the close of the previous year, more than four months before Decaen had sailed from Brest, Wellesley had directed the governor of Madras not to deliver up the French possessions without specific orders from Bengal. On 15 June, 1803, Binot, Decaen's chief of staff, arrived at Pondichery in the frigate *Belle Poule* with authority to take over the place. He was allowed to land, and his dispatches were sent up to Calcutta, arriving there 4 July. Wellesley resolved at once not to hand over the French possessions until receiving further orders from Europe; and accordingly deferred answering the dispatches from Decaen until that officer should actually arrive in India. This event took place on 11 July, and was known at Calcutta on the 23rd, together with the further news that a French packet had come in the day after Decaen's arrival, and that Decaen's squadron had quitted the Pondichery roads that night. The packet was the *Belier*, sent out after Decaen with orders that if war had broken out by the time of his arrival in Indian waters, he was to proceed, not to Pondichery, but to the French islands. Binot and his party, being ashore, were left behind, and when the news of war arrived, were obliged to surrender.⁴

But though the French flag was thus excluded from India, French intrigue was active. Binot had employed his brief sojourn at Pondi-

¹ Charles-Roux, *op. cit.* II, 213-4.

² Wellesley *Despatches*, III, 72, 98.

³ Prentout, *Decaen et l'île de France*, p. 437.

⁴ Gaudart, *op. cit.* II, 460 *sqq.*; Prentout, *op. cit.* pp. 39 *sqq.*

chery in sounding the rulers who seemed likely to welcome his overtures. Thus he opened relations with the rajas of Tanjore and Travancore, and sent to visit the Marathas an officer who obtained an English passport under the assumed guise of a German painter. Decaen took up the quest for allies. He had agents at Tranquebar in the south, and Serampur in the north, until, after the breach between England and Denmark, these places passed temporarily into English keeping. These men, with their spies constantly coming and going, deemed all India ready for revolt against the English. They represented the Vellore mutiny as having spread to every cantonment in the south. The lesser southern chiefs were all ready, and only needed a small sum of money, for a rising. To them the English cause was maintained (as one of them wrote) by nothing but violence and corruption.¹ A manifesto, addressed by Decaen to the chiefs of Hindustan, urged them to attack the Company with their united force if they would save themselves from the fate of Oudh, Arcot and Mysore.² But all this, as Prentout has justly remarked, served the English cause better than the French. It assisted the English to recognise their enemies, without providing the latter with anything more serviceable than encouragement in what was to prove a suicidal policy.

The fact was that the French, now as in the Revolutionary War, could not get within reach in India. "It is painful", wrote Decaen commenting on the sanguine reports of his agents in India, "to learn of all these good dispositions and to be unable to support them."³ But his military forces were barely enough to garrison the islands; the French squadron—one ship of the line and three frigates—under the unenterprising leadership of Admiral Linois was not even able to take the China convoy under the protection of the Company's armed vessels (14 February, 1804); and the only serious means of attack in Decaen's power was the encouragement of the privateers, which again covered the Indian seas in all directions, capturing a great number of private merchantmen and even a few Company's ships. The two Surcoufs, in the *Caroline* and the *Revenant*, were perhaps the boldest and most enterprising of the privateers; and after Linois' departure from Indian waters in 1805 (to fall in with an English squadron off the Canaries 13 March, 1806) the frigates which then came under Decaen's control vigorously seconded the efforts of the privateers. Obstinate conflicts took place on many occasions when these met armed English vessels, as when the *Psyche* was taken by the English frigate *San Fiorenzo*. But all these efforts did nothing beyond inflicting heavy private losses, and left the Company's position in India untouched, while the reoccupation of the Cape by the English in 1805 deprived the French islands of their nearest supplies of foodstuffs.

¹ Prentout, *op. cit.* pp. 374-7.

² Prentout, *op. cit.* pp. 460 sqq.

³ Wellesley Despatches, III, 663.

In Europe Napoleon planned eastern expeditions—in 1805 three squadrons and 20,000 men;¹ in 1807 a triple plan which was to have combined land expeditions through Central Asia and Egypt with a sea expedition round the Cape²—but these fell through, in part because of the English command of the sea, in part because of Napoleon's continental preoccupations. It was in preparation for the second of these that the embassy of General Gardane to Persia was arranged. In 1803 war had broken out between Persia and Russia; and in 1805 the latter power had joined England in the Third Coalition. Persia naturally turned to France for help, and on 4 May, 1807, was signed the Treaty of Finkenstein, by which Napoleon guaranteed the integrity of Persia, engaged to use every effort to compel Russia to evacuate Georgia, and promised supplies of field guns and small arms; while the shah engaged to break off all relations, political and economic, with the English (thus subscribing to the Continental System) and to give all facilities and assistance to French military and naval forces on their way to attack the British in India. On this agreement, Gardane was sent to Teheran, to promote Persian hostility against England and Russia, and to collect information about routes and resources for the projected expedition. But Gardane's mission, like Decaen's, was foredoomed to failure. When the Treaty of Finkenstein was signed Napoleon was already contemplating peace and even alliance with Russia; and when he realised these ideas by the Treaty of Tilsit and the entente with Alexander, he was no longer willing to do anything to support the Persians against his new ally. Here was one more example of the way in which the interests of a world power are apt to diverge and become irreconcilable. So long as the Persians could hope for French support in the recovery of Georgia, they remained willing to exclude the English from Persia, as Malcolm found in 1808, when he was sent by Minto to counter the French mission but failed even to get a footing in the country, although backed by an armed force; but when in the autumn of that year the Persians perceived that they would have to negotiate with Russia direct, and that the French would not even act as mediators, they concluded naturally that the advantages of the French alliance were all on one side; on the arrival of Harford Jones to replace Malcolm, not even Gardane's threats of departure could prevent the reception of the new English mission; and so, early in 1809, Harford Jones replaced Gardane at Teheran, while Napoleon, involved in continental interests, abandoned his schemes of emulating the exploits of Alexander the Great.³

The time had now come also for the complete expulsion of the

¹ Prentout, *op. cit.* pp. 402 sqq.

² Gardane's Instructions, 10 May, 1807, *ap. Gardane, Mission du Général Gardane*, pp. 81 sqq.

³ Gardane, *Mission du Général Gardane*; Kaye, *Life of Malcolm*, I, 395, etc., *Minto in India*, pp. 55 sqq.

French from the East. The English squadrons at the Cape and in India were strengthened. The French islands were blockaded by English vessels; and although over-rashness on the part of their commanders led to the loss of two sunk and two taken, in the course of 1810 both the Isle of France and the Île Bonaparte (as Bourbon had been renamed) were compelled to surrender to Admiral Bertie and General Abercromby; while in the next year another expedition occupied Java, to which island a French regiment had been sent some time before by Decaen. These captures brought to an end the activities of the privateers, who thus lost the bases at which they had refitted, revictualled, and sold their prizes; and wiped out the French reputation in India. The settlement brought by the treaties of 1814 and 1815 confirmed the position established by force of arms. The French and the Dutch recognised for the first time British sovereignty over the Company's possessions; the French agreed to maintain no troops and erect no fortresses; and so the Company was at last completely freed from European menace just at the moment when it was, under the leadership of Lord Hastings, about to establish an unquestioned predominance in India.



CHAPTER XX

TIPU SULTAN, 1785-1802

BY that "humiliating pacification" (as Hastings called it), the Treaty of Mangalore, Tipu appeared as a conqueror. Grant Duff, years afterwards, asserted that the governor-general was

only prevented from disavowing and annulling it by the confusion which must have resulted to the Company's affairs in consequence of the fulfilment of a part of the terms, before it could have been possible to obtain their ratification.¹

There is no doubt, indeed, that Hastings regarded it with the dislike and disapproval with which he viewed almost the whole of the policy and actions of the rulers of Madras; but, on the other hand, when he wrote his *Memoirs relative to the State of India* during the long journey home which began on 5 February, 1785, he seemed not to anticipate any immediate consequences of danger.

It is not likely that Tipoo should so soon choose to involve himself in a new war with us, deprived of all his confederates, and these become his rivals; nor that, whenever he shall have formed such a design, he will suffer it to break out in petty broils with our borderers.²

None the less it was quite evident that war was pending between Tipu and the Marathas. The Nizam and Nana were known to be in negotiation if not in alliance: the power of Sindhia cast its mantle of supremacy over the Moghul. The claim which Tipu, as it seemed with unjustifiable audacity, advanced upon Bijapur—which meanwhile Nana had promised to surrender to the Nizam—may have been based on an imperial grant to Hyder of a portion of the Deccan, and was certainly not one which in 1785 could be confirmed or made effective. But, while wisdom would have persuaded Tipu to be content with the successes he had won, his inherent passion and restlessness urged him to new aggression. Thomas Munro, when he summed up his career in 1799, said "a restless spirit of innovation, and a wish to have everything to originate from himself, was the predominant feature of his character".³ Upon the success of the war which ended in 1784 he formed the designs first of crushing the Nizam and the Marathas and then turning, flushed with victory, upon the English. This project he avowed to the French.⁴ Early in 1785 he attacked the hill-post of Nargund, belonging to a Brahmin desai, with whom he had already had unfriendly relations, the one making extravagant

¹ Grant Duff, II, 469.

² Forrest, *Selections from the State Papers of... Warren Hastings*, II, 54.

³ Gleig, *Life of Munro*, I, 233.

⁴ Wilks, *Historical Sketches of Southern India*, II, 535 sqq.

demands, the other claiming tribute.¹ In vain the Marathas intervened to save Nargund and Kittur: by guile as well as force Tipu made a successful conquest. Nana, alarmed, looked for help from the English in the conquest which he foresaw. He appealed to the Treaty of Salbai and asked for aid against Tipu: Macpherson, in the cautious spirit of the non-intervention policy which was now ascendant in the counsels of the Company, replied that the treaty

did not stipulate that the friends and enemies of the two States should be mutual, but that neither party should afford assistance to the enemies of the other, and that by the treaty of Mangalore the English were bound not to assist the enemies of Tipu.

Thus he gave the sultan of Mysore reason to think that he could proceed undisturbed.

But Nana was not going to fall without a struggle. He applied to Goa for alliance: a step which alarmed Macpherson into establishing a resident (C. W. Malet) at Poona.

By the fifth month of 1786 the Marathas were in alliance with the Nizam and ready to move. Their forces joined on 1 May, and on 20 May they took Badami. Against Tipu also were Holkar and Mudaji Bhonsle: Kittur was recovered: the victors returned home flushed with success: Hari Pant advanced, and relieved Adoni, while Tipu captured Savanur. The end was a peace which hardly modified the *status quo*. The Marathas retained important districts (Nargund, Kittur, Badami) and Tipu recovered others. His brother-in-law regained Savanur, and a kinsman of the Nizam Adoni. On the whole the treaty of 1787 was a rebuff for Tipu. He had begun to perceive that the English were more dangerous than he had thought. Malet at Poona and the military preparations of Cornwallis gave him pause.

Hardly had Cornwallis arrived in India when his attention was turned to Tipu. His knowledge of international politics made him consider India as a vital point in the enduring rivalry between England and France: perhaps he was the first English statesman in India who fully grasped its importance. A letter of March, 1788,² shows that he had considered the situation in all its bearings.

"I look upon a rupture with Tipu as a certain and immediate consequence of a war with France", he wrote to Malet, "and in that event a vigorous co-operation of the Marathas would certainly be of the utmost importance to our interests in this country."

The settlement of the Guntoor Sarkar affair caused a new settlement with the Nizam, and this, embodied in a curiously disingenuous message—which kept the non-intervention order of the act of 1784 in the letter but broke it in the spirit—brought about the war which

¹ See Kirkpatrick's *Letters of Tipu*, referred to by Wilks, *Historical Sketches*, II, 535.

² *Cornwallis Correspondence*, I, 345.

Cornwallis had foreseen. Wilks,¹ the historian of Southern India at this period, sardonically remarks that

it is highly instructive to observe a statesman, justly extolled for moderate and pacific dispositions, thus indirectly violating a law, enacted for the enforcement of these virtues, by entering into a very intelligible offensive alliance.

Cornwallis, of course, knew well what he was doing, and was convinced that he could do nothing else with any regard for the safety of the English in Madras: he expressed himself strongly to Malet² on the danger of having to make war without efficient allies.

The actual ignition of the flame (foreseen by Tipu, who had long ago promised the French to attack the English, as well as by Cornwallis) was caused by Tipu's attack on Travancore, 29 December, 1789. The ostensible reason for this was the sale of Jaikottai and Kranganur to the raja by the Dutch, Tipu asserting that they belonged to his feudatory the raja of Cochin. The raja of Travancore said that the Dutch had held them so long ago as 1654 and acquired them from the Portuguese, and he applied to Hollond, the governor of Madras, for aid. It seems probable that Hollond was already warned of what was about to happen, and had taken a bribe from Tipu; he certainly delayed preparations and endeavoured to persuade the governor-general that they were unnecessary.³ Then when Tipu attacked Travancore, the raja, though included by name among England's allies in the Treaty of Mangalore, was left to his fate. Tipu carried all before him till Cornwallis, indignant at the disgraceful sacrifice "that had been made of British honour", intervened in person, precluding his action by a letter condemning the conduct of the Madras Government in the most vigorous terms.⁴ Orders had been disobeyed, preparations not made, and allies betrayed. Now the resources of the Carnatic must be exploited: even the sums set apart for the payment of the nawab's enormous debts must be seized; at the same time the necessary alliances with the Marathas and the Nizam must be immediately stabilised; Cornwallis hoped, that "the common influence of passion and the considerations of evident interest" would draw them to his side. And so it proved. On 1 June, and 4 July, 1790, treaties were made with the Marathas and the Nizam in view of the imminent war with Tipu. These formed "the Triple Alliance"; and the war began in May, 1790.

Briefly the objects may be expressed as follows. Tipu was continuing his father's attempt to win supremacy in Southern India. The Nizam and the Marathas were in greater fear of him than of the English. Cornwallis saw danger near and far, to all British interests in India, and in the wider international spheres of Europe and America. His experience had accustomed his mind to world-wide maps.

¹ Wilks, *op. cit.* III, 38.

² Cornwallis Correspondence, I, 496.

³ Cf. Malcolm, *Political History of India*, I, 72.

⁴ Cornwallis Correspondence, I, 491.

The war lasted for nearly two years, and the result was both disastrous to Tipu and the prelude to greater and final disaster. It fell into three campaigns. The first was commanded by General Medows, whose devotion to duty and universal popularity were contrasted by Cornwallis¹ with the qualities and estimation of the late governor of Madras. Transferred from Bombay (where Ralph Abercromby replaced him) to Madras, this gallant but precipitate officer was to lead the principal force of the Carnatic to seize the Coimbatore district and then to penetrate through the Gazzalhatti pass to the heart of Mysore. Colonel Kelly was to watch over the safety of the Carnatic and the passes that led into it most directly from Mysore. To General Abercromby with the army of Bombay was given the task of subjugating the territory of Tipu on the Malabar Coast, a task which he accomplished in a few weeks. Medows was less immediately successful. A chain of forts stretched from the Coromandel Coast to the Gazzalhatti Gorge; all these were eventually captured and by July, 1790, Medows stood at Coimbatore sixty miles from his nearest support and ninety from the farthest. Then Tipu suddenly descended the famous pass and with rapidity and skill inflicted sharp blows on the British troops in different quarters. On 10 November he was narrowly prevented from destroying the force of Colonel Maxwell, successor to Kelly; six days later Medows came up and the British force was saved. But Tipu, moving rapidly, was still a source of considerable danger, and it was thought well that Cornwallis himself should come to the scene of action. The Marathas and the Nizam, however, were giving useful aid, and the capture of Dharwar added greatly to the allies' security and power.

The year 1791 found Cornwallis in command, and in politics the project broached of deposing the usurper Tipu in favour of the heir of the old Hindu rajas of Mysore. The governor-general recovered in India not a little of the military reputation he had lost in America; it is not insignificant that the favourite portrait of him shows a background of eastern tents and turbaned soldiery. Taking a new point of attack he moved by Vellore and Ambur to the capture of Bangalore, which he achieved on 21 March, 1791; and by 13 May he was within nine miles of Seringapatam. But the campaign ended in disappointment. Tipu showed unexpected generalship, and Cornwallis when the rains came was compelled to retreat by the utter failure (as Wilks reports) of all the equipments of his army: Madras, incompetent and sluggish, again at fault. It seemed necessary to open negotiations with Mysore, but Cornwallis was not disposed to yield, and when Tipu sent a propitiatory offering, it was with delight that "the whole army beheld the loads of fruit untouched and the camels unaccepted returning to Seringapatam".

When the fighting was resumed, though Tipu succeeded in cap-

¹ *Cornwallis Correspondence*, I, 429.



during Coimbatore (3 November, 1791), which had been most gallantly defended, the troops of Cornwallis, gradually removing all obstacles, and after arduous efforts (recounted with enthusiastic vigour by Wilks), occupying the chain of forts which was interposed, drew near to the capital; and on 5 February, 1792, the lines were drawn round Seringapatam. Cornwallis's letters give graphic descriptions of the attacks which followed. Tipu displayed much military and diplomatic skill, the native allies were urgent with Cornwallis to conclude the war by negotiation, and the governor-general was never keen completely to crush an enemy. Three days before peace was signed he wrote to Sir Charles Oakeley, governor of Madras, that "an arrangement which effectually destroys the dangerous power of Tipu will be more beneficial to the public than the capture of Seringapatam, and it will render the final settlement with our Allies, who seem very partial to it, much more easy"; and the Secret Committee had anticipated such an arrangement with approval.¹ Half Tipu's territory was surrendered,² and a large portion of this went to the Nizam (from the Krishna to beyond the Pennar river with the forts of Ganj-kottai and Cuddapah) and to the Marathas (extending their boundary to the Tungabhadra); while the English secured all his lands on the Malabar Coast between Travancore and the Kaway, the Baramahal district and that of Dindigul, and Tipu was obliged to grant independence to the much persecuted raja of Coorg. At home great interest was aroused by one provision: two sons of Tipu were surrendered as hostages for his good faith. A popular picture represents them being presented to Cornwallis amid an assemblage of perturbed Muhammadans. They were nurtured carefully at Calcutta: their portraits, not uninteresting, are still at Government House. In England also the treaty seemed a most satisfactory example of "our old and true policy",³ presumably one of deliberate avoidance of territorial acquisitions beyond the necessities of safety—for it was on this ground in his letters home that Cornwallis justified his seizures; but he was utterly deceived in thinking that Tipu recognised defeat or ceased to plan renewed aggression. Yet the English alliance with the Nizam undoubtedly received a new accession of strength; it may be said to have now reached something of the traditional stability which in Europe linked Portugal and England in unbroken alliance. The jealous Poona Marathas "saw with regret the shield of British power held up between them and the Nizam": new seeds for future war were planted though they did not grow up for some years. Cornwallis was not blind either, though he did not go much beyond declaring⁴ (to Sir C. Malet at Poona) that the allies were bound mutually to guarantee what each had won from Tipu. But before he left India a cloud was beginning to rise on the horizon towards

¹ *Cornwallis Correspondence*, II, 159.

² *Idem*, p. 537.

³ *Annual Register*, 1792.

⁴ *Cornwallis Correspondence*, II, 176 sqq.

Mysore.¹ Early in October, 1793, the governor-general returned to England, and his successor had none of his military interests or international experience, and little of his political sagacity.

The war between the Marathas and the Nizam (1794-5), in which Shore not unnaturally avoided intervention, ended in the Nizam's defeat and in Sir John Shore's belief that he was a less valuable ally than his conquerors, with the inept anticipation that there was "no immediate probability that we shall be involved in war".² He had, says his biographer,³ anticipated no danger from the union of the Marathas and Tipu against the Nizam, and contemplated without apprehension the total collapse of the latter's government. It is sufficient comment on Sir John Shore's political wisdom that it, alone of the three, survives to-day.

The results of Shore's non-intervention were speedily seen. The Nizam dismissed his English troops and increased the French, and but for his son's rebellion, which the English had remained long enough to suppress, would have thrown himself entirely on the French side, and thus have come inevitably into alliance with Tipu. Shore returned to England in 1798. A very careful and conscientious administrator, he was succeeded by a man of genius, who became one of the makers of British India. Himself without Indian experience, Richard Wellesley, Earl of Mornington (who arrived on 26 April, 1798), approached the problems of the East with a mind unbiassed though not uninformed. He was already on the Board of Control and had studied the history, politics and government of India assiduously. He had accepted the governorship of Madras, and had therefore observed the difficulties of Southern India particularly, on Lord Cornwallis being appointed governor-general a second time (1 February, 1797); but when Cornwallis accepted the lord-lieutenancy of Ireland a few months later, Wellesley was sent on instead to Calcutta. His earliest letters to Dundas,⁴ on his way out to India, evince a remarkable knowledge of Indian affairs, and on 28 February, 1798, though he did not know of Tipu's recent negotiations with France, he saw that in the power of Mysore lay the key to the whole position. Since Cornwallis had left India the fruits of his successes had disappeared.

"The balance of power in India", he wrote, "no longer exists upon the same footing on which it was placed by the peace of Seringapatam. The question therefore must arise how it may best be brought back to the state in which you have directed me to maintain it."

But he soon saw that the balance of power, if such there were to be, must stand on a very different footing from that on which Cornwallis, or Shore, or even Dundas, believed that it would rest securely.

¹ *Cornwallis Correspondence*, II, 219.

² See his state papers, *Malcolm's History*, II, App. II, XLIV sqq.

³ *The second Lord Teignmouth, Life*, I, 320.

⁴ From Cape of Good Hope: *Despatches*, I, 25. Cf. *The Wellesley Papers*, vol. I.

An admirable paper written years after by the Duke of Wellington—Mornington's younger brother Arthur, who arrived in India in January, 1797—describes the condition of the country when the new governor-general arrived. To Wellesley, actively though he intervened in the affairs of other countries, especially those of the Nizam, the centre of interest was Mysore. He landed on 26 April, 1798, and immediately learnt of the negotiations of Tipu with France and her dependency Mauritius.¹ Tipu had sent envoys to Versailles (where they were received with almost as much mirth as satisfaction), called himself "Citoyen", and addressed the most urgent and flattering applications to Malartic, the governor of Mauritius, for alliance and aid. In the name of the French Republic one and indivisible, the governor of the Isles of France and Bourbon issued a vigorous proclamation to the "citoyens de couleur libres", announcing Tipu's desire for an offensive and defensive alliance, and welcoming his assistance to expel the English from India. Tipu's ambassadors returned home and landed at Mangalore accompanied by a small French force on the very day (26 April, 1798)² that Sir John Shore received a letter from him desiring "to cultivate and improve the friendship and good understanding subsisting between the two states and an inviolable adherence to the engagements by which they are connected". The new governor-general was not deceived. He addressed a friendly letter to Tipu and received an effusive reply; but he left no ground for doubt as to the seriousness of his intentions, of which he desired the sultan to be aware. On 18 October he heard of Bonaparte's landing in Egypt, and two days later he ordered Lord Clive, governor of Madras, to prepare for war. He was now secure on the side of Hyderabad³, and he began a series of exploratory operations (as surgeons might say) in the direction of Mysore. He wrote: Tipu replied: more than once: the governor-general courteous with a touch of imperiousness, the Muhammadan despot evasive and deceitful. At first Mornington's plan was merely to require a repudiation of the French alliance; it developed, through increasing requirements of territory, into a determination utterly to annihilate the power of the usurper of Mysore.

The Mysore War with the destruction of Tipu has often been criticised as unjustifiable and unjust, precipitate and unwarranted by the conduct of the vanquished. The great majority of contemporary opinion is entirely against this view. Indeed it may be said that hardly a single writer or speaker who had personal knowledge of India doubted that the war, and its object, were absolutely necessary. England was already in danger from France, and the danger for several years grew greater; how much greater would it have been had the life and death struggle been carried on in India as well as in Europe! Already a French force was in Egypt. Did not the classical

¹ *Wellesley Despatches*, I, 213.

² *Idem*, I, App. pp. viii-xi.

³ Cf. p. 328 *supra*.

models which the ambitious pedants of the Revolution delighted to follow point towards the creation of a new western dominion in the East? The armies of Tipu, daily growing in numbers and efficiency, were ready implements to make this achievement possible. "His resources", said the Madras Government to Mornington, "are more prompt than our own." Yet war was embarked on by the English only after serious attempts at negotiation, and it seemed to the governor-general that it needed the vindication which the course of events would afford.

"It will soon be evident", he said, "to all the powers of India that the fundamental principle of our policy is invariably repugnant to every scheme of conquest, extension of dominion, aggrandisement or ambition either for ourselves or our allies."

It may be wondered whether the serious attempts at negotiation were ever regarded by Tipu as anything but endeavours to gain time. His letters to Lord Mornington were no doubt amusing from their fulsome professions of sincerity and friendship mingled with denunciations of the French, to one who already possessed authentic information of all that had happened in the Isle of France. They continued all through the winter of 1798-9, and were in no way influenced by the vigorous letter sent from Constantinople by the sultan, Selim III, urging the necessity of opposing the faithless French, enemies of the Muhammadan faith. Mornington suffered them to continue, for, as early as 12 August, 1798,¹ he had drawn up a minute in the Secret Department sketching measures necessary for "frustrating the united efforts of Tipoo Sultaun and of France". Yet he was still anxious to defend himself against any charge of aggressiveness. "The rights of states applicable to every case of contest with foreign powers", he asserted,² "are created and limited by the necessity of preserving the public safety." This necessity was now obvious. By the beginning of 1799 both sides were ready for the contest. Tipu retorted to Constantinople the charges made against his allies (10 February): Mornington issued to General Harris at Madras his instructions for the political conduct of the inevitable war (22 February). A commission was appointed to negotiate with any neighbouring chiefs, to conciliate the population and to watch over the family of the ancient Hindu rajas, whom the governor-general already thought of restoring to the throne of Mysore. On this commission Colonel Arthur Wellesley served. It was the first important political work of one who was to become England's prime minister as well as commander-in-chief. On the same day there was issued from Madras a declaration by the Governor-General in Council of the causes of the war, and Mornington addressed from Fort St George an order to General Harris not to delay the march of the army one hour, but to enter Mysore and march upon Seringapatam.

¹ *Wellesley Despatches*, I, 159.

² *Idem*, p. 171.



The circumstances were favourable. The armies of the Nizam and the Peshwa might be useful, and relations with the Nizam at least were cordial. But the chief dependence was on the British troops. The army of the Carnatic was believed to be

the best appointed, the most completely equipped, the most amply and liberally supplied, the most perfect in point of discipline, and the most fortunate in the acknowledged experience and abilities of its officers in every department which ever took the field of India,

and the Malabar force was also efficient. The object of the war was plain: the general in command had full powers, and the country was well known from the experience of the earlier war. British ships were at sea, successfully scouring it of French vessels. The governor-general himself was at Madras masterfully directing every step in advance, and acting in cordial association with the governor, the son of the great Clive. On 3 February General Harris moved from Vellore, and General Stewart from Kannanur. On 8 March Stewart defeated Tipu at Sedasere, and on the 27th he was again defeated at Mallavelly, by Harris. The raja of Coorg,¹ Tipu's bitter enemy, witnessed the achievements of Stewart with enthusiasm. Arthur Wellesley was in command of the contingent from Hyderabad, largely troops of the Nizam. Tipu was utterly out-generalled, and could do no more than turn to bay in his capital. The English armies met before Seringapatam early in April, and on 17 April the siege began. The English were compelled to hurry operations owing to the lateness of the season and the inadequacy of supplies—then a common fault in the organisation of all South Indian campaigns. A letter of General Harris dated 7 May describes the siege, and the assault and capture on 4 May. By the evening of the 3rd the walls were so battered that a practicable breach was made, and the assault was decided on for the 4th in the heat of the day. At one o'clock the English troops, with two hundred men from the Nizam's forces, crossed the Kavari under very heavy fire, passed the glacis and ditch and stormed the ramparts and the breaches made by the artillery; Major-General David Baird, who had been a prisoner of Tipu's till the Treaty of Mangalore, was in command. Tipu's body was found in a heap of hundreds of dead. His son, formerly a hostage, surrendered himself, and the Muhammadan dynasty was at an end.

Tipu was regarded by ignorant pamphleteers in England as a martyr to English aggression, and James Mill in later years attempted to vindicate his ability if not his character. But his Indian contemporaries rejoiced at his fall. He was a man of savage passions and vaulting ambition, whose capacities were not equal to his own estimation of his powers. He ruled, as a convinced Muhammadan, over a population of Hindus, whose ancient sovereigns his father had

¹ See Wilks's *Sketches*, III, 493.

dispossessed and whom he had bitterly persecuted. The district around Mysore abhorred him, and though the English found signs of prosperity within his dominions these were certainly due to no inspiration of his own. His character was a contrast to that of his father, who was wise and tolerant.

"Hyder", says Colonel Wilks,¹ "was seldom wrong and Tipu seldom right in his estimate of character.... Unlimited persecution united in detestation of his rule every Hindu in his dominions. In the Hindu no degree of merit was a passport to his favour; in the Mussulman no crime could ensure displeasure.... Tipu in an age when persecution only survived in history revived its worst terrors.... He was barbarous where severity was vice, and indulgent where it was virtue. If he had qualities fitted for Empire they were strangely equivocal; the disqualifications were obvious and unquestionable, and the decision of history will not be far removed from the observation almost proverbial in Mysore, 'that Hyder was born to create an Empire, Tipu to lose one'."

In a letter from Thomas Munro to his father² facts are given which support a judgment fully as severe. It is shown that through the means Tipu had taken to strengthen his power, by employing men of different races and being himself responsible for their payment, and by keeping the families of his chief officers as hostages at Seringapatam, he had made the stability of his government depend entirely upon himself, and with him it collapsed; and "also he was so suspicious and cruel that none of his subjects, none probably of his children, lamented his fall".

At the fall of Seringapatam practically the entire sovereignty of Mysore fell into the English hands. How was this power to be exercised? Mornington was not disposed to annex the whole, as he might well have done. Nor did he desire to add to obligations which it was not easy either to estimate or to discharge. He wrote that

owing to the inconveniences and embarrassments which resulted from the whole system of government and conflicting authorities in Oudh, the Carnatic and Mysore, I resolved to reserve to the Company the most extensive and indisputable powers.

Thus the family of Tipu was swept into obscurity but with ample provision and dignity. Then came provision for all the territory that had been conquered. Mornington set himself at once to the serious task of providing for the future government of the country. He decided

that the establishment of a central and separate government in Mysore, under the protection of the Company, and the admission of the Marathas to a certain participation in the division of the conquered territory, were the expedients best calculated to reconcile the interests of all parties, to secure to the Company a less invidious and more efficient share of revenue, resources, commercial advantage and military strength than could be obtained under any other distribution of territory or power, and to afford the most favourable prospect of a general and permanent tranquillity in India.

¹ Wilks, *op. cit.* III, 464.

² Gleig, *Life*, I, 228 sqq.: a most interesting and valuable letter.

Thus Tipu's territory was divided, leaving only a small and compact possession for the descendants of the ancient Hindu rajas, of which the Company was to undertake the defence, occupying any forts it might choose. Beyond that, the division of territory had results of considerable political as well as geographical importance. To the English dominions were added the province of Kanara, the districts of Coimbatore, Wynad and Dharapuram, and all the land below the Ghats between the coast of Malabar and the Carnatic, "securing", said Wellesley, "an uninterrupted tract of territory from the coast of Coromandel to that of Malabar, together with the entire sea-coast of the kingdom of Mysore". The fortresses commanding all the heads of the passes above the Ghats were also secured, and, in addition, the fortress of Seringapatam. Thus it was made certain that no ruler should arise in Mysore like Tipu who could intervene in a contest of sea-power, or hold out a hand to European enemies of England to give a landing for troops which might threaten British power in the south of India, as it had been threatened in the days of La Bourdonnais and Dupleix.

This rearrangement greatly increased the responsibilities of the presidency of Madras, a fact which the directors of the East India Company did not at once appreciate. The governors and the council were not generally men of wide vision or practical sagacity. Lord Clive was a useful subordinate to the governor-general; not so much could have been said of all his successors. Nor was the military organisation of Madras satisfactory; it took a long time to provide a permanent system of recruiting, commissariat, and command. Sir Hilario Barlow, afterwards governor-general, had a difficult task with regard to the army, and it may at least be said that he discharged it with greater wisdom than several of his contemporaries. In Sir Thomas Munro, however, the Company soon found a servant of the very highest ability, and so long as he was in authority in the province of Madras the improvement was rapid and continuous.

"Perhaps there never lived a European more intimately acquainted", says his biographer, Gleig,¹ "with the characters, habits, manners and institutions of the natives of India, because there never lived a European who at once possessed better opportunities of acquiring such knowledge, and made better use of them."

It was not till twenty years later than the conquest of Mysore that he became governor of Madras, but his growing influence over Southern India can be traced in all the years which intervene. On the acquisition of Kanara he was its governor, and he made a deep impression on the inhabitants of that rugged and wild district which stood between the Portuguese, the Marathas, and the sea. It was a time when the power of the Marathas began visibly to decline. The share of Tipu's territory which was offered them they refused, the Peshwa already scheming for an occasion of attack upon the English;

¹ Preface to *Life*, p. xii.

the land then was divided between the English and the Nizam. As the Marathas became more clearly alienated from the English—though, as will be seen later, the process was not continuous, the Nizam—again with interruptions—became more definitely their ally. The Treaty of Hyderabad, Mornington's first achievement in constructive statesmanship, had brought the Nizam close to the English government in India; his aid in the Mysore War had not been inconsiderable and now his position was consolidated by the acquisition of the districts of Gurramkonda and Gooty and the land down to Chitaldrug, and other border fortresses of Mysore. Thus the process begun in the Treaty of Hyderabad was continued after the overthrow of Tipu, and the Nizam was established as a strong and independent support of the English in the south. In the words of Arthur Wellesley a few years later, "our principal ally, the Nizam, was restored to us"; and affairs in the south were placed "on foundations of strength calculated to afford lasting peace and security".

Towards this security the settlement of Mysore was an essential factor. Mornington had for some time considered the wisest course to adopt. He felt that a native state must remain; but that it should be unable to embroil itself and its neighbours with the Company. When Mornington announced the results of the war and the peace to the directors of the Company, he said:

Happily as I estimate the immediate and direct advantages of revenue and of commercial and military resources, I consider the recent settlement of Mysore to be equally important to your interests, in its tendency to increase your political consideration among the native powers, together with your means of maintaining internal tranquillity and order among your subjects and dependents, and of defending your possessions against any enemy whether Asiatic or European.

And the settlement was this. The family of the ancient Hindu rajas was searched for, discovered, restored. There was a story years before of how Hyder selected the fittest child of a baby family to be its head, though he had never given him real power. Among the children he threw a number of baubles, of fruits and ornaments, and among them concealed a dagger: the child who chose this was to be the chief.

"In 1799 the future raja", says Colonel Wilks,¹ "was himself a child of five years of age, but the widow of that raja from whom Hyder usurped the government still remained, to confer with the commissioners and to regulate with distinguished propriety the renewed honours of her house."

By the change of dynasty the sentiments of the Hindu people of Mysore were attached to the British power which had restored to them the representatives of their ancient religion and government, and the stability of the new government was secured by

the uncommon talents of Purniya (the very able financial minister of Hyder) in the office of minister to the new raja, and that influence was directed to proper objects by the control reserved to the English Government by them in the provisions of the treaty.

¹ Wilks, *Historical Sketches*, III, 470.

By the treaty of Seringapatam, 1 September, 1798, between the Company and "Maharaja Mysore Krishnaraja Udayar Bahadur, Raja of Mysore" the raja was to pay an annual subsidy, and if this were unpaid the Company might order any internal reforms and bring under its own direct management any parts of his country; and the raja undertook to refrain from correspondence with any foreign state and not to admit any European to his service.

The Earl of Mornington, for this achievement, was created Marquis Wellesley in the peerage of Ireland, an honour which he described as a "double-gilt potato". He was indeed highly indignant at so slight a recognition of such considerable services.

The settlement of the territory newly acquired by the British, and the establishment of the government of Krishnaraja, the new ruler, a child of seven, proceeded apace. On 24 February, 1800, the governor-general sent Dr Francis Buchanan to make an extensive survey of

the dominions of the present raja of Mysore, and the country acquired by the Company in the late war from the Sultan, as well as that part of Malabar which the Company annexed to their own territories in the former war under Marquis Cornwallis.¹

Drawn up by the Marquis Wellesley himself, who during all his rule was keenly interested in Indian agriculture, the instructions show the care with which the governor-general provided for his successors full information as to the condition of the country. Agriculture was the chief subject investigated, in such detail as "esculent vegetables" and the methods of their cultivation, including irrigation, the different breeds of cattle, the farms and the nature of their tenure, the natural products of the land, the use of arts, manufactures, medicine, mines, quarries, minerals, the climate and the ethnology of the country. The record of the investigation is a work of very great value and extraordinary minuteness, and throws considerable light on the cruel and erratic government of Tipu as well as on the just and well-organised system introduced by Colonel Close, the British Resident at Seringapatam. The thoroughness of the investigation, with the large tracts of country it covered, shows the spirit in which the English rulers entered on their task, and justifies the statement made by Arthur Wellesley² six years later.

The state in which their government is to be found at this moment, the cordial and intimate unity which exists between the Government of Mysore and the British authorities, and the important strength and real assistance which it has afforded to the British Government in all its recent difficulties, afford the strongest proofs of the wisdom of this stipulation of the treaty,

namely, "the most extensive and indisputable powers" which the governor-general had reserved to the Company by the provision "for the interference of the British Government in all the concerns" of

¹ The results were published in 1807 in three volumes.

² Mem. by Sir A. Wellesley 1806, *ap.* Owen's edition of *Wellesley Despatches*, p. lxxxii.

the Mysore state "when such interference might be necessary". This satisfactory result, however, was not achieved immediately or without a period of difficult guerrilla warfare. Accounts of this are to be found in the letters of Arthur Wellesley and Thomas Munro.

Though Tipu's sons remained in retirement and Seringapatam was tranquil under the wise government of Colonel Close, the districts at a distance from control were soon overrun by freebooting bands. The chief of these was led by Dundia Wagh, a Maratha by birth but born in Mysore. This vigorous and savage personage had been trusted by Hyder, but degraded, compulsorily converted to Islam, and imprisoned, till the very day of the capture of Seringapatam, by Tipu. When he escaped he collected a band of desperate men and thought to establish for himself, as Hyder had done, a kingdom in the south. Arthur Wellesley pursued him, step by step, taking and destroying forts, clearing districts, endeavouring to force the bandit into the open field. The private letters of Colonel Wellesley to Thomas Munro show the difficulty of the task which he at last successfully accomplished, and the determined sagacity with which he achieved it. Dundia had almost established a kingdom: he was extraordinarily energetic, capable, and acute. But he was no match for the persistent vigilance of Wellesley. Employing troops from Goa, the pledge of the firm alliance with Portugal which he was afterwards to vindicate and cement, Wellesley pursued the foe till he was defeated and killed. Alike in the personal letters to his friends and in the official dispatches Wellesley showed the calm unbroken perseverance which was to make him the greatest English general of his age. The tranquillity of the Mysore kingdom, which has been practically unbroken for a century, was due to him, it may well be said, more than to any other man. Without the brilliancy and the political genius of his elder brother, Arthur Wellesley had qualities which endured longer and which brought him at length to the highest place in his country's service. When he became famous in the Spanish Peninsula the portrait painted of him as a young general in India was early sought for reproduction; and this in a figure represented the beginnings of his great military career. The rough work of Indian warfare supplied lessons which he never forgot, and a study of it is indispensable to the understanding of his later achievements.

The governor-general as a statesman, David Baird and Harris as soldiers, Close as administrator, played great parts in the story of conquest and settlement, but Arthur Wellesley is the real hero of the re-establishment of Mysore as a Hindu state.

CHAPTER XXI

ODDH AND THE CARNATIC, 1785-1801

I. OUDH, 1785-1801

THE condition of Oudh under Sir John Macpherson very speedily aroused the suspicion and then the indignation of Cornwallis. Corruption was rife, perhaps even more flagrantly than in the Carnatic. Cornwallis vented his anger in a letter to Dundas.¹ "His government", he said, was "a system of the dirtiest jobbing—a view shared by Sir John Shore²—and his conduct in Oudh was as impeachable, and more disgusting to the Vizier than Mr Hastings'." To Lord Southampton he wrote a year later³ that as soon as he arrived in India he had in Macpherson's presence tied up his hands "against all the modes that used to be practised for providing for persons who were not in the Company's service, such as riding contracts, getting monopolies in Oudh, extorting money for them from the Vizier, etc.". Of his honest determination there could be no question, but he did not find it easy to carry out. Asaf-ud-daula was as corrupt as any native prince of his time could possibly be, and, so far as it was possible for foreigners to judge, as popular. He was certainly as cunning and as determined. In 1787⁴ Cornwallis wrote a description of him to Dundas as extorting

every rupee he can from his ministers, to squander in debaucheries, cock-fighting, elephants and horses. He is said to have a thousand of the latter in his stables though he never uses them. The ministers on their part are fully as rapacious as their master; their object is to cheat and plunder the country. They charge him seventy lacs for the maintenance of troops to enforce the collections, the greater part of which do not exist, and the money supposed to pay them goes into the pockets of Almas Ali Khan and Hyder Beg.

It was with no favourable ear, therefore, that the governor-general listened to the request of the wazir for the alteration of the arrangements made by Hastings. The claim was that the temporary quartering of the British (Fatehgarh) brigade should be withdrawn, leaving only one brigade of the Company's troops in Oudh, and that his "oppressive pecuniary burdens" should be reduced. Cornwallis had a conference with the wazir's minister, Haidar Beg, and then (15 April, 1787) addressed a letter to him in which he offered to reduce the tribute from seventy-four to fifty lakhs, if this should be punctually paid, but he refused to withdraw the troops from Fatehgarh. The

¹ *Cornwallis Correspondence*, I, 371.

² *Life of Lord Teignmouth*, I, 128.

³ *Cornwallis Correspondence*, I, 445.

⁴ *Idem*, p. 247.

condition of the nawab's own troops was a standing menace to the security of the British territory; Cornwallis demanded that they should be greatly reduced.

"I was obliged", wrote Cornwallis to the Directors,¹ "by a sense of public duty to state to him my clear opinion that two brigades in Oudh would be indispensably necessary for the mutual interest and safety of both governments. The loss of Colonel Baillie's and several other detachments during the late war has removed some part of that awe in which the natives formerly stood at the name of British troops. It will therefore be a prudent maxim never to hazard, if it can be avoided, so small a body as a brigade of Sepoys with a weak European regiment at so great a distance as the Doab; and from the confused state of the upper provinces it would be highly inadvisable for us to attempt the defence of the Vizier's extensive territory without a respectable force."

His minute on the subject, rightly regarded by Sir John Malcolm² as a very clear view of the connection between the Company and the wazir, states his opinion that it "now stands upon the only basis calculated to render it permanent". He relied for the continuance of the condition of affairs, which he viewed so optimistically, upon the fidelity and justice of the nawab's very able minister, exposed though he was "to the effects of caprice and intrigue". Sir John Malcolm regarded the arrangement "as happy as the personal character of Asaf-ud-daula admitted of its being". So it remained in outward tranquillity at least, unshaken by an insurrection by the Afghans still—in spite of the first Rohilla War, so greatly exaggerated in England—remaining in Rohilkhand. There was a sharp contest, in which British forces supported the nawab. The end was the restoration of their possessions to the Afghans under Hamid 'Ali Khan. The restoration of tranquillity tended to the maintenance of the nawab's administration undisturbed by the very necessary intervention of the Company; but Sir John Shore was fully aware of the condition of affairs. He wrote to Dundas (12 May, 1795)³ that the dominions of Asaf-ud-daula were

in the precise condition to tempt a rebellion. Disaffection and anarchy prevail throughout; and nothing but the presence of our two brigades prevents insurrection. The Nawab is in a state of bankruptcy, without a sense of his danger, and without a wish to guard against it. The indolence and dissipation of his character are too confirmed to allow the expectation of any reformation on his part;

and the death of Haidar Beg in 1794 had put an end to all hopes of reform. In 1797 Asaf-ud-daula died. Early in the year Sir John Shore had paid a visit to Lucknow, of which a letter of his aide-de-camp and brother-in-law preserves a vivid impression.⁴ The nawab seemed still to be "the most splendid emanation of the Great Mogul now remaining", but he had "an open mouth, a dull intellect, a quick propensity to mischief and vice", and "the amusements of Tiberius at Capua must, in comparison with those of their feasts, have

¹ *Cornwallis Correspondence*, I, 276.

² *History of India*, I, 110.

³ *Life*, I, 332.

⁴ *Bengal Past and Present*, xvi, pt II, 105 sqq.



been elegant and refined". He had still an able minister who acted for him at Calcutta, had translated Newton's *Principia* into Arabic, was a great mathematician, and if he had had sufficient influence with the nawab could have "made his country a paradise".

Lucknow at the time Shore visited it contained at least two persons of peculiar interest. The nawab himself, Asaf-ud-daula, with all the faults of idleness and luxury, in many respects ignorant, and in all subtle, cruel and unsound, was yet, after the fashion of his age, a man of cultured tastes. The remarkable building, the great Imambarah, whose stucco magnificence still, after long years and many dangers, remains impressive, was built by him in 1784, its great gate after the model (it is said) of the gate of the Sublime Porte at Constantinople, which it far surpasses in dignity. In the great hall the remains of the nawab still lie under a plain uninscribed slab. Another memorial of that time is the Martinière, the college founded by General Claude Martin, which was his own house till he died and for which Asaf-ud-daula is said to have paid him a million sterling. Martin from 1776 had been in the service of the nawabs of Oudh; he had made a fortune out of their necessities; he had been a maker of ordnance and a speculator in indigo, and he still retained his position in the Company's military service; he lived till 1800, and was buried, with plainness equal to the nawab's, in the house he had built.

The nawab died a few weeks after Shore's visit, which might seem to have been in vain. At first the governor-general recognised Wazir 'Ali, in spite of some doubts as to his legitimacy, as his successor. Asaf-ud-daula had acknowledged him as his son; there was also the sanction of the late nawab's mother, and appearance of satisfaction among the people. But it was not long before all these appearances were reversed. Shore re-examined the question of right, and came to an opposite conclusion. "Ali", his biographer says, "was surrounded by a gang of miscreants." Other and more important old ladies shrieked their protests into the governor-general's ears. The good man was terribly confused.

"In Eastern countries", he said, "as there is no principle there can be no confidence. Self-interest is the sole object of all, and suspicion and distrust prevail under the appearance and profession of the sincerest intimacy and regard."

General Craig, who had for some time commanded the British forces in Oudh, and Sir Alured Clarke, the commander-in-chief, warned him of the danger he was in if he changed his decision, and Tafazzul Hussain Khan, with agitated emphasis, told him "this is Hindustan, not Europe: and affairs cannot be done here as there". Lucknow showed every sign of an outbreak, and in the city were "many respectable families who live under the protection of British influence". But Shore took the risks, declared the deposition of 'Ali and the substitution of his uncle, Sa'adat, and escorted him through the

city mounted on his own elephant. Not content with declaring the spuriousness of 'Ali, he included in the same disgrace all the other sons of Asaf-ud-daula. On 21 January, 1798, Sa'adat 'Ali, now on the *masnad*, entered into a treaty which considerably strengthened the English power. This seemed to be necessary through the recurring threats of an invasion from Afghanistan by Zaman Shah, of whose power and ferocity the English letters of the time are full. He had already occupied Lahore, and, though this had not been followed up, it showed the weakness of the northern frontier. At home as well as in India the danger was thought to be grave. Dundas, writing on 18 March, 1799, regarded it as of the first importance to guard against it, and proposed to encourage and foment "distractions and animosities" in his own territory to keep Zaman Shah employed, and was tempted, he said, to direct that our own forces and those of the wazir should never go beyond his territories and our own, so as to be ready to repel any attack.

The treaty may have been necessary and just; but it was certainly a departure from the policy, if not the principles, associated with its author. Yet the directors evidently approved it, and the ministry gave Shore an Irish peerage, as Lord Teignmouth—a precedent followed, and bitterly resented, in the case of his successor. The terms of the treaty included an increase to seventy-six lakhs of the annual payment to the Company by the wazir of Oudh; the placing of an English garrison in the great city of Allahabad; the increase of British troops to 10,000, who were given the exclusive charge of the defence of the country, and the strict limitation of the wazir's own troops; and finally the nawab agreed to have no dealings with other powers without the consent of the English.

The praise of the treaty was not universal. Burke seemed for a while to be taking the war-path again. There was a threat of impeachment; and, indeed, Shore seemed to have been at least as autocratic as Hastings. "I am playing, as the gamesters say, *le grand jeu*", he said, "and with the same sensation as a man who apprehends losing his all." But nothing came of it. Wazir 'Ali had undoubtedly been overawed by force: a proceeding against which, in the case of the Carnatic, Shore had himself piously protested, and Sa'adat, equally under pressure, agreed to pay for any increase of English troops that might be necessary. It was the last act of Lord Teignmouth as governor-general, and certainly the most vigorous, but it was no more effective than his less emphatic actions.

When Mornington arrived in India the condition of Oudh was represented to him as tranquil. The directors in May, 1799, thought that Shore's settlement bade fair to be permanent. They were not disturbed by the subsidy, during the first year of Sa'adat 'Ali, being in arrear; yet this was the very eventuality for which Shore's treaty had provided a remedy. They were ready even to counter-order the

augmentation of the English force. Shore had infected them with his roseate confidence. Mornington very soon saw more clearly. He had in 1798 found it necessary to station an army of 20,000 men in Oudh under the command of Sir J. Craig, to be ready for the anticipated invasion by Zaman Shah. The new wazir had complained that his own troops could not be trusted and had demanded an English force as a security against them. For this an increase of the subsidy of fifty lakhs was considered necessary. This was a heavy burden but the protection could not be had for nothing, and Mornington's keen eye saw that the internal dangers of Oudh were pressing. There was the Doab: what was to become of it? There was the danger that would come on the death of Ilmas, its possessor; how was it to be guarded against? And there was the state of the nawab's own troops, which it soon became a fixed custom to describe as a "rabble force": there was no other way to meet this but by an increase of the British contingent. But more than this: there was the civil disorder, still unremedied, in every branch of the nawab's administration.

With respect to the Wazir's civil establishments, and to his abusive systems for the extortion of revenue, and for the violation of every principle of justice, little can be done before I can be enabled to visit Lucknow. (December, 1798.)

Mornington had no misconception of the character of oriental sovereigns. Shore seemed satisfied that Sa'adat would be a great improvement on the nephew whom he had dispossessed. But Amurath to Amurath succeeds; and a leopard cannot change his spots.

Mornington's gaze, like that of Cornwallis, was concentrated also on the English locusts in Oudh. Shore, almost as much as Macpherson whom he so sternly condemned, had seemed to be content to leave them alone. Mornington regarded their presence as "a mischief which requires no comment". And he determined "to dislodge every European except the Company's servants". Nor was his anxiety at this time restricted to the Englishmen in the country. The deposed Wazir 'Ali, residing near Benares, with a handsome pension from his uncle, apparently on a momentary impulse, but more probably by a premeditated scheme, murdered Cherry, the British Resident, and soon received "active and general support": it needed a British force to pursue and capture him. He was kept at Fort William in captivity and lived till 1817. The confusion with which Mornington had to deal was even more entangling than that of the Carnatic, and, for the moment at least, more actively dangerous. Whether Sa'adat 'Ali had a better right to rule than his nephew or not, he certainly was no more capable of doing so. He was as incompetent as he was inconsistent: at one time crying for protection against his own troops, at another refusing to disband them. He protested that he could not rule: he volunteered to abdicate: he withdrew his offer. It was impossible from a distance to understand his manœuvres and

tergiversations. Mornington supplemented the Resident by a military negotiator, Colonel Scott, who came to Lucknow in June, 1799. He did not act precipitately: he made as careful an investigation of the country and the circumstances as time would permit. He found that the wazir was unpopular to an extreme degree: the durbar was deserted: the administration was hopelessly corrupt. The nawab's object was only to temporise and delay. Colonel Scott soon convinced himself that what he really wanted was to obtain entire control of the internal administration and the exclusion of the English from any share in it. Then corruption would grow more corrupt, and the English would be responsible for the maintenance of a system which was thoroughly immoral, inefficient and dangerous. And the wazir assured the envoy that he had a secret and personal proposal in reserve. What was it? Ultimately it appeared to be his resignation, which was offered, accepted, and, as soon as it was accepted, withdrawn.

To Mornington and his advisers the first necessity appeared to be military security, the second civil reform; and neither of these was possible under a vicious and incompetent government. The establishment of a strong military force was essential, as strong in peace as war. Mill,¹ thirty years afterwards, considered that "a more monstrous proposition never issued from human organs". The fact is that the ceaseless oriental procrastination increased the external danger and the internal oppression day by day. Coercion at last became the only remedy. The condition of Oudh, then and for fifty years afterwards, proves that the action of the governor-general was neither precipitate nor unwise.

On 12 November, 1799, the wazir announced to Colonel Scott his intention to abdicate. He desired that one of his sons should succeed him. On the 21st the governor-general expressed his satisfaction with the decision.

The proposition of the Wazir is pregnant with such benefit, not only to the Company, but to the inhabitants of Oudh, that his lordship thinks it cannot be too much encouraged; and that there are no circumstances which shall be allowed to impede the accomplishment of the grand object which it leads to. This object his lordship considers to be the acquisition by the Company of the exclusive authority, civil and military, over the dominion of Oudh.

The cat was out of the bag.

But then there was the most tedious and exasperating delay. Sa'adat would and he would not. Wellesley could with difficulty restrain his irritation. Colonel Scott had a difficult task, between the two, to carry out any arrangement which should secure the prosperity of the country.

Mornington's proposal was similar to that arrived at in the south, at Tanjore: that is, the establishment of a native ruler with a fixed income and all the paraphernalia of sovereignty, the administration being placed in the hands of British officials. But this by no means

¹ *History of India*, VI, 142.

suited Sa'adat. The control of the internal administration, with the fruits of speculation and oppression, was the apple of his eye. He withdrew his abdication and retired, metaphorically, into his tent. He thought, like the nawab of the Carnatic, that he could sit tight and wait. But Wellesley had now full experience of this process, and he would no longer endure it. He ordered several regiments to move into the north of Oudh and required the nawab to maintain them. The wazir replied that this was contrary to the treaty with Shore, that the British force should only be augmented in case of necessity, and that the nawab should have control of his household treasure. Sir John Malcolm¹ rightly rejects this argument, which English critics of Wellesley have accepted. As to the wazir's consent being necessary, he says that

if this assertion had not been refuted by the evidence of the respectable nobleman who framed the treaty, it must have been by its own absurdity; for the cause of the increase is said to be the existence of external danger—of which one party—the English Government—can alone be the judge, as the other, the Wazir, is precluded by one of the articles of this treaty from all intercourse or communication whatever with foreign states.

In a masterly letter to the wazir from Fort William, 9 February, 1800, Mornington exposed the inconsistencies of his conduct, and sternly told him that the means he had taken to delay the execution of all reform were calculated to degrade his character, to destroy all confidence between him and the British Government, to produce confusion and disorder in his dominions, and to injure the important interests of the Company to such a degree as might be deemed nearly equivalent to positive hostility. It was a long, severe, eviscerating epistle. But a year passed and nothing happened that pointed to a conclusion. On 22 January, 1801, Wellesley wrote to Colonel Scott, exonerating him from any responsibility for the delay, analysing the condition of the country and the government, and insisting that the time had now come for "the active and decided interference of the British Government in the affairs of the country", and that the wazir must now be required

to make a cession to the Company in perpetual sovereignty of such a portion of his territory as shall be fully adequate, in their present impoverished condition, to repay the expenses of the troops.

The treaty was to be drawn up on the same terms as those already concluded with the Nizam and with Tanjore. And so within ten months it was.

Wellesley associated in the drawing up of the treaty his brother Henry, the astute diplomatist afterwards famous as Lord Cowley. The date of the treaty was November, 1801. The required territory was ceded. It "formed a barrier between the dominions of the Wazir and any foreign enemy". And the wazir promised to establish such an administration in his own dominions as should conduce to the

¹ *History of India*, I, 275-6.



happiness and prosperity of his people. From Wellesley's explanation of the treaty to the directors, and from the Duke of Wellington's justification of it, may be drawn the grounds on which it was considered necessary and effectual at the time. The subsequent history of Oudh up to the Sepoy War shows that it did not fully meet the intentions of its framers. But at the moment there was the obvious advantage of getting rid of a useless and dangerous body of troops ready at all times to join an enemy of the Company—the extinction indeed of the nawab's military power. Obviously important, too, was the obtaining responsibility by the Company for the general defence of the nawab's dominions. By the renewed security for the payment of the subsidy the continual disputes with the court of Lucknow were ended. Commerce grew, in consequence of the new security, enormously. The Jumna was made navigable for large vessels: Allahabad became a great emporium of trade, and indeed started on its modern career of prosperity. A real improvement in the condition of the people was soon evident. Wellesley had seen elsewhere the enormous benefits of the British rule in the "flourishing and happy provinces" which he had already visited, and Wellington a few years later pointed to "the tranquillity of those hitherto disturbed countries and the loyalty and happiness of their hitherto turbulent and disaffected inhabitants". The settlement of the ceded districts was managed by a commission under Henry Wellesley. His appointment was the subject of severe criticism. The bitterest charges of nepotism were launched against the governor-general. But there can be no doubt that, in entrusting such important work to his brothers Arthur and Henry, Wellesley chose the best means at his command, and materially benefited the people who were entrusted to their protection.

It has been said that the Oudh assumption was the most high-handed of all Wellesley's despotic actions. He would hardly have denied this, but he would have justified it. The tangle of conflicting interests could only be cut by the sword: and he did not hold the sword in vain. Honest administration turned the ceded districts from almost a desert to a prosperous and smiling land.

But in this, and the other subsidiary treaties, it must be observed that there were grave defects. The Company was made responsible for the maintenance of a government which it was impossible for its representatives, as foreigners, entirely to control. The Carnatic no doubt had a new and happy future: but in Oudh the snake of oppression was scotched, not killed. The progress of amelioration under English rule—often stern as well as just, and unpopular because not fully understood—was always slow, often checked, often incomplete. But of the great aims, the high conscientiousness, the keen insight, and the impressive wisdom, of the Marquis Wellesley, in these, the most characteristic expressions of his statesmanship, there can be no doubt.

II. THE CARNATIC, 1785-1801

The condition of the province of Madras had been a constant anxiety to succeeding governors-general, and indeed a danger to the British position in India. So far back as 1776 the Tanjore question had been complicated by the gravest disagreements between the governor and his council, leading up to the arrest of Lord Pigot and his removal from the government of Fort St George. The numerous papers, published in two large volumes in 1777, are concerned not a little with the affairs of the nawab of the Carnatic, and form indeed an indispensable preliminary to the understanding of his position in 1785. A smaller volume published in the same year deals more directly with this subject, and claims to explain fully the right of the nawab to Tanjore and to refute all the arguments of Lord Pigot's adherents "and the authors of the unjust and impolitic order for the restoration of Tanjore". It was declared by those who were in favour of Muhammad 'Ali, nawab of Arcot, "the old faithful and strenuous ally of the British nation", that the raja of Tanjore was the hereditary enemy of the nawab and of the British, "destitute of morality, but devoted to superstition", and that the nawab was heart and soul in English interests, and "without power to emancipate himself from English control even if he wished to do so".

Are not his forts garrisoned with our troops? His army commanded by our officers? Is not his country open to our invasion? His person always in our power? Is not he himself, are not his children, his family, his servants, under the very guns of Fort St George?¹

This argument was repeated as strongly in 1785. But it was urged, in reality, on behalf of the British creditors of the nawab, of whom the notorious Paul Benfield, now caricatured as "Count Rupee" with a black face riding in Hyde Park on a stout cob, was, if not the great original, at least the most successful and the richest. It was the nawab's creditors, some at least of whom were actually members of the Madras Council, who kept him so long in possession of his throne and with the trappings of independence. A crisis, it may be said, was reached when the English legislature endeavoured to deal with the nawab of Arcot's debts. But such crises were recurrent. Dundas's bill, Fox's bill, Pitt's bill, took up the matter, and the Act of 1784 ordered, in regard to the claims of British subjects, that the Court of Directors should take into consideration "the origin and justice of the said demands"; but the Board of Control itself intervened, divided the loans into three classes and gave orders for the separate treatment of each. This was challenged by the Company.

There was a motion by Fox and a famous speech by Burke, February, 1785, in which the ministry was denounced as the

¹ *Original Papers relative to Tanjore*, p. 40.

submissive agent of Benfield, a "coalition between the men of intrigue in India and the ministry of intrigue in England". The orator threaded his way through a network of intrigue: he could not disentangle it. He used it as an instrument for belabouring the English ministry. It was to form another scourge for the back of Hastings. The governor-general had ordered the assignment of all the revenues of the Carnatic during the war with Hyder to British control, and the government of Madras had negotiated it. This plan left the nawab with one-sixth of the whole for his own maintenance and thereby made him richer than before. The creditors were determined to obtain more: they raised vehement cries of protest: they partially convinced Hastings: they wholly convinced the Board of Control; and Dundas ordered restitution of the entire revenues to the nawab. In vain Lord Macartney, in a letter from Calcutta (27 July, 1785), proclaimed that the assignment was "the rock of your strength in the Carnatic", and on his return to England, after declining the government of Bengal, he pressed his views very strongly upon Pitt and Dundas. In vain. Restitution was ordered. There was no provision in Pitt's Act which could prevent new loans, and so the nawab plunged deeper than ever into debt.

Thus Cornwallis found the relations of the Company with the nawab more complicated than ever. The new governor of Madras, Sir Archibald Campbell, made a new arrangement with him, moved it would seem by his crocodile tears and "a very pathetic remonstrance" that he could not live on what was left him after contributing to the payment of his debts and the expense of the state. A treaty, 24 February, 1787, assigned nine lakhs of pagodas to the state and twelve to the creditors: and the nawab was supposed to be "more sincerely attached to the prosperity of the Honourable Company" than "any prince or person on earth". Special provisions were made in view of possible war, and the sole military power was placed in the hands of the Company. But the conditions were no better fulfilled than others. When war came in 1790 Cornwallis was obliged to take possession of the Carnatic,¹ in order, says Sir John Malcolm,² "to secure the two states [the Carnatic and Madras] against the dangers to which he thought them exposed from the mismanagement of the Nawab's officers". It was quite clear that it was impossible to leave the "sword in one hand, the purse in another". By the control now assumed the success of the war with Tipu was made much more easy, and it became obvious that a new treaty to stabilise this condition of affairs had become necessary. In 1792 this was concluded. By this the Company was to assume entire control of the Carnatic during war, but to restore it when war ended. It was to occupy specified districts if the nawab's payments should fall into arrear; the

¹ See *Cornwallis Correspondence*, II, 2, 3.

² *History of India*, I, 94.

poligars of Madura and Tinnevely, whose resistance to the feeble government of the nawab rendered the collection of revenue impossible, were transferred to the rule of the Company; and the nawab's payments, for which these terms were a security, were to be nine lakhs for the peace establishment and four-fifths of his revenues for war expenses, his payment to his creditors being reduced from twelve to six lakhs. From this treaty Cornwallis hoped for a new and stable settlement of the most puzzling, if not the most dangerous problem, with which successive representatives were confronted. In nothing did he show more clearly his lack of political sagacity than in this hope. The fact that the moment any war broke out the control of the country should change hands made confusion worse confounded, and an efficient native administration became impossible. The nawab too was left exposed to all the schemes and intrigues which had enmeshed him of old. The pavement of good intentions left Paul Benfield and his companions more secure than before. English management for a limited period gave no opportunity for the detailed knowledge which is essential to good government, and the people naturally preserved their allegiance to the rule to which they were soon to return. The Board of Control saw the weakness of the scheme and soon determined that new arrangements must be made: but nothing was done, perhaps nothing could have been done, so long as Muhammad 'Ali lived. He died 13 October, 1795, at the age of seventy-eight, an astute intriguer, never a serious foe, but always a serious trouble, to the Company. He had played on ruler after ruler with the skill of an expert, and he had continually succeeded in obtaining terms much better than he deserved, if not always all that he desired.

The time of his death seemed propitious. A year before, 7 September, 1794, Lord Hobart, an honourable and intelligent personage, had become governor of Madras; and in a minute immediately after the nawab's death recording the ruinous results of the policy of the past and tracing all to the usurious loans which had been effected by Europeans for mortgages on the provinces of the Carnatic, he declared that the whole system was "destructive to the resources of the Carnatic and in some degree reflecting disgrace upon the British Government". In the letter appears an early expression of English concern for the welfare of the poorest class, a protest against that oppression of the ryots which the misgovernment and financial disorder inevitably produced. British power, it seemed, had actually increased the capacity for evil-doing which native governments had never been slow to exercise. The Europeans to whom control of this mortgaged district was allowed came to terms with the military authorities, and enforced their claims by their aid: the cultivators had recourse to money-lenders, who completed their ruin.

The accession of 'Umdat-ul-Umara determined Lord Hobart to press his views of needed reform on the new nawab and on the English

Government. He proposed to assume the whole military and civil administration of the districts pledged for the payment of the tribute, and the cession of the sovereignty over the poligars and of some specified forts. He declared that the treaty of 1792 was a total failure. But he found the new nawab immovable. He "sat tight" and appealed to the dying injunctions of his flagitious parent. Hobart felt that he could wait no longer. He proposed to annex Tinnevely. Sir John Shore, now governor-general, considered such a course impolitic, unauthorised and unjust. He wrote¹ to his predecessor declaring that nothing could be more irreconcilable than Lord Hobart's principles and his own. The governor of Madras seemed to him to be "pursuing objects without any regard to the rectitude of the means or ultimate consequence". Shore's principles, regarded by many as the cause of future wars, could not be better expressed than in one sentence of this letter²—

That the territories of the Nawab of Arcot... may be mismanaged in the most ruinous manner, I doubt not; that he [Hobart] should be anxious to correct those evils which, from personal observation, may be more impressive, I can readily admit; but the existing treaties propose limits even to mismanagement, and let it be as great as is asserted, which I do not deny, these people are not to be dragooned into concessions.

In fine, let the nawab go on, and let us hope that our goodness, without pressure, will make other people good. The Evangelical idealist lost all touch with fact, and thus all power to succour the oppressed. So, as James Mill, for once not too severe, expresses it,³

by the compound of opposition of the Supreme Government and of the powerful class of individuals whose profit depended upon the misgovernment of the country, no reform could be introduced.

A change in the directing principle was necessary; and it came. Lord Hobart, defeated and discouraged, resigned his post. Lord Clive, his successor, arrived at Madras on 21 August, 1798. Meanwhile Lord Mornington had succeeded Sir John Shore. The new governor-general had not only studied Indian affairs in general with more industry and insight than any of his predecessors before their arrival in the country, but as the intimate friend of Pitt was well acquainted with the bitter criticisms directed against the India Act in its bearing upon the affairs of the Carnatic. He saw the condition of the country from much the same point of view as was described by his brother Arthur in 1806. The evils of the alliance, begun⁴ "in the infancy of the British power in the peninsula of India", centred on the non-interference of the Company in the nawab's internal affairs, the prominent feature in the policy of the directors, while such interference was constantly proved to be absolutely necessary, and in the necessity of borrowing

¹ To Cornwallis, *Life of Lord Teignmouth*, I, 371 sqq.

² *Idem*, p. 373.

³ *History of India*, vi, 49.

⁴ *Wellington Supplementary Despatches*, IV, 893.

money to pay the tribute from those who had given assignments of territory and had no interest in anything beyond the security of their own interests. Thence came, as Arthur Wellesley said,

a system which tended not only to the oppression of the inhabitants of the country, to the impoverishment of the Nawab, and to the destruction of the revenues of the Carnatic, but was carried into execution by the Company's civil and military servants, and by British subjects.

It had become an evil of enormous magnitude. Arthur Wellesley acutely observed that, apart from its other results, it created in Madras a body of men who, though in the Company's service, were directly opposed to its interests; and these men gave advice to the nawab which was necessarily contrary to the requirements of the British Government and encouraged him in his maintenance of a condition of affairs which, though it kept him in wealth and nominal power, tended directly to the impoverishment of his country. The payment of interest to private persons at 36 per cent. meant ruin even in India; and in order to discharge its assignments had been given on the districts especially secured to the Company, in case of failure to pay the subsidy due to the government. This was in direct contradiction to the terms of Cornwallis's treaty of 1792.

Not a month elapsed that did not afford matter of speculation as to whether he could continue to pay his stipulated subsidy; and not one in which [the Nawab] did not procure the money on loan at a large interest by means which tended to the destruction of the country.

In vain did Hobart, Mornington, and Clive endeavour to win the nawab's consent to a modification of the treaty: persistent immobility and trickery had been displayed to the full by Muhammad 'Ali, and 'Umdat-ul-Umara, his son, followed in his steps. It is more than probable that Mornington, masterful, determined, and impartial though he was, might have failed like his predecessors to cleanse the Augean stable if the nawab's rash treachery had not delivered him into the governor-general's hands.

Impartial and uninfluenced by underground intrigue was Mornington: the directors can hardly be said to have deserved this praise. Though not personally corrupt, as were not a few of their representatives in India, they were obsessed with the idea that it was necessary to maintain treaties in permanence which were proved to have been drawn up on inadequate knowledge. They thought that Cornwallis had established this "honourable principle". They declared to Mornington that, while they agreed with the proposals of Hobart, they could not authorise the use of "any powers than those of persuasion" to induce the nawab to form a new arrangement. Mornington replied, 4 July, 1798, that he had taken immediate steps to negotiate but that there was no hope at present of obtaining the nawab's consent. His father's injunctions and his usurers' disapproval were the ostensible and the real reasons of his obduracy.

Then came the war with Tipu, in which the nawab behaved rather as an enemy than a friend. Negotiations were conducted with scrupulous courtesy but no success. Then suddenly the whole position changed. The Home Government had begun to see through the nawab's disguises: the government of Fort St George still hesitated: Mornington thought that the rapid progress of the war made the seizure of the pledged territories, though ordered by the directors, unnecessary. He was soon to discover that it was pressingly urgent.

For the moment he was turned aside from what was already his object, as it had been that of Cornwallis and Hobart, to assume entire control of the Carnatic, by affairs in the district about which Lord Pigot and Muhammad 'Ali had been embroiled—Tanjore. There in 1786 Amir Singh had been appointed regent for Sarboji, the nephew by adoption of his late brother the raja. A council of pandits to whom the question of right was referred by the Madras Government decided against the claims of the nephew. Sir John Shore was as usual conscientious and dissatisfied. He found that the pandits had been corruptly influenced. He summoned more pandits, especially those of Benares—a body, it might be thought, not less amenable to monetary influence. They decided in favour of Sarboji. It was clear that the land was grievously oppressed by Amir Singh's minister, Siva Rao, and that the districts, mortgaged, like those in the Carnatic, for debt to the Company, were on the verge of ruin. Hobart persuaded the raja to surrender his territory. But Shore would none of it. His biographer¹ says that the prize did not tempt him to forget what he conceived to be the undue pressure by which it had been won.

He observed that the raja had been intimidated into compliance by the repeated calling out of British troops, even after he had consented to the dismissal of his minister—that the employment of Mr Swartz, the avowed protector of the raja's competitor and public impeacher of his life, as interpreter in the transaction, had been injudicious—that the punctuality of the raja's payments had precluded all pretext for taking possession of his territory—that if maladministration of mortgaged districts could justify the forfeiture of them the British Government might lay claim equally to Oudh and Travancore; and he concluded by declaring that justice and policy alike prescribed the rescission of the treaty and the restoration of the ceded district to the Nawab, whatever embarrassments might result from the proceeding.

Lord Hobart, the man on the spot, naturally protested, and Shore, writing to the omnipotent Charles Grant² at the Board of Directors, was equally emphatic on the error of Madras, which he attributed to want of judgment and to ignoring his opinion "that honesty is, in all situations, the best policy". But that same honesty made him temper his criticism by a warm eulogy of the missionary, Swartz, one of the greatest of the men whose services were at that time given unreservedly to Southern India. Shore was indeed, one cannot but

¹ His son, the second Lord Teignmouth, *Life*, I, 356.

² *Idem*, pp. 374 *sqq.*



feel as one reads the documents, completely muddled over the affair. It needed a Wellesley to straighten out the problem.

In October, 1797, the directors requested Lord Mornington to "make a short stay at Madras". He did so, and he studied the cases of Tanjore and Arcot on the spot. On 21 March, 1799, Dundas wrote hoping that in the former case a settlement might be made by which there could be expected from the raja "a pure and virtuous administration of the affairs of his country".¹ Mornington went into all the questions involved most thoroughly, and brought "the several contending parties to a fair discussion (or rather to a bitter contest)" in his own presence. Finally, 25 October, 1799, a treaty drawn up by him was signed by which Sarboji was recognised as raja, but the whole civil and military administration of the country was placed in British hands, and the raja was given an allowance of £40,000, and Amir Singh £10,000. The arrangement was undoubtedly beneficial to English interests, but it

was far more beneficial to the people of Tanjore. It delivered them from the effects of native oppression and European cupidity. It gave them what they had never before possessed—the security derived from the administration of Justice.²

From this settlement we pass to one much more difficult to achieve, which was, as we have said, secured by the discovery of the treachery of the nawab of Arcot.

At the capture of Seringapatam a mass of secret correspondence, hitherto entirely unknown, between Muhammad 'Ali and his son and the ruler of Mysore, fell into British hands. It was investigated by Colonel Close and Mr Webb and submitted to the Board of Control and the Court of Directors. Wellesley would run no risk of again being the victim of ingeniously manufactured delays. This investigation was thorough. Witnesses as well as documents were most carefully examined and a report³ was signed at Seringapatam, 18 May, 1800. The conclusion was—and it is reiterated in calm judicial terms by Arthur Wellesley—that by their correspondence with the Company's enemies the rulers of the Carnatic had broken their treaties with the English and forfeited all claim to consideration as friends or allies. The timely death of 'Umdat-ul-Umara, 15 July, 1801, gave further facilities for the change of system which the English had long believed to be necessary and inevitable. The succession was offered to the "son, or supposed son" of the nawab, 'Ali Husain, if he would accept the terms offered—a sum sufficient for his maintenance in state and dignity and the transference of the government to the Company. He rashly refused. Accordingly the nephew of the late nawab, 'Azim-ud-daula, was approached. He was the eldest legitimate son of Amir-

¹ Wellesley Despatches, II, 110.

² Thornton, *History of India*, III, 103-4.

³ Wellesley Despatches, II, 515.



ul-Umara, who was the second son of Muhammad 'Ali and brother of 'Umdat-ul-Umara.

"This prince", in Wellington's words, "having agreed to the arrangement, a treaty was concluded by which the whole of the civil and military government of the Carnatic was transferred for ever to the Company, and the Nawab, Azim-ud-daula, and his heirs were to preserve their title and dignity and to receive one-fifth of the net revenues of the country."

An arrangement was also made for the gradual liquidation of the long-standing and enormous debt.

Wellesley's justification of the treatment of 'Ali Husain¹ falls into four divisions, which sum up the whole history of the last fifty years. The nawabs were not independent princes but the creatures of the Company, established and maintained by their assistance. Muhammad 'Ali and 'Umdat-ul-Umara had by their treachery forfeited all claim to consideration for themselves or their line. The condition of the Carnatic was a standing menace to the British position in Southern India, and a scandalous blot on the principles of peace, justice and prosperity which English rulers had endeavoured to introduce. A definite settlement was absolutely demanded. And no injustice was done to 'Ali Husain, for he rejected the terms offered which his successor accepted. Thus a stable and honest government was at last given by Wellesley to the land which had been the earliest to enter into close association with England. And the political errors of earlier statesmen were put aside. The nawab of Arcot was in truth no independent prince.² He was merely an officer of the subahdar of the Deccan of whom he had been rendered independent, ignorantly or generously, by the English. A political error had been committed in ever treating him as independent; and political errors, however generously originated, are often as dangerous as intentional crimes. Wellesley, in the annexation of the Carnatic, vindicated political justice as well as political wisdom.

¹ Declaration of the Annexation of the Carnatic.

² *Idem.*



CHAPTER XXII

THE FINAL STRUGGLE WITH THE MARATHAS,
1784-1818

THE Treaty of Salbai, which was signed 17 May, 1782, and was ratified by the Peshwa in February of the following year, assured peace between the East India Company and the Maratha power for the next twenty years, and marked a stage in the acquisition by the English of a controlling voice in Indian politics. The treaty left Mahadaji Sindhia, through whom it was negotiated, in a virtually independent position, and the history of the decade preceding his death in 1794 is largely the story of his efforts to re-establish Maratha control over Northern India and to outwit the design of Nana Phadnavis, who sought to maintain the Peshwa's hegemony over the whole Maratha confederacy. While the mutual jealousy of these two able exponents of Maratha policy and power prevented their acting wholeheartedly in unison, they were restrained from overt antagonism by a natural apprehension of the growing power of the English, this apprehension in Mahadaji Sindhia's case being augmented by his experience of the military ability displayed by the English in 1780 and 1781. These views and considerations determined their attitude towards the transactions of the English with Mysore. An attempt to force Tipu Sultan to comply with the terms of the Treaty of Salbai ended with the unfortunate Treaty of Mangalore, concluded between the English in Madras and the sultan in March, 1784, which provided for the mutual restitution of conquests and left Tipu free to mature fresh plans for the expulsion of the English from India. The Marathas, who wished Tipu Sultan to be regarded as their dependent and tributary, disapproved of the terms of the treaty quite as strongly as Warren Hastings, who had no little difficulty in persuading Sindhia and other leaders that he was in no way responsible for the compact. But, desirous of prosecuting their own policy and intrigues in other parts of India, the Marathas gave a grudging assent to the *fait accompli* and reverted for the time being to matters of more immediate importance.

Sindhia's political influence in Northern India synchronised with an enhancement of his military power, which resulted from his employment of Count Benoît de Boigne and other European military adventurers to train and lead his infantry.¹ With these forces, drilled and equipped on European lines, he obtained the surrender of the fortress of Gwalior, made an incursion into Bundelkhand, and secured complete control of affairs at Delhi, whither he had been invited in

¹ Compton, *European Military Adventurers in Hindustan*, pp. 15 sqq. and 223 sqq.

the name of the emperor, Shah 'Alam, to assist in quelling the revolt of Muhammad Beg, governor of the province of Agra. Chaos reigned in the Moghul capital in October, 1784; and the emperor, powerless to assert his will and anxious to secure by any means the tranquillity to which he had long been a stranger, permitted Sindhia to assume full control of affairs at Delhi, appointed him deputy of the Peshwa, who was formally honoured *in absentia* with the title of *Wakil-i-mutlak* or vice-regent of the empire, and bestowed upon him the command of the Moghul army and the administrative charge of Agra and Delhi provinces. In return for these official honours, which gave him executive authority over Hindustan and a rank superior to that of the Peshwa's other ministers, Sindhia undertook to contribute 65,000 rupees monthly towards the expenses of the imperial household, and subsequently such additional amount as the increasing revenues of the two provinces might justify. By the close of 1785 Sindhia had secured the submission of Muhammad Beg and had recovered by force of arms the Doab, Agra, and Aligarh, which had flouted the authority of the titular emperor.¹ In the first flush of his success and emboldened, perhaps, by the disappearance of Warren Hastings, who had retired from office in February, 1785, Sindhia demanded, in the name of the Moghul, the tribute of the British provinces in Bengal. But he met with a flat denial of the claim from Sir John Macpherson, who endeavoured to counteract Sindhia's influence by making overtures through the Bombay Government to Mudaji Bhonsle, raja of Berar, and by suggesting to Nana Phadnavis the substitution for Sindhia of a British Resident as representative of the Company's interests at the court of the Peshwa.

Meanwhile Nana Phadnavis, who viewed Sindhia's ascendancy in Northern India with disfavour, had been prosecuting his designs against Mysore, as part of his policy of recovering the territories south of the Narbada, which once formed part of the Maratha possessions. After issuing a formal demand upon Tipu for arrears of tribute, he concluded a general treaty of alliance with the Nizam in July, 1784, to which Tipu replied by overt preparations for the invasion of the Nizam's territory south of the Krishna. Hostilities were, however, postponed by mutual agreement, as Tipu was conscious of his own incapacity to support a lengthy campaign and the Nizam was unable to count for the moment on the active support of the Marathas. Nana Phadnavis's attention was wholly engaged in countering a plot to depose the Peshwa, Madhu Rao Narayan, in favour of Baji Rao son of Raghunath Rao, who had died in retirement at Kopargaon on the Godavari a few months after the Treaty of Salbai. The minister succeeded without difficulty in quashing the movement, which had possibly been secretly fomented by Mahadaji Sindhia, in pursuance of his general policy of restricting Nana's influence.

¹ Francklin, *The History of the Reign of Shah-Aulum*, pp. 119-37.



Nana Phadnavis was thus free to commence hostilities, when Tipu made an unprovoked attack in 1785 on the desai of Nargund, and aroused Maratha anger still further by forcibly circumcising and otherwise maltreating many Hindu inhabitants of the districts south of the Krishna. Believing that the Mysore troops were superior to those of the Peshwa and the Nizam, and being doubtful of the aid of the latter, Nana sought the help of the English, but without success; and consequently the Maratha army, which left Poona at the close of 1785 under the command of Hari Pant Phadke, had to depend upon the co-operation of Tukoji Holkar and the raja of Berar, and on the dubious assistance of the Nizam. After a series of comparatively futile operations, which were rather more favourable to the Marathas than to Tipu, the latter, assuming that the appointment of Charles Malet as Resident at Poona and certain military preparations in Bombay and elsewhere betokened the intention of the English to intervene, persuaded the Marathas to conclude peace in April, 1787. By this pact Tipu agreed to pay forty-five lakhs of rupees and to cede the towns of Badami, Kittur, and Nargund to the Peshwa, who on his side restored to Mysore the other districts overrun by the Maratha forces.¹

During the progress of these events in the south, Mahadaji Sindhia found his position in Northern India far from secure. His decision to organise a regular standing army on the European model necessitated the sequestration of many of the jagirs bestowed in the past for military service—a course which alienated their Muhammadan holders; while his pressing need of money obliged him to demand a heavy tribute from the Rajput chiefs, who resisted the claim and, aided by the disaffected Muhammadan jagirdars, drove his forces from the gates of Jaipur. His difficulties were aggravated by the faction in Delhi, which supported the invertebrate emperor, and by the hostility of the Sikhs. When he finally gave battle to the united Rajput forces, he witnessed the desertion to the enemy of a large contingent of the Moghul forces under Muhammad Beg and his nephew Ismail, and was consequently obliged to beat a hasty retreat to Gwalior. His flight emboldened a young Rohilla, Ghulam Kadir, to renew the claims of his father, Zabita Khan, upon the Moghul emperor and obtain for himself the dignity of Amiru'l-umara. Having seized Aligarh and repulsed an attack by Sindhia and a Jat army under Lestineau² near Fatehpur Sikri, the Rohilla took possession of Delhi in June, 1788, plundered the palace, and treated the wretched Shah 'Alam, whom he blinded, and his household with barbaric cruelty. His crimes, however, were speedily avenged. Nana Phadnavis, who had no wish to see a permanent diminution of Maratha influence in Hindustan, dispatched reinforcements from Poona under 'Ali Bahadur and Tukoji Holkar. With these and his own battalions

¹ Grant Duff, *History of the Mahrattas*, chap. xxxii.

² Compton, *op. cit.* p. 368.

under de Boigne and Appa Khande Rao, Sindhia succeeded in recovering Delhi in 1789, and, after taking a bloody revenge upon the usurper, reseatd the blind emperor upon the throne.¹

These events resulted in the jagir of Ghulam Kadir, the greater part of the Doab, and the provinces of Delhi and Agra being annexed to the Maratha dominions; while Sindhia had leisure to organise his army with the help of de Boigne, who ultimately commanded three brigades of eight battalions each, equipped in European style and composed of both Rajputs and Muhammadans, with the necessary complement of cavalry and artillery. With these forces Sindhia finally defeated Ismail Beg at Patan (Rajputana) in 1790, and the Rajput allies of that chief at Mirtha (Mairta) in Jodhpur territory in the following year. Sindhia's supremacy in Northern India still suffered, however, from the hostile intrigues of Holkar, who declined overtures of conciliation and, in sympathy with the secret policy of Nana Phadnavis, showed little inclination to assist his rival to impose his authority upon the Sikhs and Rajputs. The veiled enmity between the two Maratha chiefs burst into open hostilities after Ismail Beg's submission to Perron, Sindhia's second-in-command, at Kanund Mohendargarh. Their armies, which at the moment were jointly devastating Rajput territory, suddenly attacked one another and fought a battle at Lakheri (Kotah) in September, 1792, which ended in the complete defeat of Holkar's troops under the command of a French adventurer named Dudrenec.² This success finally assured Sindhia's predominance in Northern India.

At the close of December, 1789, war between the Company and Mysore was precipitated by Tipu Sultan's attack upon the lines of Travancore. Hostilities had been preceded by curious negotiations between Lord Cornwallis and the Nizam, which resulted in the cession to the Company of the Guntoor district and in a promise by Cornwallis that in certain future circumstances he would sanction the restoration to the Nizam and the Marathas of the Carnatic uplands (*balaghat*), which were at that date included in the Mysore state. On the outbreak of hostilities with Tipu, Nana Phadnavis made immediate overtures to the governor-general, and in the names of both the Peshwa and the Nizam concluded an offensive and defensive alliance with the Company against Tipu in June, 1790. The support afforded by the Marathas and the Nizam was, however, of little value; and it was not until March, 1792, that Lord Cornwallis succeeded in forcing Tipu to sign the Treaty of Seringapatam, which gave the Company possession of districts commanding the passes to the Mysore table-land, and handed over to the Nizam and the Marathas territory on the north-east and north-west respectively of Tipu's possessions. This policy of partial annexation, in lieu of the complete subjugation of

¹ Francklin, *Shah-Aulum*, pp. 141-86; Scott, *History of Dekkan*, II, 280-307.

² Malcolm, *A Memoir of Central India*, I, 171-2.

Mysore, was forced upon Lord Cornwallis by the desire of the directors for immediate peace, and by a disinclination to displease the Nizam and the Marathas, neither of whom were wholly loyal to their alliance with the Company.¹

Mahadaji Sindhia had offered to join the confederacy against Tipu on terms which the governor-general was not prepared to accept, and he therefore seized the opportunity of this enforced neutrality to pursue his private object of establishing his authority at the Peshwa's capital against all rivals, including the English, and of checking Holkar's interference with his position and plans in Hindustan. Shortly after his defeat of Ismail Beg, he obliged Shah 'Alam to issue a fresh patent, making the Peshwa's office of *Wakil-i-mutlak*, as well as his own appointment as deputy, hereditary. The delivery of the imperial orders and insignia of office to the Peshwa gave him the desired excuse for a personal visit to Poona, where he duly arrived with a small military escort in June, 1792. His arrival caused great dissatisfaction to Nana Phadnavis, who made every effort to prevent the investiture of the Peshwa. Sindhia, however, while avoiding an open rupture with the minister, won his object, after obtaining the formal consent of the raja of Satara to the Peshwa's acceptance of the honour; and then directed all his efforts towards ingratiating himself with the young Peshwa, Madhu Rao, allaying the antipathy shown against himself by the Brahman entourage of Nana Phadnavis and the leading Maratha jagirdars, and securing open recognition by the Poona Government of his paramount position in Northern India. The rivalry between Sindhia and Nana Phadnavis was, however, summarily terminated by the sudden death of the former at Poona in February, 1794, and the Brahman minister was thus left in practically sole control of Maratha policy and affairs. A thirteen-year-old nephew, Daulat Rao, succeeded to the possessions of Mahadaji, who left no direct male issue.²

The constitutional position of the Maratha confederacy at this date has been described as "a curious and baffling political puzzle". While the powers of the raja of Satara, the nominal head of the confederacy, who was virtually a prisoner in his palace, had long been usurped by the Peshwa, the subordinate members of the confederacy had thrown off all but the nominal control of the Brahman government in Poona. Among these virtually independent leaders, who ranked as hereditary generals of the Peshwa, was Raghuji Bhonsle, raja of Berar, whose possessions stretched in a broad belt from his capital Nagpur to Cuttack on the Bay of Bengal. After the death of his father Mudaji in 1788, Raghuji and his younger brothers quarrelled about the succession; but the death of one of the latter and the bestowal upon the other of the Chanda and Chattisgarh districts enabled

¹ Grant Duff, *History of the Mahrattas*, chap. xxxiv.

² *Idem*, chap. xxxv.

Raghuji to secure public recognition of his claim to rule Berar, and by the date of Mahadaji Sindhia's death he was in undisturbed possession of his inherited fief. Holding, as he did, the hereditary post of *Sena Sahib Subah* of the Maratha army, Raghuji should have complied with the Peshwa's orders to participate in the operations against Tipu in 1791, but on his personal representation that the intrigues of his brother Khanduji obliged him to remain in Nagpur, he was permitted by Nana Phadnavis to purchase exemption from the campaign by a contribution of ten lakhs to the Maratha war-chest.¹

Another important member of the confederacy was the Gaekwad, whose ill-defined territories roughly included Gujarat and the Kathiawad peninsula. The ruler, Sayaji, being imbecile, the territory was administered from 1771 to 1789 by his younger brother Fateh Singh, who died in the latter year. A conflict for the regency then ensued between his brothers Manaji Rao, whose claim was admitted by the Peshwa, and Govind Rao, who secured the support of Mahadaji Sindhia. In 1792, while the dispute was still undecided, the imbecile Sayaji Rao died, and Govind Rao, who had been allowed by the Peshwa to purchase the title of *Sena Khas Khel*, sought the approval of the Poona Government to his succession to the throne. His rival, Manaji, also died in 1793; but, despite this fact, the price of his recognition, demanded by the Peshwa, was so heavy that the British Government was compelled to intervene, in order to prevent the dismemberment of Baroda territory. Eventually, in December, 1793, owing to the representations of the British Resident, the Peshwa waived his demands and assented to Govind Rao's assumption of full authority over the state. His rule, which terminated with his death in 1800, was disturbed by the rebellious intrigues of his illegitimate son, Kanhoji, and by the hostility of Aba Selukar, who had been granted by the Peshwa the revenue management of the Ahmadabad district. After several engagements Aba was captured and imprisoned, and in 1799 the Peshwa consented to lease Ahmadabad to the Gaekwad.²

The territories of Holkar, which embraced the south-western part of Malwa, were ruled at this date by the widow of Malhar Holkar, the famous Ahalya Bai, who assumed the government as sole representative of her husband's dynasty in 1766 and ruled with exceptional wisdom until her death in 1795. Tukoji Holkar, who was no relation of the reigning family, though a member of the same class, was chosen by Ahalya Bai to bear titular honours and command her armies, and in that capacity co-operated loyally with the queen and established the first regular battalions with the help of the Chevalier Dudrenec, the American soldier, J. P. Boyd, and others. Ahalya Bai's internal

¹ Grant Duff, *History of the Mahrattas*, chap. xxxvi.

² *Idem*, chap. xlii.

administration of the state was described by Sir John Malcolm as "altogether wonderful". During her reign of thirty years the country was free from internal disturbance and foreign attack; Indore, the capital, grew from a village to a wealthy city; her subjects enjoyed in full measure the blessings of righteous and beneficent government. It is not surprising, therefore, that she was regarded by her own subjects as an *avatar* or incarnation of divinity, and by an experienced foreigner as "within her limited sphere one of the purest and most exemplary rulers that ever existed". She was succeeded by the aged Tukoji, who strove to administer the state according to her example until his death two years later (1797) at the age of seventy-two. With his departure chaos and confusion supervened, which lasted until the final settlement imposed by the British power in 1818.¹

Among the minor figures of the Maratha confederacy were the piratical chiefs of Western India. When Raghuji Angria, who held Kolaba fort as a feudatory of the Peshwa, died in 1793, he was succeeded by an infant son, Manaji, who was deposed and imprisoned four years later by Daulat Rao Sindhia. His place was usurped by Baburao Angria, the maternal uncle of Sindhia.² The Company suffered considerable annoyance from the piratical habits of both Angria and the Sidi or Abyssinian chief of Janjira. On the death of Sidi Abdul Rahim in 1784, a dispute for the succession arose between his son Abdul Karim Khan *alias* Balu Mian and Sidi Johar. Lord Cornwallis, to whom the matter was referred, was at first disposed to leave the task of settling the dispute to the Peshwa, who had already befriended Balu Mian; but a premature attempt on the part of the Maratha Government to seize Janjira by stealth caused him to reconsider the matter. A compromise was not reached until 1791, when the Peshwa, in return for the grant to Balu Mian of a tract of land near Surat—the modern Sachin state—was recognised as superior owner of the Janjira principality.³ His rights over the island, however, were never acknowledged by Sidi Johar, who, repelling all efforts to oust him, was still master of the principality at the date of the Peshwa's downfall. The third principal instigator of piracy was Khem Savant of Wadi, who had married a niece of Mahadaji Sindhia and was on that account created Raja Bahadur by the Moghul emperor in 1763. His rule, which lasted till 1803, was a tale of continuous piracies by his seafaring subjects in Vengurla and of conflict with the British, the Peshwa, and the raja of Kolhapur. Eventually in 1812 the Bombay Government forced his successor to enter into a treaty and cede the port of Vengurla.⁴ They also in the same year obtained the cession of the port of Malwan, an equally notorious stronghold of pirates, from the raja of Kolhapur. Owing

¹ Malcolm, *A Memoir of Central India*, I, 156-95.

² *Bombay Gazetteer*, XI, 157.

³ *Idem*, pp. 448-9.

⁴ *Idem*, X, 442-3.

to the constant losses inflicted on British vessels, the Company had dispatched an expedition against the raja in 1792 and forced him to pay compensation and to permit the establishment of factories at Malwan and Kolhapur; and during the following decade internal dissension and wars with neighbouring territorial chiefs so weakened the Kolhapur state that in 1812 the raja was glad to sign a permanent treaty with the British, under the terms of which his territory was guaranteed against foreign attack, in return for the cession of several strong places and an undertaking to refer all disputes with other powers to the Company's arbitration.¹

Mutual distrust and selfish intrigue effectually prevented the leaders of the Maratha confederacy from offering a united front to their opponents, though they were not averse from temporary combination for any special object which offered a chance of gratifying their personal avarice. In 1794 the renewal by the Peshwa of Maratha claims upon the Nizam for arrears of *chauth* and *sardesmukhi*, in which all the chiefs expected to share, offered them an occasion for acting in concert with the Poona Government. The Nizam, alarmed at the imminence of the combined Maratha attack, appealed to the governor-general, Sir John Shore, for the military assistance which he had been led to expect, and had certainly earned, by his cession of Guntoor. But Sir John Shore, who dreaded a war with the Maratha confederacy, sheltered himself behind the words of the act of parliament of 1784 and declared his neutrality, leaving the Nizam to bear the whole brunt of the Maratha attack.² The issue was not long in doubt. In March, 1795, the Nizam's army, which had been trained by the Frenchman Raymond, was overwhelmed by the Marathas and their Pindari followers at Kharda, fifty-six miles south-east of Ahmadnagar, and the Nizam was forced to conclude a humiliating treaty, which imposed upon him heavy pecuniary damages and deprived him of considerable territory.

This victory, coupled with the spoils distributed among the Maratha chiefs, restored for the moment the prestige of the Peshwa's government and placed Nana Phadnavis at the height of his power. It was, however, the last occasion on which "the chiefs of the Mahratta nation assembled under the authority of their Peshwa", and the inevitable domestic dissensions, which shortly followed, resulted in the Marathas forfeiting much of the results of their victory. The young Peshwa, Madhu Rao Narayan, tired of the control of Nana Phadnavis and disheartened by the latter's refusal to countenance his friendship with his cousin Baji Rao Raghunath, committed suicide in October, 1795, by throwing himself from the terrace of the Sanivar Wada at Poona. Baji Rao at once determined to secure for himself the vacant throne, and had no sooner overcome Nana's profound and instinctive opposition by false professions of friendship and loyalty

¹ *Bombay Gazetteer*, xxiv, 236.

² Malcolm, *Political History of India*, I, 127-47.

than he was faced with the hostility of Daulat Rao Sindhia and another faction, bent upon opposing Nana's plans. This faction contrived to place Chimnaji Appa, the brother of Baji Rao, on the throne at the end of May, 1796, whereupon Nana took refuge in the Konkan and there matured a counter-stroke, which ended in Baji Rao's return as Peshwa and his own restoration as chief minister in the following December. In preparing his plans, Nana secured the goodwill of Sindhia, Holkar, the Bhonsle raja, and the raja of Kolhapur, and also obtained the approval of the Nizam by promising to restore to him the districts ceded to the Peshwa after the battle of Kharda and to remit the balance of the fine imposed by the Marathas.

The return of Baji Rao to Poona was the signal for grave disorder, engendered by his determination to ruin Nana, to whom he owed his position, and to rid himself of the influence of Sindhia, who had financial claims upon him. Nana was arrested, and his house plundered, by a miscreant named Sarji Rao Ghatke, father-in-law of Sindhia, who was also given *carte blanche* to extort from the citizens of Poona by atrocious torture the money which Sindhia claimed from the Peshwa. The confusion was aggravated by open hostilities carried on in the Peshwa's territories between Sindhia and the widows of Mahadaji Sindhia, by the growing inefficiency of the Peshwa's army, whose pay was seriously in arrears, and by the continuous intrigues and counter-plotting of Baji Rao and Sindhia. The confirmation by Baji Rao of the arrangement made between Nana and the Nizam, which the latter demanded as the price of his assistance against Sindhia, was immediately followed by Sindhia's release of Nana Phadnavis, who once again acquiesced in a hollow reconciliation with his avowed enemy and resumed his old position at Poona.¹

In 1798 Lord Wellesley arrived in Calcutta, determined to shatter for ever all possibility of French competition in India. The political outlook was far from favourable, for, largely in consequence of Sir John Shore's invertebrate policy of non-interference in Indian politics, Tipu Sultan had regained his strength; French influence, supported by troops under French commanders, had become paramount at the courts of Sindhia and the Nizam; the raja of Berar had indulged in intrigues against British interests; and the Carnatic was in a condition bordering on anarchy. Wellesley's first step was to persuade the Nizam to accept a form of "subsidiary alliance"; and he then proceeded to deal with Tipu. The Peshwa was invited to send troops in support of the British and promised to do so; but, true to his character, he carried on secret intrigues with Tipu up to the last and gave the English no appreciable help. Surprised by the rapid and complete downfall of the ruler of Mysore, he endeavoured to excuse his inactivity by putting the blame upon Nana Phadnavis.²

¹ Grant Duff, *op. cit.* chaps. xxxviii-xl.

² Malcolm, *Political History of India*, 1, 196-236.

The state of his own territories would have served as a more valid excuse. The contest between Sindhia and the ladies of his family was still being hotly pursued on both sides; the ruler of Kolhapur, a lineal descendant of Sivaji, who had always been in more or less permanent opposition to the Peshwa, was laying waste the southern Maratha country, and was aided for a time by Chitur Singh, brother of the raja of Satara; while, more dangerous and violent than the rest, Jasvant Rao Holkar, who had escaped from confinement in Nagpur during the feud of 1795 between the legitimate and natural sons of Tukoji Rao Holkar, was carrying fire and sword through Sindhia's territory in Malwa, with a large force composed of Indian and Afghan freebooters.¹

Such was the state of affairs in March, 1800, when Nana Phadnavis died. "With him", remarked the Resident, "has departed all the wisdom and moderation of the Mahratta government." He had controlled Maratha politics for the long period of thirty-eight years, and his demise may be said to mark the commencement of the final *débâcle*. Nana being beyond his reach, Baji Rao, who was the personification of treachery and cowardice, sought revenge upon Nana's friends and agreed to support Sindhia against Holkar, in return for a promise by Daulat Rao to assist his policy of vengeance. While Sindhia was absent from Poona, endeavouring to protect his lands from Holkar's devastations, Baji Rao, giving free rein to his passions, perpetrated a series of atrocious cruelties in Poona, which alienated his subjects and brought upon his head the implacable wrath of the savage Jasvant Rao. Among those whom he barbarously murdered in 1801 was Jasvant Rao's brother, Vithuji; and it was to avenge this crime that Jasvant Rao invaded the Deccan in the following year. The English endeavoured to set a limit to this internecine warfare by offering terms and treaties to both parties. But their efforts were of no avail.

In October, 1802, Holkar defeated the combined forces of Sindhia and the Peshwa at Poona, placed on the throne Amrit Rao, brother by adoption of Baji Rao, and then plundered the capital. Baji Rao, as pusillanimous as he was perfidious, fled to Mahad in the Konkan and thence to Bassein, whence he besought the help of the English and placed himself unreservedly in their hands. On the last day of the year (1802) he signed the Treaty of Bassein, which purported to be a general defensive alliance for the reciprocal protection of the possessions of the East India Company, the Peshwa, and their respective allies. The Peshwa bound himself to maintain a subsidiary force of not less than six battalions, to be stationed within his dominions; to exclude from his service all Europeans of nations hostile to the English; to relinquish all claims on Surat; to recognise the engagements between the Gaekwad and the British; to abstain from

¹ Malcolm, *Central India*, I, 197-225.

hostilities or negotiations with other states, unless in consultation with the English Government; and to accept the arbitration of the British in disputes with the Nizam or the Gaekwad. Having thus persuaded Baji Rao to sacrifice his independence, the Company lost no time in restoring him to the throne. By a series of rapid forced marches, General Arthur Wellesley saved Poona from destruction, obliged Holkar to retire to Malwa, and reinstalled the Peshwa in May, 1803.

The Treaty of Bassein gave the Company the supremacy of the Deccan. Although it was regarded askance by some authorities in England and by the directors, as likely to involve the government in the "endless and complicated distractions of the turbulent Maratha empire", it entirely forestalled for the moment a combination of the Maratha states against the Company, and by placing the Peshwa's foreign policy under control, it made the governor-general really responsible for every war in India in which the Poona Government might be engaged. In short, "the Treaty by its direct and indirect operations gave the Company the empire of India", in contradistinction to the British Empire in India, which had hitherto existed. On the other hand, while the support and protection of the English power saved the Peshwa from becoming the puppet of one of the other Maratha leaders, they averted the fear of a popular rebellion, which alone restrains an unprincipled despot from gratifying his evil passions, and inevitably inclined his mind to substitute intrigue against his foreign defenders for the military excursions which had formed the principal activity of the Maratha state since the seventeenth century. The period of fifteen years between Baji Rao's restoration and his final surrender is a continuous story of oppressive maladministration and of shameless plotting against the British power in India.

The other Maratha leaders regarded Baji Rao's assent to the treaty with open alarm and anger. Jasvant Rao Holkar declared that the Peshwa had sold the Maratha power to the English; Sindhia and the raja of Berar, who disliked particularly the provisions regarding British arbitration in disputes between the Peshwa and other Indian rulers, realised that at last they were face to face with the British power, and that Wellesley's system of subsidiary alliances would reduce them to impotence as surely as the Maratha claim to *chauth* had ruined the Moghul power. With the secret approval of the Peshwa, the leading Marathas, therefore, addressed themselves to the problem of a joint plan of defence. But a general combination was frustrated by the neutrality of the Gaekwad and the withdrawal of Holkar to Malwa. Sindhia and the raja of Berar, who had crossed the Narbada with obviously hostile intent, were requested by the English to separate their forces and recross the river; and on their refusal to comply, war was declared in August, 1803, with the avowed object of conquering Sindhia's territory between the Ganges and

Jumna, destroying the French force which protected Sindhia's frontier, capturing Delhi and Agra, and acquiring Bundelkhand, Cuttack and Broach. General Wellesley and General Lake commanded the two major operations in the Deccan and Hindustan respectively, while subsidiary campaigns were planned in Bundelkhand and Orissa, in order to secure the southern frontier of Hindustan and the districts lying between the boundaries of Bengal and Madras.

The operations were speedily successful. Wellesley captured Ahmadnagar in August, 1803, broke the combined armies of Sindhia and the Bhonsle raja at Assaye in September, and then, after forcing on Sindhia a temporary suspension of hostilities, defeated the raja decisively at Argaon in November, stormed the strong fortress of Gawilgarh, and thus forced the raja to sign the Treaty of Deogaon, 15 December, under the terms of which the latter ceded Cuttack to his conquerors and accepted a position similar to that assigned to the Peshwa by the Treaty of Bassein. Equally decisive were the results achieved by Lake. Marching from Cawnpore, he captured Aligarh at the end of August, causing Perron to retire in dejection from Sindhia's service. He then defeated Perron's successor, Louis Bourquin, at Delhi in September; took possession of the old blind emperor, Shah 'Alam; made a treaty with the raja of Bharatpur; and finally in November vanquished Sindhia's remaining forces at Laswari in Alwar state. Sindhia was thus rendered impotent; his regular troops, commanded by French officers, were destroyed; and he was consequently obliged to accept a "subsidiary alliance" and sign the Treaty of Surji Arjungaon, 30 December, 1803. In the course of the subsidiary campaign, Broach was captured and all Sindhia's territories annexed.¹ Thus within five months the most powerful heads of the Maratha confederacy had been reduced to comparative harmlessness.

Holkar alone remained unpacified. At the end of 1803 Lord Lake opened negotiations with him without avail; and on his preferring extravagant demands and plundering the territory of the raja of Jaipur, war was declared against him in April, 1804. With Lake operating in Hindustan, Wellesley advancing from the Deccan, and Murray marching from Gujarat, it was hoped to hem in the Maratha chief. But the plan miscarried, owing to the failure of Colonel Murray and Colonel Monson, who was acting under Lord Lake, to carry out their instructions. Monson, who according to Wellesley "advanced without reason and retreated in the same manner", allowed himself to be overwhelmed by Holkar in the Mukund Dara pass, thirty miles south of Kotah, and beat a disorderly retreat to Agra at the end of August. This disaster gave fresh courage to the Company's enemies. Sindhia showed a disposition to fight again, and the Jat raja of Bharatpur, renouncing his alliance with the English, joined with Holkar in an attack on Delhi, which was successfully repulsed by

¹ Fortescue, *A History of the British Army*, v, 1-69.

Ochterlony. In November one of Holkar's armies was defeated at Dig, and another, led by Holkar himself, was routed by Lake a few days later at Farrukhabad. The most serious reverse suffered by the English was Lake's failure to capture Bharatpur early in 1805. He was eventually obliged to make peace with the raja in April of that year, leaving him in possession of the fortress, which had repulsed four violent assaults by the Company's troops.¹

Monson's disaster and Lake's failure before Bharatpur caused grave apprehension to the authorities in England, who had watched the Company's debt increase rapidly under the strain of Wellesley's forward policy, and were disposed to think that England's conquests were becoming too large for profitable management. As a necessary preliminary to a change of policy, they determined to recall the governor-general and to entrust the task of making peace with the various Indian powers to Lord Cornwallis, now in his sixty-seventh year and physically infirm. They failed to realise that, despite the misfortune of Monson, Wellesley's operations had actually broken Holkar's power and had left no single Maratha chief strong enough to withstand the English. Moreover, as the resentment felt by every Maratha chief towards the English at this juncture was too deep to be assuaged by a policy of concession and forbearance, the abandonment of Wellesley's programme merely amounted to a postponement of the final hour of reckoning. The peace concluded with the Marathas in 1805 was unfortunately marked by a spirit of weak conciliation, which caused future embarrassment to the Company's government in India, handed over weak states like Jaipur, which relied on British support, to the mercy of their rapacious neighbours, and ultimately forced the Marquess of Hastings thirteen years later to consummate the task which Wellesley was forbidden by the timidity of the ruling party at the India House to bring to a successful conclusion. The arrangements made by Lord Cornwallis and his successor, Sir George Barlow, amounted practically to a renunciation of most of the Company's gains for the sake of a hollow peace and to the abandonment of the Rajput states to the cruelty of the Maratha hordes and their Pindari allies. Sindhia recovered Gohad, Gwalior, and other territory, while to Holkar were restored the districts in Rajputana, which had been taken from him by the Treaty of Rajpurghat. In two instances only did Sir G. Barlow refuse to traverse Wellesley's policy. He declined to allow the Nizam freedom to indulge in anti-English intrigue, and he rejected a suggestion from England to modify the position of the Peshwa under the Treaty of Bassein.

The Gaekwad of Baroda had taken no part in the struggle outlined above. On the death of Govind Rao in 1800, the inevitable feud about the succession broke out between Anand Rao, his legal successor, who was of weak mind, and his illegitimate brother Kanhoji,

¹ Fortescue, *op. cit.* v, 70-137.

who was supported by the restless Malhar Rao. In 1802 the Company sent a force from Cambay to support Anand Rao, and in return secured the cession of a good deal of territory and an acknowledgment of their right to supervise the political affairs of the state. A little later they frustrated an attempt by Sindhia and Holkar to meddle with the Gaekwad's rights in Gujarat, and in April, 1805, concluded a treaty whereby the Gaekwad undertook to maintain a subsidiary force and to submit to British control his foreign policy and his differences with the Peshwa. In 1804 the Peshwa renewed the lease of Ahmadabad territory to Baroda for four and a half years at a rent of ten lakhs per annum.

The decade following the hollow peace of 1805 was marked by increasing disorder and anarchy throughout Central India and Rajputana. Internal maladministration and constant internecine warfare had produced the inevitable result, and the leading Maratha states were forced to try and avert their impending bankruptcy by means of contributions extorted from reluctant tributaries. In Holkar's territories the peaceful progress, which had marked Ahalya Bai's wise rule, had vanished beyond recall. In 1806 Jasvant Rao poisoned his nephew Khande Rao and his brother Kashi Rao, who were suspected of intriguing with his disaffected soldiery, and died a raving lunatic at Bhanpura in 1811. His favourite concubine, Tulsi Bai, contrived to place his illegitimate son, Malhar Rao, on the throne, with Amir Khan, the leader of the Pathan banditti, as regent. Acute friction between this Pathan element and the Maratha faction under Tulsi Bai involved the state in chaos; revenue was collected at the sword's point from the territory of Sindhia, the Ponwars, and Holkar himself indiscriminately; the machinery of administration fell to pieces; and a semblance of authority only remained with a vagrant and predatory court, dominated by the profligate ex-concubine. The country had no respite from disorder, until the murder of Tulsi Bai by a Pathan, 20 December, 1817, and the failure of British overtures for peace obliged Sir Thomas Hislop to ford the Sipra river and extinguish at Mahidpur the last embers of anarchy and hostility.¹

Sindhia's dominions were in no better plight. His troops, in default of pay, were forced to subsist on the peasantry, who were already impoverished by the mutual hostilities of their own ruler and Holkar. The intermingled possessions of these two chiefs in Malwa became the common hunting-ground of every band of marauders; Amir Khan and his Pathan followers overran the raja of Berar's territory; the Rajput states were swept by Sindhia, Holkar, the Pathans and the Pindaris.

"Never", in the words of a modern writer, "had there been such intense and general suffering in India; the native states were disorganised, and society on the verge of dissolution; the people crushed by despots and ruined by exactions; the

¹ Malcolm, *Central India*, I, 260-324.

country overrun by bandits and its resources wasted by enemies; armed forces existed only to plunder, torture and mutiny; government had ceased to exist; there remained only oppression and misery."

The one sentiment uniting the warring units was hatred of the English. All the Marathas, from the Peshwa downwards, realised that if they were to regain their independence and make their predatory power supreme in India, they must exterminate the foreign government. It was to Bajji Rao they all looked for support in this desperate and ill-omened enterprise; and had the Peshwa shown any spark of courage and statesmanship, the final struggle of the Company for complete supremacy might conceivably have been more protracted. But, while from 1803 the Peshwa never ceased to court disaster by intriguing against his foreign supporters, he alienated the Maratha feudal nobility by his tyrannous behaviour, as illustrated by the overthrow and degradation of the Pant Pratinidhi. He also failed completely to protect his own territory from Pindari inroads and to check the hostilities of the raja of Kolhapur and the Savant of Wadi. In the case of the former, peace was not assured until 1811, when the English forced the raja to sign the Treaty of Karvir.

The hesitation of the Company's government to assert its authority as paramount power resulted between 1805 and 1814 in the rapid growth of the destructive spirit of the Maratha hordes and Pathan freebooters and a dangerous increase of the power of the Pindaris, who were closely related to the two former organisations.¹ The Pindaris, consisting of lawless persons of all castes and classes, originally attached loosely to the Maratha armies, developed, "like masses of putrefaction in animal matter out of the corruption of weak and expiring states", into a formidable menace to the whole of India. Under their leaders, Chitu, Wasil Muhammad, and Karim Khan, they made rapid raids across India, inflicting appalling devastation upon the countryside and committing most atrocious outrages upon all classes of the inhabitants. In 1812 they commenced to raid the Company's territory by harrying Mirzapur and the southern districts of Bihar; but it was not until 1816, when they attacked the Northern Sarkars, plundering, torturing and killing the peaceful inhabitants, that the directors in England, who still cherished an exaggerated dread of Maratha power, became alive to the need for action and authorised Lord Hastings in September of that year to extirpate the evil.

The Pindaris would have met their doom much earlier but that the governor-general had been obliged to postpone his measures for a while. A new power had been founded in the Himalayan regions by the Gurkhas, a warlike race of hardy hillmen. The only serious effort to check their progress had been made by the nawab of Bengal in 1762, but his army was severely defeated under the walls of Makwanpur. In 1768 they conquered the Nepal valley and established

¹ Prinsep, *A Narrative of the Political and Military Transactions of British India*, pp. 21-32.

themselves at Kathmandu. The hill chiefs were subdued one after another and the Gurkha kingdom expanded rapidly until it extended from Sikkim on the east to the Satlej on the west. In 1814 the Gurkha frontier was conterminous with that of the British over a distance of seven hundred miles and the border districts suffered terribly from their incessant inroads. The concessions of Barlow and the expostulations of Minto proved equally futile and Lord Hastings found it necessary to take strong measures. In April, 1814, he sent a small force to occupy the disputed districts but the Gurkhas suddenly fell upon the outlying stations and killed or captured the small garrisons. War was therefore declared in November of that year.

The campaign was planned by the governor-general himself. The main Gurkha army under Amar Singh Thapa was at that time engaged in an expedition on the Satlej. It was decided that Major-Generals Marley and Wood should advance upon the Gurkha capital from Patna and Gorakhpur respectively, while Major-General Gillespie from Saharanpur and Colonel Ochterlony from Ludhiana were to close upon Amar Singh Thapa's main body. A speedy and easy victory was expected. But the Gurkha country was yet unknown to the British generals; there was no good road and the difficulties of transport were exceptionally great. Most of the older generals, moreover, were unfamiliar with hill fighting.

In none of the Indian wars had British arms met with so many reverses. Marley and Wood fell back after some feeble demonstrations. Gillespie died in an assault on Kalanga, and his successor suffered a defeat before the stronghold of Jaitak. The news of these defeats spread widely in the country and offered no small encouragement to the Peshwa and his partisans in their anti-British designs, and the Gurkhas talked of invading the neighbouring provinces. Fortunately the genius of Colonel Ochterlony soon restored the lost prestige of his nation. By a series of masterly manœuvres he compelled the Gurkha general to give up two strong positions and to withdraw his army to his last retreat, the fort of Malaon. Here he was closely besieged and the conquest of Kumaon in April, 1815, so demoralised the Gurkhas that they deserted in large numbers. The fall of Malaon on 15 May compelled the Gurkha Government to sue for peace. Lord Hastings at first demanded the permanent cession of the whole of the Tarai but afterwards reduced his demands and a treaty was signed. The Nepal Government, however, refused to ratify the treaty and prepared to renew the war. All the main passes were secured and strongly defended by stockades but their plans were again upset by Ochterlony who penetrated into the heart of Nepal and inflicted a severe defeat upon the Gurkhas at Makwanpur on 28 February, 1816. The English army was within easy reach of the Gurkha capital and there was no more time for hesitation. The Treaty of Sagauli was promptly ratified and a lasting peace was concluded. The Gurkhas ceded Garhwal and

Kumaon with the greater portion of the Tarai. They withdrew permanently from Sikkim and received a British resident at Kathmandu. The Gurkha country, it is true, has not yet been thrown open to the English, but the Nepal Government have faithfully adhered to their treaty obligations, and the British districts have never since been disturbed by the dreaded hillmen of the north.¹

Meanwhile British relations with the Peshwa were moving towards the inevitable *dénouement*. When the old question of the Peshwa's claims upon the Gaekwad was again raised in 1814, the British Government, anxious to secure a final and peaceful settlement of the dispute, arranged for the dispatch to Poona, under a safe conduct, of the Gaekwad's minister, Gangadhar Sastri. The Peshwa, who had refused to renew the lease of Ahmadabad to the Gaekwad and had granted it to a vicious favourite, Trimbakji Danglia, connived at the murder of the Baroda envoy by Trimbakji during the course of the negotiations at Nasik.² After much prevarication, he was forced by Mountstuart Elphinstone, the Resident, to deliver the murderer to the British authorities in September, 1815. Trimbakji, however, effected a romantic escape from custody a year later, probably with the knowledge of Baji Rao, who was now engrossed in plans for a Maratha combination against British supremacy. The governor-general, confronted by the Pindari menace, the hostile intrigues of the Peshwa, and dangerous unrest among other Maratha chiefs, was glad to arrange a subsidiary alliance in May, 1816, with Appa Sahib of Nagpur, who on the death of Raghuji Bhonsle became regent for his imbecile successor, Parsaji.³ This agreement by which the Company obtained security for three hundred miles of frontier, disconcerted for the moment the secret plans of the Peshwa and Sindhia, and secured a military position near the Narbada, whence it could, if need arose, attack Sindhia and intercept Pindari raids. That done, Lord Hastings turned his attention to the Peshwa, who with his usual perfidy openly disowned Trimbakji, concluded an agreement with the Gaekwad, and generally adopted a conciliatory attitude. Proof of his treachery, however, was shortly afterwards furnished to Elphinstone, who forced him by a hostile military demonstration in June, 1817, to sign a compact supplementary to the Treaty of Bassein. He thereby explicitly renounced his headship of the Maratha confederacy and ceded the Konkan and certain other lands and strongholds to the British. He also recognised the independence of the Gaekwad, waived all claims for arrears, and granted him a perpetual lease of Ahmadabad for an annual payment of four lakhs. To the British he ceded the tribute of Kathiawad.⁴

¹ Fortescue, *op. cit.* xi, 118-62.

² Forrest, *Official Writings of Mountstuart Elphinstone*, pp. 119-78.

³ Prinsep, *op. cit.* pp. 125-34.

⁴ *Idem*, pp. 186-203.

Sindhia, who had been invited to assist in suppressing the Pindaris, was naturally disposed to side with the ruffianly hordes who were partly under his protection. Lord Hastings, therefore, crossed the Jumna, marched on Gwalior, and taking advantage of the internal dissension and military disorganisation which had reduced Sindhia's offensive capacity, secured his signature in November, 1817, to the Treaty of Gwalior, which bound him to co-operate against the Pindaris and rescinded the clause in the Treaty of Surji Arjungaon restricting the British from negotiation with the Rajput and other chiefs. As a result, treaties were concluded at Delhi with Udaipur (Mewar), Jodhpur (Marwar), Bhopal, Kotah, Jaipur, Bundi and thirteen other Rajput states. Negotiations were also opened with the Pathan leader, Amir Khan, who was subsequently granted the principality of Tonk as the price of his neutrality and the disarmament of his followers.

Such was the position towards the close of 1817 when the process of exterminating the Pindaris commenced. Though outwardly friendly, every Maratha leader, including even Appa Sahib of Nagpur, was a potential enemy, prepared to take advantage of any reverse sustained by the British during the campaign. Thus it happened that "the hunt of the Pindaris became merged in the third Maratha war" and struck the final death-knell of the Maratha power. Lord Hastings's plan of campaign was to surround the Pindaris in Malwa by a large army of 113,000 men and 300 guns, divided into a northern force of four divisions, commanded by himself, and a Deccan army of five divisions under Sir Thomas Hislop, operating from a central position at Handia in Allahabad district. In order to divide the Deccan states from those of Hindustan and prevent the Marathas from assisting the Pindaris, a portion of the army was interposed as a cordon between Poona and Nagpur. The operations were completely successful. By the close of 1817 the Pindaris had been driven across the Chambal; by the end of January, 1818, their organised bands had been annihilated. Of the leaders, one was given land at Gorakhpur, another committed suicide in captivity, while the third and most dangerous of them all, Chitu, fled into the jungles around Asirgarh and was there devoured by a tiger.¹

The Maratha danger alone remained and was finally precipitated by the folly of the Peshwa and Appa Sahib Bhonsle. On the day (5 November, 1817) that Sindhia signed the supplementary Treaty of Gwalior, the Peshwa rose in revolt, sacked and burnt the British Residency at Poona, and then attacked with an army of about 26,000 a small British force of 2800, which was drawn up under Colonel Burr at Kirkee (Khadki). He was heavily defeated and fled southwards from Poona, seizing as he went the titular raja of Satara. The British followed in hot pursuit, intending to prevent his escape into Berar, fought two brilliant and victorious engagements against

¹ Fortescue, *op. cit.* xi, 177-250.



heavy odds at Koregaon and Ashti, in the latter of which the Peshwa's general, Bapu Gokhale, was slain, and finally forced the hunted fugitive to surrender himself to Sir John Malcolm, 18 June, 1818. To the annoyance of the governor-general, Malcolm, whose political judgment was temporarily obscured by feelings of compassion for fallen greatness, pledged the Company to grant Baji Rao an excessive annuity of eight lakhs of rupees; and, the office of Peshwa having been declared extinct, Baji Rao was permitted to reside at Bithur on the Ganges, where he doubtless instilled into the mind of his adopted son, known later as Nana Sahib, that hatred of the English which bore such evil fruit in 1857.¹

Meanwhile, Appa Sahib, emulating the example of the Peshwa, attacked the British Resident at Nagpur, who had at his command a small force of native infantry and cavalry and four guns. Taking up its position on the ridge of Sitabaldi, the British force won a brilliant victory on 27 November, and with the aid of reinforcements which arrived a few days later, it forced the Bhonsle to surrender and finally defeated his troops at Nagpur on 16 December, 1818. Appa Sahib, who fled to the Panjab and eventually died in Rajputana, was formally deposed in favour of a minor grandson of Raghuji Bhonsle; his army was disbanded; and the portion of his dominions which lay to the north of the Narbada was annexed to British territory under the style of the Sagar (Saugor) and Narbada Territories.²

The tactical arrangements of Lord Hastings, which prevented the Maratha states from combining at the moment when mutual assistance was vital to their plans, ensured the defeat of Holkar. The Indore Darbar openly sympathised with the Peshwa's bid for freedom and rejected all offers of negotiation; but deprived of external aid and handicapped by internal dissension, the state forces could not withstand Sir Thomas Hislop's advance. Holkar's defeat at Mahidpur was followed by the Treaty of Mandasor, signed on 6 January, 1818, under the terms of which the chief relinquished his possessions south of the Narbada, abandoned his claims upon the Rajput chiefs, recognised the independence of Amir Khan, reduced the state army and agreed to maintain a contingent to co-operate with the British, and acquiesced in the appointment of a British Resident to his court.

Sindhia, who failed to fulfil his promise of active help in the Pindari campaign and, in contravention of the Treaty of Gwalior, had connived at the retention of the great fortress of Asirgarh by his killadar, Jasvant Rao Lad, now saw that further opposition would be fruitless, and, therefore, agreed in 1818 to a fresh treaty with the Company. This agreement provided, *inter alia*, for the cession to the English of Ajmir, the strategical key to Rajputana, and for a readjustment of boundaries. The Gaekwad, Fateh Singh, who acted as regent for

¹ Fortesque, *op. cit.* xi, 180-247.

² *Idem*, pp. 189-97, 246-9.

Anand Rao, signed a supplementary treaty in November, 1817, whereby he agreed to augment his subsidiary force, ceded his share of Ahmadabad for a cash payment representing its estimated value, and received in exchange the district of Okhamandal, the island of Bet, and other territory. Fateh Singh, who died in 1818 a few months before the titular ruler Anand Rao, adhered scrupulously to his alliance with the British during the operations against the Pindaris and the Maratha states. In return he was granted full remission of the tribute annually payable to the Peshwa for the revenues of Ahmadabad.¹

In accordance with the precedent set by Wellesley in the case of Mysore, the raja of Satara, who had been delivered from the clutches of Baji Rao by Colonel Smith's victory at Ashti, was provided with a small semi-independent principality around Satara, and was enthroned on 11 April, 1818. With a view to a pacific settlement of the Peshwa's conquered dominions, arrangements satisfactory to both parties were made by the Company with the Pant Pratinidhi, the Pant Sachiv, the raja of Akalkot, the Patvardhans, and the other Maratha nobles and jagirdars; while the piratical chiefs of the western littoral, who had been incompletely chastised in 1812, were completely reduced in 1820 and forced to cede the remainder of the coast between Kolhapur and Goa.

"The struggle which has thus ended", wrote Prinsep in his *Political Review*, published in 1825, "in the universal establishment of the British influence is particularly important and worthy of attention, as it promises to be the last we shall ever have to maintain with the native powers of India. Henceforward this epoch will be referred to as that whence each of the existing states will date the commencement of its peaceable settlement and the consolidation of its relations with the controlling power. The dark age of trouble and violence, which so long spread its malign influence over the fertile regions of Central India, has thus ceased from this time; and a new era has commenced, we trust, with brighter prospects,—an era of peace, prosperity and wealth at least, if not of political liberty and high moral improvement."

There can be no doubt that the English and Maratha Governments could not co-exist in India; for the practical working of the Maratha system, which was inspired more deeply than has hitherto been recognised by the doctrines of the ancient Hindu text-books of autocracy, was oppressive to the general mass of the people, destitute of moral ideas, and directly antagonistic to the fundamental principles of the Company's rule. Lord Hastings fully realised that, if India was ever to prosper, orderly government must be substituted for the lawless and predatory rule of his chief antagonists, and he brought to the achievement of his complex task a singular combination of firmness and moderation. Every chance was offered to the treacherous Peshwa and the raja of Berar of reforming their corrupt administration and living in amity with the English; consideration was shown

¹ Prinsep, *op. cit.* pp. 418-68.



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to avowed freebooters like Amir Khan and even to the ruffians who led the Pindari raids across India; Sindhia's duplicity was treated with undeserved forbearance. And when the doom of Maratha rule had been sealed, the governor-general's prudence and knowledge framed the measures which converted hostile princes like Sindhia and Holkar into staunch allies of the British Government, caused new villages and townships to germinate amid the ashes of rapine and desolation, created new and permanent sources of revenue, and diffused from Cape Comorin to the banks of the Satlej a spirit of tranquillity and order which India had never known since the spacious days of Akbar

CHAPTER XXIII

MARATHA ADMINISTRATION

THE Maratha administrative system, in the eighteenth century and the opening years of the nineteenth, may be described as a compound of the principles embodied in ancient works on Hindu polity, such as the *Arthashastra* of Kautilya, of the arrangements instituted by Sivaji and followed to some extent by his immediate successors, Sambhaji, Raja Rama, and Shahu, and of the modifications introduced by the Peshwas from the year 1727. In the various branches of the state's activities, the main differences between the system originally perfected by Sivaji and that which obtained under the Peshwas resulted naturally from the change in the position of Sivaji's lineal descendant, the raja of Satara, whose powers and prestige rapidly declined from the moment when the appointment of Peshwa became hereditary in the family of Balaji Visvanath (1714-20). Although the raja continued after that date to be regarded as the head of the Maratha state, and in theory retained the right to appoint the Peshwa and other high officials, his powers gradually became little more than nominal, and he was subsequently deprived even of the right of appointing and dismissing his own retainers. His personal expenses, moreover, were closely scrutinised by the Peshwa's secretariat, and he was obliged to obtain sanction from Poona for all expenditure connected with public works, private charities, and the maintenance of his household.¹ Originally one of Sivaji's *Ashta Pradhan* and holding, like the other seven ministers, a non-hereditary appointment, the Peshwa gradually assumed a position superior to that of the other ministers, including even the pratinidhi who had originally been appointed by Raja Rama as his vice-regent at Jinji and continued to occupy the senior position on the board until the genius of Balaji Visvanath made the Peshwa's office both hereditary and supreme. The gradual transformation of "the mayor of the palace" of the raja of Satara into the virtual ruler of the Maratha state and the Maratha confederacy, thus initiated by Balaji Visvanath, was aided by Tara Bai's imprisonment of Raja Rama in the Satara fort and was completed by Raja Shahu's grant of plenary powers to the Peshwa Balaji Baji Rao on his deathbed.²

Thus from the first quarter of the eighteenth century until the final *débâcle* of the Maratha power, the Peshwa, though acting nominally as the vice-regent of the raja of Satara and showing him on public occasions the attentions due to the ruler, actually controlled the whole

¹ Sen, *Administrative System of the Marathas*, pp. 186-96.

² *Idem*, pp. 196-202.



administration and even usurped the raja's powers and prerogatives as ecclesiastical head of the state. This latter function was not consequent upon the Peshwa's social position as a Brahman, for the Chitpavan sect, to which the Peshwas belonged, was not accounted of much importance by other Brahmanic sects and by some, indeed, was considered ineligible for inclusion in the Brahmanic category. As was the case with Sivaji, the Peshwa's supremacy in the socio-religious sphere was the natural corollary of his position as head executive power or chief magistrate, and in that capacity he gave decisions in a large variety of matters, including the appointment of officiating priests for non-Hindu congregations, the remarriage of widows, the sale of unmarried girls, and arrangements for dowry and adoption.¹

The Peshwa's predominant position was also recognised by the Maratha feudal nobility, composed of estate-holders and chiefs, who were expected to provide troops and render military service, as occasion demanded, in return for their *saranjams* or fiefs, and were practically independent autocrats within the boundaries of their own lands and villages. As the Peshwa himself was originally one of these feudal landholders, subject to the general control of the raja of Satara, he was not slow to realise that his assumption of supremacy might evoke combinations of the others against himself. This possibility was largely discounted by dividing the revenues of any one district between several Maratha chiefs, who generally considered it beneath their dignity as fighting men to learn the art of reading and writing their mother-tongue and were at the same time exceedingly resentful of any supposed infringement of their financial proprietary rights. This system of sub-division of revenues gave rise to great complications in the state accounts, of which the Peshwa and his Brahman secretariat were not slow to take advantage: and it also engendered among the Maratha chiefs perpetual feuds and jealousies, which prevented their combining whole-heartedly against a common enemy and were ultimately responsible in large measure for the downfall of the Maratha power. The Maratha respect for the maxim that "it is well to have a finger in every pie", and their constant search for opportunities of extortion and pillage, are well illustrated by the refusal of Sindhia, as recorded in the private journal of the Marquess of Hastings, to relinquish his share in certain lands included in the possessions of the chief of Bundi, although he was offered in exchange more valuable territory, contiguous to his own dominions.

The focus of the Maratha administration was the Peshwa's secretariat in Poona, styled the *Huzur Daftar*, which was composed of several departments and bureaux. It dealt, broadly speaking, with the revenues and expenditure of all districts, with the accounts

¹ Sen, *op. cit.* pp. 202-4, 397-417.

submitted by the district and village officials, with all alienations of public revenue in the form of *inams*, *saranjams*, etc., with the pay and privileges of all grades of the public service, and with the budgets of the civil, military and religious establishments. The daily registers (*roz kird*) of the various departments recorded all revenue transactions, all grants and payments, and all contributions and exactions levied on foreign territory. These records, which included state transactions of every kind, were maintained with great care and efficiency until the rule of Baji Rao II (1796-1818), when they became practically valueless by reason of the maladministration and political disorder of that period.¹

The foundation of the Peshwa's administrative system was the self-contained and self-supporting village community, which had its roots in an almost prehistoric past. Each village had a headman, the *patel* (the *pattakila* of ancient lithic and copperplate records), who combined the functions of revenue officer, magistrate and judge, and acted as intermediary between the villagers and the Peshwa's officials. His office was hereditary and might form the subject of sale and purchase, and his emoluments, which varied slightly from village to village, consisted chiefly in the receipt from every villager of a fixed share of his produce. These receipts ranged from a daily supply of betel-leaves, provided by the dealers in *pan-supari*, to a tax on the remarriage of a widow; and in return for these emoluments and for his recognition as the social leader of the village community, the *patel* was expected to shoulder the responsibility for the village's welfare and good conduct. The *kulkarni*, or village clerk and record-keeper, who was always a Brahman, was second in importance to the *patel*, and like the latter was remunerated by a variety of perquisites. He was often expected to share the *patel's* responsibility for the good behaviour of the village community, and ran an equal risk of oppression and imprisonment by casual invaders or tyrannous officials. Excluding the *chaugula* who had custody of the *kulkarni's* bundles of correspondence, assisted the *patel*, and was frequently an illegitimate scion of the *patel's* family, the communal duties and wants of the village were performed and supplied by the *bara balute* or twelve hereditary village servants, who received a recognised share of the crops and other perquisites in return for their services to the community.² The *personnel* of the *bara balute* was not invariably the same in all parts of the Deccan, and in some places they were associated with an additional body of twelve village servants, styled *bara alute*. Up to the period of the rule of the Peshwa Madhu Rao I (1761-72), certain classes of village mechanics and artisans, like the carpenter and blacksmith, were liable to forced labour (*begar*) on behalf of the state—an exaction which had the express sanction of the most ancient

¹ Sen, *op. cit.* pp. 267-71.

² *Idem*, pp. 211-37, 503-21.

Hindu law codes and was certainly practised by previous governments in India.¹

The backbone of the Maratha district administration, which perhaps drew its original inspiration from the principles laid down in Kautilya's *Arthashastra*, was supplied by the *mamlatdar*, who was in charge of a division styled *sarkar*, *subha*, or *prant*, and by the *kamavisdar*, his subordinate or deputy, who administered a smaller territorial area of the same kind, usually termed a *pargana*. This territorial nomenclature had, however, lost its significance by the beginning of the nineteenth century, and the revenue divisions—the *sarkar*, the *pargana*, and the smaller areas styled *mahal* and *tarf*, had been largely broken up as a result of internal changes and confusion. The *mamlatdar*, who corresponded roughly to the *subhedar* or *mukhya deshadhikari* of Sivaji's day, and the *kamavisdar* were directly subordinate to the Peshwa's secretariat in Poona, except in the case of Khandesh, Gujarat and the Karnatak, where a superior official, styled *sarsubhedar*, was interposed between them and the government. Originally the *mamlatdar* and the *kamavisdar* were appointed for short terms only, but in practice they managed frequently to secure renewals of their term of office in a district. As the direct representative of the Peshwa they were responsible for every branch of the district administration, including agriculture, industries, civil and criminal justice, the control of the *sihbandis* (militia) and the police, and the investigation of social and religious questions. They also fixed the revenue assessment of each village in consultation with the *patel*, heard and decided complaints against the village officers, and were responsible for the collection of the state revenue, which in cases of recalcitrance they were accustomed to recover through the medium of the *sihbandis*.²

It will be obvious that under this system there were many opportunities for speculation and maladministration on the part of the district officials, while the only checks upon the action of the *mamlatdar* were of a theoretical rather than a practical character. The first of these restraints was provided by the *desmukh* and *despande*, who had long ceased to hold any official status and had been relegated to a more or less ornamental position since the days of Sivaji.³ In theory the *mamlatdar's* accounts were not passed by the secretariat at Poona, unless corroborated by corresponding accounts from these local anachronisms, and in all disputes regarding land the *desmukh* was expected to produce his ancient records, containing the history of all *watans*, *inams* and grants, and the register of transfer of properties, which he maintained in return for the annual fee or perquisites received from the villagers. The safeguards not infrequently proved illusory, for there was nothing to prevent the *mamlatdar* obtaining official approval of his returns by methods of his own, while the

¹ Sen, *op. cit.* pp. 532-4.

² *Idem*, pp. 252-8.

³ *Idem*, pp. 243-51.

desmukh's registers were irregularly written up and often very incomplete. The second check upon the *mamlatdar* was provided by a staff of hereditary *darakh-dars* or office-holders, who were appointed to the various provinces or major divisions of the Maratha dominions, were directly subordinate to the Peshwa, and reported direct to the government in Poona. These officials were eight in number, viz. the *dewan* or *mamlatdar's* deputy, *mazumdar*, *phadnavis*, *daftardar*, *potnis*, *potdar*, *sabhasad*, and *chitnis*; and they were expected to act as a check, not only upon one another but also on the *mamlatdar*, who was not empowered to dismiss any one of them. A ninth official of this class, the *jamenis*, who apparently concerned himself with the land revenue of the villages, is mentioned in the reign of the Peshwa Madhu Rao I.¹

With the object, doubtless, of preventing the wholesale malversation of public money, the Maratha Government was accustomed to demand from the *mamlatdar* and other officials the payment of a heavy sum (*rasad*) on their first appointment to a district, and careful estimates of probable income and expenditure were drawn up for their guidance by the *Huzur Daftar*. These precautions were of even less value than those mentioned above. The *mamlatdar* was at pains to recover his advance with interest and frequently made considerable illicit profits by concealment of receipts, non-payment of pensions, and the preparation of false bills and muster-rolls. A fruitful source of gain was the *sadar warid patti*—an extra tax intended to cover miscellaneous district expenditure not provided for by the government; and one of the chief items of this additional expenditure was the *darbar kharch* or fee to ministers and auditors, which, originally a secret bribe, developed eventually into a recognised scale of payments, audited like other items of account. These illicit claims showed a constant tendency to increase, and as it was obviously impolitic to recover more than a certain amount from the peasantry, who provided in one way or another a very large proportion of the public revenues, the *mamlatdar* did not scruple to pay himself and his superiors out of funds that should have been credited wholly to the government.² Under the rule of the last Peshwa, Baji Rao II, the peasantry were deprived of even this modified protection from extortion by the system of farming the district appointments, which had been in vogue under the preceding Muhammadan governments of the Deccan.

"The office of *mamlatdar*", according to Mountstuart Elphinstone, "was put up to auction among the Peshwa's attendants, who were encouraged to bid high and were sometimes disgraced, if they showed a reluctance to enter on this sort of speculation."

The *mamlatdar*, who had secured a district at these auctions, promptly

¹ Sen, *op. cit.* pp. 258-63.

² *Idem*, pp. 263-5; Forrest, *Official Writings of Mountstuart Elphinstone*, pp. 287-9.

rented it at a profit to under-farmers, who repeated the process until it reached the village officers. Under such a system the scale on which each peasant was assessed was based upon his ability to pay, not upon the area and quality of the land which he occupied; and as the demand was usually immoderate and constant resort was had to fictitious accounts, the villagers were steadily exhausted by the shameless exactions of the official hierarchy.¹

The *kamavisdar*, whose official emoluments were often fixed at 4 per cent. of the revenues of the district in his charge together with certain allowances, e.g. for the upkeep of a palanquin, was provided, like the *mamlatdar*, with a staff of clerks and menials, who were generally paid ten or eleven months' salary in return for a full year's work. The reason for this short payment, which was also adopted in the military department, is not clear. Possibly it amounted to a tacit acknowledgment that an aggregate period of at least one or two months in every twelve would be spent on leave or otherwise wasted, or that petty illicit perquisites, which it would be fruitless to trace or expose, would probably total to the amount of a month's salary. The small territorial divisions, known as *mahal* or *tarf*, were administered on the same lines as the *mamlatdar*'s and *kamavisdar*'s charges by a non-hereditary official styled *havaladar*, assisted and checked by a hereditary *mazumdar* (accountant) and *phadnis* (auditor). In each *mahal*, as a rule, were stationed four additional officials of militia, viz. the *hashamnavis*, who maintained a muster-roll of the villagers, their arms, and their pay; the *hasham phadnis* and *hasham daftardar*, who kept the accounts and wrote up the ledger of the militia, and the *hazirnavis*, who maintained a muster-roll of those actually serving in the militia.²

The Maratha judicial system has been described as very imperfect, there being no rules of procedure, no regular administration of justice, and no codified law. In both civil and criminal matters decisions were based upon custom and upon rules or formulae embodied in ancient Sanskrit compilations, like those of Manu and Yajnavalkya. In civil cases the main object aimed at was amicable settlement, and arbitration was therefore the first step in the disposal of a suit. If arbitration failed, the case was transferred for decision to a *panchayat*, appointed by the *patel* in the village and by the *shete mahajan*, or leading merchant, in urban areas. An appeal lay from the decision of a *panchayat* to the *mamlatdar*, who usually upheld the verdict, unless the parties concerned were able to prove that the *panchayat* was prejudiced or corrupt. In serious or important suits, however, it was the duty of the *mamlatdar* to appoint an arbitrator or a *panchayat*, the members of which were chosen by him with the approval, and often at the suggestion, of the parties to the suit. In

¹ Forrest, *op. cit.* pp. 294-6.

² Sen, *op. cit.* p. 266.

such cases the *panchayat's* decision was subject to an appeal to the Peshwa or his legal minister, the *nyayadhis*. The system of *panchayats* left a good deal to be desired from the standpoint of modern legal administration. These bodies were slow in action and uncertain in their decisions: the attendance of the members was usually irregular, depending as it did entirely upon the individual's sense of duty or fear of public opinion. The powers of the *panchayat* were strictly limited; it was exposed to constant obstruction; and it possessed no authority to enforce its decisions, which were left to the *mamlatdar* to carry out or neglect, as he pleased. It had likewise no power to compel the attendance of parties and their witnesses, and depended upon the *mamlatdar* or other local official to supply a petty officer for this purpose. In cases where the members of a *panchayat* were nominated by the parties to a suit, they functioned rather as advocates than as judges; and, speaking generally, the system offered considerable scope for partiality and corruption, which became very marked under the rule of Baji Rao II. Yet, despite its primitive character and its liability to be improperly influenced, the *panchayat* was a popular institution, and the absence of a decision by a *panchayat* in any suit was almost always regarded as complete justification for a retrial of the issues. The fact must be admitted that among themselves, within the confines of the self-contained ancestral village, the peasantry did obtain a fair modicum of rude justice from the village *panchayat*. What they failed to obtain either from the *panchayats* or from the government was any measure of redress against the merciless oppression of their superiors.¹

In criminal cases much the same procedure was adopted, though a *panchayat* was less frequently appointed than in civil disputes. The chief authorities were the *patel* in the village, the *mamlatdar* in the district, the *sarsubhedar* in the province, and the Peshwa and his *nyayadhis* at headquarters; and they administered a law which was merely popular custom tempered by the trying officer's own ideas of expediency. Ancient Hindu law in its criminal application had become practically obsolete by the end of the eighteenth century, and Mountstuart Elphinstone's opinion that "the criminal system of the Mahrattas was in the last stage of disorder and corruption" was fully justified by the state of the criminal law and procedure immediately prior to the downfall of the last Peshwa. No regular form of trial of accused persons was prescribed; flogging was frequently inflicted with the object of extorting confessions of guilt; and in the case of crimes against the state torture was usually employed. The punishment for serious offences against the person was originally fine, or confiscation of property, or imprisonment, the fine being proportioned to the means of the offender;² but after 1761 capital punish-

¹ Sen, *op. cit.* pp. 347-79.

² *Idem*, pp. 381-3.

ment and mutilation were inflicted upon persons convicted of grievous hurt, dacoity and theft, as well as upon those found guilty of murder or treason.¹ The usual methods of execution were hanging, decapitation, cutting to pieces with swords, or crushing the skull with a mallet, exception being made in the case of Brahmans, who were poisoned or starved to death.² Powers of life and death were originally vested in the ruler only, and in the principal feudal chiefs within the limits of their respective jagirs. In later times, however, these powers were delegated to the *sarsubhedar* of a province; while throughout the second half of the eighteenth century the *mamlatdar*, as head of a district, considered himself justified in hanging a Ramosi, Bhil, or Mang robber, without reference to higher authority. The punishment of mutilation consisted usually in cutting off the hands or feet and in the case of female offenders in depriving them of their nose, ears or breasts. False evidence must often have figured in criminal enquiries, as it still does to some extent; and the false witness and the fabricator of false documents were practically immune from prosecution under a system which prescribed no penalty for either perjury or forgery. The only notice taken of a case of deliberate and wholesale fabrication of false evidence consisted of a mild reproof from the *nyayadhish*.

The penalties imposed on convicted prisoners were aggravated by the knowledge that their families were not secure from oppression; for it was a common practice of the Maratha Government to incarcerate the innocent wives and children of convicts, as a warning to other potential malefactors. The prison arrangements were primitive, the only jails being rooms in some of the larger hill-forts. Here the prisoners languished in the gravest discomfort, except on rare occasions when they were temporarily released to enable them to perform domestic religious ceremonies such as the *sraddha*.³ It is perhaps needless to remark that a prisoner had to pay heavily for such temporary and occasional freedom, as well as for other minor concessions to his comfort. Provided that he could command sufficient funds to satisfy the avarice of his gaolers, even a long-term convict could count upon a fairly speedy release. Even in the days of Sivaji the power of gold to unlock the gates of hill-forts had often proved greater than that of the sword, spear and ambush.

The district police arrangements under the Peshwas were practically identical with those that existed in the seventeenth century, and were apparently based largely on the doctrine of setting a thief to catch a thief. Each village maintained its own watchmen, who belonged to the degraded Mahar or Mang tribes, under the direct control of the *patel*, and remunerated them for their services with rent-free lands

¹ Sen, *op. cit.* pp. 393-6.

² Tone, *Institutions of the Maratha People*, pp. 15-16.

³ Sen, *op. cit.* pp. 417-24.

and other perquisites. These watchmen were assisted in the detection of crime by groups or gangs of hereditary criminal tribesmen, like the Ramosis and Bhils, who were attached to each village, or to a group of villages, and resided on its outskirts. Each group was under the control of its own *naiks* or headmen, who were answerable to the *patel* for any theft or robbery committed in the village, and for any disturbance created by their followers.¹ The antiquity of the system is indicated by the fact that most of these village groups of Ramosis or Bhils received certain perquisites of long standing in return for their services to the village, in the same way as the recognised village servants, and they cherished their rights as ancillary watchmen and thief-catchers, particularly in respect of some of the hill-forts, as jealously as any village officer or village artisan.

The practical working of the system was as follows. Whenever a crime against property occurred in a village, the Mahars or Ramosis, as the case might be, were bound as a body to make good the value of the stolen property, unless they succeeded in recovering the actual goods or in tracing the offenders to another village. In the latter case the delinquent village was forced to indemnify the owners of the property. While this system afforded a moderate safeguard to each village against the anti-social propensities of its own particular group of criminal tribesmen, it failed to prevent crime and predatory incursions by the Ramosis of other areas or by Bhils from the forest-clad hills of the northern Deccan. It offered, moreover, unlimited chances of subterfuge and blackmail on the part of the tribesmen concerned. A striking example of the shortcomings of the system is afforded by the career of Umaji Naik, the famous Ramosi outlaw, who during the administration of Sir John Malcolm (1827-30) perpetrated a long series of crimes against person and property, while he was actually in receipt of a salary from the Bombay Government for performing police duties in the Sasvad division of the Poona collectorate.² His methods proved that there was nothing to prevent the village police and the Ramosis combining to escape responsibility by falsely saddling crimes upon the innocent. These watch and ward arrangements were also of no avail in cases where the petty chiefs and estate-holders of the Deccan plundered the villages of their rivals. For the payment of fees and perquisites to the Ramosis or Bhils, either by the village or by the government, was essentially a form of blackmail, designed to secure immunity, partial or complete, from the depredations of a body of professional criminals and freebooters, and it naturally could not influence the intentions or actions of the landed gentry, whenever its members chose to indulge in marauding excursions through the countryside. Consequently, whenever serious

¹ Sen, *op. cit.* pp. 425-7.

² Mackintosh, *An Account of the Origin and Present Condition of the Tribe of Ramossies* pp. 125-227.



epidemics of dacoity and other crime occurred, the government authorities usually strengthened the village police with detachments of *sihbandis*, or irregular infantry, from the neighbouring hill-forts. The *sihbandis* in every district were under the control of the *mamlatdar*, and were maintained on the proceeds of a general house tax imposed on the residents of the disturbed area. Their duty was to support the village police under the *patel* and to oppose violence by force of arms, but did not extend to the detection of crime. They were also deputed to assist the village police in maintaining order at festivals, fairs and other important social gatherings.

Under the misguided rule of Baji Rao II the district police system was modified by the appointment of additional police officials, styled *tapasnavis*, charged with the discovery and seizure of offenders.¹ These officials were independent of the *mamlatdar* and other district authorities, and their area of jurisdiction was not necessarily conterminous with that of the revenue and police officials. As a class they were shamelessly corrupt; they constantly extorted money by means of false accusations, and were often hand in glove with avowed robbers and outlaws. In the latter respect they were little less culpable than the Maratha jagirdars and zamindars, who frequently offered an asylum and protection to fugitive criminals wanted for serious crimes in other districts.

In urban centres magisterial and police powers were vested in a *kotwal*, who also performed municipal duties. He regulated prices, took a census of the inhabitants, investigated and decided disputes relating to immovable property, supplied labour to the government, levied fees from professional gamblers, and, generally speaking, performed most of the functions ascribed to the *nagaraka* or police superintendent in the *Arthashastra* of Kautilya.² The best urban police force at the close of the eighteenth century was unquestionably that of the capital, Poona. It was composed of foot-police, mounted patrols, and Ramosis, used principally as spies and trackers, and was described as efficient. Opportunities for nocturnal delinquency on the part of the inhabitants were, however, greatly lessened by a strict curfew order which obliged everyone to remain within doors after 10 p.m.³

The Maratha army, composed of the mercenary forces of the feudal chiefs and the regiments under the immediate command of the Peshwa, had undergone a radical change since Sivaji's day. Originally recruited from men who, though not invariably Marathas by race, were yet united by a common bond of country and language, the army tended, as the Maratha power spread across India, to assume a professional rather than a national character. The real Marathas

¹ Forrest, *op. cit.* pp. 305-6.

² Sen, *op. cit.* pp. 427-31; 522-4.

³ *Idem*, pp. 431-2; Tone, *Institutions of the Maratha People*, pp. 54-5.

were gradually relegated almost entirely to the cavalry, in which their horse-craft and knowledge of horse-breeding proved of the highest value; the infantry was mostly drawn from Northern India; and the artillery, which offered little attraction to the Maratha freebooter, was manned and commanded by Portuguese and Indian Christians. As has been mentioned, the military services of the various Maratha chiefs and landholders were secured by the grant of *saranjams* (fiefs), care being taken by the Peshwa and his Brahman secretariat so to group the holdings of rival chiefs in the same area that the former might reap full advantage from their inveterate mutual jealousies.¹ A hegemony founded on internal strife and dissension was not calculated to give stability to the state; and ultimately the lack of cohesion induced by this policy, coupled with the personal unpopularity of the last Peshwa, contributed largely to the downfall of the Maratha confederacy.

The Maratha state did little towards the economic improvement of the country and the intellectual advancement of its inhabitants. Being essentially a predatory power, it regarded itself as always in a state of war, and a large proportion of its revenue was supplied by marauding expeditions into the territory of its neighbours. Unlike other ancient and contemporary Hindu governments, it constructed no great works of public utility, and its interest in education was confined to the annual grant of *dakshina* to deserving *pandits* and *vaids*.² In the days of Sivaji and his successors it had been one of the duties of the Pandit Rao to enquire into the merits and accomplishments of applicants for this form of state aid and to settle in each case the amount and character of the award. But the system had degenerated at the opening of the nineteenth century into a form of indiscriminate largesse to Brahmans, of whom some at least were probably unworthy of special recognition. Some writers on Maratha affairs have sought to discover the germ of modern postal communications in the system of intelligence maintained by the Maratha Government. The comparison has no value, in view of the fact that, although the *jasuds* (spies) and *harkaras* (messengers) did carry messages and letters with astonishing rapidity throughout India, they were primarily employed for political and military purposes, and not for the public convenience.³ They represented, in fact, during the eighteenth century the official system of intelligence, which was originally described in the *Arthasastra* and was perfected by Chandra-gupta Maurya in the third century B.C.

A survey of Maratha administration must necessarily include some account of the principal sources of the state revenues. The most important items were the *chauth* (one-fourth) and *sardesmukhi* (the tenth), which originally were payments in the nature of blackmail

¹ Sen, *op. cit.* pp. 439-69.

² *Idem*, pp. 469-70.

³ *Idem*, pp. 470-2.

made by districts under the government of other powers which desired protection from plunder. While the proceeds of both levies were reserved for the state treasury, the *chauth* from early days had been sub-divided into the following shares:

- (a) *babti* or 25 per cent., reserved for the raja or ruler.
- (b) *mokasa* or 66 per cent., granted to Maratha sardars and chiefs for the maintenance of troops.
- (c) *sahotra* or 6 per cent., granted to the pant sachiv.
- (d) *nadgaunda* or 3 per cent., awarded to various persons at the ruler's pleasure.

This sub-division of *chauth* continued under the *régime* of the Peshwas; and when the territories, which paid both the levies, were finally incorporated in the Maratha dominions, the remaining three-fourths of their revenues, after deducting the *chauth*, were styled *jagir* and were also granted in varying proportions to different individuals. As previously stated, this system was characterised by a multiplicity of individual claims upon the revenues of a single tract or village, and consequently in great complication of the accounts, which the Brahman secretariat in Poona was alone in a position to comprehend and elucidate. During the Peshwa's rule a somewhat similar sub-division was made of the *sardesmukhi*, which had originally been credited wholly to the raja, in accordance with Sivaji's fictitious claim to be the hereditary *sardesmukh* of the Deccan.¹

The second important head of state revenue was the agricultural assessment upon village lands, which were generally divided between two classes of holders, the *mirasdar* and the *upri*.² The former, who is supposed to have been the descendant of original settlers who cleared the forest and first prepared the soil for agriculture, possessed permanent proprietary rights and could not be ejected from his holding so long as his rent was paid to the government. His property was hereditary and saleable; and even if he was dispossessed for failure to pay the government dues, he had a right of recovery at any time during the next thirty or forty years, on his liquidating all arrears. The *upri*, on the other hand, was a stranger and tenant-at-will, who merely rented and cultivated his fields with the permission and under the supervision of the Peshwa's district officers. He did not enjoy the same advantages and fixity of tenure as the *mirasdar*, but he was not liable, like the latter, to sudden and arbitrary impositions, and he bore a comparatively moderate proportion of the miscellaneous village expenses, which included such items as the maintenance of the village temple and the repair of the village wall. Theoretically the assessment on the village lands was supposed to be based on a careful survey of the cultivated area, the lands themselves being divided into three main classes. Allowance was also supposed to be

¹ Sen, p. 112.

² *Idem*, pp. 237-9.

made for the character of the crop and the facilities existing for irrigation, and special rates were imposed upon coconut and other plantations and also upon waste or permanently unproductive lands. The assessment was payable either in cash or in kind, and it was generally recognised that remission of the assessment and advances of money and grain (*tagai*) should be granted to the peasantry in seasons of drought and distress. Theoretically, indeed, the Maratha land revenue system was favourable to the interests of the cultivator, and under the rule of a Peshwa like Madhu Rao I the peasantry were probably contented and tolerably well off. But actually the *patel* was the only person who could champion the rights of the villager against the higher official authorities, and as the latter had usually to satisfy the demands of the government and fill their own pockets at one and the same time, the cultivator met with much less consideration than was due to his position in the economic sphere. Under a bad ruler like Baji Rao II, whose administration was stained by perfidy, rapacity and cruelty, the equitable maxims of land revenue assessment and collection were widely neglected, and the cultivator was reduced in many cases to practical penury by the merciless exactions of the Peshwa's officials. In addition to the regular village lands, there were certain lands which were regarded as the private property of the Peshwa. These fell into the four-fold category of pasture, garden, orchard, and cultivated land, and were usually let on lease to *upris* under the authority of the *mamlatdar* or *kamavisdar*, who was responsible for recovering the rental and other dues from the tenant.¹

A third item of the Maratha revenues consisted of miscellaneous taxes, which varied in different districts. They included, *inter alia*, a tax of one year's rent in ten on the lands held by the *desmukh* and *despande*, a tax on land reserved for the village Mahars, a triennial cess on *mirasdar* occupants, a tax on land irrigated from wells, a house tax recovered from everyone except Brahmans and village officers, an annual fee for the testing of weights and measures, a tax on marriage and on the remarriage of widows, taxes on sheep and she-buffaloes, a pasturage fee, a tax on melon cultivation in river beds, a succession duty, and a town duty, including a fee of 17 per cent. on the sale of a house. There were several other taxes and cesses of more or less importance, as for example the *bat chhapai* or fee for the stamping of cloth and other merchandise; and some of these can be traced back to the Mauryan epoch and were probably levied by Indian rulers at an even earlier date. In theory such taxes were to be proportioned in their incidence to the resources of the individual; but on the not infrequent occasions when the Maratha Government was pressed for money, it had no scruple in levying on all landholders a *karja patti* or *jasti patti*, which was generally equivalent to one year's income of the individual tax-payer.²

¹ Sen, *op. cit.* pp. 277-307.

² *Idem*, pp. 308-14.

The fourth source of Maratha revenue was customs duties, which fell roughly into the two classes of *mohatarfa* or taxes on trades and professions, and *jakat* or duties on purchase and sale, octroi and ferry charges.¹ The *mohatarfa*, for example, included a palanquin tax on the Kolis, a shop tax on goldsmiths, blacksmiths, shoemakers and other retail dealers, a tax on oil mills, potter's wheels and boats, and a professional impost of three rupees a year on the *Gondhalis* or worshippers of the goddess Bhavani. The *jakat*, a term originally borrowed from the Muhammadans, was collected from traders of all castes and sects, and was farmed out to contractors, who were often corrupt and oppressive. It was levied separately in each district, and was divided into *thalbarit* or tax at the place of loading the merchandise, *thalmud* or tax at the place of sale, and *chhapa* or stamping-duty. In some places a special fee on cattle, termed *shingshingoti*, was also imposed. Remissions of *jakat* were sometimes granted, particularly to cultivators who had suffered from scarcity or from the incursions of troops; but, as a rule, every trader had to submit to the inconvenience of having his goods stopped frequently in transit for the payment of these dues and octroi. Elphinstone records that the system was responsible for the appearance of a class of *hundikaris* or middlemen, who in return for a lump payment undertook to arrange with the custom farmers for the unimpeded transit of a merchant's goods. Brahmans and government officials were usually granted exemption from duty on goods imported for their own consumption, just as they were exempted from the house tax and certain minor cesses.

A small revenue was derived from forests by the sale of permits to cut timber for building or for fuel, by the sale of grass, bamboos, fuel and wild honey, and by fees for pasturage in reserved areas (*kurans*).² Licences for private mints also brought some profit to the state treasury. These licences were issued to approved goldsmiths (*sonars*), who paid a varying royalty and undertook to maintain a standard proportion of alloy, on pain of fine and forfeiture of licence. At times spurious and faulty coins were put into circulation, as for example in the Dharwar division in 1760. On that occasion the Maratha Government closed all private mints in that area and established in their stead a central mint, which charged a fee of seven coins in every thousand.³

The administration of justice produced a small and uncertain amount of revenue. In civil disputes relating to money bonds, the state claimed a fee of 25 per cent. of the amount realised, which really amounted to a bribe to secure the assistance of the official who heard the case. The general inertia of the government effectually prevented the growth of revenue from legal fees and obliged suitors to depend for satisfaction of their claims on private redress in the form of *takaza* or

¹ Sen, *op. cit.* pp. 321-5.

² *Idem*, pp. 314-17.

³ *Idem*, pp. 317-21.

dharna (dunning), or on patronage, which signified the enlistment of the aid of a superior neighbour or influential friend. In suits for partition of property worth more than 300 rupees in value, the parties were expected to pay a fee at the rate of 10 per cent. of the value of the property; fees were also charged in cases concerned with maintenance or inheritance, particularly in cases in which an applicant claimed to succeed to the estate of a childless brother.¹ It is not clear what proportion of the fines imposed in criminal proceedings was credited to the state; but during the ministry of Nana Phadnavis (1762–1800) the legal revenues included a considerable sum extorted from persons suspected or found guilty of adultery.

No definite estimate of the total revenue of the Maratha state can be given. Lord Valentia (1802–6) calculated the Peshwa's revenue at rather more than 7,000,000 rupees; while J. Grant, writing in 1798, estimated the total revenue of the Maratha empire at six crores, and the revenue of the Peshwa alone at not less than three crores of rupees, including *chauth* from the Nizam, Tipu Sultan, and the Rajput chiefs of Bundelkhand.² The revenue of a state which subsists largely on marauding excursions and blackmail, as the Maratha Government did in the time both of Sivaji and the Peshwas, must necessarily fluctuate; and the facts outlined in the preceding pages will serve to indicate that, though the general principles of the domestic administration may have been worthy of commendation, the practices of the Maratha Government and its officials precluded all possibility of the steady economic and educational advance of the country. Tone records that the Maratha Government invariably anticipated its land revenues.

These mortgages on the territorial income are negotiated by wealthy soucars (between whom and the Minister there always exists a proper understanding), and frequently at a discount of 30 per cent. and then paid in the most depreciated specie.

Owing to the unsettled state of the country, the Maratha Government preferred to raise a lump sum at enormous interest on the security of the precarious revenue of the next two or four years, and made little or no attempt to balance its revenue and current expenditure. The Maratha army was organised primarily for the purpose of plunder, and not so much for the extension of territory directly administered; and the people were gradually impoverished by the system of continuous freebooting, which the Marathas regarded as their most important means of subsistence. The general tone of the internal administration was not calculated to counteract to any appreciable extent the feelings of instability and insecurity engendered among the mass of the people by the predatory activities of their rulers. Indeed the constitution of the Maratha Government and army was "more calculated to destroy, than to create an empire";

¹ Sen, *op. cit.* pp. 371–3.

² *Idem*, pp. 342–3.



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and the spirit which directed their external policy and their internal administration prevented all chance of permanent improvement of the country over which they claimed sovereign rights. There can be no doubt that the final destruction of the Maratha political power and the substitution of orderly government by the East India Company were necessary, and productive of incalculable benefit to India.

CHAPTER XXIV

THE CONQUEST OF CEYLON, 1795-1815

with 22nd July

THE English had been nearly two centuries in India before Ceylon attracted their attention. They were too much occupied with, at first, establishing a precarious foothold, and then extending their conquests on the continent, to trouble much about a small island so far to the south. There had indeed been a curious attempt at intercourse as far back as 1664, which the Dutch historian, Valentyn, records. The king of Kandi at that period had a *penchant* for retaining in captivity any Englishmen he could capture—mostly castaways from merchant-ships wrecked on the coast, and an effort was made to negotiate with him for their release, but it was abortive, and the curtain fell for 100 years. But towards the end of the eighteenth century, the rivalry with the Dutch became acute, and the protection of our communications with our Indian possessions was a question of vital importance. Not only might the Dutch prey upon our commerce from their harbours in Ceylon, but there was a fear lest other nations, tempted by the tales of the fabulous wealth that poured into Holland from the Isle of Spices, might be induced to forestall us. Indeed the French, our dangerous rivals in India, had shown signs of this inclination a hundred years earlier, and had sent a fleet to attack Trinkomali. Though it was repulsed, a small embassy under de Laverolle was dispatched to Kandi to negotiate with the raja. But the ambassador was badly chosen: his unwise and intemperate behaviour resulted not only in the failure of the mission but in his own imprisonment.

Secret in India

1762

The first serious attempt made by the English to gain a footing was in 1762, when Pybus was sent to Kandi to arrange a treaty with the raja, Kirti Sri. He has left an account of his mission—subsequently published from the records of the Madras Government—which gives a curious, if somewhat tedious, sketch of the state of affairs at the Kandian court. He was admitted to the audience hall at midnight, and ordered to pull his shoes off and hold above his head the silver dish containing the letter for the raja. Six separate curtains, white and red, were withdrawn, and the king was then discovered seated on his throne, which was a large chair, handsomely carved and gilt, which may now be seen in Windsor Castle. The envoy was forced upon his knees and had to make endless prostrations till at last his painful progress ended at the foot of the throne, where he presented his credentials. He describes the elaborate costume of the monarch, and the decorations of the hall, and adds:

CAPTURE OF COLOMBO

I should have been well enough pleased with the appearance it made, had I been in a more agreeable situation. At the foot of the throne knelt one of the King's Prime Ministers, to whom he communicated what he had to say to me, who, after prostrating himself on the ground, related it to one of the generals who sat by me; who, after having prostrated himself, explained it to a Malabar doctor, who told it in Malabar to my dubash, and he to me. And this ceremony was repeated on asking every question.¹

Whether or not this somewhat tortuous method of communication led to misunderstandings, the Madras Government took no steps to pursue the matter further then; but in 1782 war was declared against the Dutch, an English fleet under Hughes captured Trinkomali, and Hugh Boyd was sent to Kandi to solicit the raja's help against the Dutch. The failure of Pybus's mission had left a bad impression on the Kandian court; the raja curtly refused to negotiate; and Trinkomali was next year lost to the French and finally restored to the Dutch when peace was declared. However in 1795 the Dutch were involved in the European upheaval, and had also got into trouble with the Kandian court; and the English determined to strike. A force under Colonel James Stuart was dispatched to Ceylon by the governor of Madras, and accomplished its object with an unexpected rapidity. The Dutch had been firmly established for 140 years along the sea coast; they had built magnificent forts—the great fortress of Jaffna, which is little the worse for wear even to-day, was perhaps the finest specimen—and they were a sturdy and tenacious people. But the smaller sea-ports were easily occupied, and the garrison of Colombo marched out without a blow. The English historian asserts that the enemy was in a state of utter demoralisation. When the English entered the gates of Colombo, he says,

the Dutch were found by us in a state of the most infamous disorder and drunkenness, in no discipline, no obedience, no spirit. The soldiers then awoke to a sense of their degradation, but it was too late; they accused Van Angelbeck of betraying them, vented loud reproaches against their commanders, and recklessly insulted the British as they filed into the fortress, even spitting on them as they passed.²

On the other hand it is asserted that adequate preparations had been made for the defence, but that the surrender was due to the treachery of the governor, Van Angelbeck.³ The facts were as follows. Early in 1795 an English agent, Hugh Cleghorn, induced the Comte de Meuron, *colonel propriétaire* of the Swiss regiment of that name, to transfer his regiment, then forming the chief part of the Ceylon forces, from the Dutch to the English service. Cleghorn and de Meuron arrived in India in the following September. Much seemed to depend upon the conduct of Van Angelbeck. He was believed to be an Orangist, but several of his council were strong revolutionaries, and it was feared that precipitate action might lead to the governor's arrest or murder. It was decided therefore to send

¹ Pybus, *Mission*, p. 79.

² Percival, p. 118.

³ Thombe, *Voyage aux Indes Orientales*.

him a copy of the capitulation regarding the de Meuron regiment, with a demand for its execution; but the news was also secretly communicated to the commandant of the regiment at Colombo. Van Angelbeck, who clearly did not intend more than a show of resistance, allowed the regiment to depart; and, when Stuart appeared before Colombo, surrendered it on terms. Indeed the withdrawal of the Swiss troops left him no alternative, whatever may have been his political views.¹ Accordingly the British flag flew over Colombo for the first time on 16 February, 1796, and the Dutch rule was over. Most of the wealthy folk filtered away to Batavia and elsewhere, but many of the officials were wisely kept on to finish up the judicial and other matters in which they were engaged.

It is open to argument whether the Portuguese or the Dutch left the stronger mark of their rule upon the island. The Sinhalese language was strongly affected by both. Nearly all the words connected with building are of Portuguese origin, for the ancient houses of the Sinhalese were rude and primitive structures. In the same way, most of the words connected with the household, domestic utensils, the kitchen, food, etc. come from the Dutch—the legacy of the *huisvrouw*.² In religious influences the Portuguese were far the more powerful, and the number of Portuguese names (bestowed at baptism) still surviving among the natives is most remarkable. The Dutch Reformed religion never got beyond the walls of the fortresses, but they taught the natives many lessons in town planning, sanitation, and the amenities of life.

“Within the castle [of Colombo]”, says a Dutch writer³ in 1676, “there are many pretty walks of nut-trees set in an uniform order: the streets are pleasant walks themselves, having trees on both sides and before the houses.”

But it was by their magnificent bequest of Roman-Dutch law that they left their most abiding mark on the island; while their zeal for trade was a curious counterpart to the Portuguese zeal for conversion. Nor must it be forgotten that the “burgher” (the offspring of Dutch and native marriages) is probably the best outcome of mixed unions to be found in the East, and the colony has good reason to be grateful for the fine work they have accomplished in many official callings.

The transfer of power was effected without any great upheaval and with little bloodshed, and at first it seemed likely that the future course of events would be peaceful and prosperous. As the island had been taken by the troops, and at the expense, of the East India Company, it was only natural that it should claim the right to administer it; a right which it proceeded to assert, in spite of the opposition

¹ *The Cleghorn Papers*, pp. 14 sqq., 202 sqq.

² *Census Report*, 1911, by E. B. Denham.

³ Christopher Sweitzer's *Account of Ceylon*.

of Pitt and Melville, who wished it to be handed over to the crown. The results were lamentable. The Company selected as its representative a Madras civilian named Andrews, who was to negotiate a treaty with the king of Kandi, and, with plenary powers, to superintend the revenue arrangements. He was a man of rash and drastic measures, utterly ignorant of the people he was sent to govern, and blind to the fact that a newly, and barely, conquered country requires sympathy and tactful persuasion rather than revolutionary changes. He ruthlessly swept away all the old customs and service tenures, and introduced, without warning or preparation, the revenue system of Madras, which meant not only taxes and duties unheard of before, but the farming-out of those imposts to aliens from the coast of India, "enemies to the religion of the Sinhalese, strangers to their habits, and animated by no impulse but extortion" (Governor North).¹ They were under inadequate supervision, and it did not take many months to bring about the inevitable catastrophe. A fierce rebellion broke out; the forces at the disposal of the new rulers were few; the rebels held strong positions on the borderland between the low country and the hills; and it was only after fierce fighting and considerable loss of life that any headway was made against them.

This state of affairs was intolerable. Andrews was at once withdrawn; his outrageous crew of tax-collectors was sent back to the coast, and Pitt got his way earlier than he expected. The island was made a crown colony, and the first governor sent out to administer it was Frederick North,² who landed in October, 1798. He was at first placed under the orders of the governor-general of India; but after the Treaty of Amiens four years later, this arrangement was ended. He kept up a considerable correspondence with Lord Mornington (afterwards the Marquess Wellesley), preserved in the Wellesley MSS, and his letters throw a revealing light upon the questionable policy he adopted. He set to work at once to abolish the hateful taxes of his predecessor, eject the remaining Madras civilians, and change the fiscal policy of the government by reverting for the time to the system which the Dutch had worked upon; for, in spite of its obvious defects, it was at least familiar to the people. Unfortunately his attention was diverted from these peaceful efforts towards reform by a series of events at the capital of the island, Kandi; and his method of dealing with this crisis has undoubtedly left a stain upon his character. At the same time it may be urged that a man must to a certain extent be judged by the standard of his age; and it was not an age of extreme official probity or humanity. In 1787 we find Governor Phillip, before starting for New South

¹ Letter from Hon. F. North, Wellesley MSS.

² Afterwards fifth Earl of Guildford. He was remarkable for his love of Greece and the Greek language. He had a good deal to do with the foundation of the Ionian University at Corfu, of which he was the first Chancellor.

Wales, deliberately suggesting in an official memorandum that, for certain crimes,

I would wish to confine the criminal till an opportunity offered of delivering him as a prisoner to the natives of New Zealand, and let them eat him.¹

It was not a nice age, from the modern point of view; but whether such instances as these can excuse North for the breach of faith he was guilty of, must be left to the judgment of the reader.

The king of Kandi died, or was deposed, in the same year as governor North landed, and the prime minister nominated a nephew of the queen's, Vikrama Raja Sinha, to succeed him. This was quite in accordance with Kandian custom, and the English Government accepted the arrangement, and prepared an embassy to the new king. The prime minister's name was Pilamé Talawé, and he was to bulk very large in the history of Ceylon for the next few luckless years. He was a traitor of a not unfamiliar oriental type, and had no sooner put his nominee on the throne than he began to conspire against him with a view to his own advancement to the kingly dignity. He sought a secret interview with North and explained his plans, his excuse for his treachery being that the reigning family was of alien (i.e. South Indian) origin, and that it was advisable to replace it by a family of native extraction. Unfortunately North listened to the tempter; he was anxious to get hold of Kandi, and thought he saw his chance. After much tortuous negotiation it was finally agreed that the prime minister should persuade the king to allow an ambassador to enter Kandi with an armed escort, which was to be far larger than was reported to the king; and North hoped that this "ambassador" (to wit, his principal general) would be able to secure and hold Kandi for the English, depose the unoffending monarch, and put Pilamé Talawé in his place as titular monarch.

The plot fell through; for though the raja at first fell into the trap and sanctioned the entry, the size of the escort leaked out, the other nobles got alarmed, the king was persuaded to cancel his permission, and the troops were mostly stopped at the boundary or led astray. The general did indeed arrive at Kandi, but with only a handful of men, and there was nothing for him to do but to return discomfited.

But this rebuff by no means diverted the prime minister (or *adigar*, as his real title was) from his intentions. After various fruitless endeavours, he at last, in 1802, managed to effect a breach between the Kandians and the English by causing a rich caravan, belonging to English subjects, to be robbed by Kandian officials. This was enough for North, who sent a large force under General Macdowall to seize Kandi—an easy victory, as the inhabitants and the king precipitately fled. A puppet king, Mutuswamy, with some claims to royal blood, was placed on the throne; but it was agreed with

¹ *Historical Records of New South Wales*, vol. 1, pt II, p. 53.

Pilamé Talawé that this puppet should be at once deported and that he, the traitor, should reign in his stead. The English were sufficiently deluded to believe in the good faith of such a turncoat, and retired in triumph to the coast, leaving a very small garrison (only 300 English and some native levies) behind. They had their due reward. The *adigar* saw his chance, and was as ready to betray his allies the English as his master the monarch. He calculated that by destroying the tiny garrison and seizing the two kings, he could attain the summit of his desires without further tedious negotiations; and proceeded to carry out the former part of the programme. He surrounded Kandi with sufficient troops to make resistance hopeless; he attacked and killed many of the garrison, already decimated by disease, and called on the remnant to surrender. Their commander, Major Davie, was apparently not of the "bull-dog breed". He accepted the traitor's word that their lives should be spared, laid down his arms, and marched out of the town on his way to Trinkomali with his sickly following and the puppet king, Mutuswamy. But the *adigar* knew well that they could not cross the large river near Kandi, as it was swollen by floods. A party of headmen came up while they were waiting desperately by the bank, and explained that unless Mutuswamy was given up, they would never be allowed to cross. Davie was base enough to entreat the prince to agree, as the envoys had promised that his life should be spared. The prince knew his countrymen and the *adigar* too well. "My god", he exclaimed, "is it possible that the triumphant arms of England can be so humbled as to fear the menaces of such cowards as the Kandians?"

Nevertheless, he was unconditionally surrendered; he stood a mock trial with heroic restraint, answering only, "I am at the king's mercy"; and within five minutes he met his death from the crises of the Malay guard. His relatives and followers were stabbed or impaled, and his servants were deprived of their noses and ears.

But this base act failed to save the English remnant. They were seized by the king's troops, Major Davie was taken back to Kandi, and the other officers and men were led two by two into a hollow out of sight of their comrades, felled by blows inflicted by the Caffres, and dispatched by the knives of the Kandians.¹ One man alone escaped from the carnage. He was found to be alive, and was twice hung by the Kandians, but each time the rope broke. He survived this trying ordeal, and struggled in the darkness to a hut, where a kindly villager fed him and tended his wounds, and eventually took him before the king, who spared his life, more probably from superstition than humanity.²

The scene of the massacre is still pointed out. "Davie's Tree"

¹ Emerson Tennent, *Ceylon*, II, 83.

² See *An Account of the Interior of Ceylon*, by Dr Davy, a brother of the celebrated Sir Humphry Davy.

is about three miles from Kandi, near the fatal river. The ill-starred Major Davie met with a lingering doom. His life was spared, says Mrs Heber in her journal, from a kind of superstitious feeling, as being the individual with whom the treaty was made. He was removed to Dumbara, but, owing to a plot by some Malays to carry him off and get a reward from the English Government, he was brought back to Kandi, suffering from ill-health, and died there in 1810. Several attempts were made by government to obtain his release, but the king demanded a sea-port on the coast as the ransom for his prisoner, and the negotiations broke down. He assumed the dress and habits of the natives, from whom he is said latterly to have been scarcely distinguishable, and if he had a defence for his conduct, he was never able to make it known. His apparent cowardice was in marked contrast to the heroism of two subordinate officers, whose names should be remembered. Captain Madge was in command of a small fort named Fort Macdowall, with a tiny force at his disposal. It was assaulted by swarms of Kandians simultaneously with the attack on the capital, and safe conduct was offered in return for capitulation. Captain Madge sternly refused, stood a blockade of three days, and then cut his way out and began a masterly retreat to Trinkomali, which he reached in safety, though his march lay through an almost unbroken ambushade. Ensign Grant was in charge of a small redoubt called Dambudenia, slightly constructed of fascines and earth, and garrisoned by fourteen convalescent Europeans and twenty-two invalid Malays. He equally scorned the threats and promises of the enemy, strengthened his flimsy fortifications with bags of rice and provision stores, and sustained an almost incessant fire from several thousand Kandians for ten days. His force was then relieved from Colombo, and the place dismantled.

Such was the result of North's disastrous policy; yet he seems to have been fortunate enough to escape all official censure. Certainly his letters to Lord Mornington do not show much remorse for his crooked dealings; doubtless he had strong influence at home; and the date alone may explain his escape, for in 1803 England was far too deeply involved in her struggles with Napoleon to have much time to spare for the petty squabbles of a distant and hardly-known island.

The effects of the disastrous surrender at Kandi were immediate and widespread. The whole island hovered on the verge of revolt, or broke out into open hostilities; and the available British troops, thinned by death and sickness, could do no more than repel the attacks of the invaders; while the war between England and France made it impossible to send reinforcements from home. The king of Kandi, inflamed by hatred of the English, defied the wiles of Pilamé Talawé, and was backed by his whole people in his efforts to eject them from Ceylon. He sent emissaries throughout the low country, inciting the

population to revolt, and led a large army to lay siege to Colombo. But the garrison was strong enough to repel him when he was eighteen miles from his objective, and he retired to his hill-fastnesses, where he felt himself secure. For it must be remembered that the country was then without roads of any kind; dense forests and steep hills and ravines guarded the approach to the capital; the damp enervating heat of the low country and the foot-hills, and the plague of leeches and mosquitoes, constituted an additional defence against English soldiers, whose dress and equipment at that period were not exactly of the kind best suited to warfare in near proximity to the equator.

An abortive attempt to attack Kandi from six different points in 1804 led to a very gallant action. The necessary orders had been issued to the six different commanders, but it was eventually decided that the difficulties were too great, and fresh orders were sent cancelling the whole scheme. But the countermand failed to reach Captain Johnston, whose original orders were to march from Batticaloa, join a detachment from Uva, and attack Kandi from the east. He set out accordingly, with a force of 82 Europeans and 220 native troops, failed to find any detachment from Uva, fought his way to Kandi through the thick, unhealthy jungle and unknown country, and took and occupied the capital for three days. As there was no sign of any of the supporting contingents, he evacuated the town and marched back to Trinkomali, with only sixteen British soldiers killed and wounded. His march was through a continuous ambushade; and, besides his human foes, he had to contend with malaria, heavy rains, bad equipment, the plague of insects and the want of provisions. He has the credit of having performed the pluckiest military feat in the annals of Ceylon.

A long period of sullen inaction followed, during which the Kandian king gave way to all the worst excesses of an oriental tyrant. The traitor *adigar* was detected in an attempt to assassinate the king and met with a traitor's doom in 1812, and was succeeded by his nephew, Eheylapola. This minister, heedless of the warning of his uncle's fate, secretly solicited the help of the English to organise a general revolt against the despot of the hills. But his treason was discovered, and he fled for protection to Colombo, leaving behind him his wife and family. The tragedy which followed is thus described by Dr Davy:¹

Hurried along by the flood of his revenge, the tyrant resolved to punish Eheylapola through his family, who still remained in his power: he sentenced his wife and children, and his brother and wife, to death—the brother and children to be beheaded, and the females to be drowned. In front of the Queen's Palace the wife and children were brought from prison and delivered over to their executioners. The lady, with great resolution, maintained her own and her children's innocence, and then desired her eldest child to submit to his fate. The poor boy, who was eleven years old, clung to his mother terrified and crying; her second son, of nine years,

¹ *An Account of the Interior of Ceylon.*

stepped forward and bade his brother not to be afraid; he would show him the way to die. By the blow of a sword the head of the child was severed from the body, and thrown into a rice mortar: the pestle was put into the mother's hands, and she was ordered to pound it, or be disgracefully tortured. To avoid the infamy, the wretched woman did lift up the pestle and let it fall. One by one the heads of the children were cut off, and one by one the poor mother—but the circumstance is too dreadful to be dwelt on. One of the children was an infant; it was plucked from its mother's breast to be beheaded. After the execution the sufferings of the mother were speedily relieved. She and her sister-in-law were taken to the little tank at Bogambara and drowned.

This extract has been given in full because the memory of the horror is still very vivid among the Sinhalese; and "The Tragedy of Eheylapola's wife" is told and retold by many a professional storyteller.

But the tyrant's punishment was fortunately near at hand, and the year 1815 equally witnessed the defeat of Napoleon and the extinction of the Kandian dynasty. He ventured to seize and disgracefully mutilate a party of merchants, British subjects, who had gone up to Kandi to trade, and sent them back to Colombo with their severed members tied round their necks.¹ This was the last straw: an avenging army was instantly on the march, led by Governor Sir R. Brownrigg in person, and within two weeks was well within reach of the capital. The king meanwhile remained in a state of almost passive inertness, rejecting all belief in our serious intentions to attack him. A messenger brought him news of our troops having crossed the frontiers: he directed his head to be struck off. Another informed him of the defeat of his troops in the Seven Korles: he ordered him to be impaled alive. At length he precipitately quitted Kandi, and (14 February) the English marched in and took possession. An armed party sent out by Eheylapola discovered the house to which the king had fled, pulled down the wall of the room where he was hiding, and suddenly exposed the crouching tyrant to the glare of the torches of the bystanders. He was bound with ropes, subjected to every obloquy and insult, and handed over to the English authorities, who eventually transported him to Vellore in India, where he died in January, 1832.²

Kandian independence was over; the whole island was in the hands of the English, and the new *régime* began.

¹ Emerson Tennent, *Ceylon*, II, 89.

² A narrative of events which have recently occurred in Ceylon, by a Gentleman on the Spot, London, 1815.

CHAPTER XXV

THE REVENUE ADMINISTRATION OF BENGAL, 1765-86

IN May, 1765, Clive returned to India, and his forceful personality was soon at work. On 16 August, 1765, the emperor Shah 'Alam, from motives very foreign to those of Akbar, divested the nawab of his powers as diwan, and conferred that office on the British East India Company to hold as a free gift and royal grant in perpetuity (*altamgha*). The Company in turn appointed as its deputy or naib diwan the same officer who had been selected to act as naib nazim, viz. Muhammad Reza Khan, who now united in his person the full powers of the nizamat and diwanni which had been separated by Akbar and reunited by Murshid Kuli Khan. But the arrangement spelt failure from the beginning. The emperor was a ruler in name only: his diwan in Bengal was a mysterious being locally known as the *Kampani Sahib Bahadur*, represented by a victorious and masterful foreign soldier, assisted by men who were avowedly traders, whose interests were principally engaged in maintaining the Company's dividends, and who lacked completely the professional training essential to efficient administration. Confusion reigned both in the provinces of justice and revenue.

The revenue of Bengal as assessed in the reign of Akbar¹ varied little either in the amount or the mode of levying it until the eighteenth century, when increasing anarchy introduced fresh assessments and further exactions under the name of *abwabs* or cesses. The three main sources of revenue at the time when the Company assumed the diwanni were (a) *mal*, i.e. the land revenue, including royalties on salt; (b) *sair*, i.e. the revenue received from the customs, tolls, ferries, etc.; (c) *bazi jama*, i.e. miscellaneous headings, such as receipts from fines, properties, excise, etc. The land revenue was collected by hereditary agents who held land in the various districts, paid the revenue, and stood between the government and the actual cultivators of the soil; these agents were in general known as zamindars, and the cultivators of the soil as ryots.

The position of the zamindar gave considerable difficulty to the Company's senior officers. At first he was looked upon merely as a revenue agent, with an hereditary interest and privileges in certain districts; but later he was considered as owning land in fee simple. The controversy is too lengthy to be followed in this chapter; but it may be asserted that the zamindar, though not the owner of the land

¹ Report of Anderson, Croftes and Bogle, dated 28 March, 1778.

in fee simple, was by no means a mere revenue agent; it was practically impossible by constitutional methods to break his hereditary connection with the land of which he was the zamindar; and as long as he performed his duties he was far more impregnable in his position than the average English official. On the other hand, the position of the ryots was less enviable than that of an English cultivator of the soil at the same period. In each village there was a *mandal*, or chief ryot, who acted as their agent in dealing with the various petty officers employed by the zamindar in the collection of the land revenue. The result of the investigation ordered in 1776 was to give a sad picture of the lot of the ryot and of the zamindar's indifference to his welfare, especially during the chaotic fifty years that followed on the death of Murshid Kuli Khan, during which the zamindar's receipts, owing to anarchy and consequent lack of cultivation, diminished.

"Although", in the words of the 1776 report, "the increase of the assessment [in 1772] may have been the principal, or at least the original, cause of the various additional taxes imposed on the ryots it did not follow that a reduction in the assessment would produce a diminution in the rents. The prospect of contingent and future benefits from the cultivation and improvement of his country is hardly sometimes sufficiently powerful to induce a zamindar to forego the immediate advantage which he enjoys by rack-renting his zamindari and exacting the greatest possible revenue from the tenants and vassals. Were it necessary to support the truth of this position we could produce many proofs from the accounts which we have collected. The instances, especially in large zamindaris, are not infrequent where a reduction in the demands of Government have been immediately followed by new taxes and new impositions."

The proceedings contain frequent references from the districts in Bengal complaining of the exactions and harshness of the zamindars.

After so many years ought not Government [i.e. the nawab's government] to have obtained the most perfect and intimate nature of the value of the rents and will it be believed at this day, it is still in the dark?

So wrote Edward Baber, Resident at Midnapur, in a letter dated 13 December, 1772, to the Committee of Revenue in Calcutta.¹ We must now consider the efforts by the leading executive officers of the Company to pierce this fog of ignorance.

It has been alleged² that having accepted the diwanni the English deliberately adopted a policy of *festina lente* chiefly because they wished to avoid the expense and unpopularity of a general survey of the lands; but such a survey, unless conducted entirely under expert European supervision, was worthless, and such supervision was unprocurable. Moreover the existing revenue nomenclature had then been in use for nearly two centuries, the population was almost entirely illiterate, and the bulk of such revenue records as existed were in the hands of native registrars; these factors, combined with

¹ Revenue Board Proceedings, 15 December, 1772, pp. 417-26.

² Firminger, *Fifth Report*, etc. I, 167.



their own curtailed powers and the caprices of the directors, might well induce the Company's local authorities to move slowly. The directors commenced by attaching an enormous salary,¹ nine lakhs of rupees *per annum*, to the office of the naib diwan, hoping thereby to obtain uncorrupt and efficient service.

Meanwhile, under the governorship of Verelst, the president and Select Committee made as full an enquiry as they could, arriving at the well-known conclusions contained in their Proceedings² for 16 August, 1769, in which "certain grand original sources" of the unsatisfactory state of the revenue collection in Bengal were enumerated. At home, the court of directors in June, 1769, had sent orders to Bengal, appointing a committee "for the management of the diwanni revenue"; and three "supervisors" with plenary powers sailed from England in September, 1769, but after leaving the Cape of Good Hope were never heard of again.

Verelst and his committee made a correct diagnosis of the trouble. They realised that the Company's European servants were kept in complete ignorance "of the real produce and capacity of the country by a set of men who first deceive us from interest and afterwards continue the deception from a necessary regard to their own safety". The chaos and misrule caused by the venal officials and adventurers who had frequented Bengal since the death of Aurangzib, combined with the secretive methods which a continuous oppression of the ryot by the zamindar had produced, formed an impenetrable labyrinth of which the key was sought in vain.

Verelst's committee established supervisors of the collections; these supervisors received instructions to make a full and complete enquiry into the method of collecting the revenue in their respective districts and, in fact, into any customs, knowledge of which might assist to improve the condition of the people; the instructions breathe a warm and humane spirit and a real desire, not merely to collect revenue, but to assist the oppressed cultivator of the soil. The supervisors failed, as indeed they were bound to do. Their instructions ordered them to prepare a rent roll, and, by enquiry, to ascertain the facts from which a just and profitable assessment of the revenue could be made. Such instructions were impossible to carry out. The supervisors soon found themselves confronted by a most formidable passive opposition from the zamindars and kanungos which prevented any real knowledge whatever of the amount of revenue actually paid by the ryot to the zamindar from coming to the knowledge of the Company. By this conspiracy of two corrupt and hereditary revenue agencies all avenues of information were closed. Between them, the zamindars and the kanungos held all the essential information, but the kanungo was the dominant figure.

¹ Cf. letter from Hastings to the Secret Committee, 1 September, 1772.

² Cf. Verelst, *A View*, etc. pp. 224-39.



A full account of this officer and his duty was submitted in May, 1787, to the Board of Revenue by J. Patterson,¹ register, Kanungo's Office.

The kanungo comes into prominence in the reign of Akbar, who employed him, as the name implies, to keep the records of the pargana, a revenue sub-division. He was in fact a registrar of a district appointed to see that the crown received its dues and that the ryot was not oppressed; his duties were responsible and onerous; he had to

register the usages of a district, the rates and mode of its assessment, and all regulations relating thereto. To note and record the progress of cultivation, the produce of the land and the price current thereof, and to be at all times able to furnish Government with materials to regulate the assessment by just and equitable proportions.

The kanungos' duties also included

the keeping of a record of all events, such as the appointments, deaths or removals of zamindars, to preserve the records of the Tumar and Taksim Jama, and the record of the boundaries and limits of zamindaris, talukdaris, parganas, villages, etc.

They also preserved in their registers the genealogies of zamindars, records of all grants of land, copies of the contracts of the zamindars and tax-farmers with the government, and, in short, acted as general custodians for every description of record in the district. There were two main, or *sadar*, kanungos for Bengal, but in each pargana there was a deputy or naib kanungo; the office became hereditary at an early date. Murshid Kuli Khan is stated to have replaced the kanungos of his day by an entirely new set, but the evil was not checked, because the new kanungos passed on their office and their knowledge to their descendants in the same way as the evicted ones had done.

Thus the whole of the land registration, and the entire knowledge of the actual receipts of the land revenue, were in the hands of a hereditary close corporation, who were the only authorities on the real state of the revenue; their power was enormous; and only complete ignorance can explain Verelst and his committee's imagining that such knowledge would be surrendered to the Company on demand. Edward Baber, in his letter of 13 December, 1772, called the attention of the Board of Revenue to these facts, and to the great power which the kanungos had over the zamindars,

because it was in the power of the Kanungos to expose the value of their parganas. ... This power the Kanungos availed themselves of, and it was the rod which they held over them so that the apprehension of an increase of his rents kept the zamindar in very effectual awe of the Kanungo. ... In a word the Kanungos have an absolute influence over the Zamindars which they exercise in every measure that can promote their own interests. ... It now happens that the Kanungos manage, not only the zamindars, but the business of the province. There is not a record but

¹ Original consultations, no. 63, Revenue Dept. 18 May, 1787. Printed *ap.* Ramsbotham, *Land Revenue History of Bengal*, pp. 163-97.

what is in their possession and so much of the executive part have they at last obtained that they are now virtually the Collector, while he is a mere passive representative of Government. They are the channel through which all his orders are conveyed. . . . Instead of being the agents of Government they are become the associates of the zamindars and conspire with them to conceal what it is their chief duty to divulge.

Baber drives home the argument by challenging the board to state how the last settlement (he is referring to the settlement made by the Committee of Circuit in 1772) was made; taking the example of Midnapur, his own district, he asks "on what information, on what materials was it made? was there a single instrument produced to guide the judgment of the board?"¹ It will be obvious that the supervisors appointed in 1769 were bound to fail. They were completely and wilfully kept in the dark by officials who had everything to lose and nothing to gain by giving the required information. The kanungos were only prepared to serve the state on their own terms; and those terms included a retention of the very information which their office was created to obtain for the state. Their action was utterly unconstitutional and involved the admission that a few families should hereditarily possess information which is the sole prerogative of the state, and that they should use that information for their personal and pecuniary profit.

The Company's government in India created in 1770 two Boards of Revenue, one in Murshidabad and one in Patna, to control respectively the Bengal and Bihar collections; but dissensions taking place in the council, John Cartier was ordered to hand over his office to Warren Hastings and several other alterations were made. Hastings assumed office as governor and president of Fort William on 13 April, 1772.

The outstanding result of the first seven years of the Company's administration of the diwanni is that the Company's officers in Bengal realised that they were face to face with the great problem of ascertaining the difference between the sum received as land revenue by government, and the sum actually paid by the ryot to the zamindar. This was the secret of the zamindar and kanungo which the Company never fathomed; it forms the burden of the collectors' reports to the Board of Revenue from 1772 onwards; and it is the basis of the great Shore-Grant controversy. When the revenue settlement was made permanent in 1793 this information was still wanting, and not a single revenue officer of the Company in 1793 could state with accuracy the entire actual amount which the zamindars in his district received from the ryots, or the proportion which it bore to that which the zamindar paid to the government; yet these were the conditions in which the revenue settlement was declared permanent.

Hastings brought to his work a sound experience of Bengal, a fluent

¹ Revenue Board Proceedings, 15 December, 1772, pp. 417-26.

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and accurate knowledge both of Persian and of Bengali: moreover, he had the reputation of being a loyal and most efficient servant of the Company. It is still difficult to give an impartial verdict on his official career. In revenue work his ability was not remarkable, and on his own admission¹ he had no practical working knowledge of it; in fact, his influence on the actual conditions of the revenue was unfortunate, especially when contrasted with his administration and reorganisation of the judicature in the districts, which was a vigorous beneficial achievement. His masterful temperament often prevented him from using the advice of subordinates better qualified than himself to speak authoritatively on details of revenue administration. This inflexibility must share responsibility with the jealousy of Francis and the ill-temper of Clavering for the deadlock which occurred in the administration of Bengal between 1774 and 1776.

The directors' orders which confronted the new governor were of a disturbing nature. On 14 April, 1772, these dispatches containing the well-known proclamation arrived in Calcutta. On 11 May the information was made public:

Notice is hereby given that the Hon'ble the Court of Directors have been pleased to divest the Nawab Muhammad Reza Khan of his station of Naib Diwan and have determined to stand forth publicly themselves in the character of Diwan.

This announcement radically altered the existing system of the collections.

The new governor and his council, as a prelude to carrying out their orders, appointed a committee to tour through various districts of Bengal and to submit a report on their observations. Thus was formed the Committee of Circuit, consisting of the Company's most senior officers, including the governor himself, S. Middleton, P. M. Dacres, J. Lawrell, and J. Graham. Their terms of reference were based on the resolutions taken by the council on 14 May, 1772, viz.

- (a) to farm the lands for a period of five years;
- (b) to establish a Committee of Circuit to form the settlement;
- (c) to re-introduce the supervisors under the name of collectors, assisted by an Indian diwan in each district;
- (d) to restrict the officials of the Company from any private employment.

The Committee of Circuit realised the difficulty of their work.

The Hon'ble Court of Directors... declare their determination to stand forth as Diwan, and, by the agency of the Company's servants, to take upon themselves the entire care and management of the Revenue. By what means this agency is to be exercised we are not instructed... They have been pleased to direct a total change of system, and have left the plan of execution of it to the direction of the Board without any formal repeal of the regulations they had before framed and

¹ Cf. the evidence given by Hastings for the plaintiff in the case brought by Kamal-ud-din Khan against the Calcutta Committee of Revenue, Governor-General's Proceedings, 2 September, 1776, pp. 3367-89.



adopted to another system, the abolition of which must necessarily include that of its subsidiary institutions unless they shall be found to coincide with the new. The Revenue is beyond all question the first object of Government.¹

The Committee of Circuit decided to place the revenue administration entirely under the direct control of the president and council, who were to form a committee of revenue; they also recommended that the *Khalsa*, or treasury office, should be removed from Murshidabad to Calcutta, making the latter town the financial capital of the province.

As the duties of the diwanni comprised the administration of civil justice, and as the business of the Committee of Circuit was to consolidate the Company's control over the diwanni, the important question of restoring the administration of justice in the districts came before them. The close connection between the land revenue and civil justice necessitates a brief mention of the committee's proposals recorded in their Proceedings.² They recommended in each district under a collector the formation of two courts, the diwanni adalat and the faujdari adalat, the former with civil, the latter with criminal jurisdiction; the matters cognisable by each court were strictly defined, and the diwanni adalat was under the direct charge of the collector. In addition to these *mufassil* or district courts, two similar *sadar*, or headquarters' courts, were to be established in Calcutta, the *sadar* diwanni adalat being presided over by the governor or a member of council. These courts were designed to remove the abuses in the administration of justice referred to by Verelst in his *Instructions to the Supervisors*. "Every decision", he writes of these native courts, "is a corrupt bargain with the highest bidder. . . . Trifling offenders are frequently loaded with heavy demands and capital offences are as often absolved by the venal judge."³

The most objectionable feature of the proposed regulations, as is pointed out by Harington,⁴ was that they vested in one person the powers of a tax-collector and of a magistrate. Hastings⁵ himself made this complaint against Verelst's plan introducing the supervisors; but he was apparently forced to embody the same defect in his own regulation. Perhaps the best and most straightforward defence of this admitted defect was that made by Shore.⁶

... It is impossible to draw a line between the Revenue and Judicial Departments in such a manner as to prevent their clashing: in this case either the Revenue must suffer or the administration of Justice be suspended. . . . It may be possible in course of time to induce the natives to pay their rents with regularity and without compulsion, but this is not the case at present.

¹ Committee of Circuit's Proceedings, 28 July, 1772, pp. 162-8.

² *Idem*, 15 August, 1772, pp. 234-48. Cf. also Colebrooke, *Supplement*, etc. pp. 1-8.

³ Verelst, *op. cit.* pp. 229-30.

⁴ Harington, *Analysis*, I, 34.

⁵ In a minute printed in *India papers*, vol. VI, quoted by Harington, *Analysis*, II, 41-3.

⁶ Letter to Sir G. Colebrooke, 26 March, 1772.

The Committee of Circuit's recommendations¹ were sent with a covering letter to the council at Fort William on 15 August, 1772, and received the council's approval on 21 August. They proposed that a large proportion of that land, known as *huzur zilla* land, because it paid its revenue direct to the *Khalsa*, should be converted into separate districts each under a collector. The whole council was to act as a committee of revenue, and to audit the accounts of the diwanni assisted by an Indian officer styled the *rai raian*. The latter was a most important person; his duties included the supervision of all the provincial diwans attached to the various collectorships,

to receive from them the accounts in the Bengali language and to issue to them a counterpart of the orders which the Board of Revenue shall from time to time expedite to the Collectors.

The salary attached to this important post was 5000 rupees a month. The first holder was Raja Rajballabh, a son of Raja Rai Durlabh, the old colleague of Muhammad Reza Khan. The business of the *Khalsa* was precisely defined; the post of accountant-general was created, the first holder being Charles Croftes; and the various departments of that office, and of the treasury in general, defined and organised. This completed the main work of the Committee of Circuit, and unquestionably the most successful portion was that which dealt with the administration of justice. They inherited from the Moghul government every evil that could afflict a judicial system: a disorganised and corrupt judicature and incompetent agents. Dacoity was rampant, and there was no ordinary security in the land. The new courts, although by no means perfect, brought great relief to the ryots and talukdars, and within a short time began to foster confidence in the Company's administration.

On 13 October, 1772, the new Committee of Revenue commenced its work by settling the revenue to be collected from Hugli, Midnapur, Birbhum, Jessore and the Calcutta zamindari lands. The settlement was for five years, and the lands were farmed out by public auction, in order better to discover the real value of the lands. This, in itself, is a comment on the board's revenue policy, for they must have known that to farm the land revenue by public auction would induce many people to bid from motives other than mere desire for profit; the gambling instinct, the desire for power, the opportunity of inflicting injury on an enemy or of humiliating a local zamindar, all powerfully contributed to raise the bidding beyond the value of the revenue. The board certainly expressed an opinion² that, *ceteris paribus*, it was preferable to accept the bids of established zamindars, but they had definitely placed both the zamindar and the ryot at the mercy of

¹ Committee of Circuit's Proceedings, pp. 248-58. Cf. Colebrooke, *Supplement*, pp. 8-14 and 194-200; also Harington, *Analysis*, II, 25-33.

² Letter of the President to the Court of Directors, 3 November, 1772. Cf. Harington, *op. cit.* II, 16-18.



speculating and unprincipled adventurers who, in many cases, ousted the old zamindars and thus severed an old-established link between government and the cultivator of the soil, for the zamindar, in spite of his shortcomings, had (in the words of Hastings himself) "riveted an authority in the district, acquired an ascendancy over the minds of the ryots and ingratiated their affections". Between 1772 and 1781 the connection between the zamindars and their tenants was seriously impaired by this unfortunate method.¹

In justice to Hastings and his colleagues it must be remembered that they were suddenly called upon to administer the revenues of a country which for half a century had been in a state of increasing disorder, and to create an administrative service from young men who had come to the country at an immature age for a purely commercial career. Among their critics is Hastings himself, whose letters² in the early days of his governorship contain disparaging references to the collectors; yet many of those so criticised were almost immediately employed by him and rose to positions of comparative eminence; the majority came from good British homes. The record of their work, contained in the forgotten and unpublished minutes of perished boards, shows them to have been humane, if untrained, men genuinely anxious to relieve the distress in their districts.

A careful perusal of the proceedings of the Board of Revenue for the years 1772 and 1773 reveals that the most valuable suggestions for alleviating distress among the cultivators are to be found in letters from the district officers rather than in the resolutions of the board: in spite of the most determined passive resistance which zamindars, kanungos, and farmers of the revenue made to their enquiries, it was the collectors who enabled the voice of the oppressed ryot to reach the headquarters of government.

The collectors soon realised that the settlement had been seriously over-estimated, but the board refused to believe their district officers and added to the trouble by peremptory orders for the collection of deficits. This was done with undoubted harshness, for the collectors had no option³ but to carry out their orders. Confinement of zamindars and farmers was freely used, but without any result except that of adding to the confusion; and the words with which Hastings, in his letter to the directors, dated 3 November, 1772, described the conditions of the revenue collections in Bengal on his assumption of the governorship, might be used with truth to describe the conditions in collecting the same revenue in 1773.

The entire system of revenue registration was still in the hands of an hereditary corporation and was still unknown to government, which

¹ In the matter of the public auction of the farms consult also the letter dated 17 May, 1766, para. 17 from the Court of Directors (Long, *Selections*, no. 893).

² E.g. to L. Sullivan, 10 March, 1774.

³ Letter from the Council of Revenue at Patna, dated 17 October, 1774. Revenue Board Proceedings, 1 November, 1774, pp. 6395-8.

had no accurate working knowledge on which to base a general settlement, and which was, as several district officers testified, completely ignorant of the actual amount paid by the cultivator compared with that received by itself.¹ Over-assessment and wholesale farming had aggravated the mischief. Though government had established a business-like system for keeping the accounts of such revenue as was actually received, this was but a trifle compared with the weighty problem that was still unsolved.

The diwanni adalats relieve the sombre colours of the picture, and in them the cultivator found a real protection and assistance at the hands of those collectors whose work received such scanty acknowledgment: but the day of the collectors was to be short. In April, 1773, the court of directors sent orders to the governor and council to recall the collectors from their districts and to adopt other measures for collecting the revenues. These orders were similar to those issued in 1769 abolishing the supervisors; the directors apparently distrusted their junior officers, and were nervous lest private trade should engross their time. These orders were considered by the president and council on 23 November, 1773.²

The board drew up a detailed temporary plan in order to give effect to these instructions, to be "adopted and completed by such means as experience shall furnish and the final orders of the Hon'ble Company allow". (1) A committee of revenue at the presidency was formed consisting of two members of the board and three senior servants below council who were to meet daily and transact the necessary business assisted by the rai raian; (2) the three provinces were divided into six divisions, each under a provincial council consisting of a chief, assisted by four senior servants of the Company: in Calcutta the committee of revenue above mentioned was to carry out the duties of such a council; (3) each district, originally a collectorship, was placed under the control of an Indian revenue officer (diwan), except in districts entirely let to a zamindar or farmer, who was then empowered to act as diwan; (4) occasional inspections were to be made by commissioners specially selected by the board for their knowledge of Persian and "moderation of temper". The selection of these commissioners was to be unanimous;

an objection made by a single member of the Board to any proposed as wanting these requisites shall be a sufficient bar to his rejection without any proof being required to support it;

(5) the various collectors were to make up their accounts and hand over charge to Indian deputies who were empowered to hold the courts of diwanni adalat, but appeals in all cases were allowed to the provincial sadar adalat now constituted to form a link between the

¹ Letter from C. Bentley, collector of Chittagong, dated 10 July, 1773. Revenue Board Proceedings, 17 August, 1773, pp. 2620-39.

² *Idem*, 23 November, 1773, pp. 3453-77.

mufassal and headquarters diwanni courts; (6) with a view to checking private trade the chiefs of the provincial councils were given a salary of 3000 sicca rupees *per mensem*, and had to take an oath¹ not to engage in private trade.

The changes, necessitated by the directors' orders, were for the worse. The collectorship as a district unit of the revenue administration was retained, but the employment of Indian diwans instead of European collectors deprived the Company of an increasing knowledge among its European servants of the country, the state of the revenue, and the methods of collection; it checked the growth of a spirit of responsibility and of public service among the junior officers; and it diluted the European element in the district collections to such an extent as to render it negligible. The whole scheme, for which the directors must bear the responsibility, is tainted with the inference that, provided the stipulated revenue was received, the method of collecting it did not much matter.

The proceedings of the Board of Revenue from 1773 to 1776 record a monotonous list of large deficits, defaulting zamindars, absconding farmers, and deserting ryots. The provincial councils, like the collectors before them, protested that the country was over-assessed; the diwans proved incapable and unbusinesslike, and were the subject of a circular letter² of complaint issued by the board to the provincial councils.

The new system was only in force for six months before the Regulating Act made further changes, but its proceedings display all the signs of impending collapse. The council of Patna sent in a moving description³ of the distress in their province. Anticipating Philip Francis, they definitely recommended a settlement in perpetuity, because no satisfactory collections could be made except on that basis of stability which only a lengthy tenure furnishes.

"It remains", they write, "that we should submit to you our sentiments on the measures calculated to produce a remedy. It has been successfully practised by the Hindostan Princes that where a particular district has gone to ruin to give it to a Zamindar or any other man of known good conduct for a long lease of years or in perpetuity at a fixed rent not to be increased should ever the industry of the renter raise an unexpected average to himself. . . ."

The board in their reply considered the suggestion to be too hazardous for experiment.

Other events were now impending. On 19 October, 1774, Clavering, Monson, and Francis arrived in Calcutta. Of the three new members of council the ablest was Francis, whose malicious and petulant character needs no description here, but whose ability and grasp of the intricate revenue problem in Bengal, although not free from error,

¹ Revenue Board Proceedings, 16 March, 1774.

² *Idem*, 5 July, 1774, pp. 5425-6.

³ *Idem*, 29 January, 1773, pp. 627-33.

was remarkable, even if due allowance is made for his alleged indebtedness to the "coaching" of John Shore.

The Supreme Council soon offered a most unfortunate example of disunion to all the subordinate officers of the Company, and the same spirit appeared in the provincial councils; thus was created a spirit of partisanship throughout the entire service, which encouraged in farmers, zamindars, and tenants the hope that profit might be obtained by supporting one side or the other; but in spite of these evils, the new council brought into the administration of the revenue a vigorous and, on the whole, healthy spirit of enquiry. Abuses were brought to light which under a more easy-going *régime* would have remained dormant. The most noticeable result of the new change was the position of the governor-general. Hitherto Hastings had exerted an overwhelming, almost dictatorial, control over his council, whose proceedings for the years 1772-4 show a general compliance with the governor's desires, and the greatest reluctance to oppose him. This authority was now openly disregarded. The new members of the council came out prejudiced, if not against individual servants of the Company, against the *personnel* and the Company's service in general; but allowing for their wholesale suspicion, it must be conceded that the time was ripe for a complete investigation into the methods of collecting the revenue, and for some radical changes in that administration.

On 21 October, 1774, the new Board of Revenue met for the first time and the governor-general explained in detail the mode of collecting the land revenue, and the lately introduced system of the provincial councils, and he recommended a continuation of the system, at any rate for the present, as the season of year was soon approaching in which the heaviest instalments of the revenue were due for payment. The board agreed to the suggestion, partly because they wanted to see the existing system at work, and partly because they realised the force of the argument for a temporary continuation of the existing system, but "they do not mean to preclude themselves from such future alterations as...some mature deliberation may suggest to them". In revenue matters, as in others, the new councillors soon displayed their intolerance, and the first difference was between the governor-general and Clavering over a complaint made to the former by the rai raian against Joseph Fowke. It is impossible to relate here in detail the many cases of friction and open quarrelling which occurred during the new administration; this was not always produced by the quarrelsome attitude of the new arrivals. Hastings and Barwell were also intolerant. The rejection of certain officers proposed by the governor-general for promotion drew a protest from Barwell who alleged that "good and zealous servants had been deprived of normal promotion"; a policy, he contended, that would create faction throughout the service and "involve the policy and

connection of the state with the different powers of Hindostan". But Clavering was able to quote figures to prove that in the matter of revenue appointments the governor-general's choice had almost always been accepted by the council. In a letter to the court of directors dated 1 September, 1777, and embodied in proceedings for 1 October, 1777, Clavering states without contradiction that out of thirty-four officers recommended by the governor-general for appointment to seats on the provincial councils, only six were set aside by the vote of the majority; moreover, in 1777 there were on the provincial councils only three men who had not been recommended by Hastings himself: these three were John Shore, Boughton Rous, and Goring. This effective reply remained unanswered, and disposes very decisively of Barwell's insinuations.

In addition to the weekly reports from the districts of defaulting farmers and oppressed ryots, a new and serious problem was created by the interference of the Supreme Court in the revenue administration. This threatened to bring the collections to a standstill, because the Supreme Court, by issuing writs of *habeas corpus* in favour of persons confined by the orders of the provincial diwanni adalat courts for non-payment of revenue, paralysed the effective control exercised by these courts. Complaints and requests for instructions poured in from all the divisions: the Supreme Council became very restive but was induced to concur for the time being in the governor-general's advice "not to controvert the authority which the Supreme Court may think fit to exercise".¹ The judges of the Supreme Court acknowledged the caution displayed by the board in a letter² which conveyed their opinion on certain questions propounded by the board regarding the appellate jurisdiction of the sadar diwanni adalat and the Supreme Court. The matter rested there for a while.

The dissensions in the council encouraged unscrupulous people, hostile to Hastings, to bring accusations of corruption against the governor-general to which the majority in the council lent a greedy ear.

It must be admitted that the governor-general had shown much laxity in permitting his banyan Krishna Kantu Nandi (the well-known "Cantoo Baboo") to hold lucrative farms. The Committee of Circuit had laid down³ that no banyan of the collector, nor any of his relations, should under any circumstances hold a farm or be connected with a farmer. Gleig's⁴ shuffling defence that this order applied to collectors only is unworthy of serious consideration, for the chances of corrupt profit that might accrue to the banyan of a collector were insignificant compared to those which an unscrupulous

¹ Governor-General's Proceedings, January, 1775.

² *Idem*, 25 July, 1775. Cf. also Hastings's letter to Lord North, dated 10 January, 1776.

³ Committee of Circuit's Proceedings, pp. 56-9.

⁴ Gleig, *op. cit.* I, 529, 530 (ed. 1841).

banyan of the governor-general might receive. Kantu Babu held farms in his own name whose annual rental exceeded thirteen lakhs of rupees,¹ and, in addition, he held farms in the name of his son, Loknath Nandi, a child of twelve or thirteen years. The acquiescence of Hastings in this matter was contrary to the spirit of the regulations drawn up by the Committee of Circuit of which he himself had been the most prominent member. His statement that he had no personal interest in the affairs of his banyan does not alter the situation. In this case, and in his defence² of Bhawani Charan Mitra, diwan of Burdwan, whose sons and servants had been discovered in the possession of farms, no excuse can be offered for Hastings's inertness; but the majority of the council allowed their venom to poison their judgment in declaring that "there was no species of speculation from which the governor-general had thought fit to abstain". Certain transactions of Barwell, when chief of the Dacca provincial council, were also declared by the majority to be corrupt, but the real target was the governor-general who protested with unavailing logic that his would-be judges were also his accusers. Hastings, to preserve the dignity of his office, was forced on several occasions to break up the council. Such were the conditions in which the new government proceeded to administer the revenues of Bengal; conditions which lasted till Monson's death on 25 September, 1776. During this period some very valuable information was obtained from the senior servants of the Company in response to a circular issued on 23 October, 1774, to the chiefs of the provincial councils asking their views on the causes of the diminution of the land revenue and of the frequent deficits.

Middleton,³ writing of the Murshidabad division which included Rajshahi, named the famine of 1770 as the first cause; he also considered that "the unavoidably arbitrary settlement made by the Committee of Circuit" and the public auction of farms contributed heavily to the distress, especially the last cause:

the zamindar being tenacious of her hereditary possessions, and dreading the disgrace and reproach which herself and her family of long standing as zamindars must have suffered by its falling into other hands.

He suggested that "a universal remission of a considerable amount of the revenue due" be granted, and the settlement in future be made with the zamindars: if farmers must be employed, they should be very carefully selected.

P. M. Dacres,⁴ late chief of the Calcutta committee, also considered the public auction of farms to be largely responsible for much distress, instancing the bidding in the Nadia district; other causes were the great famine and the excessive assessment of 1772. He advocated a general remission of deficits and urged a permanent settlement with

¹ Governor-General's Proceedings, 17 March, 1775, 25 April, 1777, and 29 April, 1777.

² *Idem*, 23 January, 1776.

³ *Idem*, 7 April, 1775.

⁴ *Idem*.

the zamindars which "would fix the rents in perpetuity and trust to a sale of their property as a security for their payments": advice that was not lost on Francis.

G. Hurst,¹ from the council of Patna, shared Middleton's views and also referred to the wars that had ravaged Bihar from the days of 'Ali Wardi Khan until the assumption of the diwanni by the Company. Of these interesting comments, that of P. M. Dacres, advocating a permanent settlement of the land revenue, commands the most attention. This advice did not reach the board for the first time. Two years previously² the council of Patna had suggested it, and in January, 1775,³ G. Vansittart, late chief of the Burdwan Council, had urged the board to adopt a lengthy settlement, for life at least. In July, 1775, G. G. Ducarel, lately in charge of the Purnia district, in his evidence given before the board⁴, expressed the view that "a person of experience with discretionary power might render great service to the Company by effecting a permanent settlement in the most eligible mode". He even argued that it was desirable to effect a permanent settlement "with inferior talukdars or with the ryots themselves if possible", advice which implies that the speaker did not regard either the state or the zamindars as owners of the soil. At home the same idea was also finding expression. In 1772 Colonel Dow⁵ had strongly advocated a settlement in perpetuity with the zamindars, and in the same year a pamphlet urging a similar course was published by H. Patullo.⁶

Meanwhile the results of the quinquennial settlement were proving more deplorable each year, and some fresh method was imperatively necessary. Accordingly, on 21 March, 1775, the governor-general invited the individual opinions of members of the council on the subject of settling and collecting the land revenue. On 22 April he and Barwell submitted a joint plan consisting of seventeen proposals in which they practically adopted the principle of a permanent settlement by recommending leases for life or for two joint lives. Beveridge⁷ has shown that the concluding remarks of this scheme bear strong if unintentional testimony to the hardships inflicted on the ryots by the nawab's and, latterly, the Company's mismanagement of the collections. This plan was opposed by one propounded by Francis on 22 January, 1776, in which he definitely recommended a settlement in perpetuity with the zamindars, and he emphasised this opinion at meetings of the board in May, 1776⁸, when a letter was

¹ Governor-General's Proceedings, 7 April, 1775.

² Revenue Board Proceedings, 29 January, 1773.

³ Governor-General's Proceedings, 27 January, 1775.

⁴ *Idem*, 15 July, 1775.

⁵ *Enquiry into the state of Bengal*, affixed to vol. II, *History of Hindostan*, ed. 1772.

⁶ Firminger, *Fifth Report*, etc. I, 309, note.

⁷ *Op. cit.* II, 410-17.

⁸ Governor-General's Proceedings, 17 May and 31 May, 1776.

considered from the provincial council of revenue at Patna describing the over-assessment and consequent poverty of the people. Francis published in 1782 his proposals, together with the plan of Hastings and Barwell and various extracts from the minutes of the board's proceedings¹, but he did not acknowledge the debt that he obviously owed to Dacres and other servants of the Company. The following comments from two distinguished writers are sufficient to reveal the defects of the scheme of Francis, who recognised only the zamindar and ignored the ryot. "We are left to infer", says Beveridge,² "that, after all, the best security for the ryot would be to throw himself on the zamindar's mercy." Mill³ is even more trenchant.

Without much concern about the production of proof he [Mr Francis] assumed as a basis two things: first, that the opinion was erroneous which ascribed to the sovereign the property of the land; and secondly, that the property in question belonged to the zamindars. Upon the zamindars as proprietors he accordingly proposed a certain tax should be levied; that it should be fixed once and for all; and held to be perpetual and invariable.

The effect of Francis's pertinacity was to bring into prominence the question of the ownership of the land. It is sufficient to point out that while Hastings and Barwell assumed that the sovereign possessed the land, and Francis and his school were equally convinced that the zamindar was the real owner, no one thought, with the possible exception of Ducarel, of what might be the claim of the ryots to the possession of the land, and of the *khudkasht* ryot⁴ in particular.

The settlement problem, though of the first importance, was not peremptory; the quinquennial settlement had still some time to run. At this juncture, Monson died, and the governor-general recovered his lost authority in the council. Almost the first use that Hastings made of his restored authority was to take up the business of the coming settlement, a duty which he had felt to be paramount, and which he could now approach with effect.⁵ In August, 1776,⁶ he had laid before the board certain proposals connected with the necessity of preparing for the approaching settlement, suggesting that all provincial councils and collectors should submit an estimate of the land revenue that might justly be expected from their districts. This idea was eventually agreed to and a circular letter to that effect issued.

On 1 November⁷ the governor-general suggested that an "office" or, in modern parlance, a commission should be formed whose duty

¹ *The Original Minutes of the Governor-General and Council of Fort William, etc.*, published in London, 1782.

² *Op. cit.* II, 417.

³ Mill, *History of British India*, 5th ed. IV, 24.

⁴ *The Zemindary Settlement of Bengal*, vol. I, para. 2, and appendix viii, vol. I, pp. 198-9. (Calcutta, 1879.)

⁵ Letter to L. Sullivan, 21 March, 1776, also to John Graham, 26 September, 1776.

⁶ Governor-General's Proceedings, 30 August, 1776.

⁷ *Idem*, 1 November, 1776.

should be to tour throughout Bengal "to procure material for the settlement of the different districts". The reports from the various district officers had revealed the disastrous effect of an assessment based on faulty information, and Hastings was determined to avoid that evil, if possible, in making the approaching settlement. His proposals were strenuously, even violently, opposed by Clavering and Francis, who feared that the powers given to the *amins*, or Indian officers, of the commission to enable them to obtain the requisite information would be used in a method prejudicial to the good name of the Company. This fear, which was not without basis, was expressed in their usual intemperate fashion, and was made to serve as an attack on the governor-general's character; for he was accused of diverting the constitutional powers of the Supreme Council for his own gratification by means of the casting vote.

Hastings met these unfounded allegations with more than his wonted courtesy and self-control, entering into detailed explanations of the information required, and the necessity for it, but his determination was as inflexible as ever: on 29 November D. Anderson and C. Bogle, two of the most promising of the younger officers of the Company, were selected¹ as members of the commission: the accountant-general, C. Croftes, was shortly afterwards added, and the cost of the commission was estimated at something less than 4500 rupees *per mensem*. Thus was established that commission whose report, presented in March, 1778, is perhaps the most valuable contemporary document in the early revenue history of Bengal under the Company's administration.² The information collected and its style of presentment reflect the greatest credit both on the professional capacities of its authors, and on the choice and acumen of the governor-general. The report lost no force from the dispassionate and unassuming tone in which it recounted with studied moderation the wholesale alienation of lands and deliberate oppression of the ryots by the zamindars, who not infrequently continued to collect taxes which the indulgence of government had abolished. The report therefore exposed the inaccuracy of much that Francis had asserted: it also included a large collection of

the original accounts in the Bengal, Persian, and Orissa languages. . . . If preserved as records they will be highly serviceable as references in settling disputes. . . . and may lay the foundation of regular and permanent registers.

Meanwhile the court of directors wrote to express their displeasure with the governor-general, and their support of the minority; they censured the use which Hastings had made of the casting vote, and expressed surprise that "after more than seven years' investigation" further information about the collections was still required.

¹ Governor-General's Proceedings, 6 December and 27 December, 1776.

² Printed *ap. Ramsbotham, op. cit.* pp. 99-131.

No definite decision was taken in the matter of the new settlement. In the face of much conflicting evidence the directors decided to mark time; accordingly, on 23 December, 1778, they sent orders for the land revenue to be settled annually; it is not easy to say what else they could have done. In 1779 the trouble¹ between the Supreme Court and the Company's diwanni adalats, which had been simmering since 1774, boiled over. The Kasijora case, with its disgraceful incidents, compelled the immediate interference of the council. The Supreme Court refused to yield, and the quarrel threatened to split the entire administration. A solution was found by the chief justice in consultation with the governor-general. Sir Elijah Impey was offered and accepted the chief judgeship of the sadar diwanni adalat with an additional salary of about £6500: he thus united in his own person the authority of both jurisdictions. His action was severely criticised by Francis and Wheler at the time, and by later critics. But the law officers of the crown in England found nothing incorrect in Impey's action which "put an end to an intolerable situation... and anticipated by many years the policy which extended the appellate jurisdiction of the Supreme Court over the provincial courts".²

It will be remembered that the plan drawn up by the Board of Revenue in 1773, placing the collections under six provincial councils of revenue, was expressly declared by the governor and council to be temporary. No opportunity occurred for introducing a permanent scheme until Hastings had regained his control of the council, when a commission of enquiry was appointed to prepare the way for a permanent measure. In July, 1777, the governor-general and council promulgated to all the provincial councils except Patna a modified scheme for the settlement of the revenue for the current year. The scheme contained ten paragraphs and bore strong impress of the board's debates during the previous three years, in that it gave the zamindar a position of increased importance at the cost of the ryot. The councils were empowered to use their own discretion in making fresh settlements with those zamindars who refused to agree to a renewal of the existing terms, and where possible the zamindar was to be invited to co-operate in making the settlement. In April, 1778, a circular letter was sent to all provincial councils requiring a list of all defaulting zamindars to be posted at every district headquarters, while defaulters were warned that failure to meet obligations might result in the sale of the zamindari, or its transference to others who were willing to take over the existing arrangement and to pay the arrears. These instructions were repeated each May in 1778, 1779 and 1780.

In December, 1780, Francis sailed for Europe. The field was now

¹ Mill, *op. cit.* iv, 218-54; Beveridge, *op. cit.* pp. 436-40.

² Roberts, *History of British India*, p. 213.



clear; Hastings had an undisputed authority; his adversaries "had sickened, died and fled".¹ *Tenax propositi*, if ever man was, Hastings continued his endeavours to reorganise the collections, and shortly there was issued

a permanent plan for the administration of the revenue of Bengal and Bihar, formed the 20th February, 1781, by the Hon'ble the Governor-General and Council in their Revenue Department.²

The main alteration involved cannot be described better than in the words of the introductory minute. After recalling the temporary nature of the provincial councils, the easy prelude of another permanent mode, and referring to the Revenue Board's proceedings of 23 November, 1773, where the board's intention is "methodically and completely delineated", the alteration is stated to consist substantially in this: that

all the collections of the provinces should be brought down to the Presidency and be there administered by a Committee of the most able and experienced of the covenanted servants of the Company under the immediate inspection of, and with the opportunity of constant reference for instruction to, the Governor-General and Council.

"By this plan", wrote Hastings, "we hope to bring the whole administration of the revenues to Calcutta, without any intermediate charge or agency, and to effect a saving of lacs to the Company and to the Zamindars and ryots." He added complacently: "Read the plan and the minute introducing it; it will not discredit me, but the plan will put to shame those who discredit it".

Shore, after a year's experience of the plan in working, did not hesitate emphatically to condemn it.

The new scheme³ consisted of fourteen paragraphs. Its object was to reduce the expense of the collections and to restore the revenue of the provinces as far as possible "to its former standard"; an indefinite reference. To this end a new committee of the revenue was created consisting of four members assisted by a diwan; the first members of this committee were David Anderson, John Shore, Samuel Charters, and Charles Croftes; Ganga Govind Singh was appointed diwan. The members of this committee took oath to receive "no lucrative advantage" from their office, except of course, from their salary which was made up of 2 per cent. on the monthly net receipts⁴ and divided proportionally among them. The provincial councils and appeal courts were abolished, and collectors replaced in all the districts. The superintendentship of the *Khalsa* was abolished and its functions transferred to the Committee of Revenue; the office of the *rai raian* was placed under the Supreme Council and its holder was specifically forbidden to "interfere in the business transacted by the diwan of

¹ Gleig, *op. cit.* II, 329, 330.

² Governor-General's Proceedings, 20 January, 1781.

³ Colebrooke, *op. cit.* pp. 213-16.

⁴ *Idem*, pp. 215, 216.

the Committee". Finally, the kanungos were reinstated "in the complete charge and possession of all the functions and powers which constitutionally appertain to their office".

The scheme bears all the signs of being prepared in a secretariat. On paper it possibly appeared extremely reasonable and efficient; in practice it broke down at every point. The information, valuable as it was, collected by the commission of 1776, could not, and, by its authors, was not intended to take the place of that information which only trained district officers could furnish, but Hastings was bent on concentration. In 1773, the result of his grouping the various districts into six divisions under provincial councils resulted in a loss to the Company's government of much valuable local knowledge and experience. His plan of 1781 carried concentration still further.

The re-appointment of Collectors appears to suggest an idea of decentralisation. This however was not the case. The collector was denied any interference with the new settlement of the revenue. . . . The new collectors were merely figureheads, and the distrust which the council showed in their appointment could lead to nothing but discouragement.¹

The truth of this comment is exemplified by two quotations selected at random from the Committee of Revenue's proceedings for April, 1783. John David Patterson, collector of Rangpur, wrote on 3 April, 1783, to ask for instructions as to what action he might take in his district.

There is nothing but confusion; there is no Kanungo to be found, he is fled the country; the ryots wanting to withhold their payments; the Farmer seizing everything he can lay his hands upon and swelling up his demands by every artifice. . . . No pains shall be spared on my part to get at the truth altho' it is wading through a sea of chicanery on both sides. . . .

On 13 March William Rooke, collector of Purnia, wrote with even greater detail to the same effect; he reported that the farmer

has repeatedly flogged those who preferred any complaint to me. . . . In the course of the last ten days a numerous body of ryots from all quarters have beset me on every side, uncommonly clamorous for justice. Their complaints exhibit an almost universal disregard and setting aside of their pottahs, an enormous increase exacted from them, etc.:

and the letter concludes with a request to be informed of "the degree of interference which is expected of me by you". The Committee of Revenue was accustomed to such letters. Within one month of the establishment of the new scheme it had pointed out that much of the work of the settlement should be left in detail to the collector. Shore had ruthlessly exposed, in his minute of 1782², the inefficiency of the whole scheme. Space unfortunately permits only of a small quotation from this illuminating criticism, in which he showed that there could be no check on oppression or extortion, that the real state

¹ Ascoli, *op. cit.* pp. 35, 36.

² Harington, *op. cit.* II, 41-3.

of any district could not be discovered, and that it was impossible to discriminate truth from falsehood.

I venture to pronounce that the real state of the districts is now less known and the revenues less understood than in 1774....It is the business of all, from the ryot to the diwan, to conceal and deceive....With respect to the Committee of Revenue, it is morally impossible for them to execute the business they are entrusted with.

Shore concluded that the committee "with the best intentions and the best ability and the steadiest application, must after all be a tool in the hands of their Diwan" and that the system was fundamentally wrong. Shore's opinion was afterwards endorsed in 1786 when the Governor-General in Council, in instructing the Committee of Revenue to appoint collectors for certain districts, observed

from experience we think it past doubt that situated as you are at the Presidency, you cannot without a local agency secure the regular realisation of the revenues, still less preserve the ryots and other inferior tenants from oppressions.¹

The scheme of 1781 further restored to their old position and perquisites the sadar kanungos, whose claim to appoint their own deputies had been correctly contested by the collector of Midnapur,² who pointed out that the Committee of Circuit had ordered the registration of all deputy kanungos as servants of the Company. The collector of Rangpur in 1784 was similarly restrained from exercising any control over the deputy kanungos without the express orders of government. The claim of the kanungos to their arrears of fees was sanctioned to the extent of over 1,10,000 rupees, and they regained the full control of their deputies in the districts; their triumph was complete, and the evil situation exposed by Baber and others in 1772 was restored.

The picture, however, is not entirely black. In 1782 an office, known as the *zamindari daftar*³, was established for the management of the estates of minor and female zamindars; it also afforded protection to zamindars of known incapacity. This was a wise and beneficent step which anticipated the work of the present court of wards. The growing influence of officers with district experience can be seen in the orders issued by the Committee of Revenue to all collectors in November, 1783, directing them to proceed on tour throughout their districts in order to form by personal observation an estimate of the state of the crops and their probable produce for the current year. In the past, district-officers had in vain sought permission to tour through their districts, but this had always been peremptorily refused by the board. The wholesome influence now exerted on the board by practical men who had served in districts

¹ Colebrooke, *op. cit.* pp. 243-4.

² Committee of Revenue's Proceedings, 12 September, 17 September, 8 November, 1781.

³ *Idem*, May and September, 1782.

was to grow stronger. Anderson, Shore and Charters were men who had had a real *mufassal* training, and Croftes had been a member of the 1776 commission. They knew that "in every pargana throughout Bengal there are some district usages which cannot clearly be known at a distance", yet which must be known if the administration is to be just and efficient. In 1786 a great and beneficial change comes over the revenue administration of Bengal; it is not too much to attribute this to the district experience of the members of the committee appointed in 1781. For five years they laboured under the evils and difficulties of attempting to administer a system which was over-centralised, and which placed secretariat theories before district experience. In 1786 the district officer comes to his own. Before discussing these changes in detail some important facts must be briefly noticed. In 1784 Pitt's India Act was passed. Section 39 of this act directs that the conditions governing the collection of land revenue shall be "forthwith enquired into and fully investigated" and that "permanent rules" for the future regulation of the payments and services due "from the rajas, zemindars and other native land-holders" will be established. Thus the opinion of which Francis was the leading advocate, that the zamindar was a landowner, was adopted by the act and the permanent rules, which Lord Cornwallis was sent out to put into effect, were, to the great misfortune of the Bengal cultivators, founded on that assumption. Before the details of the act could reach India Hastings had resigned his charge; on 8 February, 1785, he delivered over charge to Macpherson and in the same month sailed for England. His influence on the collection of the land revenue in Bengal was unhappy. In 1772 he was mainly responsible for the defects which marked the quinquennial settlement; in 1781, his further attempt at centralisation reduced the collections to chaos. He possessed, as has been shown, very little first-hand knowledge of district revenue work. It has been claimed for him that

he adopted the principle of making a detailed assessment based on a careful enquiry in each district and...he conferred on the raiyats who were the actual cultivators, the protection of formal contracts.

Neither of these encomiums can be substantiated. The assessment of 1772 was summary and admitted by its authors to have been too high. The system of putting up the farms to open auction resulted in utterly fictitious values that were never realised and was soon afterwards forbidden by the Company. The system of *pattahs*, or leases, completely broke down, and failed, then as later, to protect the ryot.¹ Furthermore, the reinstatement of the kanungos, the abolition of collectors, the establishment of the provincial diwans, and lastly the excessive power placed in the hands of the diwan of the Committee of Revenue, all testify to the incapacity of Hastings in his administration of the

¹ Letter from the Burdwan Council, Governor-General's Proceedings, 18 April, 1777.

Bengal land revenue; it is not too much to say that in this respect his achievements compare unfavourably with those of Muhammad Reza Khan. But Hastings was not a civil servant of the crown. To judge him, therefore, by the crown standard of a later date is unjust and unhistorical. The Company's servants were imbued with one idea: they came to serve the Company first and last; their intensity of purpose made the East India Company master of India; and this purpose was not the less strong because it did not profess to be governed by the restrictions which are attached to an administrative service of the crown. Hastings gave his employers a service and devotion that was unflinching in its loyalty, that feared no difficulty, that shrank from no adversary; although he may have failed in his personal handling of the land revenue, he is entitled to the credit of having selected some most able officers to deal with this branch of the administration. Conspicuous among these were Shore, David Anderson, Samuel Charters, Charles Croftes and James Grant. In the same week as Hastings handed over charge of the government, a letter¹ from the court of directors was received calling for an accurate account of the administration at the precise period at which Hastings resigned his office; a foretaste, had he but known, of the anxious days ahead.

On 25 April, 1786, the new scheme was published: it spelt decentralisation. "The division of the province into districts is the backbone of the whole system of the reforms."² The collector becomes a responsible officer, making the settlement and collecting the revenue; the provincial diwans were abolished; and the districts were reorganised into thirty-five more or less fiscal units, instead of the previous "series of fiscal divisions over which the earlier collectors had exercised their doubtful authority";³ these thirty-five districts were reduced in 1787 to twenty-three. These measures of the local government were reinforced by orders from the court of directors dated 21 September, 1785, which were published in Calcutta on 12 June, 1786; under them the Committee of Revenue was reconstituted and officially declared to be the Board of Revenue. The president of the board was to be a member of the governor-general's council. The special regulations drawn up for the guidance of the board may be read in the pages of Harington and Colebrooke. Its duties were those of controlling and advising the collectors and sanctioning their settlement. On 19 July the office of *Chief Saristadar* was instituted to bring the revenue records, hitherto the property of the kanungos, under the control of government. This measure was long overdue, and had been urged by the abler district officers since 1772, as being "no less calculated to protect the great body of the people from oppression

¹ Committee of Revenue's Proceedings, 14 February, 1785.

² Ascoli, *op. cit.* pp. 38-40.

³ *Idem.*

than to secure the full and legal right of the Sovereign". James Grant was selected to be the first *Chief Saristadar*, being specially chosen for his interest in and research among the revenue records. For the first time since the assumption of the diwanni, government had made a resolute effort to reduce the kanungos to their constitutional position in the state.

The reforms of 1786 were, therefore, the work of men who desired to gain the confidence of and to co-operate with the local district officer. The authors of the reforms were convinced from their own district experience that the real work of the revenue must be carried out by trusted officers on the spot; they set themselves to create the conditions and atmosphere in which those officers could best work.

The period 1765-86 in the administration of the land revenue in Bengal by the Company's servants is a record of progress from the employment of untested theories to the establishment of an administration based on much solid knowledge. A careful perusal of the voluminous manuscript proceedings of the Committees of Revenue during those years reveals a fact too little known, namely, that this progress was largely the result of unrecognised work by the district officers of the Company in their own districts where, generally speaking, they laboured to establish a just and humane collection of the land revenue. Their advice, based on sound local knowledge, was too often rejected by their official superiors in Calcutta, by whom, as well as by the Court of Directors, they were regarded with suspicion and even hostility. Their persistence had its reward; twenty years after the assumption of the diwanni the first sound and just administration of the land revenue was established.

NOTE. The reader has doubtless found the various references to boards and committees of revenue confusing.

In 1769 the Council had delegated its authority in revenue matters to a "select committee" drawn from its own members. This select committee in 1772 appointed the Committee of Circuit to examine the conditions with a view to making a new settlement. The Committee of Circuit in August, 1772, proposed that the whole Council should compose a Board of Revenue—this was established in October, 1772, as the Committee of Revenue, and remained in existence till 1781, when it was reorganised and composed of members junior to and subordinate to the Supreme Council, but still retained its name "Committee of Revenue". The term "board" is used indifferently by contemporary writers up to 1781; after 1781 it indicates the Supreme Council when sitting to hear revenue appeal cases from the Committee of Revenue. The modern Board of Revenue dates from 1786, when it replaced the second Committee of Revenue.

CHAPTER XXVI

THE BENGAL ADMINISTRATIVE SYSTEM, 1786—1818

THE Select Committee of 1781 had been directed to find means for gaining not only "security and advantage" for Britain but "the happiness of the native inhabitants," and from the discussions of the years 1781-4 certain maxims of local government had clearly emerged. There must be a reform of abuses among the Company's servants; the methods by which they grew rich must be watched; they must no longer take presents. Their trading activities must no longer operate to destroy the trade of native merchants and bankers. The system of monopolies must be restricted. The rights of zamindars and land-holders must not be superseded in order to increase the revenues. There must be even-handed justice for Europeans and Indians alike.

The instructions to Cornwallis embodied the principles thus described. In relation to local government three main subjects were discussed. First, there was the land revenue. It was to be handled leniently: "a moderate *jama*, regularly and punctually collected" was to be preferred to grandiose but unrealised schemes. It was to be settled "in every practicable instance" with the zamindars. Ultimately the settlement was to be permanent, but at present it was to be made for ten years. Secondly, there was the question of administration. This was to be organised upon a simple and uniform basis. The frequent changes of recent years had produced injury and extravagance, and made "steady adherence to almost any one system" a preferable policy. The higher officers should be Europeans; and the subordinates Indians, as being more suited to the detailed work of the province. These higher officers were to be chosen carefully from the principal servants of the Company; men "distinguished for good conduct and abilities, and conversant with the country languages". They should be adequately paid, partly by salary, partly by commission. Their districts were to be large; there should not be more than twenty, or at most twenty-five, in the whole province. In the settlement of the revenue, and in the administration of justice, they were to have wide authority.

Thirdly, there was the judicial system. The instructions contemplated the continuance of the existing system of civil justice, under European judges. In the districts the collectors of revenue were to be, also, judges of the civil courts; for this would "tend more to simplicity, energy, justice and economy". In criminal jurisdiction, too, the existing system was to be maintained. Indian control was to

continue. Although the collector was to enjoy magisterial powers of arrest, "the power of trial and punishment must on no account be exercised by any other than the established officers of Mahomedan judicature". The judicial system indeed was to be informed with European ideas of justice, but to be governed by Indian usages.¹ One point recurred frequently throughout the instructions. There was to be a general movement for purification and economy. Abuses of all kinds were to be swept away; speculation was to cease; useless offices were to be reduced, and the interests of economy and simplicity were to regulate the various branches of the administrative system. Such was the task of Cornwallis.

The proposal to make Cornwallis the first instrument of the new policy was first mooted in 1782 during the administration of Shelburne;² and his appointment had been one feature of the scheme for Indian reform proposed by Dundas in the report of the Secret Committee of 1781. The Fox-North coalition rejected the idea, but Pitt revived it on their defeat. The negotiations began in April, 1784;³ at the end of the year they seemed to have failed completely; a renewal in February, 1785, was again a failure; and it was not until February, 1786, that Cornwallis accepted. Then the union of the military command with the governor-generalship, and the promise that the governor-general should be independent of his council, induced Cornwallis to accept.⁴ He finally landed at Calcutta in September, 1786.

Cornwallis was a man of middle age with extensive military experience. He had taken part in the campaigns of the Seven Years' War, and had gained sufficient reputation to secure his appointment in 1776 to command in America. There, his ultimate failure, after some brilliant preliminary successes, did not suffice to ruin his career. Even his opponent, Fox, paid homage to his abilities in 1783, and his employment under Pitt on the mission of 1785 to Prussia was sufficient evidence of the trust in which he held him. Of the affairs of India, he had little knowledge and no experience. He is distinguished as the first governor-general who did not climb to power from the ranks of the Company's service. Appointed by the Company, he owed his nomination to the ministry. His selection was one more evidence of the new spirit in Indian affairs. It brought India a stage nearer to incorporation in the overseas empire of Britain.

Inexperience made Cornwallis largely dependent on advisers both in framing his policy, and, still more, in working it out. The broad

¹ The instructions are in a series of dispatches dated 12 April, 1786. They are to be found in I.O. Records, Despatches to Bengal, vol. xv. One of the most important of these is printed as Appendix 12 to the Second Report from the Select Committee of the House of Commons on the Affairs of the East India Company. *Parliamentary Papers*, 1810, v, 13.

² Cornwallis to Pitt, 8 November, 1784. Ross, *Correspondence*, I, 179.

³ Ross, *op. cit.* I, 167.

⁴ *Idem*, p. 208.

lines of his action were laid down by the administration; the instructions of the court of directors gave more detailed guidance. But much was left necessarily to the men on the spot, and hence the servants of the Company by their practical knowledge had great influence on the result. Cornwallis acknowledged plainly his debt to them. Perhaps the chief of them was John Shore, chosen especially by the directors to supply the local knowledge which Cornwallis lacked. "The abilities of Mr Shore", Cornwallis wrote a month after his arrival, "and his knowledge in every branch of the business of this country, and the very high character which he holds in the settlement, render his assistance to me invaluable."¹ And again in 1789 in connection with the revenue settlement, he said, "I consider it as singularly fortunate that the public could profit from his great experience and uncommon abilities".² In revenue matters Cornwallis trusted mainly to Shore. He was by far the most experienced of the Company's servants in this branch, for he had been in its service since 1769, and had held important revenue offices since 1774. Francis had brought him to the front, but Hastings also had recognised his merit.

James Grant is indeed as famous as Shore in connection with the revenue settlement. But Grant had but little practical experience. His reputation has come from his wide study of the revenue system, and the series of published works in which he stated the results of his learning. He was an expert rather than a man of affairs. As *saristadar* he had unrivalled opportunity for studying revenue records, and Cornwallis retained the office of *saristadar* till Grant went home in 1789. But in making important decisions he preferred men of experience to men of learning. After Shore, Cornwallis therefore put Jonathan Duncan, another experienced collector, and later governor of Bombay. He was little known in England when Cornwallis arrived, but "he is held in the highest estimation by every man, both European and native, in Bengal", wrote Cornwallis in 1787, "and, next to Mr Shore, was more capable of assisting me, particularly in revenue matters, than any man in this country".³ He had, said Cornwallis in 1789, "besides good health...knowledge, application, integrity, and temper", the last "not the least useful".⁴ Although a junior, he was recommended by Cornwallis for a seat on the council as early as 1788.⁵ And in the last stages of the revenue settlement Cornwallis found consolation in the approval of Duncan for his differences with Shore over the question of permanence.

The final decision in that matter was due, however, largely to Charles Grant. When Dundas decided to support Cornwallis against

¹ Cornwallis to Dundas, 15 November, 1786. Ross, *op. cit.* I, 227.

² Cornwallis to Court of Directors, 2 August, 1789. Ross, *op. cit.* I, 545.

³ Cornwallis to Dundas, 14 August, 1787. Ross, *op. cit.* I, 271.

⁴ Cornwallis to N. Smith, 9 November, 1789. Ross, *op. cit.* I, 449.

⁵ Dundas to Cornwallis, 20 February, 1789. Ross, *op. cit.* I, 410-11.

the advice of Shore, it was partly at least owing to the representations of Charles Grant. He had no personal knowledge of revenue matters, but he received the greatest share in the confidence of Cornwallis, and had given him invaluable help during the years 1786-90. When Grant sailed for home in 1790 Cornwallis recommended Dundas "to converse with him frequently upon every part of the business of this Country",¹ and his zeal for the governor-general's interests gave him considerable influence over Dundas during the years 1790-3. James Grant (a cousin of Charles),² like Shore and Duncan, specialised on the revenue side. But Charles Grant was the chief adviser in matters of trade. His loss "in the commercial line", wrote Cornwallis when he left India, "is irreparable". He had been secretary to the Board of Trade in the time of Hastings and had been appointed by the board in 1781 commercial resident at Malda. He was outstanding both in experience and integrity. At first, at least, Cornwallis thought him the only honest man on the commercial side³, and trusted very largely to him in his attempt to reform that branch of the administration. In this work Cornwallis had also the help of Charles Stuart, member of council and president of the Board of Trade (1786-9). Stuart, however, never gained in the same degree the confidence of Cornwallis, and he lacked the wide commercial experience of Charles Grant.

In his judicial work Cornwallis had also an invaluable adviser. Here the Company's servants could be of but limited use. Cornwallis took full advantage of their experience in judicial business, but their experience was relatively small and they lacked expert knowledge. Some of them—Charles Grant among them—were of great value in carrying out reforms: but only the judges could help in devising them. Cornwallis was, therefore, fortunate in the aid of Sir William Jones, an oriental scholar of reputation unrivalled in his own time, and a man of great practical ability, who had devoted many years to the study and practice of the law. In 1783 he had come to India as judge of the Supreme Court of Judicature at Calcutta, and he brought to his task the zeal of an enthusiast, and the knowledge of an expert. "A good system of laws" seemed to him the first necessity of India; and, following the lead of Hastings, he set himself to this end to codify the existing Hindu and Muhammadan laws. But he realised also the need for "due administration" and a "well-established peace". He gave, therefore, full aid to Cornwallis in his reform of the judicial administration and in the regulation of the police.

Although the policy that Cornwallis came to enforce in 1786 was new, it was not wholly new. In every direction Cornwallis built

¹ Cornwallis to Dundas, 12 February, 1790. Ross, *op. cit.* 1, 480.

² Firminger (ed.), *Fifth Report... on the Affairs of the East India Company...* 1812, II, p. xiv.

³ Ross, *op. cit.* 1, 306.

on foundations already laid or begun to be laid by his predecessors, and especially by Hastings. It was the emphasis rather than the principle that was new; but the principles were now clearly stated, and the strength of the home government was used to enforce them. Every aspect of reform was foreshadowed in the work or in the projects of Hastings, and hence the solidity of the work of Cornwallis.

Yet even when all allowance has been made, much credit must be given to Cornwallis himself. Certainly no man of genius, he contributed no new ideas to the work he undertook. He was not an expert like Jones or Grant, nor a man of wide experience like Shore. He was not a doctrinaire like Francis, nor an inventive genius like Hastings. He was content, as Hastings had never been, to plead a command from home as a final cause for decision, and this respect for authority was his outstanding characteristic. But in spite of this he possessed great qualities and stood for important principles. Above all, he was, beyond reproach, upright and honest. He had not to fear a sudden decline in favour; he had no pettiness of ambition; he was not a time-server; and he left behind him a tradition of service which was of lasting value in Indian administration. Loyalty and integrity there had been before, but it was a loyalty to the Company and an integrity in the Company's affairs. Cornwallis was a public servant who upheld national and not private traditions. His service was to the Crown and to the people over whom he ruled, and he thus embodied fitly the new spirit of Indian rule.

To this invincible honesty and desire for the public good, he added a soldier's sense of duty to his superiors. The command of Dundas or Pitt, or even of the court of directors, was decisive to him. He had a belief in the possibilities of justice, a faith in the standards by which conduct would be judged at home. He was determined that these standards should not be lowered in India, nor overlaid by native practices. To secure this he gave the higher administrative posts to Englishmen, and he was always loth to leave real responsibility in native hands. Yet he was wise enough to see that this was not enough: these Englishmen must maintain the English standards. They must be appointed and promoted for merit, not by patronage. In the interests of this maxim he was prepared to resist the recommendations of all, even of the Prince Regent or of the directors. Lastly, every deviation from honesty must be rigorously punished.

This is the system Cornwallis set out to establish, and no doubt because it was practical rather than ideal, he came much nearer than most reformers to a realisation of his aims.

When Cornwallis landed in Bengal in September, 1786, important changes in administration had just taken place. More than twenty years of experiment had gone to make them, and the recent innovations were rather a further stage in experiment than a final reorganisation.

Much of the work of Cornwallis also was experimental in character, but his greatest claim to importance is that he permanently established some features of administration.

It is necessary to go back more than twenty years to explain the character of the system with which Cornwallis dealt. The main work of the Company in India had at one time consisted, like that of any other company for overseas trade, in import from England and export home. The import had from early times consisted mainly of specie, so that the most burdensome duty of the Company's servants was the provision of the cargoes for England, cargoes for the most part of raw silk, wool, cotton, or indigo; in other words the "investment". In the mid-eighteenth century the import of specie ceased: the import of English goods, never large, was still comparatively small, and the main source from which the investment was provided—and the local expenses paid—was the territorial revenue of Bengal.

The result was a dual system of administration. The management of this revenue and the exercise of responsibilities arising from it, was one branch of the Company's work; the provision of the investment the other. Hastings in 1785 had written of the division between "the general and commercial departments". The Company's servants in all parts of Bengal wrote to Cornwallis on his arrival describing their years of experience in the "revenue" or the "commercial line". The commercial was the senior branch, but the revenue line was already becoming the more important.

Since 1774 the investment had been under the supervision of the Board of Trade. Originally a body of eleven members, very imperfectly controlled by the Supreme Council, the Board of Trade had been reorganised in May, 1786. It was now definitely subordinated to the Supreme Council, and reduced to five members. One of them, the president, was Charles Stuart, a member of council. Under the board, the investment was in the hands of the Company's servants stationed at scattered centres in Bengal. The chief "residents" at the various stations were responsible to the board for such share of the investment as had been assigned to them. In dealing with it they had great opportunities for good or evil in coming into contact with the people, and especially they had valuable and recognised facilities for private trade.

From the time of the board's first appointment in 1774 it had been increasingly the practice to obtain the investment by a series of contracts. At first these contracts were generally direct with Indian manufacturers or agents, the residents merely exercising supervision over them. Since 1778, however, the contracts had been made more frequently with the Company's servants themselves. So a resident at one of the Company's stations contracted with the Board of Trade, and then obtained the goods from the Indian manufacturers at as great profit as he could get. This system, though a direct breach of their



covenants and of an order of the Company of 1759, was none the less the general rule. The directors were so complaisant of the breach that even in their reform proposals of 1786 they did not think that it was "necessary to exclude our servants from entering into contracts". Their criticism was not one of principle, but of practice. The prices paid were high, the quality of the goods was poor, and there was a general feeling that corruption and oppression were frequent. The reform of the Board of Trade and the commercial establishment generally was one of the first tasks of Cornwallis.

The "general department" was more complicated if less corrupt in its management of local administration. It had come into existence slowly during the eighteenth century, and bore still a few marks of its piecemeal origin, though broadly speaking in 1786 there was one system for the whole province. It is in this sphere that those frequent changes had taken place which the directors deprecated. The changes were really a series of attempts, on the "rule of false" extolled by Hastings, to reach some satisfactory system for a most complicated and varied work.

In the "general department", it may be said without question, the chief concern was the revenue, and the second the administration of civil justice. As diwan the Company was responsible for both these branches of administration. Criminal justice was outside the scope of the diwan, although the Company here also had obtained a large measure of control. One of the results of the work of Cornwallis was that before he left, in 1793, this side of the administrative system had definitely bifurcated. There was the management of revenue on the one side: the administration of civil and criminal justice on the other. But this involved a breach with historical origins, and it was not achieved until 1793.

In 1786 the chief machinery in the sphere of revenue was the Board of Revenue. This body was stationed at Calcutta, and before Cornwallis landed, had just undergone change, like the Board of Trade. In July, 1786, at the instance of the court of directors it had received an addition to its existing membership. There were to be, as previously, four members; but a president was added, who must be a member of the Supreme Council. The president appointed in 1786 was John Shore.

The work of the revenue administration concerned certain main sources of revenue. By far the most important was the revenue from land, and the machinery for revenue administration had grown up mainly in connection with this. There was also, however, the *sair* revenue—from customs and excise—and the revenues from the opium contract and the monopoly of salt. In 1786 the *sair* revenue was managed by the same agencies as the revenue from land. The opium revenue had been managed ever since 1773 by a contract with certain Indians, who paid a royalty to the Company. In 1785 the contract



had been disposed of to the highest bidder on a four-years' agreement. This system was, therefore, in force when Cornwallis arrived. In connection with the opium, the duties of the Company's servants, when once the contract had been let, were limited to a general right of enquiry to prevent the oppression of the cultivators. The monopoly of salt was another source of revenue. Here again the system in force was at one time one of contract. But in 1780 Hastings had substituted a system of European agency. A number of the Company's servants were employed to superintend the manufacture and sale of salt, the price being fixed annually by the Supreme Council. Whereas, therefore, work in connection with the *sair* revenue and the opium contract was undertaken by the same officers as those of the land revenue, a small separate establishment, responsible directly to the Supreme Council, dealt with the monopoly of salt.

The land revenue organisation consisted, under the Board of Revenue, of a number of the Company's servants, known already as collectors. Here also reorganisation had taken place.¹

In addition to the collection of revenue, and of the information upon which the assessment was made, the collectors, like the zamindars, had originally judicial functions. The judicial system, however, like the revenue administration, had been the subject of repeated experiments, and as a result, when Cornwallis arrived, the work of collecting the revenue was almost wholly divorced from that of administering justice. Civil justice was administered in local civil courts (*diwanni adalat*) presided over by Company's servants; from them appeal lay to the governor-general in council in the capacity of judges of the *sadr diwanni adalat*. For criminal cases there was again a separate organisation. Magisterial powers were indeed vested in the judges of the civil courts; but the power of trial and punishment lay in district courts for criminal cases, presided over by Indian judges. Appeal lay from them to the *nizamat adalat*, now under the supervision of the governor-general in council. The final power, therefore, in civil cases directly, and in criminal cases indirectly, lay with the Supreme Council, but the local courts were almost everywhere outside the control of the Company's collectors. In most districts then there were collectors of revenue, judges of the *diwanni adalat*, and in some also commercial residents, all of them Company's servants, with functions in many particulars defined rather by tradition than by regulation; all of them in the minds of critics at home suspected of too great concentration on "private interests".

In 1786, Bengal contained all the pieces that were to form the administrative mosaic of British India, but the pattern had not yet been decided; and even the collector was not yet established as the centre-piece. The system was complicated, illogical, wasteful and

¹ Cf. pp. 417 *sqq. supra*.



suspected of being corrupt. Cornwallis had justly received instructions to simplify, to purify and to cheapen the administrative system.

In a letter to Cornwallis of 12 April, 1786, the Secret Committee pressed on him the urgency of removing abuses and corruption in the Company's service. The reforms were most needed in the commercial administration. The Board of Trade, which should have acted as a check, was suspected of collusion; and fraud and neglect went alike unpunished. Cornwallis was directed that suits should, if necessary, be instituted against defrauding officials, and that they should be suspended from the Company's service.

In fact the task of Cornwallis here, as in the question of revenues, was two-fold. He had to cleanse the establishment from corruption, and to revise the system into which the corruption had grown. It needed only a few weeks to convince him of the need for cleansing the establishment; there would be no lack of "legal proofs" of both "corruption" and "shameful negligence". As the weeks passed, information poured in upon him as to the methods and difficulties of the trade. Requisitions were sent to the commercial residents for accounts, stretching back in some cases over twenty years. In October, Cornwallis summoned Charles Grant from Malda to Calcutta, to obtain his information and advice.

In January, 1787, Cornwallis was ready to act. He informed a number of contractors and members of the Board of Trade that bills in equity would be filed against them; pending judgment the suspected persons were suspended from office.¹ The result was the dismissal of several of the Company's servants, including members of the old Board of Trade. The directors urged further enquiries,² but Cornwallis had confidence in the effect of these examples, and a stricter system of surveillance for the future.

Meanwhile he was taking measures to build up the system anew. In January, he had appointed Charles Grant as fourth member of the Board of Trade, and with his help set himself to collect information upon which to base a revision of the commercial system. Already he had decided on a change. Instead of contracts with the commercial residents and others, he revived the system of agency by the commercial residents. It was possible, as yet, to introduce the new plan only partially, but "in all practicable instances" it was adopted even for the 1787 investments. By the end of 1788 Cornwallis thought the trial had been sufficiently long, and definitely adopted the agency system. The decision was typical of the early period of Cornwallis's reforms. His experience of the culpability of the Company's servants did not prejudice him against their employment. He did not feel justified, he told the directors, in laying down "at the outset as a

¹ Ross, *op. cit.* 1, 242.

² P.R.O., *Cornwallis Papers*, Packet xviii. Charles Stuart to Cornwallis, 18 August, 1787.

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determined point, that fidelity was not to be expected from your servants". He preferred to try the effect of "open and reasonable compensation for honest service", and believed that many would prefer this to "concealed emolument", if it could be obtained. So in the new system he made the commercial residents the representatives of the Company in the direct control of the investment. They were responsible to the Board of Trade, but even so, their own responsibilities were great. They were to arrange the prices with the manufacturers, to make the necessary advances to them, to receive from them the goods produced, and to supervise the carrying out of the work. The residents were to be paid adequately by a commission on the investments passing through their hands. There was to be no prohibition of private trade, for it could not be enforced, and in such circumstances "to impose restraints... would not remove supposed evils, but beget new ones".

✓ The new system was enforced by strict regulations issued as early as March, 1787. There was to be no oppression of the Indian producer, or the Indian or foreign trader. It had been the former practice to prevent weavers, working for the Company, from undertaking any other work. This system, which had tended to squeeze out all Indian trade, was now revoked, and it was required only that work should be executed in the order of the advances received for it. Cornwallis, indeed, looked to the resident for the protection of the Indian workers. These commercial servants came into closer contact with the people than did the collectors of revenue, and, therefore, acted as "useful barriers" to the oppression of Indian farmers or zamindars.

The bad season of 1788-9 was a severe trial to the new system, but Cornwallis held that it had "stood the test". From this time he made no material change in its organisation. The investment, he wrote in 1789, "is now reasonably and intelligently purchased, and delivered to the Government at its real cost". From the commercial standpoint, this was what had so long been wanted. Characteristically, he went further, and foresaw the spread downwards, "through the wide chain of the natives" connected with trade, of the new "principle of integrity"; and, as he said, "the establishment of such a principle must... be regarded as a solid good of the highest kind".¹ If the system did not prove to have so wide an effect as this, it was justified in its more immediate results, and the system for conducting the Company's trade which Cornwallis set up was not materially altered after him. These reforms, therefore, were among the lasting achievements of Cornwallis.

While Stuart and Grant on the Board of Trade were reforming the commercial side, a similar process was being applied to the administration of revenue and justice. Here the chief instrument and adviser

¹ I.O. Records, Bengal Letters Received, xxviii, 310. Letter dated 1 August, 1789.

of Cornwallis was John Shore. Already a member of the Supreme Council and the Board of Revenue, he was appointed president of the Board of Revenue in January, 1787, and was largely responsible for the character of the changes.

The preceding reforms, under Macpherson, had created thirty-five revenue districts, each under a European collector. This officer was the real authority in revenue matters in the district. For a post of such importance his salary was ludicrously small, only 1200 rupees per month. The collectors were "almost all", Cornwallis said, "in collusion with some relative or friend engaged in commerce", and it was suspected that even less honourable means were sometimes used. The reforms in relation to the collector aimed at three things: economy, simplification and purification. In the interests of economy, the number of districts was to be reduced; in the interests of both economy and simplification, the divorce of revenue from justice was to cease; in the interests of purification adequate payment was to obviate the need for illicit gains.

Rumours of these changes were current as early as January, 1787, but it was not until March (the end of the Bengal year) that definite steps were taken. Then, in accordance with a scheme drawn up by the Board of Revenue, the number of districts was reduced to twenty-three; a reduction that brought down upon Cornwallis the protests of the dispossessed. At the same time, preparations were made for a second change: the union of revenue and judicial duties. In February a preliminary investigation was made. By June it was complete, and regulations were issued to enforce it. The collectors were given once more the office of judge of the courts of diwanni adalat. In this capacity they dealt with civil cases, appeal lying for the more important to the sadr diwanni adalat. To relieve the collector, an Indian "register" was attached to each court to try cases up to 200 rupees. The courts were prohibited from dealing with revenue cases, these being reserved for the Board of Revenue. At the same time (27 June, 1787) the collectors were also given powers in criminal justice. The authority of the magistrates was increased and conferred on the collectors. They now had power, not merely of arrest, but of hearing and deciding cases of affray, and of inflicting punishments up to certain prescribed limits. The trial of more important cases lay still with the Indian courts, and appeal lay with the nizamat adalat at Murshidabad.

The new collectors had, therefore, larger districts and far greater powers, for with the exception of the fifteen commercial residents they were the only instruments of the Company's authority in the districts. It was an essential feature of the scheme that they should be adequately paid. "For if all chance of saving any money...without acting dishonestly, is removed, there will be an end of my reformation." And so, instead of the 1200 rupees per month formerly received,

they were now to have a salary of 1500. But this was to be regarded as "the means of subsistence". "In the nature of reward" they had a commission on the revenue they collected. Fixed at an average rate of "rather short of 1 per cent. on the actual collections", it varied according to the size of their charge. For the largest collectorship—Burdwan—the amount expected to be realised was 27,500 rupees *per annum*. The collectors were provided further with adequate assistance. Two European assistants were given to each district: the first to receive 500 rupees per month and the other 400. Where a third was necessary he should receive 300. So rewarded, the collectors were forbidden, by letter of 18 July, 1787, directly or indirectly to enter upon trade. In their case, unlike that of the commercial residents, breach of this rule could easily be detected; and Cornwallis, therefore, did not hesitate to assert it.

With these changes the more fundamental reforms in the administrative system were for the time complete, and Cornwallis was able to issue detailed regulations covering all sides of the collectors' work. By the regulations of July details of establishment and procedure were prescribed and rules laid down to govern the action of the collectors in their judicial and magisterial functions.

Later changes elaborated and extended what had already been done. Instructions to collectors in November, 1788, further defined their duties, and finally these were consolidated in a code of 8 June, 1789. It was required that henceforth all the Company's servants must belong definitely either to the revenue or the commercial line. At the time this aimed at greater efficiency, but it was important later as facilitating the change that came when the Company lost its monopoly of trade.

✓ In May, 1790, still more functions were added to the collectors. The trial of revenue cases took up too much time at the Board of Revenue and arrears and delays resulted. New local courts were instituted—courts of mal adalat—presided over like the local civil courts by the collector. From these new courts appeal lay to the council. This change marks the culmination of the collector's power. Later Cornwallis realised that he had gone too far; hence the revolution of 1793.

In the years 1788-90 the most important work lay in the sphere of criminal justice. Here it was soon clear that the reforms of 1787 had removed only part of the abuses. In this matter Cornwallis proceeded cautiously, being far less certain, than in the case of revenue administration and civil justice, that he knew the cause of the defect. An enquiry from the magistrates set on foot in November, 1789, confirmed the rumours of defective justice. The reports suggested two main causes for the evils. There were defects in the Muhammadan law, as judged by English ideas of justice; and there were defects in the constitution of the courts. Both must be remedied. The first was

a difficult matter. Upon the question of authority Cornwallis had no misgiving. The difficulty was one of knowledge, and it was necessary to go forward slowly. Certain changes were embodied in the resolution of 3 December, 1790; others were left over until further advance had been made in the researches of Sir William Jones.

Upon the side of administration (the remedying of the defects in the constitution of the courts) the reforms of 3 December, 1790, proceeded on the principles which Cornwallis followed in other matters. The system of 1787 left the control of criminal justice largely, though not wholly, in Indian hands. From Muhammad Reza Khan, who presided over the chief criminal court (nizamat adalat) at Murshidabad, to the judges of the provincial courts, the administration of justice lay in Indian hands. The ultimate control of the governor-general in council (an authority difficult to exercise) and the magisterial functions of the collectors alone represented the European share in this branch of administration. "I conceive", Cornwallis wrote on 2 August, 1789, "that all regulations for the reform of that department would be useless and nugatory whilst the execution of them depends upon any native whatever . . ."¹ "We ought not, I think", he wrote in his minute of 3 December, "to leave the future control of so important a branch of government to the sole discretion of any Native, or, indeed, of any single person whosoever." To remedy this Muhammad Reza Khan was deprived of his office. The nizamat adalat was again moved from Murshidabad to Calcutta. In the place of Muhammad Reza Khan as sole judge, the governor-general and the members of his Supreme Council presided over the court, expert knowledge being provided by Indian advisers.

The same distrust of Indian agencies was seen in the reorganisation of the provincial courts. In the place of the local courts in each district, with their native *darogas*, four courts of circuit were established. Over each of them two covenanted civil servants presided, assisted again by Indian advisers. These courts were to sit at Calcutta, Murshidabad, Dacca, and Patna, but they were to make tours twice a year through their divisions. Lastly, the magisterial duties of the collectors were increased. These duties were again set forth in detail: the most important additions to them being the custody of prisoners confined under sentence or for trial and the superintendence of the execution of sentences passed by the courts of circuit.

The reforms of criminal, like those of civil justice, then, added new powers to the collector. This was, however, only one aspect of the general principle underlying a number of the changes of Cornwallis, the substitution of an English for an Indian agency. Despite the need for purification in all branches of the Company's service, and the candid recognition which Cornwallis gave to it, he seems to have been persuaded of the need for further encroachments by Europeans. In

¹ I.O. Records, Bengal Letters Received, xxviii, 274. Letter of 2 August, 1789.

the sphere of criminal justice he had, indeed, an important justification. Although the actual changes were cautiously made, there seems no doubt that he aimed ultimately at bringing the law administered into line with that of England. Such an aim was irreconcilable with the continuance of Indian administration. The appointment of English judges, therefore, paved the way for the modification of the laws, and this intention is clearly revealed in Cornwallis's minute of 3 December, 1790.

The work of reorganising the district system of the province was in part accomplished piece by piece during the reform of 1786-7, and was systematically reviewed after that reform was complete. This systematic examination embraced all parts of the service, central and local. The greatest changes were those carried out at headquarters' offices. Even here, however, a measure of reform had already taken place before Cornwallis arrived. Business had been divided between the public, secret and commercial departments, and the secretarial work and correspondence reorganised accordingly. In the secret department there was already a section engaged on the reform of the establishment, and early in 1786 this had been regularised as a sub-department of reform. Its work was to carry out the decisions of the Supreme Council, when it met to deal with reform business.

This system was continued unchanged by Cornwallis until the beginning of 1788. Then the "Secret Department of Reform" was reorganised as the "Secret and Separate Department of Reform", and it was required that the Supreme Council should set aside one day a week for the examination of the state of the public offices. The result was a thorough overhauling of the machinery, completed by January, 1789. The most business-like procedure was followed. Before the actual changes were prescribed, rules upon which they were to be based were drawn up. The number of offices was to be as few as possible; the establishment proportionate to the work done; the salaries paid were to be adequate, but no unauthorised gains should be made; all principal offices were to be held by Company's servants, and no servant should hold office under two different departments. So far as was compatible with these principles there was to be the strictest economy.¹

Considerable changes were necessary to enforce these principles. There were at the time three main departments, the general (or public) department (i.e. civil, military and marine), the revenue department, and the commercial. Within these the duties of all authorities were prescribed. In some cases all that was required was a restatement of reforms already carried out. The secretariat had been

¹ An account of the reforms is given in I.O. Records, Home Miscellaneous Series, vol. CCCLIX. See also the report of Cornwallis to the directors, Bengal Letters Received, vol. xxvii; letter of 9 January, 1789.

reorganised in July, 1787, there being henceforth one secretary-general with three assistants, instead of two joint secretaries. The establishment of the revenue department had already been the subject of a number of changes, and that of the commercial had been thoroughly overhauled. The changes made, therefore, in departments were of minor importance. In the revenue department regulations were issued regarding the treatment of Company's servants when out of employment, and the office of *saristadar* was marked out for abolition when James Grant should cease to hold it. In the commercial department little change was made, save a regulation that henceforth the posts of export and import warehousekeepers should no longer be held by members of the Board of Trade. In other branches the changes were more radical. The treasury, the paymaster's office, and the accountant-general's office were all reformed; the duties of the *Khalsa* (the exchequer) defined; the establishment of the customs reduced. New regulations were prescribed for the postal service. A detailed examination was made of the inferior servants employed on the staffs of all the headquarters' offices, and the whole system regulated. For each department a special list of rules for the conduct of business was drawn up, defining the duties to be carried out and the restrictions placed on the actions of their members. The regulations on these matters were among the lasting achievements of Cornwallis. For, although the increase in business of later years necessitated further elaboration of the machinery, the later changes did not affect the main structure.

By January, 1789, much of the preliminary work of Cornwallis was over. He was still, it is true, in the midst of overhauling the systems of civil and criminal justice. The end of the first stage of reform in these departments did not come until his resolutions of 3 December, 1790. But the system of the investment was settled, and the purification of the civil service complete. In 1789-90, side by side with the completion of the judicial reforms went the revenue settlement. In this he had been most cautious, despite the definite orders from home. A year of experiment sufficed to decide the method of the investment, but, in the matter of land revenue as in that of the administration of justice, it was desirable to go warily, and to examine fully the evidence before any irrevocable step was taken. Hence the annual settlement of 1787 was followed by another in 1788 and yet another in 1789; it was not until the end of 1789 and the first weeks of 1790 that the final decision was made.

When Cornwallis landed in 1786 the question was already the subject of vigorous debate. The land system of Bengal was a difficult one for Europeans to understand; and under the alternative influence of Grant and Shore, the old Committee and the new Board of Revenue had taken opposite views on its character. The old Committee of

Revenue, under the influence of Grant, argued that the state was in legal conception the owner of the land. It was, therefore, open to the government to use either the zamindar or any other farmer as the agent for collecting revenue. Nor were they bound to definite limits in the amount of their exactions. The zamindar was an official rather than a landowner. The opposing theory, which was maintained by the new Board of Revenue under the influence of Shore, was that the zamindar was the legal owner of the land, and the state was entitled only to a customary revenue from him. If this was right, a settlement through the zamindar was the only right one. But although the debate was vigorous, the issue, from the point of view of Cornwallis, was already settled. The act of parliament of 1784 and the instructions of the directors had decided for the zamindar. This indeed Grant himself had recognised before the arrival of Cornwallis; for the office of *saristadar* which he had accepted had no meaning save under a zamindari system.

The rival views, however, influenced materially the question of the amount and duration of the settlement. On Grant's theory the amount of the revenue was limited only by the productivity of the land. As a result of his investigations he had concluded that this limit had never been approached since the Company obtained the diwanni. He recommended, therefore, that the basis taken should be the assessment of 1765; but insisted that considerable further examination of local conditions must be made before any settlement was concluded. This with less learning but more experience, and with far greater clarity, was refuted by Shore in his minutes of 18 June and 18 September, 1789. According to Shore, not only was Grant wrong in his conception of the status of the zamindar (to Cornwallis, if not to Shore and Grant, only of theoretic interest) but in his estimate of the yield of the land. Against the Moghul assessment, of 1765, Shore proposed as a basis the actual collection by zamindars and farmers in recent years. Only by careful examination could this be ascertained.

From the beginning, Cornwallis preferred Shore to Grant as his adviser in revenue matters. While their discussions were taking place, he was making experiments in revenue assessment with the help of Shore, and collecting materials upon which a lasting system could be based. In January, 1787, Shore took his place as president of the Board of Revenue: in February the board began its work of making preparation for a revenue settlement "for a long term of years".¹

The board passed on its instructions to the collectors. The work took longer than Cornwallis expected, and it was not until the end of 1789 that all the required reports were received. It was at this point that Cornwallis left his wise caution, and threw aside the counsel both of Grant and Shore. Unlike them he held that there was now

¹ Ross, *op. cit.* I, 541.