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ment with the General. I can only oppose my own opinions to his conjectures, which cannot overthrow them. The measures which I have adopted can at this time admit of no amendment, nor can any reasoning avert the effects, although it will always be easy to infer every disappointment, and every ill-consequence, as the necessary deductions from them."

The General charged Mr. Hastings with having excluded him from the commission to treat with the Vizier, and with bringing him to Benares merely to lessen his consequence in the eyes of the natives. The act of exclusion was, however, that of the Council, and not of Mr. Hastings; who immediately on his arrival detailed to the General, very circumstantially, the subject and design of his commission and his instructions, of which the General had expressed his full approbation in every part, excepting that more notice had not been taken of him in it. To this remark Mr. Hastings very frankly replied, that the Vizier was little acquainted with the regular powers and constitution of the government; that he had, in fact, placed no dependence upon the government, but had made all his applications to the Commander-in-chief; and that it was intended to convince the Vizier that his immediate dependence was on the government alone, and to establish a communication direct with him, without intervention.

These



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Vizier medi-
tates opera-
tions against
the Rohillas.

His letter to
the Council.

These unprofitable differences were scarcely terminated, when circumstances arose which led to the Company's troops taking part in the operations against the Rohillas.

On the 18th November, a letter was received by the Council from the Vizier, representing that Hafiz Rhamet Khan, and other Rohilla sirdars, intended to take possession of Etawah and the rest of the country belonging to the Mahrattas in the Dooab.

“ I therefore write to inform you, that if such is their intention, I will not put up with it, but shall, undoubtedly, undertake an expedition against them ; for, in the first place, they have not made good a single *daum* (the fortieth part of a rupee) of the forty lacs of rupees, according to their agreement ; and, in the next, they are now going to take possession of another country. This I will never submit to, and I am, therefore, determined to punish them.

“ On condition of the entire expulsion of the Rohillas, I will pay to the Company the sum of forty lacs of rupees in ready money, whenever I shall discharge the English troops ; and until the expulsion of the Rohillas shall be effected, I will pay the expenses of the English troops ; that is to say, I will pay them the sum of 2,10,000 monthly.”

Council's deter-
mination as to
the Dooab and
the Rohillas.

To the first proposition respecting the Dooab,*

the

* The *Dooab* signifies a tract of land formed by the approximation and junction of two rivers. That formed by the Ganges and Jumna rivers is so called.



the Council had no hesitation in giving a direct negative. The second they considered to involve many points connected with the political interests of the Company in those parts, and therefore called for serious deliberation.

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The power of the Rohillas had long been thought dangerous to the Vizier, the only useful ally of the Company. The Council acknowledged their ignorance of the Rohilla states generally, and, consequently, that their reports to the Directors must have been too defective to have enabled them to form an accurate opinion, although such reports had led the Court to rank them amongst the powers capable of opposing the Mahrattas.* Their country was stated to be so remote from that of the Mahrattas, that the latter might occasionally attack them by allurements of plunder, but would never form a systematic scheme of conquest of a possession so difficult to hold. On the other hand, the Vizier would always be an object of jealousy and apprehension to the Rohillas; and it was more probable that the Mahrattas and Rohillas should unite in hostilities against Oude, than continue at war with each other.†

The

* *Vide* page 198.

† An interesting report on Rohilcund will be found in the 1st vol. of the Revenue and Judicial Collections, selected under the orders of the Directors in 1820, and printed for the use of the Court and their servants. The Report was made to the Supreme Government on the 13th April 1808, by the Board of Commissioners, R. W. Cox, Esq. and H. St. George Tucker,



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The advantages anticipated from an expedition against the Rohillas were, the placing the possessions of the Vizier in a complete and compact state; and shutting them in from foreign invasion by the Ganges, from the frontiers of Bahar to the mountains of Thibet, at the same time that they would remain equally accessible to the Company's forces, either for hostilities or protection. The Vizier would also acquire wealth, of which the Company might partake, and his security would be increased, without any dangerous increase of power; for, by bringing his frontier nearer to the Mahrattas, to whom singly he would be no match, he would be rendered more dependent on the Company. Among other considerable benefits were, the acquisition of the forty lacs, and the immediate ease to the Company of the burthen of one-third of their whole army.

Notwithstanding these reasons in favour of the expedition, upon general principles, some doubts were entertained by the President as to its expediency

Esq. both then of the Bengal Civil Service; the latter now a member of the Court of Directors. Rohilkund formed part of the ceded territories acquired by the Company, through treaty with the Nabob Vizier, and is described in the Report as "the most productive and valuable of the late acquisition." Sugar is in great abundance and of excellent quality, and when the transit duties which embarrass the cultivation shall be regulated, it will become a valuable article of export. "The management of Fizula Cawn was celebrated throughout the country. It was described as that of an enlightened and liberal landlord."



diency at that time, "the Company being exposed at home to popular clamour; all their measures being liable to be canvassed in Parliament; their charter drawing to a close, and his Majesty's ministers being unquestionably ready to take advantage of every favourable circumstance in the negotiation for its renewal. In this situation, there appears an unusual degree of responsibility annexed to such an undertaking."

Mr. Hastings felt the embarrassing position in which he was placed, from what had passed with the Vizier at Benares, and the assurance given him of aid in the enterprize.

The Council having deliberately considered the various circumstances stated by the President, "concurred heartily in wishing to avoid the expedition." They admitted the advantages that would accrue to the Company, but felt the objections to preponderate. Still, the honour of the Company's government being concerned, they agreed upon a letter to the Vizier, couched in terms rather calculated to produce a refusal on his part to accept of aid, than to promote the undertaking.* Orders were at the same time sent for the brigade at Dinapore to await the requisition of the Vizier.

The letter produced the desired effect. His Excellency declined the proffered aid in his distant expeditions, on the conditions required of him; but

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Vizier declines
Company's aid.

* Consultations, 26th November 1773.



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Succeeds in the
Dooab.

but requested that the brigade should be ready to march, whenever he might summon it, for the defence of his own dominions. He then advanced into the Dooab. Etawah, being defended by only a small body of Mahrattas, surrendered at discretion. He treated the garrison with great moderation, but ordered the fortifications to be demolished.

King's troops
defeat the
Jauts and cap-
ture Agra.

This success, added to his large and apparently formidable army, in the absence of the Mahrattas, who had marched to the Deccan, where serious divisions had arisen amongst their leaders, enabled the Vizier to pass through an enemy's country with as little interruption as if he had been in progress through his own dominions. At the same time, Nujiff Cawn, the King's general, who supported the remains of the royal authority, having defeated the Jauts, and being recovered from the wounds which he had received in the action with them, advanced to invest Agra,* the capital city of the Jauts. The Vizier was obliged to contribute to this operation, for the sake of appearances, and accordingly despatched part of his troops, with some guns. Agra capitulated on the 15th February, and was taken possession of by Nujiff Cawn, in the King's name; on the 17th March.

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A requisition having been made by the Vizier for the brigade to advance from Patna, orders were accordingly

* Now the seat of a Lieutenant-Governor under the Company for the Western Provinces!



accordingly given for its being placed under the command of Colonel Champion. The Vizier agreed to the terms already stated. The troops to be employed only in his own country, or in that of the Rohillas, lying between the Ganges and the mountains. The monthly subsidy of two lacs ten thousand to be paid, and the forty lacs, when the operations against the Rohillas were concluded.

Colonel Champion was apprized by the Council that the express purpose for which the Vizier had demanded aid was the reduction of the Rohilla country lying between the Ganges and the mountains. On reaching the Vizier's country, he was to acquaint his Excellency that he was ready to proceed on the service, for which he required his further instructions. The Council did not suppose that the Vizier would find time, after his operations in the Dooab, to attempt the conquest of Rohileund; but, in the possible event of his prosecuting that enterprize, Colonel Champion was desired not to pass the boundary which divides the province of Oude from the Rohillas, except at the express requisition of the Vizier; in which case, he was to confine all his operations to that country, and to the dominions of his Excellency. He was not, upon any account whatever, to permit the troops, or any part of them, to pass the river Ganges from the Rohilla country, nor the boundaries of the Vizier's dominions, comprehending his

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Requisition
from Vizier for
the brigade to
advance against
Rohileund.

Instructions to
Col. Champion.

ancient



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ancient possessions of Oude, and the new acquisitions of Corah and Allahabad. He was to seek a personal interview to concert the intended operations in which the Company's forces were to be employed. He was publicly to declare that he went only to meet the Vizier, and with no intention of joining in any measures against the Mahrattas. In the event of the subsidy being one month in arrear in payment to the troops, Colonel Champion was to retire with his forces to Benares, there to await the orders of the Council.

Troops cross
the Caramnassa
and defeat the
Rohillas.

He took leave on the 21st February, and immediately proceeded to the command of the army. The troops crossed the Caramnassa on the 24th March; and having advanced through the Vizier's dominions, encountered the enemy on the 22d April, when a decisive action was fought, in which a considerable number of the Rohilla army were killed, including their leader, Hafiz Rhamet, who fell, together with one of his sons, whilst bravely rallying his people. The Vizier was represented to have evinced the most "shameful pusillanimity."

Colonel Champion having addressed the Council as to the ulterior views of the Vizier, and the course to be adopted in the event of the King advancing a claim to any portion of the Rohilla country, the majority resolved that the King should be opposed, as he was, in fact, a mere instrument in the hands of the Mahrattas.

Accounts



Accounts of severity of conduct, on the part of the Vizier, towards the family of Hafiz Rhamet, reaching the Council, they intimated to Colonel Champion that it had been an invariable maxim in the policy of the Company's governments, in the execution of any enterprizes undertaken in behalf of their allies, to interpose their protection in favour of the conquered princes, for the security of their lives and honour; that it was the intention of the Council to adhere to a maxim which had so greatly contributed to the reputation of the British name, and to perform what might be incumbent on them on the occasion in question. They accordingly desired to be informed of the nature and instances of the ill-treatment alluded to, in order that they might judge of the measures proper to be adopted. In the interim, the Commander-in-chief was to urge such remonstrances to the Vizier as occasion might require; and to point out how entirely abhorrent the Council were to every species of inhumanity. No instances were, however, adduced in proof of the allegations of cruelty, which appeared to have been made upon general rumour.

The Vizier having intimated to Colonel Champion, in the month of May, that he had no further occasion for the services of the troops in the field before the rains, preparations were made to canton them at Bareilly. The whole of the country lately possessed by Hafiz Rhamet, with Ouly and Bes-souly,

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Dispatch to the Court of Directors, with reasons for the operations against the Rohillas.

souly, belonging to the son of Dudney Cawn, had been acquired by the Vizier.

The Council, in announcing these events to the Directors, stated, that “every circumstance that could possibly favour this enterprize, by an uncommon combination of political considerations and fortuitous events, operated in support of the measure.

“1st. Justice to the Vizier for the aggravated breach of treaty in the Rohilla chiefs.

“2d. The honour of the Company, pledged implicitly by General Barker’s attestation for the accomplishment of this treaty, and which, added to their alliance with the Vizier, engaged us to see redress obtained for the perfidy of the Rohillas.

“3d. The completion of the line of defence of the Vizier’s dominions, by extending his boundary to the natural barrier formed by the northern chain of hills and the Ganges and their junction.

“4th. The acquisition of forty lacs of rupees to the Company, and of so much specie added to the exhausted currency of these provinces.

“5th. The subsidy of two lacs ten thousand rupees per month, for defraying the charges of one-third of our army employed with the Vizier.

“6th. The urgent and recent orders of the Company for reducing charges, and procuring the means to discharge the heavy debt at interest, heightened by the advices of their great distresses at home.

“7th.



“7th. The absence of the Mahrattas from Hindostan, which left an open field for carrying the proposed plan into execution.

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“8th, and lastly. The intestine divisions and dissensions in their state, which, by engaging them fully at home, would prevent interruptions from their incursions, and leave a moral certainty of success to the enterprise.

“These were the inducements which determined us to adopt this new plan of conduct; in opposition to which, one powerful objection, and only one, occurred, namely, the personal hazard we ran, in undertaking so uncommon a measure without positive instructions, at our own risk, with the eyes of the whole nation on the affairs of the Company, and the passions and prejudices of almost every man in England inflamed against the conduct of the Company, and the characters of their servants. Notwithstanding which, we yielded to the strong necessity impressed upon us by the inducements abovementioned, in spite of the suggestions and the checks of self-interest, which set continually before our eyes the dread of forfeiting the favour of our employers and becoming the objects of popular invective, and made us involuntarily rejoice at every change in the Vizier's advices, which protracted the execution of the measure. At length, however, his resolution coinciding with our opinions, the enterprize was undertaken; and if our intelligence be confirmed,
it



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it is now finally closed, with that success which we had foreseen from the beginning. We shall then again return to the state of peace from which we emerged, when we first engaged in the Rohilla expedition, with the actual possession or acknowledged right (which the power of this Government can amply and effectually assert) of near seventy lacs of rupees, acquired by the monthly subsidy and the stipulation: and it rests with you to pass the ultimate judgment on our conduct.”*

Further operations against the Rohillas.

This letter had scarcely been despatched, when the troops were again called into the field, in consequence of intelligence that matters were accommodated between the Mahratta chieftains. The Vizier was, therefore, anxious to complete the total reduction of the Rohillas without delay, by which the designs of the King and the Mahrattas, to be executed after the rains, would be defeated. The King had taken into his service Sumroo, the notorious assassin of the unfortunate prisoners at Patna.†

The Vizier had been punctual in his payments of the monthly subsidy for the brigade, and had given an assignment on his treasury for the fifteen lacs due by the treaty of September, 1773,‡ for the second payment on account of the cession of Corah and Allahabad.

Colonel Champion, under all the circumstances, consented

* Letter to Court, 17th October, 1774.

† Vide page 89.

‡ Vide printed Treaties.



consented to advance. On the 10th of August, when within four short marches of Pattir Gur, he received information that the Rohillas were retiring, but had left a body of troops at that place, which was taken possession of by the Vizier on the 16th. This event completed his conquest of the Rohilla country, wherein the Company had engaged to assist him. Fizula Cawn, their remaining chief, with an army of 40,000 men, was cooped up in the mountains. They had suffered much from the want of provisions. The Vizier, desirous of finishing the war, made proposals to him, which were rejected. The position of Fizula Cawn was beyond the Rohilla country, the limits within which the operations of the Company's troops were to be confined. Colonel Champion had been repeatedly solicited by the Vizier to attack them; being subsequently authorized to exercise his own judgment as to the best measures to be pursued for bringing the war to a close, he consented to advance against them and thus terminated hostilities.

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The Vizier proposed an interview with the King, for the avowed purpose of regulating the lately conquered countries. It was agreed, that the commanding officer of the Company's troops should be present, and assist with his counsel and advice. He was strictly prohibited from engaging the Company as guarantee to any of the treaties or agreements which might be entered into between

Vizier proposes
an interview
with the King.

his



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his Majesty and the Vizier, or from being a party to any other engagements whatever, likely to produce any new claims or demands upon the Company. If the influence of the brigade, employed for the security of the Vizier's country, should extend itself to the protection of any part which might be allotted to the King, Colonel Champion was instructed to demand the renunciation of his Majesty's claim to the Bengal tribute, and thereby prevent any future cause of misunderstanding between the King and the Company.



CHAPTER VIII.

THE collection of the REVENUES and the administration of JUSTICE were other important objects which claimed the attention of government.

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Revenue and
judicial system.

The approbation given by the Directors to the plan of farming lands on lease, has been already noticed, in connexion with the proceedings relative to Mahomed Reza Khan, and their determination to stand forth as Dewan, "by the agency of the Company's servants," and to assume the entire management of the revenues.*

Revenue system.

The Council accordingly deliberated on the establishment of a plan for giving effect to the Court's views, for settling the several districts throughout the provinces upon the same footing, and for the future government of the collections.

Some conception of the difficulty of the task may be formed from a consideration of the various circumstances connected with the state of the revenue system at that period.

The effects of the famine with which the provinces had been visited, had been dwelt upon in laboured descriptions; every circumstance of fact, and every art of language, had been accumulated

* *Vide* page 355.



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lated to raise compassion and to excite indignation against the Company's servants. But its influence upon the revenues had remained unnoticed, and even unfelt, by those for whom it was collected; for, notwithstanding the loss of at least one-third of the inhabitants of the province, and the consequent decrease of the cultivation, the net collections of 1771 exceeded those of 1768, which preceded the year of dearth, and followed that of the famine in 1770. This circumstance was owing to the revenue having been violently kept up to its former standard. It was not easy to trace the various means by which this was effected; indeed, the task of following the progress of the collections through all its intricate channels, or even of comprehending all the elements which composed it in its first operations, was most difficult. There was one tax, however, which the Council described as accounting for the equality preserved in the past collections. It was called *Najaihy*, or an assessment upon the actual inhabitants of every inferior division of the lands, to make up for the loss sustained in the rents of their neighbours, who were either dead or had fled the country. This tax, equally impolitic and oppressive, had been authorized by the ancient and general usage of the country. It had not the sanction of government, but took place as a matter of course. In ordinary cases, and while the lands were in a state of cultivation, it was scarcely felt,

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felt, and never or rarely complained of. However irreconcilable with strict justice, it afforded a reparation to the state for occasional deficiencies ; it was a kind of security against desertion, by making the inhabitants mutually responsible for each other, and precluded the inferior collector from availing himself of the pretext of waste or deserted lands, to withhold any part of his collections. But the same practice which, under different circumstances, might have been beneficial, became under the affliction of famine, an intolerable burthen, and fell, with peculiar severity, upon the inhabitants of those villages which had suffered the greatest depopulation. It also afforded an opportunity to the farmers and others to levy, under colour of it, contributions on the people, and even to increase it to whatever magnitude they pleased, being themselves the judges of the loss sustained, and of the proportion which the inhabitants were to pay to replace it.

It has been observed, with reference to the then state of the Revenue System, “ that seven years had elapsed since the Company became possessed of the Dewanny, yet no regular process had been formed for conducting it.” Such was the undoubted fact ; but it may be asked, whether the Court at home, or their representatives abroad, were in a situation to have framed and laid down any such scheme ? The novelty of the business connected with the revenue, to those who were appointed



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appointed to superintend it—the chicanery of the people whom they were obliged to employ as their agents—the accidental exigencies of each district, and not unfrequently the just discernment of the collector, occasioned many changes ; every change added to the confusion which involved the whole, and few were either authorized or known by the presiding members of the government. The articles which composed the revenue, the mode of keeping accounts, the computation of time, even the technical terms, which form the greatest part of the obscurity of every science, differed as much as the soil and productions of the province. This confusion was stated to have had its origin in the nature of the former government. The Nazims exacted what they could from the Zemindars and great farmers of the revenues, whom they left at liberty to plunder all below them, reserving to themselves the prerogative of plundering in their turn. The Mootsuddees,* who stood between the Nazim and the Zemindars, or between them and the people, had each their share of the public wealth. These profits, being considered illegal embezzlements, were consequently taken with every caution which could ensure secrecy : and, being fixed by no rule, the amount was dependent on the temper, abilities, or power of each individual. It therefore became a duty in every man to

* Clerks or accountants.

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to take the most effectual measures to conceal the value of his property, and elude every inquiry into his conduct ; while the zemindars and other landholders, who had the advantage of long possession, availed themselves of it by complex divisions of the lands, and intricate modes of collection, to perplex the officers of government, and confine the knowledge of the rents to themselves.

To the original defects inherent in the constitution of these provinces, was added the unequal and unsettled government of them. Part of the lands which were before in the possession of the Company, such as Burdwan, Midnapore, and Chittagong, continued subject to the authority of three chiefs, who were immediately accountable to the Presidency. The Twenty-four Pergunnahs, acquired by the treaty of Plassey, were the Company's on a different tenure, being their immediate property, by the exclusion of the zemindars or hereditary proprietors. Their rents were received by agents appointed to each pergunnah, and remitted to the collector, who resided at Calcutta.

The rest of the province was for some time entrusted to the joint charge of the Naib Dewan and Resident of the Durbar, and afterwards to the Council of Revenue at Moorshedabad, and to the supervisors, who were accountable to that Council. The administration itself was totally



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excluded from all concern in this branch of the revenue.

The internal arrangement of each district varied no less than that of the whole province. Of the lands subject to the same collector, and intermixed with each other, some were held by farm, some superintended by sheikdars or agents on the part of the collector, and some left to the zemindars or talookdars themselves, under various degrees of control. The first were racked without mercy, because the leases were but of a year's standing, and the farmer had no interest or check to restrain him from exacting more than the land could bear. The second were equally drained, and the rents embezzled, as it was not possible for the collector, with the greatest degree of attention on his part, to prevent it. There was no reason to suppose that the latter escaped the general corruption.

A Committee of Circuit, consisting of the President and four other members of the Board, was accordingly appointed for the purpose of forming a settlement, under personal inspection, at the Sudder Cutcherry of each district. In consequence of the proximity of the districts of Hooghly, Hedgellee, the Calcutta pergunnahs, Burdwan, Midnapore, and Beerbhoom, their settlement was left to the determination of the remaining members of the Board. As the servants would henceforth be solely employed in superintending and
collecting



collecting the revenues, the designation of collector was substituted for that of supervisor, which was abolished.*

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In order to counteract the improper influence which the banyans of the collectors were desirous of assuming, and also to provide against the loss of rents and the confusion of accounts, from the frequent removal of collectors, a fixed dewan was to be nominated by the Board, and joined with the collector in superintending the revenues.

To give the farmer the greatest security for the rights and profits of his farm, and encouragement to those who were solicitous of obtaining farms to make proposals adequate to their real value, neither the collector nor dewan was to send sepoy, peons, or any other persons with authority, into the lands, but when indispensably requisite for the maintenance of the peace, or the immediate execution of justice, where the authority of the farmer should be insufficient. On such occasions, a warrant in writing was to be issued under the public seal, signed by the collector, and recorded in the judicial proceedings.

To free the ryot from undue exactions on the part of the farmer, the latter was not to receive larger

* The Court of Directors, in a letter of the 7th April 1773, written previously to their receipt of the plan laid down in these regulations, expressed their opinion that the institution of supervisors not having answered the intended purpose, must be withdrawn, and some plan framed for ascertaining the exact value of the lands.



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larger rents from the ryots than the amount stipulated in the pottahs, on any pretence whatsoever. On the conviction of any party guilty of such extortion, he was to pay back the sum so taken from the ryot, in addition to a penalty to be paid to the Circar equal to the same amount. In the event of a repetition of such exaction, the lease was to be annulled.

It having been a practice of ancient and almost universal standing, for further claims to be made by the mootsuddes and officers of Government on the farmer who had improved his land, whereby he was led to conceal the profits of his farm, or to rack his tenants for the means of purchasing exemption from such claims, the Board resolved, in order to relieve him from such exactions, that his payment to Government should be ascertained and established; the same to be expressed in the doul, or rent-roll, delivered with the lease, beyond which no demand was to be made. It was determined that no matouts, or other assessments, or tax, should be imposed upon the ryots, and that those imposts, which were of late establishment, should be carefully scrutinized and abolished, at the discretion of the Committee of Circuit, if found to be oppressive or pernicious.

This regulation was framed to give ease and security both to the farmer and the ryot; it having been the constant practice of the Mogul government, on the slightest pretence, to authorize the

the

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the exaction of new taxes from the zemindars and farmers, all view of the remote consequences, which might arise out of such impolitic conduct, being lost sight of in the desire of immediate gain. The principals being thus taxed, had a fair pretext to indemnify themselves from their tenants; and they never failed to extort a much greater amount than they themselves had been obliged to pay. Every dependent agent in the collections, likewise, endeavoured on such occasions to get his share of the embezzlement; and thus the poor ryot was disheartened, and often disabled from attending to the culture of his lands, which required money as well as labour to bring them to perfection.

The trivial presents, which the custom of the East had established as debts of vassalage and the rights of office or power, were felt in themselves to be undeserving of notice, had they extended no further; but the same practice ran through every degree of subordination, till the amount became a mighty grievance, and, like other levies on the principals, was reclaimed with accumulated extortion from the ryots. It was therefore determined that all nuzzars* and salaries,† usually presented at the first interview as marks of subjection and respect, should be totally discontinued,

* A present to a superior.

† A present on receiving an appointment.



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discontinued, as well to the superior servants of the Company and the collectors, as to the zemindars, farmers, and other officers.

The collector was forbid, on pain of dismissal from his office, to be concerned directly or indirectly in the purchase or sale of grain.

No peshcar, banyan, or other servant, of whatever denomination, of the collector, or relation or dependent of any such servant, was to be allowed to farm lands, or directly or indirectly to hold a concern in any farm, or to be security for any farmer.

In the event of collusion, the farms were to be relet, or made *khass*.* No European was permitted directly or indirectly to hold lands in any part of the country.

Had the collector, or any person who partook of his authority, been permitted to be farmers of the country, it was felt that no other persons would dare to be their competitors; neither was it fitting that the servants of the Company should be dealers with their masters. The collectors were, in fact, to be checks on the farmers, against whom the ryots were to look to the collector for relief.

The Committee of Circuit were enjoined to devise some means for preventing the practice of
lending

* Lands, the rents of which are not leased, but collected immediately by the officers of Government.



lending money on exorbitant usury; it having been frequently found that the ryots had been thereby involved in irretrievable ruin, and that the farmer's dues, which were in fact the property of the state, had become that of money-lenders.

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In order to relieve the farmer from the necessity of borrowing money for the payment of his kists or instalments, the kistbundee for the ensuing leases were to be so regulated that the kists might be made payable at the usual periods of the harvest, proportionate to the estimated quantity and value of the crops, and as local circumstances might direct. Such an arrangement was felt to be one of the most salutary expedients which could be adopted, whether for the ease of the farmer and the ryot, for the security of the revenue, or for the prevention of oppression. The rate of interest was stated to have been rarely less than three per cent. per mensem, which, with monthly accumulations, and fees to agents, banyans, peons, and sepoy, entailed certain ruin on the borrower.

In framing these regulations, the Council were governed by an anxious desire to adapt them to the manners and understanding of the people, and the exigencies of the country, adhering as closely as possible to the ancient usages and institutions.

To enable the committee to fix the necessary establishments in each district for its safeguard and protection, and for preserving its peace and tranquillity,



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tranquillity, accurate accounts of the *chakaran** lands were to be prepared, with a statement of the purposes for which they had been allotted, and of the number of land-servants necessary to be retained for that service.

The Board of Revenue at Moorshedabad was abolished, and the business of the collections in all its branches put under the management of the members of the administration at the Presidency.

After these preliminary steps had been determined upon, the lands of Kishnagur were put up to public auction, and a final settlement was made for five years, on an accumulating increase.

During the course of the sale, the Rajah of the place gave in proposals for farming the whole district; upon which the Council remarked, "when it can be done with propriety, the entrusting the collections of the districts to the hereditary zemindars would be a measure we should be very willing to adopt, as we believe that the people would be treated with more tenderness, the rents more improved, and the cultivation more likely to be encouraged; the zemindar less liable to failure or deficiencies than the farmer, from the perpetual interest which the former hath in the country, and
because

* The *chakaran* lands were portions of ground allotted to certain of the inhabitants, whose office it was to preserve the peace of the country and to guard it against common robbers; it was an establishment common to all parts of India, and was of very ancient standing.



because his inheritance cannot be removed, and it would be improbable he would risk the loss of it, by eloping from his district, which is too frequently practised by a farmer when he is hard pressed for the payment of his balances, and as frequently pre-determined when he receives his farm."

1772-4.
BENGAL.

THE administration of JUSTICE was intimately connected with the collection of the revenues. The Council observed, " that the regular course of justice was suspended every-where; but every man exercised it who had the power of compelling others to submit to his decisions."

Judicial system.

The plan for administering justice comprised the establishment in each district of the two courts of judicature; the one by the name of Mofussil Dewanny Adawlut, or Provincial Court of Dewanny, for the cognizance of civil causes; the other by the name of Phousdarry Adawlut, or Court of Phousdarry, for the trials of all crimes and misdemeanors.

The collector of each district was to preside on the part of the Company, in their quality of King's Dewan, attended by the provincial Dewan, appointed by the President and Council.

In the Phousdarry Adawlut, the cauzee and muftee of the district, and two moolavies, were to sit to expound the law, the collector attending to the proceedings, so far as to see that all necessary evidence



1772-4.
BENGAL.

evidence was summoned and examined, and that due weight was allowed to their testimony, and that the decision passed in a fair and impartial manner.

Two superior courts of justice were to be established at the chief seat of Government, the one under the denomination of Dewanny Sudder Adawlut, and the other the Nizamut Sudder Adawlut. They were to form courts of appeal from those of the provinces. The President, with two members of the Council, was to preside in the Dewanny Adawlut, attended by the dewan of the khalsa, the head canongoes, and other officers of the cutcherry; in the absence of the President, a third member of Council was to sit.

In the Nizamut Adawlut, a chief officer of justice was to preside by the title of Daroga Adawlut, assisted by the chief cauzee, the chief mufttee, and three moolavies.

In forming the plan, the Committee confined themselves with scrupulous exactness to the constitutional forms of judicature already established, which were considered to be calculated for expediting the course of justice, and best adapted to the understanding of the people. It was observed that the general principle of all despotic governments is, that every degree of power shall be simple and undivided, and it necessarily introduced itself into the courts of justice; in proof of which a review of the different officers of justice instituted



instituted in the provinces was given by the Council.*

1772-4.

BENGAL.

THE

* "15th August, 1772.—1. The NAZIM, as supreme magistrate, presides personally in the trials of capital offenders, and holds a court every Sunday, called the Roy Adawlut.

"2. The DEWAN is the supposed magistrate for the decision of such causes as relate to real estates or propriety in land, but seldom exercises this authority in person.

"3. The DAROGA ADAWLUT is properly the deputy of the Nazim. He is the judge of all matters of property, excepting claims of land and inheritance. He also takes cognizance of quarrels, frays, and abusive names.

"4. The DAROGA ADAWLUT DEWANEE, or deputy of the Dewan, is the judge of property in lands.

"5. The PHOUJDAR is the officer of the place, the judge of all crimes not capital; the proofs of these last are taken before him and reported to the Nazim for his judgment and sentence upon them.

"6. The CAUZEE is the judge of all claims of inheritance or succession. He also performs the ceremonies of weddings, circumcision, and funerals.

"7. The MOHTESIL has cognizance of drunkenness and of the vending of spirituous liquors and intoxicating drugs, and the examination of false weights and measures.

"8. The MUFTEE is the expounder of the law. *Memorandum*.—The Cauzee is assisted by the Muftee and Mohtesil in his court; after hearing the parties and evidences, the Muftee writes the fetwa, or the law applicable to the case in question, and the Cauzee pronounces judgment accordingly. If either the Cauzee or Mohtesil disapprove of the fetwa, the cause is referred to the Nazim, who summons the ijlass, or general assembly, consisting of the Cauzee, Muftee, Mohtesil, the Darogas of the Adawlut, the Molavies, and all the learned in the law, to meet and decide upon it. Their decision is final.

"9. The CANOONGOES are the registers of the lands. They have no authority, but causes of land are often referred to them
for



1772-4.

BENGAL.

Measures for
suppressing
decoits.

THE peace of the country had for some years been disturbed by bands of *decoits*, who not only infested the high roads, but often plundered whole villages, burning the houses and murdering the inhabitants. The secrecy of their haunts, and the wild state of the districts more immediately subject to their incursions, enabled them to elude every attempt to bring them to justice. It was therefore determined, that each criminal, on conviction, should be carried to the village to which he belonged and there executed, as a terror and example to others. The village was to be fined according to the enormity of the crime, and each inhabitant according to his substance. The family of the criminal were to become slaves of the state, to be disposed of for the general benefit and convenience of the people, according to the discretion of Government.

The Council were quite alive to the unfavourable impression which this sanction to slavery was calculated to make upon their countrymen in England, with reference to the practice in the American colonies; but, they observed, slaves in India for decision by the Nazim or Dewan, or Daroga of the Dewannee.

“ 10. The CUTWALL is the peace-officer of the night, dependent on the Poujdarree.”

From this list it will appear that there are properly three courts for the decision of civil causes (the canongoes being only made arbitrators by reference from the other courts), and one for the police and criminal matters.



India are treated as the children of the families to which they belong, and often acquire a much happier state by their slavery than they could have hoped for by the enjoyment of their liberty; so that, in effect, the apparent rigour exercised on the children of convicted robbers, would be no more than a change of condition, by which they would be no sufferers, though it would operate as a warning to others, and afforded the only effectual means of dissipating the desperate and abandoned societies which subsisted on the distress of the general community.*

1772-4.
BENGAL.

The excesses of the decoits increased to so great an extent, that the subject was brought specially under the consideration of the Council, in the month of April, when it was determined, at the recommendation of the President, to appoint foudars† to the several stations, for the protection of the inhabitants, for the detection and apprehension of public robbers within their respective districts, and for transmitting constant intelligence of all matters relating to the peace of the country, to the Presidency. The zemindars, farmers, and other officers of the collections, were enjoined to afford them all possible assistance in the discharge of their duty, and to obey such orders as they might have occasion to issue for that purpose.

The

* Proceedings, Committee Circuit, 1773.

† The FOUJDAR, a military officer who is charged with the care of the police in his district.



1772-4.
BENGAL.

The farmers were to make over the land-servants allowed for their respective districts, who were to be under the absolute command of the foudjars. The chakaran* lands (allotted for the maintenance of the thanadars† and pykes‡), which had been resumed and included in the jumma, were to be again separated and applied to their original design; the jurisdiction of each foudjar was to be ascertained by proper limits, he being made responsible for the maintenance of peace within it.§

A zemindar
arrested at the
suit of an Eu-
ropean.

The first instance of a zemindar being arrested, at the suit of an European, took place in the streets of Calcutta, on the person of Rajah Kissen Chund, of Nuddeah, who had been summoned to attend at the khalsa upon the affairs of his district. The Council feeling that great detriment would be occasioned to the revenues of the district by the confinement of the zemindar, and that it might be followed up by other cases, gave bail for Kissen Chund, and caused a proclamation to be issued, forbidding all the Company's servants, under penalty of dismissal, from lending money to the zemindars under any pretence whatever: also requiring all persons having claims against them to recur to the ordinary courts of the country for justice.

* *Vide* note, page 424.

† THANADAR, the officer in charge of a thana, or police-station.

‡ PYKE, a watchman.

§ Revenue Consultations, 19th April 1774.



justice.* The matter was referred to the law-officers by the Court of Directors, who, under the advice of counsel, directed that the action should be discharged. The proceedings of the Government were fully approved, and the standing order confirmed, which prohibited Company's servants, on pain of dismissal, from lending money to the zemindars, or from having any dealings with them, and declaring that those who had claims must go to the courts of the country for redress.

1772-4.
BENGAL.

THE establishments which had been formed for the police of the town of Calcutta having been found insufficient to remedy all disorders incident to so populous a city, and the Foujdarry Adawlut being greatly impeded in the proper exercise of its functions, from the continued appeals made by European inhabitants in complaints against their servants, by which crimes of the "most atrocious natures," often remained for months unexamined, and the jails crowded with prisoners, the Council determined upon sundry regulations, calculated to ease the Foujdarry Adawlut in the cognizance of complaints of masters against their servants for venial offences, and to introduce better order in the police of the settlement, by vesting a degree of authority in such matters in the superintendence of the police of the settlement. The subject was submitted

1774.
Police of Calcutta.

* Letter from Bengal, 10th November 1773.



1774.
BENGAL.

submitted to the consideration of the inhabitants, who, selecting from their body a committee of twelve, agreed to every measure that could tend to give them efficacy.* Among the regulations one demands to be specially noticed, as it was to abolish in future the right of slavery.†

THE

* Consultations, May 17th 1774, and Letter 18th October 1774.

† 11th May 1774.—“That from the 1st day of July 1774, no person shall be allowed to buy or sell a slave who is not such already by former legal purchase, and any cauzee who shall grant any cawbawla after that date for the sale of any slave whatever, shall be dismissed from his employment, and such cawbawla shall be invalid.”

The practice of stealing children from their parents and selling them for slaves, had long prevailed in the country, and had greatly increased since the establishment of the English government. The influence derived from the English name, to every man whose birth, language, or even habit, entitled him to assume a share in its privileges; the neglect of the judicious precautions established by the ancient law of the country, which required that no slave shall be sold without a cawbawla, or deed attested by the cauzee, signifying the place of the child's abode, and in the first purchase, its parent's names, the names of the seller and purchaser, and a minute description of the persons of both, had greatly facilitated this savage commerce, by which numbers of children were conveyed out of the country in Dutch, but more especially French vessels, and many lives of infants destroyed by the attempts to secrete them from the notice of the magistrate. There appeared to be no probable way of remedying this calamitous evil, but that of striking at the root of it, and abolishing the right of slavery altogether, excepting such cases to which the authority of government could not reach; such, for example, as laws in being have allowed, and where slaves have become a first property by purchase, and antecedent

to



THE instructions from the Court of Directors in April 1773,* combined with the little success which had attended the revenue settlement, arising in a great measure from the bidders having been induced by eagerness of competition to make higher offers than the country could bear, in consequence of which many of them failed in the performance of their engagements to a considerable amount, led to a change of system in the early part of 1774.

The European collectors were recalled, but the districts that formed the existing collectorships were to remain. Each district was to be superintended by a dewan or aumil, excepting such as had been let entire to the zemindar or farmer.

The administration of civil justice, which had been entrusted to the collector, was transferred to the aumil, from whom an appeal lay to the Provincial Council, and from thence, under certain restrictions, to the Sudder Dewanny, or the Governor in Council.

A Committee of Revenue was formed at the Presidency, consisting of two members of the board and three senior servants, who were to superintend

to the proposed prohibition. The opinions of the most creditable of the Musselmen and Hindoo inhabitants were taken upon the subject: they condemned the authorized usage of selling slaves, as repugnant to the particular precepts both of the Koran and Shastras, oppressive to the people, and injurious to the general welfare of the country.

* *Vide* page 419.

1774.

BENGAL.

Revenue system revised.



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BENGAL.

superintend and control the whole of the revenue branch, subject to the superior Council. Occasional commissioners were to be appointed to visit such districts as might require a local investigation. They were to be taken from the Company's servants, not by seniority, but by the free choice of the board, and were to be qualified for the trust by a knowledge of the Persian or Hindoostanee, and a moderation of temper. All complaints of the ryots or others against the dewans, farmers, zemindars, or other public officers, were to be received and decided upon by the committee.

To carry the plan into effect, the provinces were formed into six grand divisions, the first to be managed at Calcutta, the second at Burdwan, the third at Moorshedabad, the fourth at Dinagepore, the fifth at Dacca, the sixth at Patna, comprising the whole province of Bahar. The districts of Chittagong and Tipperah were to be maintained on their existing footing.

Provincial councils were established for each grand division, composed of a chief and four other senior servants, with a secretary, a Persian translator, an accountant, and three assistants.

It was an article in the instructions to each of the Councils, that they should make particular enquiry concerning every talook, or other smaller portions of land, included within each district of their division, but appertaining to some other district, whether of their own or any other division.



sion. They were to ascertain the aumil's malguzary and profit of the same. All particulars were to be furnished to the superior council, so as to enable them to form a more complete and entire arrangement, for the better government and management of the collections. Whenever the accounts and arrangements of any division permitted it, the controul of such division was to be brought down to the Presidency. The Provincial Council was to be carried on at Calcutta, and, if possible, by the Committee of Revenue.

Mr. Halhead, of the civil service, undertook, at the instance of the President, to make an English translation of the Mahomedan and Hindoo code of laws, it being considered that great utility would be experienced from such a work, not only to the members and superior judges of the Adawlut, but to the public at large. The work was completed in March 1775, and dedicated by its author to Mr. Hastings, to whom he ascribed both the result of the execution, and the entire merit of the original plan.

THE province of Cooch Bahar, which forms the boundary of a large portion of the Rungpore district, devolved to the Company, with the rest of Bengal, 1765. In 1772, the Cooch Rajah, then a minor, offered, through his minister, Nazu Deo, to place his province under the dominion of the Bengal government, and to pay to them half its

1774.
BENGAL.

Cooch Bahar.



1774.
BENGAL.

revenues, on condition of the Company's aiding in expelling the Boutanneans, who, headed by their chief, the Deb Rajah, had suddenly invaded his country.

The Company's district of Rungpore having been frequently exposed to the incursions of the Boutanneans, by which the revenues drawn from it had been rendered very precarious, the Council resolved to detach a force to effect the intended object. The result being successful, the Boutan Rajah applied to the Teshoo Lama to mediate between him and the Company.

The Lama accordingly addressed the following letter to Mr. Hastings :

“ The Taishooa Lama at Boutan to the Governor :—
(Received 29th March 1774.)

“ The affairs of this quarter in every respect flourish, and I am night and day employed for the increase of your happiness and prosperity. Having been informed by travellers from your quarter of your exalted fame and reputation, my heart, like the blossom of spring, abounds with gaiety, gladness, and joy. Praise ! that the star of your fortune is in its ascension—Praise ! that happiness and ease are the surrounding attendants of myself and family. Neither to molest or persecute is my aim : it is even the characteristic of my sect to deprive ourselves of the necessary refreshments of sleep, should an injury be done to a single individual. But in justice and humanity I am informed you surpass us. May you ever adorn the seat of justice and power, that mankind may, under the shadow of your bosom, enjoy the blessings of happiness and ease ! By your favour I am the Raja and Lama of this country, and rule over numbers of subjects,



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subjects, a particular with which you have no doubt been acquainted by travellers from these parts. I have been repeatedly informed that you have been engaged in hostilities against the Dah Terrea, to which, it is said, the Dah's own criminal conduct in committing ravages and other outrages on your frontiers, has given rise. As he is of a rude and ignorant race, past times are not destitute of instances of the like misconduct which his own avarice tempted him to commit: it is not unlikely that he has now resumed those instances, and the ravages and plunder which he may have committed on the skirts of the Bengal and Bahar provinces have given you provocation to send your vindictive army against him; however, his party has been defeated; many of his people have been killed, three forts have been wrested from him, and he has met with the punishment he deserved, and it is as evident as the sun, your army has been victorious; and that if you had been desirous of it, you might in the space of two days have entirely extirpated him, for he had not power to resist your efforts. But I now take upon me to be his mediator, and to represent to you, that as the said Dah Terrea is dependent upon the Dalee Lama who rules this country with unlimited sway (but on account of his being in his minority, the charge of the government and administration for the present is committed to me), should you persist in offering further molestation to the Dah's country, it will irritate both the Lama and all his subjects against you. Therefore, from a regard to our religion and customs, I request you will cease all hostilities against him, and in doing this you will confer the greatest favour and friendship upon me. I have reprimanded the Dah for his past conduct, and I have admonished him to desist from his evil practices in future, and to be submissive to you in all matters. I am persuaded that he will conform to the advice which I have given him, and it will be necessary

sary



1774.
BENGAL.

sary that you treat him with compassion. As to my part, I am but a faqueer, and it is the custom of my sect, with the rosary in our hands, to pray for the welfare of mankind and the peace and happiness of the inhabitants of this country; and I do now, with my head uncovered, entreat that you cease all hostilities against the Dah in future. It would be needless to add to the length of this letter, as the bearer of it, who is a Goseign, will represent to you all particulars, and it is hoped that you will comply therewith. In this country, worship of the Almighty is the profession of all. We poor creatures are in nothing equal to you. Having a few things in hand I send them to you by way of remembrance, and I hope for your acceptance of them."

A treaty, consisting of ten articles, was agreed to on the 25th April, by which certain lands were restored to the Deb Rajah, who was to pay to the Company for the possession of the Chitta Cotta province a tribute of five Tauzan horses: the Boutan merchants being allowed the privilege of sending a caravan annually to Rungpore.

Mr. Hastings being of opinion that the communication from the Teshoo Lama opened a fit opportunity for effecting an intercourse between Thibet and Bengal, proposed that Mr. Bogle, of whose merits and services the Council entertained a high opinion, should be deputed to the Lama, with a letter and suitable presents, accompanied by a sample of goods, with the view of ascertaining what were most likely to become the objects of commerce.

The Council fully concurring in the views of
the



the president, Mr. Bogle proceeded on the mission in June, together with Mr. Hamilton, an assistant-surgeon.

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BENGAL.

The province of Bengal had suffered very severely from a lawless banditti, consisting of synasies or faquirs. Under pretence of religious pilgrimage, they had been accustomed to traverse the chief part of the province, begging, stealing, and plundering wherever they went. Having defeated and cut off a party of the sepoys sent against them, with their commander, Captain Thomas, who had been solely engaged in making the collections, a separate corps was formed purposely for the frontiers, in the hope of entirely suppressing these marauders, a provision being inserted in the treaty by which they were considered as enemies to the English. The Deb Rajah engaged not to allow any of them to take shelter in his district.



CHAPTER IX.

THE Parliamentary inquiry, which commenced in 1772, terminated in the act of the 13 Geo. III, cap. 16, commonly called the regulating act, it being the first legislative measure which prescribed any defined system for the conduct of the Company's affairs.

The twenty-four Directors had hitherto been chosen annually. Some of the abuses had been partially checked, by a Proprietor being required before voting, to declare upon oath, that he had possessed his qualification of £500 stock for six months, yet the evils resulting from the limited duration of a Director's office to one year were strongly felt. The practice tended to weaken the authority of the Court, and to produce instability in the Councils of the Company. It was accordingly provided, that a Director should retain office for four years, at the expiration of which term he was to retire from the direction for a year, when he was eligible for re-election. This restriction appears to have originated in a by-law, passed in the year 1734, which ordained that no member should retain his seat for a longer term than four years successively. No party who had held



held office in India was eligible to be chosen a Director until he had resided two years in England. The qualification was enlarged from £500 to £1,000 stock, and the period for which the party intending to vote must have held his qualification before voting was extended from six to twelve months. The privilege of voting being increased in proportion to the stock held by any one party.*

A new oath was prescribed by the act, to be taken by the Directors. It was framed with reference to the combined affairs of the Company, and especially to their varied commercial operations. The same oath is continued at the present time, but appears to be wholly inapplicable to the altered duties of a Director.

With regard to India, a Governor-general and four Councillors were appointed for Bengal, each individual to continue in office for the term of five years. The presidencies of Madras and Bombay were henceforth required to obey the orders of the supreme Government in Bengal. The Directors were to forward to one of his Majesty's Secretaries

* £1,000 Stock gives 1 Vote
3,000 do. ... 2 Votes
6,000 do. ... 3 —
10,000 do ... 4 —

Which latter number is the maximum allowed to be given by any one Proprietor. £500 stock enables its possessor to take part in debates in General Court, but not to vote, either by shew of hands, or on a division, or ballot. 13Geo. III. cap. 63.



cretaries of State and to the Lords of the Treasury, copies of all advices, within fourteen days after their receipt by the Court, which related to the civil and military affairs and government of India. From this period, therefore, his Majesty's Ministers were empowered to become fully informed upon all the political concerns of the Company in India, but possessed no power to interfere with or to control the measures of the executive body at home, or the orders and instructions which they might see fit to issue for the conduct of their servants abroad.

1773.

BENGAL.

Regulating Act.

Warren Hastings, Esq. was nominated, in the Act, Governor-general, and Lieutenant-general Clavering, the Honourable George Monson, Richard Barwell, and Philip Francis, Esqrs. Councillors.

On a vacancy occurring in the office of Governor-general, the Councillor next in rank was to succeed, and in the event of a vacancy in the Council, the Directors might appoint a successor for the remainder of the five years, subject to his Majesty's approbation. From and after the expiration of five years the power of nominating and removing the succeeding Governor-general and Council was vested in the Directors. The provisions relating to the Governor-general and Council were to commence from the time that public proclamation should be made of their arrival in Bengal.

His



His Majesty was authorized to establish a Supreme Court of Judicature at Calcutta, to consist of a chief justice and three puisne judges. The jurisdiction of the Court was to extend to all British subjects in Bengal, Bahar, and Orissa: and appeals might be made to it from the Provincial Courts.

1773.
BENGAL.
Regulating Act.

The commerce was specially reserved to the Company. No British subject was to trade in salt, betel-nut, or tobacco. No person was to take more than twelve per cent. interest per annum on loan of money. All offences and misdemeanors tried in the Supreme Court were to be decided by a jury of British subjects. In cases of indictment or information laid in the Court of King's Bench in England, writs of mandamus might be issued, requiring the judges abroad and other persons to examine witnesses, &c.

Rules, ordinances, and regulations, when made by the Governor-general in Council, were to be sent home.

Another Act was passed at the same time, granting to the Company, on loan, £1,400,000 for their relief.*

The public were to forego, for a time, all participation in the territorial profits. The dividend to the proprietors was fixed at six per cent. per annum. The Company were not to accept bills drawn on them beyond a certain amount, and

were

* 13 Geo. III. cap. 94.



1773.

BENGAL.

Regulating Act.

Company petition against it.

were to continue to export annually £380,837 of British merchandize.

The Company petitioned both Houses of Parliament against the provisions of the new Act; objecting especially to the clauses by which the Crown or Parliament appointed officers to conduct the whole of the civil and military affairs, whilst the directing power over them, without penalty for disobedience of orders, was pretended to be left in the Company. They represented that the object of the intended court of judicature would be defeated, as the persons who might be guilty of acts of oppression were exempted from the jurisdiction of the court, and consequently left without restraint; and the remedy of the writ of *habeas corpus*, whereby men might know of what crime they were accused, being wholly omitted, it legalized the tyranny of a double government, without responsibility any-where. All opposition to the bill, however, proved ineffectual.

The Proprietors, when the Act was laid before them in July, resolved that no orders or instructions should be sent out by the Directors until they had been submitted to and approved by a General Court specially summoned for the purpose. To maintain their privileges, and not out of disrespect to General Clavering, they further resolved "that they did not choose to appoint him their commander-in-chief in India."

Proprietors decline to appoint General Clavering their Commander-in-chief.

The



The instructions proposed by the Directors to be sent to Bengal, for carrying into effect the provisions of the Act, were laid before the Proprietors on the 7th December. The consideration was postponed, and a committee consisting of seven Proprietors, the Duke of Richmond being chairman, was appointed to prepare counter-instructions. They were printed with those proposed by the Directors, and taken into consideration on the 11th January 1774. On the 25th of that month, the Directors' propositions were approved by the ballot, the votes in their favour being 406 to 308. On the 8th February, it was resolved by the ballot, 354 to 311, that it be recommended to the Directors to nominate General Clavering commander-in-chief of the Company's forces in India, with an express provision, that, in the event of his succeeding as Governor-general, his appointment as commander-in-chief was immediately to cease and determine. *

General Clavering, Colonel Monson, and Mr. Francis, together with Sir Elijah Impey, the new chief justice, Robert Chambers, Stephen Le Maistre, and John Hyde, Esquires, puisne judges, embarked at St. Helen's for their destination, on the 1st April 1774. General Clavering wrote to the Court of Directors from Madeira, on the 24th, urging the importance of an adjutant-general being nominated, for the better government

1774.

BENGAL.

Court of Directors propose instructions.

Committee of Proprietors appointed to prepare instructions.

New Government, under Regulating Act.

Councillors and Judges leave England.



1774.
BENGAL.

government of the Company's army, and recommending Lieutenant-colonel Thornton, of the King's service, for the office. He at the same time stated the inadequacy of his allowances as commander-in-chief to meet travelling and other expenses for equipage, horses, table, &c. when he took the field.

They reached Madras on the 21st September, where the General inspected the military establishment, respecting which he offered various remarks, observing : " I speak unwillingly of defects where there is so much to commend." He considered the fortifications to have been planned " with great judgment, and executed with equal care and attention." On the 22d, he accompanied the Governor, Colonel Monson, and Mr. Francis, on a visit to the Nabob of the Carnatic.

The members of Council and the judges reached Kedgerree on Friday, the 14th October. The former announced their arrival to the President, who deputed the senior member to congratulate them on the happy termination of their voyage, and to assure them of the cordiality and respect with which they would be received by the Board. On the afternoon of Wednesday, they landed at Calcutta, under a salute of seventeen guns.

Arrive at Calcutta.

First meeting of Council.

The first Council was held the following day, although Mr. Barwell had not arrived at Calcutta from



from the provinces. A proclamation was agreed upon, to be published the ensuing morning by the sheriff, announcing that the new government, as constituted under the Act, commenced from the 20th October. The Governor was requested by the new members to order a guard from the fort to attend upon the sheriff during the ceremony.

The publication having taken place, the Court's instructions, with their general letter of the 30th March 1774, were read to the Council: they were addressed to Mr. Hastings, as Governor-general, and to the Councillors named in the Act.

Harmony was earnestly recommended. Attention was directed to the preservation of peace throughout India, and to the security of the Company's possessions. The Council was to assemble twice in every week. The correspondence with the country powers was to be carried on by the Governor-general only, but all letters proposed to be sent by him were to be first approved in Council, and all letters received by him were to be laid before the Council at their next meeting.

It being unlawful, under the Act, for the other Presidencies to declare war or make peace with any Indian power without the consent of the Supreme Government, the Council were attentively to view the general posture of the Company's affairs respecting the country powers, their interests, and probable connexions with each other,
with

1774.
BENGAL.

Proclamation
of New Go-
vernment.

Instructions
under New
Act.



1774.
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with the Company, and with other European nations, the safety and prosperity of Bengal being the principal object.

A Board of Trade was nominated, to conduct the commercial affairs of the Company. No parties employed under the Governor-general in Council in the management of the revenues were to be employed by the Board.

The military expenses having increased "to a degree insupportable," strict inquiry was to be made into the causes of such increase, and the charge of erecting, repairing, or completing fortifications, barracks, and all public buildings, in Bengal and its dependencies, was limited in future to £100,000 per annum. The reduction of the bond debt, in Bengal, was pressed upon the attention of the Council. The system of letting the lands and farms of Bengal, Bahar, and Orissa, on lease, was approved, and, in the event of any lands falling in, the Council were to advertise for proposals to relet them. Inquiry was to be made into past oppressions, and regulations were to be framed for preventing future abuses. On the establishment of the Supreme Court, all aid was to be given to the judges, and a court-house, with proper officers, to be provided.

Disputes having frequently occurred, on account of the powers claimed by the Governor and the military commander-in-chief, under their commissions, which caused injury to the public service,

a commission was issued to the Governor-general, constituting him Governor and Commander-in-chief of the fortress and garrison of Fort William and town of Calcutta.

Lieutenant-general Clavering was granted a commission as Commander-in-chief of all the Company's forces in India.

If the Governor-general and Council should at any time think proper to issue orders, under their hands, or by their secretary, to any officer in the army, thereby suspending or superseding the specific commands of the Governor-general or military Commander-in-chief, such orders were to be implicitly obeyed.

The military Commander-in-chief was not to leave Bengal without the sanction of the Governor-general and Council.

Whenever the Commander-in-chief in India was at either of the other Presidencies, he was to have a seat as second in council ; but to vote only on political and military affairs.

His allowances, as Commander-in-chief, were fixed at £6,000 per annum, and his salary, as a Member of Council, at £10,000 per annum. Copies of the commission to Mr. Hastings and to Lieutenant-general Clavering, and of the Court's instructions, were to be forthwith published in general orders at Fort William.

In addition to the foregoing instructions, a general letter was addressed to the Governor-general

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and Council. The measures of the President regarding Cooch Bahar were approved, although the Court by no means departed from the rule laid down, of confining their views to the possessions thus acquired. Whenever General Clavering could be spared from his duties in Bengal, he was to proceed to Madras and Bombay, to review the troops, and to make a strict examination into the state of the Company's armies at each Presidency, and to assist the Presidents and Councils in forming such regulations as might be necessary for rendering the forces respectable.

A revision of the coinage was to be made in Bengal, a treatise thereon, by Sir James Stuart, Bart., being forwarded for the information of the Council.*

At the instance of Mr. Hastings, the Council adjourned from Thursday, the 20th October, until the Monday following; on which day, Mr. Barwell having arrived at the presidency, the oaths of office were administered, and the commissions to the Governor-general and the Commander-in-chief promulgated.

Full Council
meet, and oaths
administered.

Minute by Mr.
Hastings, on
the state of
public affairs.

In order to place the leading branches of the public affairs before the Council, a minute was delivered

* This gentlemen composed, for the use of the East-India Company, in 1772, a work entitled, "The Principles of Money applied to the present State of Bengal." It was printed, and the Court presented him with a ring, of one hundred guineas value, with a suitable inscription, in testimony of their sense of this service.

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delivered in by Mr. Hastings, reviewing the revenue system and the political state of the provinces. It was brought under consideration in the Secret Department. Mr. Hastings informed the Council that, in submitting his views, he by no means intended to preclude any member from offering such points for immediate deliberation as might be judged to claim a preference, and proffered his assistance upon any matter in which his communications might be considered useful. He stated that his desire had been to promote the Company's interests, and that he had full confidence in the dispositions of his colleagues to co-operate and unite in promoting the general welfare of the country.

He proposed to retain the revenue system as recently framed.

The Company's political connexion with the Vizier was pointed out, and they were informed that the original design of the Rohilla enterprise furnished the first occasion of the Governor-general meeting with his Highness. The advantages anticipated from that measure were an addition of territory and wealth to the Vizier, in which the Company would participate—the complete defence of his Highness' dominions—the employment of a third part of the Company's troops free of charge, and the forced retreat of the Mah-rattas within their ancient territories. The Mogul, or King, was a mere cypher, residing at Delhi;



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the Company's connexion with him had ceased, and it was the Governor-general's wish that it might never be renewed. The Bengal tribute had been withheld from his Majesty since his desertion of the Company and his union with their enemies, the Mahrattas, amongst whom dissensions had existed for the preceding twelve months.

Council allow full operation to Revenue system.

The Council resolved to allow a full operation to the revenue system, as proposed in the minute of Mr. Hastings.

Differ on policy of Rohilla war.

On discussing the treaty of Benares, and the policy of the Rohilla expedition, General Clavering called for the production of the Governor-general's original correspondence with the resident at the court of the Vizier. Mr. Hastings, although fully prepared to lay before the Board all his correspondence which related to public affairs, declined to communicate such parts as might not be proper for public inspection. The majority of the Council, nevertheless, resolved that all ought to be produced. Mr. Hastings recorded his reasons for adhering to his original determination to refuse it; stating, that it contained unreserved and confidential communications given to the Resident, as his immediately recognized agent, appointed on his own responsibility, with the sanction of the late Board, and in strict conformity with the practice which had prevailed from 1757 to the dissolution of the late

Call for Mr. Hastings' private correspondence.

Government.



Government. He declared that, if those engagements were legal, no power on earth could authorize him to violate them, still less was he prepared to submit to an *ex post facto* law, of so sudden a formation.

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This determination led the majority of the Council, at the same meeting, to recall Mr. Middleton, the Governor-general's agent with the Vizier, and to require him to bring down the whole of his correspondence, as essential to a right judgment on the course of policy observed towards the Vizier, as well as of the Company's existing engagements with his Excellency. They also supported this requisition for the correspondence by appealing to the principles of policy which they knew had been established by "the highest authority," meaning Parliament; and they further resolved, that Colonel Champion, or the commanding officer, should be appointed to negotiate with the Vizier, in the room of Mr. Middleton. Whilst thus removing the Governor-general's own agent, without one single proof, or even suspicion of misconduct, they professed to compliment Mr. Hastings, by proposing that he should nominate a substitute;* but, at the same moment, they required that he should apprise the Vizier of the recall of Mr. Middleton, and of the appointment of the commanding officer to

Majority recall
Mr. Middleton.Appoint Col.
Champion.

* Consultations, 26th October 1774.



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Proposed in-
structions to
Col. Cham-
pion.

to negotiate with his Highness. Two days only had elapsed between the first meeting of the new Council and the adoption of these decided proceedings towards the Governor-general, and before even the original official correspondence with Colonel Champion and Mr. Middleton had been communicated to the Council. That correspondence was not completed until the following Friday, when General Clavering, Colonel Monson, and Mr. Francis recorded their protest against the determination of Mr. Hastings to withhold the confidential communications that had passed between himself and the Resident. A series of propositions was at the same time submitted by the General, as the basis of instructions to Colonel Champion, who commanded the troops with the Vizier. He was to repeat the demand on the Vizier for the forty lacs, to require payments of such sums as might be due, and to call upon his Excellency to liquidate all unsettled accounts. If the whole of the forty lacs could not be obtained, not less than twenty lacs was to be taken, and the rest to be paid within twelve months. He was to protest against any refusal, on the part of the Vizier, to these terms, and to withdraw the brigade within fourteen days from the receipt of the instructions. Whenever the Vizier should have paid the money, the troops were to be withdrawn within the province of Oude, and unless his Highness required them for defence



defence of Corah and Allahabad, they were to be cantoned at Dinapore.

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These propositions remained for the consideration of the members until the next Council, which was to be held on Monday, the 31st October. On that day, a letter was received from Colonel Champion, announcing that terms of peace had been agreed upon between the Vizier and Fizula Cawn, the Rohilla chief.

Notwithstanding this intelligence, the majority persevered in sending instructions to Colonel Champion, framed in accordance with the preceding propositions, which, after further discussion, had been finally adopted. Mr. Hastings and Mr. Barwell protested, in the strongest manner, against the abrupt removal of the brigade, which, as the first act of the new Government, would be received as a declaration that the engagements with the Vizier were no longer existing. They suggested that, at all events, an extension of time might be given the Vizier, and that the Council should await the result of an application to him before coming to a final determination. They urged that the measure was one of the past administration, and on the point of being concluded; that, under such circumstances, they considered the members of the new Government might have been satisfied with recording their disapproval of the enterprize, and after the completion of the service, by withhold-

ing

Mr. Hastings
and Mr. Bar-
well protest
against in-
structions.



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Minute of Mr.
Francis.

ing their consent to the employment of the troops beyond the bounds which they judged to be prescribed by the orders of the Court. That, instead of removing Mr. Middleton, his appointment might have been confirmed, transferring the transactions with him from the superintendence of the Governor-general *only*, to the Council at large. Expostulation was vain. The letter to Colonel Champion was despatched the very day on which one was received from him, acquainting the Council that the army had countermarched; —that he purposed to station the brigade at Ramgaut, and that he should himself forthwith proceed to the Presidency, leaving the command in the hands of Colonel Galliez. It was on this occasion that Mr. Francis recorded a minute, containing the following passage: “The conditions which the late Government had unfortunately suffered the Vizier to prescribe to them, considered merely as the terms of a contract (for I do not mean to insist upon the danger and dishonour of submitting to such conditions), are so loose and unguarded, that they will always furnish him with a pretence for deferring payment of the forty lacs. For my own part, I do not scruple to declare, that if this extravagant engagement had been ratified in all the forms by which public treaties are usually authenticated, but none of which have been observed upon the present occasion, I should reject it with disdain.”

The



The spirit thus evinced at the opening of the new Government, indicated too clearly that the majority of the Council partook of the prejudice that had been raised in England against both the Court of Directors and their governments in India.

The Council felt it to be their duty to make a report of their proceedings under the new system to the Home authorities. Strangers to the spirit of harmony which the Court had enjoined, they found it impossible to agree upon any general despatch. It was accordingly resolved that each party should address the Court separately; that the joint letter should be simply one of advice, comprehending resolutions and facts, and referring to the consultations for the reasonings on both sides.

General Clavering, Colonel Monson, and Mr. Francis wrote to the Court on the 30th November. After enumerating the various points connected with the Rohilla war, and reiterating the objections which they entertained to the course of policy pursued by Mr. Hastings, they entered into a statement of some matters of a personal, yet frivolous nature, which indicated that they had laboured under a jaundiced feeling from the first moment of their landing at Calcutta. They complained that proper honours had not been paid to them on that occasion; that a sufficient salute had not been fired; that the troops were not drawn out; that they

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they were received at Mr. Hastings' private house instead of in the Council Chamber; that there was an unnecessary delay in issuing the new commissions; that the proclamation of the new Government was not made with sufficient parade; that it was at the desire of the Governor-general that the Council adjourned until the Monday, and that, during this interval, they were left "in the most anxious, not to say disgraceful situation." That public report soon informed them of the nature of the enterprizes in which the Company's troops were engaged, and that their alarm and anxiety at the intelligence they had acquired could only be equalled by that which they were persuaded the Court must have felt on first receiving it. They then drew a picture of the state in which they found the country on their arrival.

"We saw your provinces stripped of one-third of their defence; the lines most repeatedly and peremptorily drawn by you for the conduct of your servants towards the princes of Hindostan manifestly transgressed; in short, the whole system of your wise and pacific policy completely overturned; the *summa rerum* of all things being at stake."

In another letter, dated the same day, they stated that they had refused all nuzzars and presents. They noticed the Governor-general's reasons for accepting and paying nuzzars into the Company's



Company's treasury, and added, "Mr. Barwell has also given his reasons for accepting *and not* paying them over to the Company." They then dwelt upon the example of moderation and economy which they themselves had set to the service, declaring "that they had no conception of the degree in which such an example was wanted." They further stated that, in acceding to the appointment of Captain Brooke to an independent command under the Vizier, they yielded their own strict judgment to considerations of personal respect to Mr. Hastings;" adding, "that, to have recalled that officer, could not fail to have been attended with *personal pain* to the Governor-general."

It was expecting too much of the Governor-general that he should attach any weight to this profession, the same parties having, without any knowledge of the facts, and with no one fault to allege against Mr. Middleton, after taking their seats in Council but a few hours, resolved to recall him in the most abrupt manner from his station, as the confidential agent of the Governor-general at the Court of the same prince. Mr. Hastings entered into a general defence of his conduct. He pointed out the reductions he had effected in the bond debt since the close of 1773, and the increased amount of investment sent home; he adverted to the military operations under Government, and urged that every expedition had been connected

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Mr. Hastings
defends his
measures.

concerted for services of solid utility, and calculated for precise terminations : he stated that the campaign of 1773 had the recovery of Corah for its immediate object, and the application of its means to the relief of the Company's wants. The last campaign, he observed, had terminated with the most complete success. The district of Ramghur had been brought into subjection, and the revenues increased. The Jungle Territory, a tract of country unknown, and considered inaccessible, serving as a receptacle for robbers, had been reduced, and their further ravages prevented. The Cooch Bahar expedition had produced all the contemplated effects, in the settlement of that country, and the dispersion of the Tynassies. Painful as he felt his situation, and unsuitable as it was to his disposition, it was his determined resolution to retain the place which the Court's favour originally assigned to him, and which the Legislature had so honourably confirmed.

He inferred that Parliament had intended some peculiar power should attach to the office of Governor-general, above the other members ; but he felt that a majority had been formed against him, not by an accidental occurrence, but by a decided and permanent combination, which called for some remedy. He nevertheless declared that he would not quit the ground on which he stood ; he appealed to a large portion of his life passed in the Company's service, and rested his cause solely on the

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the measures which had drawn him into his present vindication. Measures adopted solely for the Company's benefit and the national honour, and he knew that they had been productive of both to the utmost reach of his wishes. Should the Court judge him fit to be continued in his station, he expressed his readiness to devote the best years of his life to the Company's service. If, on the other hand, either the Court, or a higher authority, should decree his yielding his post to another, he should submit without a murmur, conscious of his own integrity, but retaining the sense of gratitude which he felt for the obligation already conferred upon him.

He then referred to the several orders of the Court, as to political and military operations in India. He considered the principle primarily insisted upon by the home authorities, was to avoid the extension of territory. He construed their orders of June 1769, as confining their views to the security of the Company's possessions, and those of their allies, but, nevertheless, as contemplating the possible necessity for carrying the Company's arms in certain cases beyond those bounds, and of becoming parties in war. The Mahrattas might have been permitted to take possession of Corah and Allahabad, to have allied themselves with the Rohillas, or to have established themselves in Rohileund, and to have lain with their armies unmolested on the borders of the open country



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country of the Company's ally, till they had completed every preparation for invading the territory of the Vizier, and that such a forbearance might have been vindicated by an appeal to the letter of the Court's instructions; but he felt that it was not by such cold and prudential caution, that the British empire in Bengal had been acquired or could be maintained. Nor did he feel that it would, in point of fact have been in conformity with the spirit and intent of such instructions. With regard to the non-production of his private and confidential correspondence, he stated that it had been carried on in the same mode as had been observed by his predecessors, and that he considered it would have been a dishonourable breach of confidence to have placed it on the records. In proof of this, it was shewn that, in the correspondence between Colonel Smith and the Secret Committee, in 1766, when, by some mistake, a private letter from that officer to Lord Clive was only alluded to in a letter from the Select Committee, Colonel Smith observed: "I have been made accountable to a public board for a confidential discussion of facts, which ought never to have transpired beyond the breast of the right honourable person to whom, and to whom alone, they were addressed."

Adverting to the complaint on the score of want of ceremony and respect in the reception of the new members of Council at Calcutta, he declared that he felt ashamed to occupy the
attention

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attention of the Court on charges of so trifling a nature ; he remarked, "I am averse to parade myself, and have never used it." Higher honours had been paid to them than had ever been paid to persons of their rank in the country, as high even as had been paid to Lord Clive, or Mr. Vansittart, when they came as governors ;—men, whose names must ever stand foremost in the memories of the people of India, and who merited as much from their employers as any who have filled, or are likely to fill, that station. He had written to the new councillors on their arrival at Madras to bespeak their confidence. The senior member at Calcutta had been deputed to meet them on landing at Kedgerie ; one of the Governor-general's immediate staff had been sent down, as a mark of personal respect, to attend them ; and the whole of the late Council assembled at his house to receive them.

He had desired time to determine whether he would accept the new government, or conclude his services to the Company with the close of the late administration, before the commissions were published ; and Mr. Barwell being absent from Calcutta, he had requested that the meeting might be postponed from the Friday till the following Monday : this request having been acquiesced in by the Council, he did not expect it would have been urged as an objectionable part of his conduct.

Mr.



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Mr. Barwell did not join the Council till the Monday, when he expressed his full concurrence in the sentiments of Mr. Hastings, and declared that he foresaw no possible advantage to the nation, or to the Company, in debating the propriety of past measures, which had been submitted long since to the decision of the Directors, and for which neither himself, nor any of the existing administration, the Governor-general excepted, were held responsible.

Observation on
differences as to
the Rohilla war.

As the war against the Rohillas was stated by the majority of the Council to have subjected the native inhabitants to unheard-of cruelties, inflicted by the orders of the Vizier, and to have been countenanced in a degree by the Governor-general, although there was proof from the records* to the contrary; Mr. Hastings proposed that sundry queries should be submitted to the commanding and other field officers who had served in the campaign, in order to ascertain the facts. He at the same time signified to the Board his readiness to submit the whole of his correspondence with Colonel Champion, provided that officer gave his consent. From replies to certain queries approved and put by the Board, it appeared that the Rohillas were not the original inhabitants, but a tribe of Affghans, of the Mussleman faith, following no other profession than that of arms; that

* *Vide* pages 406, 407.



that the Gentoo inhabitants were not oppressed; that the Ryots were as much cherished as ever they were under any former government; that they returned to their plough immediately after the passage of the army, and appeared to be "as happy as ever;" and that the charges against the Vizier of outrages on the families of the Rohillas were proved to have been utterly without foundation.

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The *animus* which governed the proceeding may be gathered from the following question, put by General Clavering to Colonel Leslie, passing by the extraordinary fact of such a question being proposed by a military man, and a member of the Government. "Did the army consider the war in which they were engaged as one that did honour to the British name, or such as disgraced it?" The Colonel replied, "I cannot answer for the opinion of others upon this subject." It was attempted to be shewn that the Rohillas were an ill-used people, deserving of every commiseration; it was, nevertheless, admitted, that they had broken faith with the Vizier, and that want of sincerity was part of their character. It was declared, that when Ally Mahomed was their head, he prevailed upon the Almorah Rajah and the other hill chiefs to assist him in his rebellion against the Mogul Mahomed Sha. They did so with 20,000 men. Their inferiority to the King's army on his approach, induced them to prevail on



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the Almorah Rajah to admit them into his country, which would afford them the greatest security: the access to it was by a narrow pass, where a small body of troops could defend themselves against a numerous army. They were admitted, and continued there until an invasion of the Mahrattas drew off the forces of the Mogul. Immediately on their retiring, the Rohillas seized the country of the Almorah Rajah, their ally, and carried away captive their handsomest women. It was stated to be a proverb in Hindostan, that "a Rohilla prays with one hand, and robs with the other."*

Another question arose on the appointment of an Adjutant-general, in which the majority opposed Mr. Hastings. Major Hanney had been nominated by the former Government. General Clavering declared that he would not employ him in that station, as he considered the late Government, under the by-laws of the Company, to have been precluded from making such an appointment. It will be recollected that the General, in writing from Madeira on his passage out, had recommended a King's officer.†

The offer of a sum of seven lacs of rupees by the Vizier, as a present to the troops engaged in the Rohilla war, was urged by the majority as an additional cause of complaint against the late Government.

* Consultations, Dec. 1774.

† *Vide* page 445.

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Government. The majority considered all presents to be prohibited by the Act of Parliament, but agreed to receive the sum in deposit, observing: "We cannot but lament the difficult and distressing situation in which the measures of the late Administration have reduced the present Government, by placing us between the strict prohibition of the law, and the earnest desires of the army: the unhappy consequences of an offensive war undertaken on such principles as that against the Rohillas, must operate in every direction. An innocent nation, without offence, stripped of their property: one part of the conquering army engrosses the whole plunder, the other is disgusted; languor and despondency succeed; and when, at last, our troops return home, the difficulty of deciding between their claims and the prohibition of the law, is thrown upon the civil government!"

The Vizier returned to Fyzabad in the middle of December, from whence Mr. Middleton, the Resident at Oude, wrote the Governor-general on the 21st of that month, that fifteen lacs had been received by him from the Vizier, and forwarded to Calcutta. The health of his Highness confined him wholly to his private apartments; it rapidly declined, and on the 26th January 1777, he expired, at six in the evening. His eldest legitimate son, MEERZA AUMANEE, supported by the Supreme Council, succeeded



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to the musnud, under the title of **AUSUF-UL-DOWLAH**.

As the Council considered that the old treaty ceased at the death of the late Vizier, they resolved that a new defensive treaty should be entered into. After a tedious negociation, in the course of which Ausuf-ul-Dowlah evinced the most fluctuating disposition, seven articles were agreed upon on the 21st of May. The Company thereby acquired the exclusive right to the rich zemindary of Benares, without being encumbered with any new engagements or loading them with additional expenses. The revenues amounted to Rupees 1,23,72,656, and were to be paid by the Rajah Cheyte Sing in monthly payments, as a net tribute, without rendering any accounts of his collections, or being allowed to enter any claim for deductions. The Nabob agreed to pay 2,60,000 rupees per month for a brigade of the Company's troops, which was an addition of half a lac to the former allowance. The important point was gained of his consenting to dismiss all foreigners from his service, and his engaging to deliver up Cossim Ally Cawn and Sumroo, the assassin of the English at Patna, should they ever fall into his hands. The provinces of Corah and Allahabad were to remain with the Nabob.* Instructions were sent to
Colonel

* The treaty was concluded by Mr. Bristow, whose conduct on the occasion was highly applauded by the Supreme Government.



Colonel Galliez to continue with the brigade in the territories of Oude for their defence, and for that of the provinces of Corah and Allahabad, should the Nabob require it. Hostilities had for some time been carried on between Nudjiff Cawn, the Rajpoots, and Jauts, and they had alternately sought an alliance with the Nabob in support of their respective views. The latter, jealous of Nudjiff Cawn, had evinced a disposition to join his opponents. The grand object of the Council was to preserve a good understanding between the Vizier and the other neighbouring powers, for which purpose Mr. Bristow was ordered to take the necessary measures, and at the same time to urge the Nabob to attend to the good government and improvement of his dominions.

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The Directors conveyed the expression of their sentiments on various parts of Mr. Hastings' administration, which had been subjects of animadversion and difference with the new Council. They considered, that although the provinces of Corah and Allahabad were reserved to the King by the treaty of 1765, his Majesty did not acquire a right to resign them into the hands of the Company's enemies. As the Vizier was the first officer in the empire under his Majesty, and the territories in question were formerly held by him, it was an act of great propriety to commit them again to his management, when the

Views of the
Court of Direc-
tors on pro-
ceedings of the
Council.

King



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King could not hold them in his immediate control. The King having withdrawn himself from the Company's protection, abandoning the possessions assigned to him, and given every countenance to the depredations of the Mahrattas, the Court entirely approved of the payment of his tribute being withheld. The principle of self-preservation warranted it, as the possessions would necessarily have fallen into the hands of the Mahrattas. Upon these grounds the Directors confirmed the treaty of Benares, and directed that no further remittance should be made to the King. The highest opinion was entertained of the honour and integrity of Mr. Hastings, nor did a suspicion exist that any corrupt motive led to the agreement with the Vizier. In a political point of view, the Court did not consider the engagements with the Vizier to be unexceptionable; but they trusted that his Excellency would now be enabled to repel the Mahrattas, should they repeat their incursions. The Vizier formed a barrier to the Company's possessions. The Directors viewed the treaty of Allahabad as compelling the Government to aid the Vizier in defending his dominions, but not in the prosecution of new conquests, or any warlike enterprises; all advance beyond his frontier being absolutely prohibited, as also the employment of the Company's troops, on any pretence whatever, in such an undertaking.

The



The conduct of the Rohilla chiefs in refusing to fulfil their solemn engagements with the Vizier, was admitted to have drawn upon them the calamities which they had suffered : but the Court deprecated the aid given by the Government with the Company's forces as founded on wrong policy, as being contrary to the instructions of the Court frequently repeated for keeping their troops within the provinces, and to the general principles they desired to maintain. —The recall of the troops was consistent with the orders from home ; but the hasty manner of recalling them, as determined upon by the majority in Council, the Court considered might have been attended with inconvenience to the public service.

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With regard to the correspondence of Mr. Hastings, the Court were of opinion that the whole should have been laid before the Council. They observed with regret the differences that had arisen amongst the members, and they trusted that a sense of duty would animate them to an exertion of their utmost abilities, in the conduct of the important affairs entrusted to them, with the spirit of harmony and cordiality so essential to the welfare of the public interests, and to the prosperity of the Company.*

As to the donation of seven lacs by the Vizier to the troops, the Court disapproved generally of all presents to the army, but intimated that in the

* Letter to Bengal, March 1775.