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the instance in question they should endeavour to obtain an Act of Parliament for the grant; and they entirely sanctioned the maintenance of a brigade of the Company's troops in the Oude territories.

Whilst the Court of Directors were inculcating a spirit of cordiality amongst the members of the Supreme Government, events were occurring abroad that strengthened the existing feelings of hostility, and widened the breach between the Governor-general and the majority of the Council.

Nundcomar.

Nundcomar, whose name will be familiar to the reader, fully alive to the differences which existed in the Council, and aware of the party composing the majority, waited upon Mr. Francis, on the morning of the 11th of March, scarcely four months after the inauguration of the new Government, and delivered to him a letter, addressed to the Governor and Council, "demanding of him, as a duty belonging to his office, as a councillor of the state, to lay it before the Board." Mr. Francis presented the letter at the meeting of the Council that day, and stated that he conceived he could not, consistently with his duty, refuse to receive such a letter; that he was unacquainted with its contents; that it was given to him publicly, in the presence of a considerable number of persons; and that the Rajah's request was interpreted to him by three different persons.

The letter from Nundcomar recapitulated various

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rious circumstances connected with his being deprived of the office of Naib Dewan, and the substitution of Mahomed Reza Cawn, who, he alleged, had been guilty of acts of great violence and oppression. That when Mr. Hastings first arrived from Madras, he promised him his support; but when the new councillors entered upon their office, he changed towards him, and debarred him his presence. That Mahomed Reza Cawn, being charged with extensive embezzlement, proposed making a present of ten lacs of rupees to Mr. Hastings, and two to himself; and that Mr. Hastings, on being acquainted therewith, made answer, "that he could not suspend an inquiry into the misappropriation of crores of rupees for such a sum, and that it was proper the Government money should be recovered;" he likewise stated that he was informed Mahomed Reza Cawn should not be released from confinement till the points in question were decided upon: nevertheless, a few days afterwards, Mahomed Reza Cawn was set at liberty, the inquiry into his conduct dropped, justice not being done in the the complaints that had been preferred against him.

In addition to this statement, Nundcomar specified particulars, which comprised presents he asserted to have been made to Mr. Hastings, amounting to 3,54,105 rupees.

Mr. Francis, on being asked by Mr. Hastings, whether



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whether he was previously acquainted with Nundcomar's intention of bringing such charges, replied, that though he was totally unacquainted with the contents of the paper, he did apprehend it contained some charge against him.

On the 13th of March, Nundcomar addressed the secretary, transmitting a letter which he requested might be delivered to the Governor and Council, and opened in their presence. It referred to his letter of the 11th, and expressed his desire to appear before the Council in support of its contents; he stated that he had no other object than the prosperity of the Company, and that he had warned former Governments that, by their immediate attention to private emoluments, the country would suffer; that Mr. Hastings, till he had been informed by him of the state of affairs, was well pleased with him; but that, when he had acquired this knowledge, he no longer consulted him, and instead of his patron, became his enemy, and acted as such; becoming inattentive to the welfare of the country, and the enrichment of the state, making his own private emolument the rule of his conduct.

On the proposition of Colonel Monson, supported by General Clavering and Mr. Francis, it was determined that Nundcomar should be called before the Council, to give proofs of the charge against the Governor-general. Mr. Hastings declared that he would not sit at the Board in the
character

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character of a criminal, neither would he acknowledge the members of the Board to be his judges, but looked upon them as his accusers; he left it to them, if they pleased, to form a committee for the investigation; he resolved not to sit in Council to hear men, collected from the dregs of the people, give evidence, at the dictation of Nundcomar, against his character and conduct. Mr. Barwell objected to Nundcomar's being called in, and contended that the Supreme Court of Judicature was the proper tribunal for examining and deciding upon points of such a nature. He also suggested that Nundcomar should be informed that he was expected to support whatever he might set forth as evidence adduced before one of the judges; and that, unless he did so, his complaint would be rejected as a libel. The proposition for his appearance before the Board was, nevertheless, persevered in, for the extraordinary purpose of enabling them to judge whether the nature of the evidence he had to produce would be thought sufficient. Mr. Hastings quitted the Council. Mr. Barwell remarked, that it was then five o'clock; that he considered the Council to be dissolved; and unless he received a summons, according to the usual form, he should not partake in the debates: he then withdrew. The majority determined that the Governor-general had no right to dissolve the Board, and that an adjournment could only be carried by a majority. The chair was accordingly



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ingly taken by General Clavering. Nundcomar was called in, and being asked what he had to offer in support of his charges, he replied, "I am not a man officiously to make complaints, but when I perceived my character, which is as dear to me as life, hurt by the Governor's receiving into his presence two natives of low repute, and denying me admittance, I thought it incumbent upon me to write what I have. Every thing is contained in the letter I have given in." Being called upon for other papers, to which he alluded, he delivered in a letter, purporting to be written to him by Munny Begum, in which she adverted to the favour that had been conferred upon her, by appointing her guardian; and, after considering what would be a proper offer, stating that she sent a proposal of one lac as an acknowledgment, that the Governor answered, "that he had not done what he had from motives of private advantage, but for the satisfaction of his employers. I pressed the present exceedingly upon him, when he at last said, 'very well; if you do think proper to make a present, give two lacs, as Maharajah (meaning you) engaged; otherwise, do as you please, you are your own mistress.'" One lac was stated to have been provided by Munny Begum, the other by a draft on Nundcomar. The letter concluded in the following terms: "for the future, let us take care, in the conduct of our affairs, to *consult and plan beforehand, that when we*
are



are called upon, no difference may appear in our representations and answers, and that I may conform to whatever you may say; let nothing of the secret part of these transactions be known to the Governor or the gentlemen of Council, or any others. The proverb is, 'a word to the wise.'"

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A comparison being made of the hand-writing in the letter from the Munny Begum delivered in by Nundcomar, with one received from her at that time and produced by Sir John D'Oyley, from the Persian Department, it appeared that the seal was that of the Munny Begum, but that the hand-writing was not the same in the two letters. The majority observed, that the letter to Nundcomar had been written a year and a-half before, and the letter produced by Sir John D'Oyley within a few days. In either case there was sufficient proof of the delinquency of Nundcomar. If its authenticity be admitted, its contents establish the fact of a conspiracy on the part of the Begum and Nundcomar. If its authenticity be denied, the guilt of forgery against Nundcomar is placed beyond doubt.

Nundcomar being desirous to withdraw, the secretary was sent to inform Mr. Hastings, and to request that he would resume the chair. The Governor-general refused to acknowledge the message as coming from the *Council*: he returned his compliments to General Clavering, Mr. Monson, and Mr. Francis, but declined to meet them at so late



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late an hour of the night, intimating that when he could summon a full Board (Mr. Barwell being in the country), he would do so, and hoped to have the honour of meeting them in the Revenue Department the following day.

Upon such evidence as had been adduced, and without any further deliberation, the majority resolved that the sum of three lacs forty thousand rupees had been received by the Governor-general; that of right it belonged to the Company, and that Mr. Hastings should be required to pay into the Company's treasury the amount for their use. The secretary forthwith waited upon Mr. Hastings with the resolution; but he refused to receive it as a resolution of the Board, and would give no answer to it. Upon which the three members ordered, that the whole of the papers should be placed in the hands of the Company's attorney, for the purpose of counsel's opinion being taken as to the best mode of proceeding to recover the amount from Mr. Hastings.

On the 11th of April, Nundcomar was accused before the Judges of the Supreme Court, of being party to a conspiracy against the Governor-general and others, by making a man against his will write a false petition injurious to their characters, and sign an account of bribes pretended to be given to them. On the following day, an examination took place before the Judges, which lasted from eleven in the morning until eleven at night.

Mr.



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Mr. Hastings having been required to attend a meeting of the Judges at Sir Elijah Impey's, addressed a letter to General Clavering, requesting that he would take the chair with the other members and despatch the current business. The General having proceeded with what required immediate attention, the three members wrote Mr. Hastings from the council-chamber. They adverted to a letter from Mr. Fowke, relative to the conspiracy, and as they conceived that an investigation, which could demand the absence of the Governor and Mr. Barwell from Council, must be of great moment, if not interesting to the safety of the state, they determined to continue in Council till apprized of the issue. Mr. Hastings replied that, having received a letter from the Chief Justice and the Judges, the preceding night, informing him that a charge had been exhibited upon oath before them against Messrs. Fowke, Rajah Nundcomar, and Radachurn, for a conspiracy against himself and others, he and Mr. Barwell, to whom a like notification was made, had attended, and that he was sorry the three members should have thought it necessary to remain in Council until informed of a subject and issue of an inquiry, which they would perceive had no relation to the safety of the state, nor to any circumstance that required their present attention.*

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* Consultations, 19th April 1775.



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The circumstances appeared so well attested, that there was thought sufficient reason for binding over the accused to take their trial at the following assizes. Notwithstanding these facts, General Clavering, Colonel Monson, and Mr. Francis, accompanied by Mr. Fowke and others, went to Nundcomar's house, on a formal visit to him, an honour which he had never before received from those gentlemen, or from any previous administration. They also appealed to public opinion in support of their judgment against the Governor-general. Mr. Hastings, in the following terms, desired to submit his case to that criterion. Writing to the Directors, he observed :

“ It is in your power, honourable Sirs, to obtain that opinion. There are many men in England of unquestionable knowledge and integrity, who have been eye-witness of all the transactions of this government in the short interval in which I had the chief direction of it. There are many hundred in England, who have correspondents in Bengal, from whom they have received successive advices of those transactions, and opinions of the authors of them. I solemnly make my appeal to these concurring testimonies, and if, in justice to your Honourable Court, by whom I was chosen for the high station which I have lately filled, by whom my conduct has been applauded, and through whom I have obtained the distinguished honour assigned me by the Legislature itself, in my nomination



mination to fill the first place in the new administration of India, I may be allowed the liberty of making so uncommon a request, I do most earnestly entreat that you will be pleased to call upon those who, from their own knowledge or the communications of others, can contribute such information, to declare severally the opinions which they have entertained of the measures of my administration, the tenour of my conduct in every department of this government, and the effects which it has produced, both in conciliating the minds of the natives to the British government, in confirming your authority over the country, and in advancing your interest in it. From these, and from the testimonies of your own records, let me be judged, not from the malevolent declamations of those who, having no services of their own to plead, can only found their reputation on the destruction of mine."

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On the 6th May, Nundcomar was committed to jail, in order to undergo a trial at the ensuing assizes, upon a charge of forgery exhibited against him by a merchant of Calcutta. On the 9th of that month, the majority of the Council determined to displace Munny Begum from the office of Guardian of the Nabob, upon the alleged ground that she had overcharged the ministers, in her account of arrears due from the estate. This fact also seemed to throw suspicions upon the truth of her letter to Nundcomar, before alluded to,



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even if its identity had been satisfactorily established. Rajah Goordass, lately servant to Munny Begum, a young man of mean abilities, a Gentoo, and the son of Nundcomar, was nominated to succeed Munny Begum in an office, the rank of which was scarcely inferior to the sovereignty of the provinces.*

Nundcomar addressed the Council, pointing out the impossibility of his performing the ablutions which were essential before he partook of any kind of food; and stated that, even could they be performed, the place itself presented an insurmountable obstacle, being inhabited by men of different religion: he therefore requested to be removed.

The majority of the Council resolved to send the message to the Chief Justice, with the representation from Nundcomar. General Clavering observed, that the Judges were probably ignorant how much a close confinement might endanger the life of the Rajah, which was of so much importance to the public, for proving an accusation of venality against the Governor-general.

Mr. Hastings observed, that time could not then admit of his replying to the severe personal attacks made upon him by every member present, but that the attacks were not unexpected.

Mr.

* Letter from Mr. Hastings, 18th May 1775.



Mr. Francis proposed, that the sheriff or his deputy should wait on the Chief Justice, on the part of the Board, and desire that he would consider of granting the prisoner relief: Colonel Monson and General Clavering concurred in this proposition. Mr. Hastings dissented, as the same representation might be made by the prisoner himself, and he thought it would be improper that it should be conveyed to the Chief Justice through the authority of Government.

Sir Elijah Impey, the Chief Justice, previously to receiving the message from the Council, had been informed of the grounds on which Nundcomar refused sustenance, and had already given orders for his confinement being made in every respect as easy as possible: he had also taken means to ascertain from Pundits, in the presence of the Judge who had come with him, how far the grounds of caste affected his case. From their answers, the Judges were fully satisfied that no grounds existed for altering the mode of confinement.

The Pundits having been requested to inspect the rooms in which he was confined, *viz.* the two rooms usually occupied by the jailor, who had given them up to the Rajah, expressed it as their opinion, after examining every part, that he would not lose caste by eating or drinking, or performing ablution, but that he would be obliged to perform *prauschit* (penance).



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In communicating this to the Council, the Chief Justice observed, that he had forwarded the result for their information, in order that he might not appear to be wanting in the attention which he should always give to any message from them, as well as to prevent their being deceived by improper suggestions. He assured the Board, that the Bench would be prepared to yield even to prejudices, if national and deep-rooted; but that they could not suffer the pretence of religion to be set up for the purpose of eluding the ordinary course of law. He stated, that the Judges were happy in the opportunity of vindicating themselves from any surmise of rigour, or want of humanity; but they requested that, in the event of the Maha Rajah having any other application to make for relief, he should address himself immediately to the Judges, for should he continue to address himself to the Board, that which could, and would only be obtained from principles of justice, might have the appearance of being obtained by the means of influence and authority, *the peculiar turn of mind of the natives being, to expect every thing from power and little from justice.* The majority of the Council intimated to the Chief Justice, that they considered the natives of India as the immediate objects of their care and protection, and that, to guard against any deception, they had examined the sheriff and his deputy as to the contents of Nundcomar's petition.

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It however appeared, that the examination of the sheriff and his assistant had been confined to the legality of the commitment, the place of confinement, and the propriety of yielding obedience to the Judges who made out the commitment. The Chief Justice satisfied himself by the most ample inquiries, that in the general opinion, the Maha Rajah's scruples were mere pretence. Sir Elijah Impey observed, that the bounds between the authority of the Supreme Court and the Council were of too delicate a nature to be discussed, unless there should be an absolute necessity to determine them. He did not question the authority of the Board in receiving petitions, and he did not desire that the Rajah's petitions should not be received, but when received, if any thing was required of the Judges or the Court, that he was to apply directly to the Judges, adding, "it is not sufficient that courts of justice act independently, it is necessary for the good government of a country that they should be believed and known to be above all influence.*

Nundcomar was found guilty, and suffered the extreme penalty of the law. Nundcomar executed.

This event, after a lapse of fourteen years, was, in the course of the impeachment, on the 14th May 1789, dwelt upon by Mr. Burke, when he charged Mr. Hastings with having “murdered Nundcomar.

* Consultations, 16th May 1775. (Secret.)



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Nundcomar, through the hands of Sir Elijah Impey." This virulent attack led the Marquess Graham to move, and the House to adopt by a large majority, a resolution, that those words ought not to have been spoken. They were characterized as indecent, and such as could not have been tolerated in any other place.

Further differences in
Council.

In the course of the investigation into the charges preferred by Nundcomar against the Governor-general, Cantoo Baboo, the banian of Mr. Hastings, was summoned to attend the Council on the 13th of March. When it reached him he was with the Governor-general, who prevented his attendance. General Clavering on the 20th (Mr. Hastings being present) submitted a motion, that Cantoo Baboo had been contumacious in not obeying the summons, and that he should now be brought before the Council. It was objected to, first, because this intention had been concealed from the members of the Council until its meeting, and secondly, that the Council had met for the special purpose of considering advices from the Vizier, which business was now proposed to be set aside, that personal feelings of hostility to the Governor might be indulged. The motion was, nevertheless, carried for the attendance of the Banian, upon the plea that the Council was assembled on matters connected with the revenue, and that Cantoo Baboo was a farmer. Mr. Barwell defended the Banian from any intentional disrespect

to



to the Board, and declared that he considered the plea of summoning him on account of his being a farmer, was the application of a legal power to an illegal purpose. The Banian having attended and declared that he should have obeyed the summons, had not the Governor-general interdicted him, withdrew. General Clavering then stated to the Council, that Mr. Hastings had threatened him for proposing to punish the Banian by putting him in the stocks, and he had also declared, that if any thing was meant personally he would make him answer for it with his life. He therefore moved that Cantoo Baboo be placed in the stocks.

Mr. Hastings then stated, that General Clavering having before proposed that the Banian should be placed in the stocks, and that in the language of a menace, he had declared that if the General attempted any thing in his own person and by his own authority, "I would oppose it personally at the peril of my life, and that if he made use of law, I would meet him by law." General Clavering disavowed having intended any menace. The Council, on the motion of Mr. Barwell, adjourned.

These proceedings in the Secret Department were followed by others in the Revenue, equally involving personal altercations, and attacks on the Governor-general. The Rannee of Burdwan having visited Calcutta on some affairs connected with the district, addressed the Government requesting

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questing that a khilaut might be conferred. Mr. Francis accordingly moved, that a day might be fixed for the purpose of conferring one upon her and upon her son also (an infant), and upon her servants according as it was understood to be the custom. Mr. Barwell remarked, that no such motion had ever been made since the Company's succession to the Dewanny. It was the invariable custom to hold up the head of the Government in that light to the natives. A voluntary compliment to a person who, like the Rannee, had no right to it, might be left to the pleasure of the Governor. The grant was however supported by General Clavering. Mr. Hastings felt it to be an additional instance to the indignities already offered him, and declared that he could not consent to the proposition. A day was nevertheless fixed, on which various statements in the English language were presented, to shew that payments had been made by a native on behalf of the Rajah of Burdwan to Mr. Hastings of 15,000 rupees; but when the accounts were demanded by the Governor-general in the Bengalee or Persian character, they were not forthcoming, and the party alleged to have made the payment denied all knowledge of such a transaction.

The Governor-general adhering to his resolution to be no party in conferring the khilaut, and his banian having been summoned before the Council, and no assurance being given Mr. Hastings that
personal



personal severity was not intended, he dissolved the Council and withdrew from the Board.

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The majority proceeded to confer the khilaut upon the infant Rajah, who presented a nuzzar of nine gold mohurs. They also stated that they had felt called upon to interfere in the appointment of parties to fill the several vacancies in the provincial councils, as every day's experience evinced the necessity of endeavouring to break the formidable combination of reciprocal interest "which the Governor had established in his settlement, by accepting unwarrantable advantages himself and conniving at those which were received by the Company's servants. Although the degree of evidence was not such as we could entirely depend upon, we thought however we could scarcely be imposed upon by giving some credit to the reports voluntarily made to us by such persons as had neither courage to declare themselves openly against the late administration or privately to make known the true state of the Government. In the late proceedings of the Revenue Board, there is no species of peculation from which the Honourable Governor-general has thought it right to abstain."

Such were the unqualified terms in which the majority felt themselves authorized to record their sentiments on the conduct of the Governor-general. Astonishment will cease, that a spirit of harmony should have been little known amidst proceedings marked



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Mr. Hastings' Minute.

marked by such virulent and personal feelings. Mr. Hastings indignantly remarked: "To talk of persons having the courage openly to declare themselves against the late administration, is an insult on my situation. The fact is, that it requires courage in any man not to do it, it being universally believed that the surest means to obtain the friendship and support of a fixed majority of the Council, who have the whole power of government in their hands, is to lodge accusations against the late administration, and to refuse is the surest means of incurring their resentment. Promises and threats have been used by the instruments of the majority, particularly by Nundcomar, to obtain accusations against me."*

In alluding to various other instances in which the majority had evinced so decided an opposition, Mr. Hastings observed: "My adversaries have placed me in a situation peculiarly difficult and delicate. They have made me the butt of unceasing persecution for these seven months past, and have called down the whole host of informers from every quarter of Bengal against me. Yet when I have endeavoured to bring to justice, men charged with a conspiracy to ruin my fortune and blast my character with forged and libellous accusations, the same charge is retorted upon me by the gentlemen of the majority, although in all their

* Secret Consultations, 15th and 16th May 1775.

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their most violent attacks upon me they have made professions of the deepest concern for the honour of the Governor-general. This is the very wantonness of oppression; it is like putting the man to the rack, and exclaiming against him for struggling with his tormentors; while rewards are held out publicly to those who will offer themselves as my accusers. You cannot be surprised, honourable sirs, at these effects. Rewards and punishments in the hands of good men in power, are the most useful instruments for producing great and virtuous purposes; when employed by a wicked administration, they serve equally the ends of malice, private persecution and oppression." He disclaimed the intentions which might obviously be ascribed to the appeals which he made to the Court, as solely for his own vindication. "Had this been the sole object which I could have attained, much as I feel for my own honour, and great as my ambition is, to devote my future labours to your service, I should long since have quitted the scene of trouble in which I am involved. If the powers of the vast government which were formed for the purpose of concentrating the scattered and independent parts of your empire, and drawing improvements from it, and proportionable to so extensive a combination are employed only for the support of a faction or for the gratification of private vengeance, and if in the pursuit of such objects, your rights are exposed to a public and judicial



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judicial reference by one part of your administration for the sake of charging on the other the injuries which they may sustain in the discussion, it is my duty to appeal to your authority for the preservation of your constitution, not to your justice for the redress of a personal wrong.*

Mr. Hastings
accused of
favouring a pro-
scribed Nabob.

The unfortunate spirit which existed in the Supreme Council was further evinced on the occasion of the Governor-general presenting a petition from Kureem Alla, who styled himself vakeel from Cossim Ally Cawn, praying that Government would interfere in obtaining from the estate of a native a sum of money to which his master laid claim. The money in question, if belonging to Cossim Ally Cawn, was to be viewed as the effects of an enemy, and the Governor-general accordingly proposed that the question should be referred for the opinion of the Company's standing counsel. Colonel Monson thereupon asked the Governor-general, whether Kureem Alla, who was the servant of a proscribed nabob, had received his permission to come to the Presidency. Mr. Hastings replied, that he had not his permission, neither did he know when he came, but understood that he had been at Calcutta some years. Colonel Monson then asked, whether the Governor-general knew with whom he

* Mr. Hastings to the Court, 31st July 1775.

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he had lived, and who had subsisted him. Mr. Hastings replied, that he neither knew by whom he had been subsisted, or where he had lived; that he had already told Colonel Monson, that in consequence of Kureem's extreme distress, a few days before he had given him a small sum of money, but before he should answer any other questions, he asked to be informed of the object of them. Colonel Monson replied, "I beg to answer the Governor-general's question by another question to him, which is, whether he thinks a proscribed prince has a right to send a vakeel to this Presidency to reside here? My object is to clear the Governor-general's conduct from any imputation that may be thrown upon it; all the world knowing the connexion that formerly has been between the Governor-general and Cossim Ally Cawn. I am more particularly anxious at this juncture to have this matter clearly explained, as I perceive many of Cossim Ally Cawn's adherents, and strenuous opposers of the English, stand forth as the arraigners of this administration, and receive many compliments and civilities from some of the most distinguished characters in this Presidency." Mr. Hastings declined acknowledging any obligations to Colonel Monson for the professed wish to clear his conduct from any imputation which might be thrown upon it, and stated that had he known the views of Colonel Monson, in proposing the questions, he should have felt it inconsistent



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inconsistent with his station to have answered such interrogatories. Kureem Alla was called and examined before the Council, when it appeared that the only sum he had received from Mr. Hastings was 100 rupees, three or four days previous to the present occasion. The proceeding was adopted to fix upon the Governor-general the unjustifiable act of countenancing the vakeel of a proscribed native of rank, and of still maintaining a communication with that native. Mr. Hastings brought the subject to the notice of the Court of Directors in the following terms.

“I shall not deny the connexion which formerly subsisted between Cossim Ally Cawn and myself, whilst he was Nabob of the Provinces. It is as well known to the world as the little advantage which I made of it.* More I shall not say on this subject,

* The facts alluded to were doubtless well known to the European community at Calcutta at the period Mr. Hastings was making his representation to the Directors; but half a century having elapsed since that time, it may be proper to support this declaration by a short extract from the report made by Governor Vansittart, of the proceedings which took place with Cossim Ally Cawn.

At a meeting of the Select Committee on the 22d March 1762, a proposition being made to instruct Mr. Hastings to demand payment of the twenty lacs stated to have been promised by Meer Cossim, Mr. Vansittart protested against such a measure, and represented the circumstances under which the idea of such a present arose. When the treaty was signed with Meer Cossim in the month of September 1761, the Nabob desired to make a present of twenty lacs to him and the other gentlemen of the Select Committee. Mr. Vansittart immediately and absolutely

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subject, unwilling to revive the remembrance of the calamities of his government, or to awaken the unhappy dissensions which attended them. Although I avow the unimportance of the refutation, I do not regret the opportunity which it has furnished me of setting before your eyes from this small sample, the distracted state of your affairs, and the temper and objects of the members who rule your present administration. From the moment of their landing, their aim was, by personal indignities, to provoke me to resign my station and leave them uncontrolled masters of the Government, or by accumulated attacks to blast my character, and to effect the same end by alienating your confidence from me. These are the principles by which they judge of almost every matter which comes before the Board, of whatever nature or importance; and for the truth of this I dare appeal to any section taken at hazard out of the Consultations. Thus the merest trifles impede the course of business, and swell the minutes of the public

lutely declined it, both on behalf of himself and the other members of the Committee. When Jaffier Ally Cawn returned to Calcutta, and Meer Cossim was proclaimed, the offer was repeated, and again declined; but he was informed by Mr. Vansittart, that if his finances admitted of it, he might present the Company with five lacs in aid of their operations at Madras, to which the Nabob immediately consented. Mr. Vansittart further represented, that he returned from Moorshedabad without receiving directly or indirectly one rupee from the Nabob, or from any other person, and that he could aver as much for Colonel Caillaud and Mr. Hastings, who were with him.



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public proceedings; and points of real consequence, which require the coolest and most temperate deliberation, are warped and converted to instruments of personal violence and the support of a party system.

Prompted equally by duty and gratitude, I have hitherto resolved to bear my part in this distracted scene, and if I live I will see the end of it.”*

OUDE.

The affairs of Oude continued to engage much of the attention of the Supreme Government. The Nabob Vizier, suspecting the fidelity of Busheer Cawn, who commanded in Rohilcund, issued private orders for his seizure and assassination. Busheer narrowly escaped: he fled across the river, and proceeded to Agra, where he entered the service of Nudjiff Cawn.

Anoop Gyre and Aumroo Gyre, the two Gosain Rajahs under whom the late Vizier had left the country of the Dooab, openly shook off all allegiance to the government of Oude, and assumed an independent authority. The Vizier ultimately effected their removal from the Dooab, without entering into hostilities. But the affairs of Oude were in such a state as to induce the Government to desire Mr. Bristow would bring the subject before the Nabob, and urge upon him the absolute necessity of forming such a system, and laying down

* Letter to Court, 8th Sept. 1775.



down such regulations as would effectually extricate him from the difficulties and embarrassments occasioned by his irresolute and wavering conduct, and by the ambition of his minister Murteza Cawn. To provide means for meeting the subsidy on account of the brigade, tuncaws were obtained from him to the value of forty-five lacs per annum. The Nabob had recourse to his mother, Baboo Begum, who retained possession of the whole of the late Vizier's treasure. On the entreaty of many of the Vizier's friends, aided by the influence of the Company's Resident, the Begum gave him thirty lacs in ready money, and a release for the sum of twenty-six lacs, which he had previously received from her. This concession was made on condition of his engaging by treaty, ratified by Mr. Bristow, not to molest her again with demands for money.

The Nabob Vizier being satisfied that the only means by which he could effectually discipline his troops and secure their fidelity, was to put them under European officers, applied to the Governor-general, with whom arrangements were made for that purpose.*

Many of the officers who joined him in the month of March, found that the sepoy cheerfully submitted to their commands. But the Nabob
having

Mutiny in the
Vizier's troops.

* Letter, November 1775.



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having dismissed one of his corps of matchlockmen to whom five months' arrears were due, and his promise to pay them in fifteen days being considered by the men a mere evasion, four thousand of them riotously assembled and marched towards the Nabob's camp at Etawah. He went out to meet them in person. Failing in his attempt to satisfy them, and judging that his former passive behaviour had given rise to the present mutiny, he resolved on drawing out 15,000 of his sepoy for the purpose of cutting the refractory corps to pieces if they continued to resist. Mr. Bristow remonstrated against such a proceeding; but the Nabob was inflexible. The 15,000 regulars were drawn out to compel the matchlockmen to give up their arms and accept about 20,000 rupees in full for the pay due to them. The men having been reduced to great distress, and thinking the proffered terms most unreasonable, 2,500 of them stood their ground and supported an engagement for some time with great spirit—repeatedly repulsing their opponents: they were ultimately overcome by the blowing up of a tumbril, six hundred being killed and many wounded. Three hundred of the Nabob's sepoy were also killed, and some wounded. These iniquitous proceedings put an end to the mutiny. Ausuf-ul-Dowlah passed whole days in dissipation, being himself frequently intoxicated, and delighting in making his menials and favourites indecently drunk! He had
little

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little disposition for business, and always referred to his minister Murteza Cawn, who was by no means favourably disposed to the Company.*

The Nabob while at Etawah was invested with the office of Vizier of the empire by a gratuitous appointment from the King. The Governor-general had anticipated that his affairs would have been restored to a state of regularity, and his forces to subjection, but dissensions had been brooding in his court, occasioned by the enmity of the old servants of the Vizier against his minister. Coja Bussunt, an eunuch of extraordinary talents as a soldier, who had disciplined and commanded a corps of infantry, consisting of fourteen battalions, was the chief of the party against the minister. He had quarrelled with him and proceeded to high words in the Nabob's presence, by whom they were apparently reconciled. In token of such reconciliation, Coja Bussunt provided an entertainment for the minister, at which they both became intoxicated. Coja Bussunt retiring on pretence of sickness, had no sooner left the room than five or six men rushed in and assassinated the minister. Coja Bussunt went immediately and reported the murder to the Nabob, who taxed him with being the cause, and ordered him to be beheaded on the spot. These tragical events occasioned an immediate alarm at the Durbar and in the camp.

* Letter to Court, March 1776.



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camp. Saudit Ally, the Vizier's brother, suspecting that his own person was in danger, as he had been refused admittance to the Vizier's presence, mounted his horse and fled with precipitation to Nudjiff Cawn. Fruitless endeavours were made to discover the real occasion of the murder of the minister. Surmises attached it to the Vizier, who, it was stated, wanted a plea to get rid of Bussunt Cawn. He was thus in a moment deprived of his minister, his general, and his brother. During the time that he was negotiating with the Mah-rattas to settle their claims to some countries west of the Jumna, he was carrying on the siege of Jhansi, then belonging to the Peishwa. Suddenly abandoning these objects, he quitted Etawah and returned to Lucknow. In this distracted state of affairs, Mr. Bristow was obliged to act. A part of the Vizier's troops marched to oppose the Mah-rattas. The pay of the whole was in arrear and no funds provided for their discharge; his enemies attempted to excite his troops to mutiny; the native commandants, jealous at the appointment of European officers over them, fomented the disgust. The several battalions under British officers, though at a considerable distance from each other, at once broke out, as by a preconcerted arrangement, into open disobedience and defiance of their officers, and in rebellion against the prince. Their treatment of the Company's officers was as alarming as threats and the appearance

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ance of a very seditious spirit could make it. Some escaped privately and joined the British camp; others recovered their authority, and by means of two of the Company's battalions and other coercive measures, the mutinous troops were either reduced or disbanded. There still remained one general, of whose fidelity the Vizier had suspicion: this was Mahboob Ally Cawn, to whose control he had formerly committed the Corah province. When Mahboob Ally was ordered to march with two battalions under English officers against the Mahrattas, the Nabob applied to General Stibbert to detach two of his battalions to occupy that district in Mahboob's absence. Colonel Parker under the General's sanction, marched into Corah with his detachment. The equivocal conduct of Mahboob led Colonel Parker to imagine that he should render the Nabob an essential service by disarming his officers.

No proof, however, had been given of this suspicion being well founded; but Mahboob's troops having saluted Colonel Parker with twenty-one guns, the latter considered a salute so given to be a mark of defiance, and demanded in the Nabob's name the surrender of the guns; a refusal being given he attacked them within twenty paces; the affair lasted ten minutes, Mahboob's troops were routed, and Colonel Parker obtained possession of the whole park of artillery. It was stated that the Vizier had dismissed Mahboob from his service



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service and had declared him a traitor; thanking Colonel Parker for his services. It was nevertheless asserted that Mahboob had been since at the Vizier's court, and received with some degree of favour. Notwithstanding these untoward events, the Government were led once more to express a hope that the dominions of their ally would shortly recover from the state of distraction and anarchy into which they had been plunged.

Views of the
Directors on
the proceedings
of the Govern-
ment.

The Directors received with regret and disappointment accounts of the continued differences and dissensions in the Supreme Council. Far from disapproving a difference of opinion, they desired that each member should express his sentiments with freedom, and record his dissent to any measure of which he might not approve; but they observed with much concern the warmth of altercation exhibited, which discussions threatened to destroy that mutual confidence and respect so essential to the good of the public service.

They entirely disapproved distant expeditions and expensive wars; they drew a marked distinction between operations essential to preserve the honour of Government or the safety of the Company's possessions, and those undertaken for mere pecuniary advantage. They declared that the revenue regulations of 1772 were intended not only to exclude the servants and dependents of collectors from holding lands on farming lease, but



but likewise the servants of all Europeans, and above all, Europeans themselves, without any distinction. Having fully investigated the charges against Cautoo Baboo, they adopted a series of resolutions which condemned the conduct of the President and Council in having permitted the banian to hold lands. They stated their conviction that sums had been paid by parties holding farms, contrary to the regulations, and conveyed their positive command that not any person in their service should presume to ask or accept, directly or indirectly, any present, gratuity, reward, or benefit from any farmer of the Company's lands or revenues. Nor was the farmer to receive more from the ryot than was specified in the pottah under the regulations. No farmer was to rent lands above a specified amount, hereditary zemindars excepted, and excepting also occasions to prevent inconvenience.

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The regulations prohibiting the loan of money to zemindars, farmers, or ryots, were to extend to all servants of every denomination, and the offender was to be suspended. As monopolies in the hands of individuals in the out-settlements tended to distress the country, the Directors desired that measures might be devised to prevent any undue influence from operating to the prejudice of the fair trader.

The observations and suggestions submitted by General Clavering on the military expenses of Government,



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vernment, were highly applauded, and the conduct of the majority commended, as well as their indefatigable assiduity and laborious researches for the welfare of the Company and of the natives.*

* Letters to Bengal, December 1775, January and April 1776.



CHAPTER X.

DURING the negotiation with Ragobah,* intelligence reached Bombay that the Portuguese authorities at Goa contemplated the conquest of Salsette. To avert such an event, the Council determined to avail themselves of the disposition of the inhabitants to deliver up that island to the Company. The Resident at Poonah was to make such proper representation of the circumstances as would prevent its operating unfavourably upon Ragobah, during the pending discussions on the terms of the proposed treaty.

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Expedition
against Salsette.

The forces under Brigadier-general Gordon left Bombay for Salsette on the 12th December, and reached the fort of Tannah on the following day. Operations being forthwith commenced, it was taken by storm on the 28th. The Company's forces suffered considerably; amongst those who fell was Commodore Watson, the superintendent of marine. The loss of this gallant officer was greatly regretted by the Government, who caused a monument to be erected to his memory at the Presidency, and the Directors appointed

* Vide page 335.



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appointed his nephew a writer on the Bombay establishment, in testimony of their sense of the Commodore's services.

Supreme Government call for Reports from Madras and Bombay.

Before the enterprize had been undertaken, though not previously to its being determined on, a letter was received from the Council in Bengal, announcing their assumption of the Supreme Government under the Regulating Act, and desiring to be informed of the whole of the proceedings regarding Salsette and the general state of the Presidency. A similar requisition was at the same time made to the government of Madras.

The demand was immediately met by both Presidencies. The Bombay Council anticipated that their measures would be appreciated and applauded by the Governor-general.

The following extracts are given from the Reports.

MADRAS.

NABOB OF
ARCOT.

The Nabob of Arcot is the Company's ancient ally. The possessions he holds, including the Tanjore country, are estimated by the best accounts,* at upwards of two crore of rupees. His force, by the best information we can procure, consists of ten battalions of sepoys, who may be considered as regulars, being commanded by European officers, accoutred

* It appears somewhat extraordinary, that with so close an alliance as that which subsisted between the Nabob, generally styled the Nabob of the Carnatic, and the Company, the Madras government should not have possessed more ample as well as more correct information.



tred and disciplined after the European manner, and a battalion of five hundred topasses. He has also four regiments of cavalry, with guns and artillery-men attached to each; and he is at present raising two more, besides the irregulars he maintains, which may be estimated between ten and twelve thousand. The regiments of cavalry are his best troops, having been disciplined by European officers lent to him from this establishment.

As the Company's interests on this coast are so materially affected by their connexions with the Nabob, and as misunderstandings and jealousies have long subsisted, which, notwithstanding our utmost endeavours to remove do still exist, we think it necessary to enumerate some circumstances, which may serve to give you an idea thereof. Some time after the capture of Tanjore, when we had reason to be alarmed by the preparations of the Dutch, in collecting a considerable force at Negapatam, and when an army of Mahrattas was threatening the peace of the Carnatic, we thought proper to represent to the Nabob the necessity of putting a garrison of the Company's troops into Tanjore for the better security thereof; but although every argument was used for that end, he would not consent to it, declaring that he considered the place sufficiently secure in the charge of his own troops. When any measures are adopted by the Nabob which are inconsistent with good policy or the interests of his country, we never fail to use our endeavours, by reason and argument, to dissuade him from them; but having no constraining power over him, the option still remains with himself, either to acquiesce in our ideas or to adhere to his own opinion. We are not only responsible for the safety of the Company's possessions, but we are also charged with the protection of the Carnatic, without any certain resources to provide for the exigencies of a war. To the Nabob we are obliged to look for money, provisions, bullocks,

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bullocks, and in short for almost every article necessary to enable us to equip and maintain an army in the field; and consequently it rests with him either to give those supplies or not, as the measures we recommend may coincide with his views. The truth of this was fully evinced upon a recent occasion, when we were threatened with an invasion by the Maharattas, as we have mentioned before. The Nabob seemed averse to every measure which in prudence we thought necessary to adopt for the safety of the country, and we were given to understand that, as his resources depended solely on the revenues of his country, in case that was involved in war, it would be out of his power to supply us with either money or provisions, and it was in consequence of this declaration that we applied to your presidency for a supply of money, when it was uncertain how soon the Carnatic might be attacked. The danger of such a system is too apparent to require animadverting on.

Connexions of
the Nabob with
other powers.

With regard to the connexions of the Nabob with the European and country powers, we enclose you copies of the treaties subsisting between him and the French and Dutch, and the Rajah of Travancore. We know not of any other alliances that he has entered into, independent of the Company. A correspondence has for a considerable time past been carried on between him and Hyder Ally Cawn, but from the jealousy which they entertain of each other, there appears little probability of a hearty union ever taking place.

French force at
Pondicherry.

The force of the French at Pondicherry is nearly as follows: between nine hundred and a thousand Europeans, and about four hundred blacks, including Sepoys, Caffrees, and Sibbendis. Their revenues and customs are said to be one hundred and thirty-four thousand rupees a year, and their annual expenses two hundred and sixty-four thousand rupees.

With



With respect to the Dutch, they have sent back the troops which they had collected at Negapatam, soon after the reduction of Tanjore, and have reduced their military establishment to its former force, and the Sepoys, which they had entertained at the same time, have since been disbanded.

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Dutch force.

BOMBAY.

The Portuguese at Goa have lately received a considerable reinforcement of troops from Europe on two men-of-war, and two others are expected with a further supply of troops on board.

Portuguese
force.

Alluding to their connexion with Broach, the Report stated: "The unwarrantable conduct of the Nabob of Broach, in evading a compliance with every article of a treaty entered into with him, in the year 1771 determined us, in the support and credit and interest of the Company, to procure effectual satisfaction; and in consequence we sent such a force from hence in the beginning of November, 1772, as reduced the town of Broach, which, together with the territories dependent on it, so far as the Nabob had possessed them, became the property of the Company.

Immediately after this acquisition, we fixed a Chief and Council at Broach for the government of the town and pergunahs, and for the collection of the revenues, with a suitable garrison for its defence.

The Guicowar Mahrattas, whose capital is Baroda, is tributary to the Paishwa or Poonah Mahrattas, and shortly before the present divisions broke out amongst the latter, Ragobah appointed Govindrow, who is the brother of Futty Sing, to be supreme in the Guicowar government, and what was more material, he furnished him with an army to support his claims. With this force Govind Row soon gained

The Mahrattas.



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gained possession of the greatest part of the Guicowar dominions, his brother, Futty Sing, shutting himself up in Baroda, about thirty coss from Broach, and in this situation they have continued for some months past.

Of the Scindy
factory.

At Tattah, situate on the river Indus, the Company have a factory, under a resident and one other servant, who are placed there merely to endeavour at selling their woollen goods, for which the Company have an extensive grant; but as their factory is itself very unimportant, from the small quantity of woollens that is annually disposed of, and as it is unconnected with the political government of the country, which is extremely bad, it is unnecessary to speak further of it here.

Persia.

At the time the kingdom of Persia was in a flourishing state, the Company had factories for the vend of their woollen commodities in various parts of it, and enjoyed many valuable grants and privileges; but this trade decaying by the intestine troubles and divisions that tore that kingdom to pieces for many years after the death of Nadir Shaw, when neither the persons of their servants nor their effects were secure in the inland parts, their factories were at length withdrawn, and reduced to the single one at Gombroon, where the agent and council resided. The insults and oppressions they had experienced in the factories inland, followed them in some degree to Gombroon, which, together with the trade of that port, being turned into another channel, induced the Company to order, about twelve years ago, that the agency or chief settlement in the gulph should be withdrawn from thence, and established at Bussorah, where till then one or two only of the Company's servants resided, for the disposal of their woollen goods, which was done accordingly, and it has since continued so.

The Chaubs,
(Arabs).

At the top of the Persian Gulph, between the rivers which disemboque themselves into it, are the Chaubs, a tribe
of



of Arabs, whose territories lay partly within the Turkish and partly within the Persian dominions, and his dependance on both, he (the chief) ought to acknowledge by paying an annual tribute ; but from the situation of his country, which is very difficult of access, and from his being possessed of a marine force, consisting of about fifteen galivats, which is superior to that either of the Turks or Persians, he has at times refused to acknowledge his dependance on either.

The Company have a fort, with a sufficient garrison to protect it from the country powers, under the establishment of a chief and council. It is situated on the territory of a Malabar prince, called the king of Colastria, who granted a small district to the Company. This factory is kept solely for the purchase of pepper, sandal-wood and cardamoms. The territories of several other Malabar powers are adjacent to this, but they have lately been subdued. 1775.
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The Company have also a factory at Calicut, where one of their servants resides, chiefly for the provision of plank, masts, and timber. This factory is under the orders of that of Tellicherry. Calicut was subject from time immemorial to a prince called the Zamorin, till the last year, when it was taken by the forces of Hyder Ally, with the rest of the Zamorin's dominions, who fled no one knew whither. Tellicherry.
Calicut.

In the progress of the negotiation with Ragobah, he consented to make a deposit of a certain sum in consideration of the military aid he was to receive from the Government. Being unable to fulfil the condition, he consented to a treaty, which was concluded on the 6th March, ceding for ever to the Company, Bassein, Salsette, Jambooseer, and Orpad, with the islands of Caranja, Canary, Elephantia, and Hog Island. In consideration of these Treaty with
Ragobah.



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these cessions, he was to be assisted with a force of not less than 2,500 men, of which 700 were to be Europeans, and a train of artillery : 1,500 only were to be immediately supplied, and the rest, if wanted, afterwards.* A force under Colonel Keating, consisting of 1,500 rank and file, was accordingly sent to his aid.

The Bombay Government, in advising the Home authorities of their proceedings, requested, in consequence of "the many services they had in hand, in which the European soldiers are undoubtedly the life of the cause," that a supply of recruits might be sent out to them.

Before the detachment could join Ragobah, his enemies, through bribery and other means, had induced many of his troops, who were mostly Arabs, to desert him. They then attacked the quarter where he was posted, and ultimately obliged him (he not knowing how far the treachery had spread) to fly, with a body of 1,000 horse, towards Cambay. The Nabob of that place, seeing his situation, and dreading the power of his enemies, refused to admit him. By the advice of the Company's agent at Cambay, he made his way towards Bownagur, where he found a vessel belonging to the Company, in which he embarked on the 23d February. He reached Surat in safety, and was received as an ally and friend of the Company. Two principal chiefs in his army, Conderow and

He is obliged to fly.

* *Vide* Printed Treaties, p. 540.



and Govindrow, with a force of not less than 25,000 men, being within forty coss of Cambay, and still in his interest, and many others being likely to join them, the Bombay Government acceded to the desire of Ragobah, that he should proceed to Cambay, accompanied by Colonel Keating, where he anticipated success against the enemy. They left Surat on the 15th March; in the interim, by supplies from Madras, the force under Colonel Keating was increased to 2,500. The junction was effected on the 28th April, when they proceeded towards Ahmedabad, instead of Poonah, as contemplated by the Council. Various causes, followed by the setting in of the monsoon, protracted the termination of the operations, which it was confidently anticipated would restore Ragobah to full authority at Poonah, as chief of the Mahrattas. The accession of revenue arising out of the cessions, was expected to make Bombay "turn out annually advantageous and profitable, instead of being a burthen to the Company."

While the Council were awaiting the opening of the season to renew the campaign, they received a dispatch on the 12th August from Bengal, censuring the whole of their proceedings, and positively requiring that their designs should be relinquished, and their forces withdrawn to their garrisons, let affairs be in what situation they might, unless their safety should be endangered by an immediate retreat; at the same time plainly

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hinting, that unless the commands of the Supreme Government were punctually complied with, they should exercise the authority vested in them by the Act, in support of their controlling power over the political concerns of the Company in India.

The Governor-general wrote at the same time to Sacaram Bapoo, the chief of the confederacy against Ragobah at Poonah, acquainting him of the total want of authority and power on the part of the Bombay Presidency to act as they had done; and the Supreme Council deputed Lieutenant-colonel Upton to Poonah in the character of plenipotentiary, for the purpose of concluding a treaty with the confederates there.

The Council at Bombay felt indignant at the manner in which the Supreme Government had exercised their new powers, ignorant as they confessed themselves to be of the affairs connected with the Mahratta states, and the interests of the parties at Poonah. They observed that their deputing an officer, even less conversant with the relation in which the Company stood towards the Mahratta states than the Government of Bengal itself, was calculated to place the whole of the Company's affairs in a state of danger, and unnecessarily to degrade the authority of the Bombay Presidency.

They represented to the Supreme Government in the month of July, that the Company's forces
had



had in every engagement gained advantages over the enemy, but in consequence of Ragobah's troops proving far less efficient than was anticipated, they requested a supply both of men and money, to secure the advantages which could not fail to accrue to the Company. A similar application was made to Madras. Another communication was addressed by the President of Bombay, on the 6th of August, to the Governor-general and Council, advising them of the advantages obtained through Futty Sing, the Guicowar, having quitted the ministerial party at Poonah, and concluded a treaty with Ragobah, to whom he was to furnish such troops and money as had been usually supplied by the Guicowar to the Paishwa. Notwithstanding these altered circumstances, General Clavering, Colonel Monson, and Mr. Francis supported the order for the Bombay troops being withdrawn. They also interdicted the supply of aid from Madras. Mr. Hastings considered that the changed situation of Ragobah authorized the required assistance. This difference of opinion from what he originally expressed, having drawn down on him the severe animadversions of the majority, he stated that in discussing a point so important to the safety of the Company's interests, he felt it to be of little moment, whether his opinions, which had no weight in the political measures of the existing administration, were exactly consistent with each other or not, yet it concerned

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Success of
Company's
forces in favour
of Ragobah.

Majority Supreme Council
support order
for withdrawal
of Company's
troops in aid of
Ragobah.

Mr. Hastings
differs.



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his credit to defend them, and he accordingly referred to his former proceedings in proof that there was nothing inconsistent in the opinions he had given. The majority still determined that no reinforcements should be sent from Bengal or Madras, but agreed to extend the pecuniary supply to twenty lacs.

The Nabob of the Carnatic having expressed an earnest desire to be included in any treaty effected through the instrumentality of Colonel Upton, the Bengal Council consented to the Nabob's deputing Mr. Chambers from Madras to Poonah, for the purpose of conferring with Colonel Upton, on the Nabob's intentions.*

Col. Upton
reaches
Poonah.

The latter officer reached Poonah on the 30th December. The negotiation proving unsatisfactory, he made various references to the Government at Bombay, to ascertain their views on the general question. That Government had resolved, notwithstanding the peremptory orders from Bengal, to continue the Company's forces with those of Ragobah, which were encamped at Surat, until a treaty should be concluded.

Retires to
Bombay;
which govern-
ment is autho-
rized to nego-
ciate with
Ragobah.

Colonel Upton being at length constrained to retire to Bombay, the Supreme Government determined to remove the restrictions imposed upon the subordinate presidency, and authorised the Bombay Council to conclude a treaty with Ragobah. In furtherance of this object, a force was prepared

* Letter from Bengal, November 1775.



prepared at Calcutta to proceed by sea to Bombay. Instructions were also sent to Madras for the Council there to render all possible assistance. Communications were at the same time made by the Governor-general to Hyder, to the Nizam, Holkar, Scindiah, and other chiefs, urging them either to join in supporting Ragobah or to observe a neutrality. General Gordon at Bombay was to assume command of the troops belonging to the Presidency, and Colonel Upton those from Bengal.

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These measures were scarcely determined upon at Calcutta, when intelligence reached the Supreme Council, from Colonel Upton, that the ministers at Poonah had agreed to a treaty of peace, which had been signed at Poorunder on the 1st March 1776. It consisted of twenty articles, the third of which declared that, in accordance with the wish of the Paishwa, the island of Salsette and the small islands adjacent were to be restored by the English, they receiving in exchange a country valued at three lacs of rupees, with the chout, in the neighbourhood of Broach, all subject to confirmation by the Bengal Government. That portion of the Guzeraut country ceded by Ragobah to the Company, was to be restored to the Paishwa.* Ragobah's army was to be disbanded within one month. In the event of his not acceding to this stipulation, the English

Treaty concluded at Poonah.

were

* *Vide* page 511.



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were to separate from him. A residence, with a limited personal establishment, and an annual stipend being secured to him. The treaties with the Mahrattas, of 1739 and 1756, were to remain in full force. The Paishwa agreed to pay twelve lacs of rupees, in part of the expenses of the English army. The treaty was confirmed by the Supreme Government with the exception of the part relating to the surrender of Salsette, which Colonel Upton formally declared would not be given up, nor would the proffered territory in exchange be accepted by them.

Half the detachment prepared for service at Bombay, with upwards of two lacs of treasure, had been despatched from Calcutta before intelligence was received there of the treaty of Poorunder.*

Ragobah, as was to be expected, declared that he would never accede to the treaty. He referred to that which he had solemnly entered into with the English nation in 1774: he determined, therefore, to reject every other proposition, and to throw himself upon the protection of the British Government. The authorities at Bombay accordingly resolved to receive him into one of the Company's settlements.

The orders of the Directors fully authorized the retention of the cessions made by Ragobah. They
condemned

* Letter from Bengal, March and May 1776.



condemned the policy observed by the Supreme Government towards the Bombay Presidency, and the interdiction of the aid originally intended to have been sent to that presidency from Madras.*

The Paishwa not having made his stipulated payment to the Company, Colonel Upton was directed by the Supreme Government to quit Poonah and repair to Bombay, from whence he was to carry on his negotiations. The Bombay Council, as well as their representative at Calcutta, Mr. Taylor, most strongly protested against this additional indignity. After protracted and unsatisfactory discussions, the minister at Poonah, at the close of 1777, intimated, through Mr. Mostyn, the Resident from Bombay, a desire to come to some accommodation with Ragobah. The Government of Bombay adhered to their opinion that he was the rightful head of the Mahrattas, and that his elevation would alone secure the interests of that empire with those of the Company. The French, who had at this time obtained access to the Court of Poonah, exerted every effort, through M. Bellecombe the Governor-general of their settlements, to extend the French influence in India. He had sailed from Bengal to take possession of Mahé, and to confer with M. F. Lubin then at Poonah.

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French at
Poonah.

In

* Letters, November and December 1776.



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Government
support Rago-
bah, and form
a treaty with
him.

In March 1778, a revolution broke out at Poonah in favour of Ragobah, in whose name a proclamation was issued for restoring peace and order. In July, the Bombay Council declared that the treaty concluded by Colonel Upton had been violated by the Durbar proceedings; and that they were consequently freed from its obligations. They also declared that measures had become imperatively necessary to defeat the intrigues of the French, who had been long exerting themselves in schemes hostile to the English.* They proposed to place Ragobah in the regency at Poonah, and that he should conduct the government in the name of the Paishwa. This latter arrangement appeared to be in consonance with the views of the Court of Directors.†

The necessary operations consequent upon this determination could not be commenced until the month of September. In October, a treaty was concluded with Ragobah, by which the Company were to assist him with 4,000 troops to conduct him to Poonah.‡

During these proceedings on the western side of India, the attention of the Bengal Council was called to the conduct of Lord Pigot, Governor of Madras, towards the Rajah of Tanjore; and to
an

* Secret Letter from Bengal, April 1778.

† Letter to Bombay, July 1777. ‡ *Vide* Printed Treaties.



an appeal from the Nabob of the Carnatic in relation to the measures of the Rajah. The affairs of these two Native chiefs continue even to this distant period of sixty years to occupy the attention of the home authorities, including that of Parliament.

A brief reference will be made to the relation in which the Nabob and Rajah stood towards each other, and towards the Government of Madras, when the unprecedented event of the arrest and imprisonment of Lord Pigot took place.

Tanjore had been considered in the light of a tributary to the Nabob of the Carnatic, who exacted, as he did from his other tributaries, what his power enabled him. The Company were a party to the original treaty of 1762, and whilst bound to see it fulfilled, they felt it equally important not to support the Nabob in reducing Tanjore so as to bring it immediately under his Government. The Select Committee at Madras, in July 1771, expressed their desire to avoid being parties in subverting the established government of any power with whom the Company had political connexion. Should the Rajah of Tanjore be subdued by the Nabob, they felt it would be better to restore the Rajah or some more fit person of his family upon the throne, he paying a certain present and assigning territory as security for repayment of the expenses that might be incurred by the Company on his behalf. The Directors fully approved of this view. No sooner, however, had

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had the Committee at Madras expressed their intentions to the Court, than they determined to leave the Nabob, who was the inveterate enemy of the Rajah, to negotiate personally with the state of Tanjore : thus, in point of fact, surrendering the Rajah's interests to the will and caprice of the Nabob. The Council intimated to the latter, that whatever might be taken from the Rajah in forts, money, or otherwise, should be left at his disposal. Tanjore was attacked and subdued. When intelligence reached the Directors of this event and of the treaty of 1771, they strongly reprobated the conduct of the Madras Council. They deprecated the estrangement that it would necessarily occasion on the part of the Rajah. They animadverted upon the extraordinary course subsequently pursued by the Madras Council, who, without awaiting the Court's views on their proceedings of 1771, declared Tanjore humbled ; the treaty of 1762 to be positively annulled ; and adopted a resolution to aid the Nabob still further, by withdrawing the troops sent against the Nalcooty and Marawar Polygars, and detaching them for operations against Tanjore.

These measures determined the Court to remove the Governor, Mr. Wynch, and to appoint Lord Pigot as his successor, to whom instructions were given to replace the Rajah of Tanjore on the musnud ; he agreeing to admit a detachment of the Company's troops to garrison that settlement,



ment, as well as to ensure regular payment of the Nabob's demands, and to watch and counteract the intentions or intrigues of any European power in their attempting to form connections inimical to the Company's interests. An account of the garrison was to be laid before the Rajah every three months, and the surplus of the assigned lands, after defraying the proper charges, was to be faithfully restored to him. The Company felt that justice required the Rajah should be placed out of the power of the Nabob, at the same time that the former should not be protected in withholding the proper tribute that was due to the Nabob.

The Directors then expressed their views generally regarding the Company's territories on the coast. After the affairs of Tanjore were settled, the Council were instructed to nominate a Committee of Circuit, for the purpose of investigating the state of the Jaghire and the Northern Circars. They were to ascertain, with as much exactness as possible, the produce of the Circars, the number of inhabitants, the state of the manufactures, the fortified places, the gross amount of revenues, and the sources from whence derived; the mode of collection; the specific proportion received annually by the Rajahs or Zemindars, and that which custom had allotted to the cultivator in reward for his labour. A particular statement was to be given of the security which the native
had

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had for his property ; of the courts which existed for the administration of justice, and how far regulations, similar to those in Bengal, might be introduced into the Circars. They expressed an earnest desire to secure to the Rajahs or Zemindars their annual income, free from the necessity of maintaining an armed force to compel payment. The proportion of the produce to be received by the farmers was to be ascertained, and no more to be exacted.

These orders manifested an anxious desire to proceed upon sound principles, in effectually providing both for the security and happiness of the people, and the just and fair claims of the state. Subsequent events effectually checked the inquiry thus ordered to be carried forward, and postponed to an indefinite period the acquisition of the necessary data, upon which to form a right conclusion on the important measures which the Court had in view.

Lord Pigot took his seat as President and Governor of Fort St. George on the 11th December 1775.

The Council at the first meeting, expressed their opinion that great delicacy would be necessary in announcing to the Nabob the purport of the instructions with which his Lordship was charged by the Directors. After repeated interviews between the Nabob and the President, his Lordship frankly stated, that it was impossible to permit
Tanjore

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Tanjore to remain under his management; that measures must be immediately adopted to restore the Rajah; and that troops would be ordered to take the field for such purpose. The Nabob represented that many groundless reports had reached Europe. He declared that the misconduct of Tuljaujee, in connexion with the Dutch, the Danes, Hyder, and others, together with his having assigned and mortgaged lands, dependencies of Tanjore, to other European nations, threatening to call in the Mahrattas to disturb and lay waste the Carnatic, and attacking the Nalcooty and Marawar Polygars, were some of the causes which had shewn the necessity of his acting; and added, the King “of Great Britain had sent to congratulate me on the success of my troops!” affording another proof of the inconvenience of the missions from the crown of Admirals Sir John Lindsay and Sir Robert Harland.* The Nabob closed his appeal by declaring that he would agree to put Company’s troops into the garrison at Tanjore; that he had placed his life and honour, and those of his children, in the hands of the Company, and had fixed his residence at Madras; but to the proposition to give back the fort and countries of Tanjore to Tuljaujee, and to bring disgrace upon himself,—what answer could he give? He said, “I have been long a friend of the Company; my father’s life

was

* *Vide* pages 291, 308.



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was sacrificed for them, my riches have been expended in their service, and I now beg from their friendship that they will have pity upon an old man's grey hairs!"

This appeal was calculated to interest the most indifferent person in wishing that the claim of the Nabob should be acknowledged, but it was in truth prompted by an implacable hatred to the Rajah of Tanjore, and a thirst for power and acquisitions.

Lord Pigot was not to be diverted from his purpose: he determined to carry the Court's orders into effect. The fort was garrisoned by troops under Col. Harper, and the Rajah set at liberty. His Lordship proceeded in person to restore the Rajah. A difference of opinion arose as to what military powers could be exercised by the President out of the fort. Sir Robert Fletcher objected to orders being given to Col. Harper to obey Lord Pigot. The Nabob at the same time urged delay until answers had been received from Europe, as he was sure no such orders would have been given had the facts been fully stated. Lord Pigot nevertheless proceeded to Tanjore, and issued a proclamation, restoring the Rajah, who, in addressing his Lordship, said, "Had I a thousand tongues, I could not express my gratitude." At this time Mr. Paul Benfield, whose name was so frequently before the public in connexion with the creditors of the Rajah, preferred a statement of his demand to the Council. Lord Pigot referred to
the

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the Act of 1773, which he considered to recognise *just* claims only. His Lordship had suggested the appointment of a Resident at Tanjore, and submitted Mr. Russell's name for the office; Col. Stuart was opposed to his Lordship's proposition. That officer himself being proposed by the majority for the station of commandant of Tanjore. Lord Pigot refused to put the question of approval on the orders to Col. Harper to deliver over the command to Col. Stuart. The majority of the Board insisted upon their right to decide, and called upon the secretary, should the president persist in his refusal, to put the question to each member, beginning with the youngest. After the letter had been approved and signed, Lord Pigot took it from the secretary, and intimated that he should stop the matter where it was. His Lordship then charged Messrs. Stratton and Brook with issuing orders subversive of the established authority, and the majority with a desire to overturn the government. They protested at the same time in the strongest manner against the arbitrary act of Lord Pigot. The proceedings terminated in the arrest of his Lordship, and in his confinement at the Mount, under the orders of the majority. The admiral, Sir Edward Hughes was invited by the Council, who, as the majority, had assumed the government, to attend the Board on the 25th of August, in order that he might have explained to him the circumstances relative



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relative to so extraordinary a proceeding as the seizure of a governor. After hearing their statement, he requested to be furnished with a copy of the proclamation and of the Commission constituting the government of Madras. On the 27th Sir E. Hughes addressed the Board :

Reply of Sir
Hughes.

In reply I have only to say, that, as a good subject, and a hearty well-wisher to our country and the Company, and as the known friend of all parties, it will be difficult for me to express to you my amazement and sorrow at such disagreements, productive of such extraordinary consequences. You may naturally be led to suppose, gentlemen, that situated as I am, and finding you in possession of the government of a presidency, I am ordered by his Majesty to communicate with you for the common cause, and for the welfare and interests of the Company. I shall join you in all such measures tending to those desirable ends, when you may find proper to call for my assistance.

On the same day the Admiral wrote to the Board, stating that Lord Pigot having claimed the protection of the King's flag, "I am to require, in his Majesty's name, that you give orders for his Lordship's safe conduct to my ship." On the 4th September Sir Edward Hughes attended a council of the government, when various questions were put to him as to his becoming responsible for Lord Pigot if his lordship should be given up to him. Sir Edward Hughes declined to answer any question until he received a reply to his letter of the 27th: one was accordingly written on 4th September, and placed in his hands. The
Admiral's



Admiral's reply was made on the 5th, and stated that the requisition for safe conduct to his ship being made in the King's name, no terms could be admitted. He could only repeat and again require, that safe custody might be given his Lordship to the Admiral's ship."

The Council sent the following reply to the Admiral:—

As loyal subjects to his Majesty and faithful servants to the Company, we shall always shew the greatest veneration for the sacred name of his Majesty, and the utmost respect to the British flag; but, having no proof that his Majesty empowers any of his officers to require the removal of any servant of the Company in a similar situation with Lord Pigot, from under the authority of the Company's Government, we beg to add that this is another reason why we cannot surrender his Lordship.

Proceedings at
Madras regard-
ing Lord Pigot.

The Admiral replied to the communication from the Council on the 7th September:—

I confess I should have been disappointed to have been told that you had any proofs before you, that his Majesty had empowered any of his officers to require the removal of any servant of the Company in a similar situation with Lord Pigot. I believe the case to be unexampled, and I feel in my heart that I have done my duty to his Majesty and to my country in making the requisition. I must leave the results and all ill-consequences with you.

The Supreme Government determined to support the majority as the legally constituted government under the Court's orders, a copy of which



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they transmitted to Lord Pigot, with the announcement of the resolution they had adopted.

The Council at Bombay having declared it to be their intention to support Lord Pigot, the Governor-general remonstrated in the strongest terms against the irregularity of their resolution, and the dangerous effect which might be produced by an appearance of disunion between them and the Governor of Madras.*

Colonel Monson being precluded by ill-health from attending the Council, the foregoing proceedings were sent to him for his information and concurrence; he expressed his sense of the attention shewn to him by his colleagues, but stated that he thought any opinion given when absent from his seat in council would be unconstitutional, he therefore declined to offer any opinion, although he had little doubt he should have united in the sentiments of the Board. This gallant officer removed to Hooghly for change of air, where he expired in the night of the 25th September.

Death of Col.
Monson.

General Clavering had written to the Directors on the 23d of that month, representing that Colonel Monson's illness had long deprived the Board of his invaluable services. He stated, that the Government of Bengal had in fact been vested in the hands of Mr. Hastings and Mr. Barwell for

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* Secret Consultations, 10th September 1776.



an indefinite time, by the Governor-general's casting vote: "men whose conduct you have censured in every letter of this season, but whose principles are so incompatible, that my duty to you, to the public, and to myself, oblige me to declare that I do not hold myself responsible for the safety of these provinces whilst the government continues conducted as it now is." He concluded by requesting that the King's ministers might be informed of his intention to resign his post of councillor and commander-in-chief, in the month of November or December 1777.

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The whole of the proceedings regarding the arrest of Lord Pigot were reported to the Home authorities from Madras, on the 24th September 1776. On the 9th May following the General Court passed a resolution, highly disapproving of the removal of Lord Pigot, but at the same time recommending the recall of his Lordship and that of all the members of council, in order that their conduct might undergo a full inquiry. The resolution was passed by 414 votes to 317. The matter was likewise taken up in Parliament. His Lordship's death, which occurred on the 11th May, was, in a great measure, caused by the effect of the proceedings upon a naturally irritable frame. He was succeeded by Mr. Rumbold.

Resolution of
Proprietors on
Lord Pigot's
case.

The Directors had resolved to order the restoration of Lord Pigot, and appointed Mr. (afterwards

Orders of Directors as to
proceedings of
future Govern-
ments.



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Sir Thomas) Rumbold second member of council, with succession to the government. In consequence of the embarrassment occasioned at this juncture by the proceedings of Mr. Benfield and other parties contracting pecuniary engagements with the Rajah of Tanjore, and with other country powers, specific commands were sent out prohibiting all persons from being concerned in such transactions. Regulations were likewise laid down for the guidance of the Council in future.

1. The opinion of the majority was to bind the minority; but in the event of equality of votes, the President was to have the casting voice.

2. Any question proposed in writing was to be put by the President, or, in his absence, by the presiding councillor.

3. In the event of the President refusing to put the question, the councillor next in succession was to propose it; and on his declining, the third member present, and so on.

4. All orders and instructions were to be issued in the name of the Governor and Council, although the Governor might dissent.

5. The Council was only to be dissolved by a vote of the majority.

6. No councillor was to be suspended, but by the votes of three parts in four of the members resident at the presidency. No governor possessing a commission from the Court was to be imprisoned or removed, except for felony, breach of trust, or unfaithfulness to the Company.

7. If the President refused to summon a council when requested by three members, then the secretary was to
summon



summon a meeting, on receiving a requisition for that purpose in writing.

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MADRAS.

8. Unless a council had been so summoned, no proceedings of a meeting, although of the majority, were to be valid.

9. No officer, civil or military, was to obey any orders from the government, unless issued in the name of the President and Council, countersigned by the secretary. Inquiries were ordered to be made into allegations that presents had been received by Lord Pigot; and Colonel Stuart was suspended for the term of six months, to admit of a full investigation regarding his proceedings.* Major (afterwards Sir Hector) Munro, was appointed commander-in-chief.

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Proceedings on
a new Revenue
settlement.

Another subject of difference in the Bengal Council arose on the question of a new revenue settlement. That which had been concluded in 1772 with the farmers for five years, failed to produce the expected improvement, because they had engaged at a higher rate than the districts could afford. The matter had occupied the attention of the Government in 1775: in November 1776, Mr. Hastings recorded a minute, jointly with Mr. Barwell, and submitted a plan for adoption in the provinces at the expiration of the then existing term. Amongst the proposed provisions were the following:—

Views of Mr.
Hastings.

That all taxes which had been imposed upon the ryots since 1764-5 should be entirely abolished.

That the Twenty-four Pergunnahs should be sold as
zemindariaries

* Letters to Madras, 11th June and 4th July 1777.



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zemindarries by public auction, in lots not exceeding a jumma or rent-roll of 20,000 or 30,000 rupees. The revenue to be paid by the purchasers to be settled on an average of the three preceding years' collections, with an allowance of fifteen per cent. to be deducted for charge of collection and their profits. The revenue to remain fixed at that rate during the life of the purchaser, the Government having liberty to sell if the zemindar should be deficient in his payments.

That all the other districts in Bengal should be farmed out on leases for life, or for two joint lives, to such responsible persons as should offer the most advantageous terms, allowing the preference to the zemindars. It was not to be in the power of Government to change or deviate from them on any occasion, or for any pretence whatsoever. The continual variation in the mode of collecting the revenue, and the continual usurpation on the rights of the people produced by the rapacity or remissness of the Mogul Government, and in that of the English by a desire to acquire *reputation* from a sudden increase of collection, without sufficient attention to remote consequences, had fixed in the minds of the Ryots a rooted distrust of the ordinances of Government. No assurance, however strong, would persuade them that the laws which had no apparent object but the ease of the people and the security of property, could be of longer duration, unless confirmed by a stronger pledge than the resolution of a fluctuating administration.

Views of Mr.
Francis.

Mr. Francis considered that the opinion of the governing power, being the proprietor of the soil under the constitution of the Mogul government, was erroneous, and that a *permanent fixed* tribute ought to be determined, instead of acting upon the principle of raising the greatest possible revenue



venue from the country, a principle which had prevailed from the acquisition of the Dewanny, and under which he was satisfied the Government had been living upon its capital, or in other words, had annually taken a portion of the existing wealth which ought to have been reserved for future production. He urged at considerable length, and with great ability, the necessity of establishing some general fixed system of policy for the government of the country, and not to aim at purchasing immediate advantage, inconsistent with the permanency of our dominion, or the welfare of the natives. It would be absurd, he observed, to propose a plan for the internal settlement of the country, without taking it for granted, in the first instance, that ere long it will be determined whether the natives of Bengal are to acknowledge one sovereign, or to be subject to one government, or whether they are to be left in their present state, divided between their native prince, claiming the title of soubahdar, whose government, the Company tell us, they are solemnly bound to support; the emperor, whose rights, as lord paramount, inherent in the constitution of the empire, have for a number of years been acknowledged by the Company; the presidency of Fort William, who hold the sword by agreement with the Nabob, as they do the grant of the purse from the emperor; and lastly, a court of judicature, exercising an unlimited jurisdiction

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risdiction through the provinces in the name of the King of Great Britain. The decision of this great question must originate at home. For the purpose of forming an internal settlement, it is sufficient to suppose that the undivided sovereignty shall be assumed and declared by his Majesty, whether directly and to all intents, or with a reserve of the actual government to the Company. The sovereignty once declared, the subsequent question, *viz.* in what manner it may be most expedient to exercise it for the permanent benefit of the governing power, will be relieved of a great part of the difficulty which now attends it."

Ten years had not elapsed since the Company stood forth in the character of Dewan, under the grant to them of the revenues of Bengal, Bahar, and Orissa. It was too much to expect that either sufficient time had been given, or that means had been possessed by the Government, to enter upon the inquiry with a reasonable hope of arriving at anything like a satisfactory result, even under the suggestion of Mr. Hastings; still less could it be expected that the preliminary point insisted upon by Mr. Francis could be decided, at so early a period of the Company's acquisitions. The minute of Mr. Hastings was framed for a practical result; that of Mr. Francis, able as everything was which proceeded from his pen, contemplated a prospective measure, which



which he little anticipated would have required half a century to effect, and that the attempt at an earlier attainment of the object would be followed by the exclusion of the distinguished leader of his party from the councils of his Sovereign for more than twenty years.

Nothing final resulted from these proceedings of the Government. But the period drew nigh when the Governor-general felt that the new settlement would necessarily press itself upon their attention, and must be decided. He accordingly recorded a minute in the month of November 1776, in which he pointed out the necessity, before coming to a decision, of being previously furnished with accurate statements of the real value of the lands, and the grounds upon which they should be prepared. To obtain them he felt would be a work of labour requiring much official knowledge, some management, and unremitting application, in comparing and collating the accounts of the past collections, in digesting the materials which might be furnished by the provincial councils and dewans, in issuing orders for special accounts and other materials of information, and in deputing native officers on occasional investigations. He felt the impossibility of the Revenue Boards conducting a business of such detail, and that it could not be left wholly to the provincial councils, as it required uniformity in its design, authority in its execution, and

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Further minute
by Mr. Hastings.



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and an extraordinary share of responsibility to animate the zeal of those who should be entrusted with the charge of it. He therefore proposed that a temporary office should be constituted to execute the business, under the conduct of one or two covenanted servants of the Company, assisted by a dewan and other officers, either selected from the office of the khalsa, or occasionally chosen for special commissions. To ensure despatch, it was proposed that all orders issued from the office, when sanctioned by the Board, should be written in the name of the Governor-general, and that the control of it should be committed to his immediate charge.

Opposed by
Messrs. Claver-
ing and Francis.

This suggestion met with the most determined opposition on the part of General Clavering and Mr. Francis. The latter recorded sundry minutes in reply to that of Mr. Hastings. General Clavering declared it to be an attempt on the part of the Governor-general to assume an authority which he considered to contravene the constitutional form of the Council, and that the intention of the measure was to exact from the people the utmost revenue they could pay.

The proposal was at length carried by the casting vote of the Governor-general. Messrs. Bogle and Anderson, together with the Accountant-general, were to form the Board. Letters being proposed by Mr. Hastings to the provincial councils, calling upon them to aid in promoting the measure,



measure, and that the members of the Supreme Council should sign them, Mr. Francis opposed the extension of such power to the councils, as unwarranted by law, and as being inconsistent with the general duties of a councillor.

General Clavering would be no party to deprive himself of any of the rights that had been assigned to him as a member of the Government; he protested against the intended measure; he declared he would not sign the proposed letters, and that, to the utmost of his power, he would render every person liable for every act done by them in virtue of an order issued by Mr. Hastings.

The letters were nevertheless ordered to be sent forward. Protests and rejoinders were recorded on the proceedings of the Government. The subject was closed by Mr. Hastings observing that he thought it had been exhausted, and referring to his minute for a reply to the arguments urged against it.

In announcing this measure to the Directors, the Governor-general and Mr. Barwell urged in their justification, that some preparatory means were necessary to the formation of the future settlement of the province at the close of the existing settlement. If the Council were not unanimous in their choice of these means, it was undeniably necessary that the choice of that part in which the constitutional majority coincided should prevail,

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prevail, and it was equally clear that the acts of such majority were the acts of the Government, and they considered that General Clavering and Mr. Francis, in refusing to be bound by the majority, were guilty of a breach of the law. "Unfortunately the power which we possess is but accidental, and its duration uncertain. The declared expectations of the change to take place in this government, with the arrival of the *Eagle* packet, favoured, perhaps, by the severity of your late censures on us, and the indulgent sentiments expressed to our opponents, tend to scatter doubts and distrusts in the minds of the people, to weaken our authority, and to sanctify every opposition to it."

Supposed
illegality of Mr.
Hastings' mea-
sure.

In the opinion of Mr. Farrer, the Company's standing counsel, the measure of investing Mr. Hastings with the proposed independent power was illegal and contrary to law.

General Cla-
vering supports
natives.

In its progress, the conduct of some of the native aumeens, who had been sent into the interior for the purpose of collecting documents, was stated to be cruel and unjustifiable, and that they had beaten and otherwise ill-treated the natives. In order to ascertain the legality of their exercising what was considered to be such unbridled sway, General Clavering, in May 1777, advised the Directors that he had determined to support, in a civil suit, a native writer who had been ill-treated in the district of Rajeshaye.

Differences



Differences continued to distract the Council. The opponents of Mr. Hastings declared that he had never clearly avowed the object of the inquiry which he had instituted; they still urged its illegality, and his desire to raise the revenue at the expense of the zemindars, who he was charged with desiring to deprive of their inheritance.

He disavowed these motives; "I am entitled to credit, because, in the first place, I am certainly the best judge of my own intentions; and in the second, it would be the height of imprudence to make such a declaration on a point not ultimately depending on my will, if I really meant to act contrary to it. But I will not stop at this negative declaration. It is my earnest wish, and my united object, in the enquiry which I have set on foot, to establish an *equal*, an *easy*, and a perpetual assessment of the public revenue, to collect it through the zemindars, where they are capable of the charge, and to employ other means where they are not, still reserving to the zemindars a fixed proportion of the net revenue arising from their lands."

In reply, General Clavering declared, that Mr. Hastings evaded what he could not defend, and misrepresented what he avoided to answer; and lest the art with which his minute was drawn up, intended as it was to deceive those who had not leisure to compare documents, might throw a veil over facts, which it was vainly attempted to
remove,

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remove, he should sit down to point out that his declarations, combined with his conduct, did in fact amount to nothing less than a subversion of the Government, and that he was convinced of the justness of the remark made by an eminent personage in England, on reading his defence of the Rohilla war, "that the arguments it contained would even have been unworthy of Mrs. Rudd."*

Mr. Hastings alluded to General Clavering's minute in the following terms: "it is beneath a reply. He may continue to revile me with language yet grosser, if grosser can be invented. This, with the other evils attendant on my present situation, while I continue in it, I must bear, and he knows it."

The Court of Directors having considered the various circumstances connected with the letting of the lands, as communicated to them from Bengal,† directed that only annual settlements should be entered into, and the lands to be let for each succeeding year on the most advantageous terms. In every

* This female was tried as an accomplice with the Messrs. Perreau, who were executed for forgery in 1775. Without questioning the delicacy of the comparison, it establishes beyond all doubt the fact that Mr. Hastings' opponents did not confine their differences to the council chamber, but were in correspondence with influential parties opposed to him in England, as the defence was not sent home till October 1774, the month in which the new councillors reached Bengal. *Vide* pages 410 and 419.

† *Vide* pages 413-425.



every disposal of the lands, they enjoined that a strict preference should be given, and every indulgence shewn, to the native inhabitants, and that no European, or the servant of an European, should be permitted to hold any share.

Demands were to be made for outstanding balances, but should cases requiring lenity arise, the Court authorised the remission of such part, or even the whole, as might appear proper in the judgment of the Governor-General and Council.

The Court cautioned the Government against sudden transitions from one mode to another, in the management and collection of the revenues, as being calculated to alarm the inhabitants. At the same time they admitted the importance of ascertaining with precision, as far as possible, what revenue could be properly collected from the country without oppression. As the distance of many of the districts from Calcutta, would render it necessary for the zemindars or farmers to treat with the provincial councils, or other agents of the Company, hereditary zemindars were to be continued, where they could with safety to the revenues, and were to enjoy their zemindarries on terms sufficiently moderate that they might maintain a degree of respect amongst their dependants. This object the Court directed might be kept in view in every agreement made with them. After having ascertained the various taxes or collections that had been imposed upon the districts
since

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since the Company's acquisition of the dewanny, the Council were authorised to abolish the whole, or such part thereof, as might appear to weigh oppressively on the country. Wherever lands had been let at a reasonable rate, and the zemindar or renter fulfilled his engagements to the satisfaction of the Government, no such party was to be dispossessed of, or compelled to pay an advanced rent, without the most substantial reasons for such advance, and even then the occupant was to have the preference over all others, and to be suffered to continue at a moderate additional rent. But in all instances where the increased value should not be considerable enough to become an object to Government, no zemindar or renter was to be dispossessed or molested, but permitted to enjoy the fruits of his industry and improvements, and to renew his lease or agreement from year to year, without any increased rent.

If the provincial councils were not found to answer the intended purposes of their appointment, the Government were directed to form a new plan for the collection of the revenues, and submit the same to the Court's consideration.*

Only four months had elapsed from the despatch of the foregoing instructions to Bengal, when the Directors received an account of the measures adopted in pursuance of the Governor-general's minute

* Letter to Bengal, February 1777.