was more than usually abundant. The worst suffering was ... between May and September. The best estimates indica... one-third of the population perished. The effects of depop... were long felt, so that even in 1789 Lord Cornwallis could ... Bengal to the extent of one-third as 'a jungle inhabited ... wild beasts'. The puny efforts of private charity, which ... to have been generous, could do little to alleviate the overwh... distress. At Murshīdābād the Resident reported that th... were feeding on the dead and that the streets were chok... corpses. Such scenes were no novelty in India. They ha... witnessed twice even in the reign of victorious Akbar, and ... times throughout the centuries.

The obligation to relieve famine at any cost and to strain ... nerve of the administration in order to save life, which wa... acknowledged by any native government. Hindu or Muham... was very imperfectly recognized even by the Anglo-Indian g... ment before 1873. In 1770 such notions concerning the d... a ruling power had not occurred to anybody, Indian or Eur... and if they had occurred, the means for putting them in pract... not exist. The East India Company's officers cannot be blam... the failure to deal with the famine on modern lines. They d... then administer the country, of which the revenue affairs ... solely in charge of Muhammad Razā Khān, who did not ... about the sufferings of the people. He collected the re... almost in full and added 10 per cent. for 1771.

Warren Hastings, in his masterly review of the state of B... dated November 3, 1772, addressed to the Directors, tel... terrible truth about the methods of revenue administration ... the 'double government' system.

'The effects of the dreadful Famine which visited these Provin... the Year 1770, and raged during the whole course of that Year, have ... regularly made known to you by our former advices, and to the pub... laboured descriptions, in which every Circumstance of Fact, and ... Art of Languages, have been accumulated to raise Compassion, a... excite Indignation against your Servants, whose unhappy lot it w... be the witnesses and spectators of the sufferings of their fellow-crea...

But its influence on the Revenue has been yet unnoticed, and ... unfelt, but by those from whom it was collected; for, notwithsta... the loss of at least one-third of the inhabitants of the Province, an... consequent decrease of the Cultivation, the nett collections of the year ... exceeded even those of 1768, as will appear from the following Abs... of Accounts;'

which follow, but need not be quoted.

'It was naturally to be expected that the diminution of the Rev... should have kept an equal pace with the other Consequences of so ... a Calamity. That it did not, was owing to its being violently kept u... its former Standard. To ascertain all the means by which this was effe... will not be easy.'

Hastings proceeds to dilate on the difficulties of the investigat...

... famines specially an iniquitous tax called *najai*, which ... unlawfully levied.

... tax, though equally impolitic in its Institution and oppressive ... mode of exacting it, was authorised by the antient and general ... of the Country. It had not the sanction of Government, but took ... as a matter of course.'

... consideration of the writer's further observations on the ... system or lack of system in that age is reserved for the ... chapter, which will deal with his memorable, although seldom ... termed administration of Bengal as governor for more than ... years.

CHRONOLOGY

... ud-din Sūbadār of Bengal	1725–39
... Khan Sūbadār of Bengal	1740–56
... of Orissa (Cuttack) to the Marāthās	1751
... expedition of Watson and Clive	1755
... d-daula Sūbadār or Nawāb of Bengal; capture of Calcutta	1756
... ture of Calcutta; storm of Chandernagore; battle of Plassey; ... sion of Twenty-four Parganas; Mīr Ja'far Sūbadār or ... wāb	1757
... of the Dutch at Biderra	1759
... tion of Clive; Vansittart governor of Bengal; Mīr Kāsim ... appointed Nawāb or Sūbadar of Bengal	1760
... re of Europeans at Patna and elsewhere; restoration of Mīr ... Ja'far as Sūbadār or Nawāb	1763
... le of Buxar	1764
... th of Mir Ja'far; Clive governor of Bengal; Select Committee	1765
... mous combination of European officers	1766
... rture of Clive; Verelst governor of Bengal	1767
... governor of Bengal	1769
...	1770

Authorities

... most useful of the general histories is that by Thornton. The ... special works consulted are Orme; Stewart, *History of Bengal*, ... 1813; *Siyāru-l Mutākherīn*, vol. i, transl. Briggs (London, ... Fund, 1832), and the rest by Haji Mustapha (Raymond), Calcutta, ... There is a reprint, 1902. Ives, E., *A Voyage from England to ...*, &c., London, 1773; Hill, S. C., *Three Frenchmen in Bengal*, ... London, Longmans, 1903; *Calendar of Persian Correspondence*, Imperial ... Dept., Calcutta, vol. i, 1759–67 (publ. 1911); vol. ii, 1767–9 ... 1914). Holwell's *Narrative* is reprinted more or less fully in ... J. Talboys, *Early Records of British India*, Calcutta, Newman, ... Hosteed, H. E., *Echoes from Old Calcutta*, London, Thacker, 1908, ... in other works.

... long-promised *Life of Clive* by Sir G. Forrest appeared in September, ... The subject has been treated by Sir John Malcolm (Murray, 1836); ... G. R. (Murray, 1861); Malleson (Rulers of India), and other ... The *Life* bearing the name of Caraccioli, Charles (London, ..., 1777), is a venomous libel written in the interest of the mutinous

officers of 1766. The book, *Considerations on Indian Affairs* by Bo
is almost equally hostile and needs to be read with caution (
1772). In the same year VERELST, HARRY, replied by *A View of
Progress, and Present State of the English Government in Bengal*.
SITTART, H., defended his administration in *A Narrative of the Tra
in Bengal, 1760–4* (3 vols., London, 1766). The four works last
include the texts of the treaties and numerous other documents.

All essential information about the famine is given in HUNTER, Si
Annals of Rural Bengal' (London, Smith, Elder, 1897). For the
career of William Bolts, who was a Dutchman, see *Ind. Ant.*, 1917,

CHAPTER 3

Warren Hastings as governor of Bengal, 1772–4; the Rohilla wa
Regulating Act.

Early life of Warren Hastings. The creditable cond
Warren Hastings in the transactions of Mīr Kāsim's time h
briefly mentioned, but a more explicit statement of the l
facts of his early official career is needed to make his p
fully intelligible. Unfortunately it is impossible to relate
place the fascinating story of his life. The most materia
stated in the briefest possible manner are these.

Warren Hastings, a descendant of an ancient and hono
although impoverished family, was born in December 173
came out to Calcutta as a writer in the East India Com
service before he had completed eighteen years of age. A
apprenticeship employed in office work he was posted to K
bāzār (Cossimbazaar). When Sirāju-d daula captured
factory Hastings was made prisoner. He escaped, join
countrymen at Faltā, and served under Clive, who reco
his merit. In 1761, being then in his twenty-ninth year, Ha
became a member of council at Calcutta. He went home in
and returned to India in 1769 as second in council at M
where he was employed chiefly on commercial business. H
his work so well and honestly that the Directors selected h
succeed Mr. Cartier as governor of Bengal. He took cha
that office in April 1772 in the fortieth year of his age and th
ness of his intellectual powers.

Confidence of the Directors. It is important to note
Warren Hastings throughout the whole of his earlier s
enjoyed the confidence of his superiors in an exceptional d
The Directors, when sending him to Madras, bore testimo
his 'great ability and unblemished character'. In May 177
Secret Committee gave him still stronger marks of their c
by writing confidentially to him that 'they could not hav
denced more clearly the confidence they repose in your abi
zeal, and integrity than they have done by their app
ment of you to preside in their council in Bengal'. Two
later they expressed their 'entire approbation' of his co

their 'utmost satisfaction', offering at the same time their
rances of protection and support'.
e eulogy pronounced by the Prime Minister was still more
astic and significant:

> n the passing of the Regulating Act in 1773, he [Lord North] stated
> House that as first Governor-General "he should propose a Person
> though flesh and blood, had resisted the greatest temptations—that
> filling great Offices in Bengal during the various Revolutions that had
> en in that Country, never received a single Rupee at any one of them,
> whose Abilities and intense application would be apparent to any
> rson who would consider what he had done during the first six months
> his Administration".'[1]

The man who had earned such trust by twenty-three years of
ful service could not possibly have become in the next year
corrupt tyrant depicted in the outrageous libels which poisoned
of his life and still exercise an improper influence on current
ion. It was the misfortune of Hastings that from 1774 he
me the object of the 'vile malevolence' of Philip Francis,
eloped incessantly to usurp his office, and spared no efforts
the attempt to ruin the man whom he envied and hated. The
gnant spirit which had composed the venomous *Letters of
ius* found equally congenial occupation in organizing a con-
acy against Hastings,[2] contrived so artfully that even Pitt
Burke were beguiled.

Difficulties of Hastings. It is hardly possible to exaggerate
difficulties which confronted Hastings. The imperfect reforms
un by Clive had produced little real improvement, and a
rnment worthy of the name did not exist. The task of Hastings
the creation rather than the amendment of a tolerable
inistration. Three months after taking charge he wrote that
new government of the Company consists of a confused heap
undigested materials, as wild as the chaos itself'. Various
nches of business were 'all huddled together', no clear
aration of departments being recognized. Arrears of work
ng back for years had to be cleared away, and honest men
re extremely scarce. The small supply of competent officials
been so much diminished by the massacre of Patna in 1763
mere youths had risen to positions far above their deserts
capacity. The young gentlemen who had been appointed
control the collection of the revenue, called Supervisors at first
Collectors later, monopolized the trade of the country, espe-
ly in grain, and were themselves the tools of their Bengālī
nyans', or men of business, whom Hastings described as

[1] Quoted by Miss Monckton Jones in *Warren Hastings in Bengal, 1772–
*, p. 104 (Oxford: Clarendon Press, 1917), from B.M. Add. MS. 29209, 9.
passage does not seem to have been published previously.

[2] The first series of the political pamphlets, 70 in number, entitled the
ers of Junius, appeared in the *Public Advertiser* between January 21,
, and January 21, 1772. The conclusive evidence that Francis was
author is cited by Busteed, *Echoes from Old Calcutta*[4] (1908), p. 59.

'devils'. The courts of justice were a byword; the cou
ravaged by gangs of savage dacoits or brigands, and hug
of marauders figuring as religious devotees (Sanyāsīs) ran
the province in their thousands. The currency was in
confusion, and coin was insufficient in quantity. The list
might be much prolonged, but it is sufficient to say in
terms that everything was wrong. Hastings, who had
stringent confidential instructions from the Directors t
out abuses regardless of persons, found it impossible to do



WARREN HASTINGS
(as a young man).

was required of hi
though, as he said, h
was against every n
every man's hand
him. As it was, h
fessed mournfully
years later that hi
exertions had cost
world of enemies
worked with untiring
try, and did all tha
could do, but with
sarily imperfect s
He was forced som
to compromise and
tolerate 'jobs'. Hi
laid the foundation o
Lord Cornwallis, m
vourably situated, w
to build a coherent s
The actual achiev
of Hastings will n
described in a sum
fashion, omitting mu

**The achievemen
Hastings.** The Co
having resolved to
forth as Dīwān', th
of collection of reven
transferred from Murshīdābād to a Board of Revenue at Cal
which thus became the official capital of British India from
a distinction which it continued to enjoy until 1912, when
command transferred the head-quarters of the Governme
India to Delhi.

The allowance of the young Nawāb of Bengal, who had b
merely a distinguished nobleman, was cut down by on
but economies in useless expenditure left him more money to

[1] The whole Council sat as the Board of Revenue. Strachey giv
number of councillors as nine; other books state it as twelve, a
latter number was advocated by Hastings. The number seems to
varied from time to time.

had had before. The appointment of Mannī Bēgam as
n of the Nawāb was afterwards made the subject of foul
ised charges preferred by Nandkumār and his base
associates. It is sufficient to say that the appointment
ioned unanimously by the Calcutta Council and warmly
ed by the Directors. The titular emperor, eager to return
had thrown himself into the hands of the Marāthās,
d him practically a prisoner and used him as a tool.[1] He
termined to make over to them the provinces of Allahabad
and which had been assigned to him for support. Hastings
withdrew the tribute or allowance of twenty-six lakhs
had been assigned to him as a dependant of the English.
ld have been the height of absurdity to continue the payment
benefit of the Marāthās, the most formidable enemies of
mpany. Hastings kept on friendly terms with Shuj'āu-d
the ruler of Oudh, whose territories he regarded as a buffer
interposed between the British provinces and the Marāthās.
ely support of Shuj'au-d daula involved him in the Rohilla
the subject of so much lying declamation.
stings did what he could to improve the administration of
and constituted courts of appeal at Calcutta for both civil
criminal cases. The arrangements made were necessarily
and had to be so largely modified later that it would be
to give details.
decision concerning the assessment of the land revenue,
tlement' in Anglo-Indian technical language, being urgently
ed, Hastings and his Council did the best thing then possible
nting farming leases for five years, which in 1777 were
ed by more objectionable annual contracts.[2] The system
ning leases, although far from ideal, was the only tolerable
ticable at the time.
Council supported their President as a rule, with the
tion of Sir Robert Barker, the Commander-in-Chief, who
d a factious opposition based on personal supposed grievances.
stings uniformly displayed a conciliating, forbearing temper,
went a long way in his efforts to secure the willing support
colleagues.

...tal of the Deputies. The Directors had insisted that
...mmad Razā Khān and Mahārājā Shitāb Rāi, nominally
...puties of the Nawāb, but in reality the governors of Bengal
...Bihār respectively, should be put on their trial for alleged
...elements on charges preferred by Nandkumār and other
...s. The necessary arrests were cleverly effected by Hastings,
...entered on the business unwillingly, especially as regards
... Rāi, a man of exceptionally high character. In him
...stings found 'no defect', observing that he had proved himself
...an able financier'.) Some years earlier Shitāb Rāi had

[1] The reader should remember that Shāh Ālam had received no tribute
the Nawabs. The 26 lakhs were 'new money'.
The change for the worse was due to Francis and his hostile colleagues.

earned from Captain Ranfurlie Knox, a brilliant officer, t
praise : 'This is a real Nawāb ; I never saw such a Nawā
life.' [1]

Both the accused officers were honourably acquitted. M
mad Razā Khān subsequently accepted office under the Co
but Shitāb Rāi died soon after his acquittal. The whole
of Hastings in the distasteful business forced upon him wa
creditable to his character.

Varied activity. Hastings, the greatest of Anglo-India
resembled Akbar, the greatest of the earlier sovereigns, in po
a genius for organization, and in combining a grasp of
original principles with an extraordinary capacity for la
attention to detail. When Hastings took over charge of
he knew nothing about the complex revenue system
provinces, and was obliged to learn, as he said, 'the
science' from its rudiments. That was not an easy task
days when no books of reference existed, and all details ha
got somehow out of cumbrous Persian files. Hastings was a
of Persian and Bengālī, had a good working knowledge of
and seems to have known some Arabic. His varied kno
was essential to his masterly handling of every depa
Although, as he remarked, 'we have not a lawyer amo
he understood the true principles of legal reform, and, if
had his way, the absurd Supreme Court of the Regulat
never would have been constituted. In his letter to Lord M
dated March 21, 1774, when forwarding part of Halhed's w
Hindu law, he stated that he 'desired to found the authorit
British government in Bengal on its ancient laws', and
hoped Halhed's book might 'serve to point out the way
this people with ease and moderation according to their ow
manners and prejudices'. It is no wonder that a man wi
ideas was almost worshipped by the natives of the count
held the balance even between Hindus and Muhammada
was as anxious to promote the accurate knowledge of Mu
as he was to reveal the mysteries of Hindu jurisprudence.
time no European knew Sanskrit, and Halhed was obliged
on a Persian version of the abstract of Hindu law prep
the sacred language by ten pundits. The famous Muha
college, the Calcutta Madrasah, was founded in 1781 by H
as Governor-General.

Like Akbar, he was full of eager, intelligent curiosity
subjects of all kinds. He was deeply interested in geograp
in the distribution of useful plants and animals. Major
the 'father of Indian geography', who had been ap
Surveyor-General of Bengal as early as 1764, was a value
of his. Rennell's wonderful *Bengal Atlas* bears the date o

[1] *J. B. O. Res. Soc.*, iii. 127.

[2] For the progress of the survey to 1768 see Verelst, *A Vie*
p. 109.

After his return to England Hastings supported Sir William Jones in founding the Asiatic Society of Bengal. Hastings sent two missions to Tibet, the first, under George Boyle, visited the Teshu Lama in 1774, the second, under Samuel Turner, saluted a new Teshu Lama three years later. The instructions given to the envoys bear witness to the intellectual versatility of their chief. Hastings all his life took a lively interest in literature and art, and found time to read an immense number of books. It is pathetic to think that the reputation of such a man should have suffered first by the 'impish malignity' of Francis, and then, though it has been rehabilitated, a second time by Macaulay's magazine article, still holds the public ear in spite of endless annotation and refutation.



SIR WILLIAM JONES.

In the time of Hastings the criminal law administered was that of the Muhammadans, which included the infliction of barbarous penalty of mutilation, 'too common a punishment of the Mahometan law'. Nobody knew precisely how far English law was competent within the limits of the Company's charter, which had courts of justice, but it is certain that the English judges of the country had no power to sentence to death for any crime except in accordance with the criminal law of England long before Nandkumar's case occurred. The dacoits or brigand gangs committed terrible depredations, and when convicted were punished with ruthless severity.

Sannyāsis. Even more formidable were the ravages of the Sannyāsis, which are best described by quoting the language of Hastings from a letter dated March 9, 1773.

> The history of this people is curious. They inhabit, or rather possess a country lying south of the hills of Tibbet from Caubul to China. They are entirely naked. They have neither towns, houses, nor families, but rove constantly from place to place, recruiting their numbers with the healthiest children they can steal in the countries through which they pass. Thus they become the stoutest and most active men in India. Many are merchants. They are all pilgrims, and held by all classes of Gentoos [Hindus] in great veneration. This infatuation prevents our obtaining any intelligence of their motions, or aid from the country against them, notwithstanding

The concluding pages of Miss Monckton Jones's book contain a fine appreciation of the character and achievement of Hastings.

very rigid orders which have been published for these purposes, in… that they often appear in the heart of the province as if they dropped… heaven. They are hardy, bold, and enthusiastic to a degree surp… credit. Such are the Senassies, the gipsies of Hindostan.'

The Sanyāsī bands often numbered several thousand m… each, and at one time no less than five sepoy regiments were en… in hunting them down. Their incursions into Bengal cea… the second year of the administration of Hastings, and history… not mention any further depredations by them in other prov… The bands evidently melted away when the Bengal hunting-gr… was closed by the vigilance of the governor. At the present… many queer criminal tribes and organizations still exist, … known except to the magistrates and police officers who … to deal with them, but nothing at all resembling the Sanyāsī h… has been known for generations. I do not know what race sup… the nucleus of their bands, which, as Hastings tells us, … recruited by kidnapped children, who must have come fro… classes.

Opium and salt. Hastings put the management of the m… facture and sale of both opium and salt on a sound finan… basis. His regulations of 1773 formed the foundation of the mod… system in force in our own time. The recent orders discoura… the cultivation of the poppy and the sale of opium have rend… the constitution of the opium department almost obsolete, but… licensed manufacture of salt continues.[1] Hastings also began… reform of the coinage and introduced the 'sicca rupee'.

The princes and the Crown. The views of Hastings conc… ing the desirable relations between the Crown and the rule… the Native States were original and daring. When writing… Lord North, the Prime Minister of England, on February 26, 1… he expressed himself in the following remarkable words:

'I am and always have been of opinion that whatever form it ma… necessary to give to the British dominion in India, nothing can so effect… contribute to perpetuate its duration as to bind the powers and states … which this Government may be united, in ties of direct dependence … and communication with the Crown. This system has been adopted … respect to the Nabob of Arcot, and, I believe, has met with nat… approbation. I thought it might be adopted with the same succe… regard to the powers on this side of India. Their confidence woul… strengthened by such a relation, which would free them from the d… of annual changes and of the influence of individuals; and their submis… which is now the painful effort of a necessary policy, would be yie… with pride by men who glory in the external show of veneration to maj… and even feel the respect which they profess where they entertain an … of the power to command it. . . . I conceive that the late Act of Parlia… [the Regulating Act], by admitting the King into a participation in … management of all the Company's affairs, and almost the sole co… of their political concerns of course makes him the principal in th… and entitles him to those pledges of obedience and vassalage from …

[1] See *Imp. Gaz. of India* (1907), vol. iv, chap. viii.

…ts of the British empire in India, which the ideas of the people … immemorial usage have consecrated to royalty.'[1]

…Hastings, when he wrote that passage, was thinking specially … which no longer exists as a separate state. Things have … so much since his time that his suggestion that each … Indian state should have its accredited diplomatic … in London, which seems to have been his meaning, … longer suitable or practicable; but he was right in recognizing … existence of the desire felt by the Indian princes to be in touch … with their hereditary sovereign and not merely with the … changing officials of an administration. The reality of that … was plainly manifested when Their Majesties personally … the loyal homage of the ruling chiefs in December 1911, … all legitimate means should be adopted to satisfy it.

The Rohilla war. The material facts of the much debated … war having been clearly established by study of the … and embodied in books easily accessible, the matter … be disposed of in a few words, without the formal discussion … refutation of fairy tales. The country lying to the north-west … between the Ganges and the hills, comprising the ancient … provinces of Katehar and Sambhal, was and is known as … because during the 'great anarchy' Afghan tribesmen … Rohillas, being for the most part Yūsufzī from the neigh… of Peshāwar, had conquered the land. The bulk of … population consisted of Hindu peasants, but there were several … towns, including Bareilly and Pīlibhīt. No natural … separated Rohilkhand from Oudh, and the Nawāb-Vizier's … were most easily accessible to an enemy through the … territory. The Rohillas were not strong enough to keep … the Marāthās who raided their country several times. The … chiefs, who had temporized and intrigued with both the … and the Nawāb-Vizier, in June 1772 signed a treaty … which they promised to pay him forty lakhs, or four millions … rupees, if he would expel the Marāthās. Early in 1773 the … looters returned, but were compelled to retire when threatened … the forces of Oudh and the Company. The Nawāb-Vizier, … had been put to much expense in equipping his army, de… … payment of the forty lakhs, but, as might be expected, got … thing.

In August of the same year Hastings, accompanied by two … members of council, met Shuj'āu-d daula and concluded the … of Benares, which transferred Korā and Allahabad from the … emperor, then a mere tool in Marāthā hands, to the Nawāb-… in consideration of a payment of fifty lakhs. An agreement … was made that the Calcutta government should lend a brigade … the Nawāb-Vizier for the reduction of Rohilkhand at his demand … certain reasonable financial terms. The ruler of Oudh deferred … tion for various reasons, and the government of Bengal, which

[1] Note the phrase 'the British empire in India' used only eighteen … after the battle of Plassey. The quotation is from Gleig, i. 508.

doubted how far an apparently adventurous policy mig approved in England, welcomed the delay. In February 17 Council was surprised by receiving from Shuj'āu-d daula a de for the promised brigade. It was sent accordingly unde command of Colonel Champion. The Rohillas were defeat St. George's Day, April 17, at Mīran Katra in the Shāhjah District, and their gallant leader, Hāfiz Rahmat Khān, killed. Their province was annexed to Oudh, and some 18,0 20,000 Rohillas crossed the Ganges to the territory of their cou man, Zābita Khān. The Oudh troops burnt some village committed a certain amount of ravaging, but no extraord violence was used, and the peasantry resumed their daily l once. One of the Rohilla chiefs was allowed to retain his r a portion of the territory, and is now represented by his desce the loyal Nawāb of Rāmpur.

'Judged by its results,' Sir John Strachey observes, 'the pol Hastings was eminently successful. . . . More than forty years e before the power of the Marāthās was finally swept away, but duri whole of this time they never attacked or seriously threatened Rohilk The occupation of that province gave to Oudh and to Bengal that p nent protection against the most dangerous of our enemies which been the aim of Hastings to secure.'

The proposition thus stated is absolutely correct. Has explained his policy to Colonel Champion in a letter dated Ju 1774, as follows :

'The several propositions (made by Champion) . . . are diamet opposite to the principle on which the Rohilla expedition was under which was not merely on account of the pecuniary acquisition of lacs of rupees to the Company—for, although this might be an acc argument, it was by no means the chief object of the undertaking engaged to assist the Vizier in reducing the Rohilla country und dominion that the boundary of his possessions might be completed, b Ganges forming a barrier to cover them from the attacks and insul which they were exposed by his enemies either possessing or h access to the Rohilla country. This our alliance with him, and the nec for maintaining this alliance, so long as he or his successors shall de our protection, was rendered advantageous to the Company's int because the security of his possessions from invasion in that quarter fact the security of ours.'

There was nothing to be ashamed of in the policy of the Ro war. The House of Commons had the good sense to refuse to inc the subject among the articles of impeachment.

Financial difficulties. Many committees of the Hous Commons charged with the duty of investigating Indian af have sat from time to time. The earliest, appointed in 1 resulted in the passing during 1767 of five Acts of Parliam including one which required the Company to pay to the Treas £400,000 annually for two years. At the moment everyb believed that the new Indian acquisitions were capable of yield untold wealth. The Company soon discovered the baselessnes

pleasing belief. While the proprietors of the shares in the pany clamoured for high dividends, the expenses of governing ir territories swallowed up the expected profits, so that in the Company was almost insolvent and was forced to beg inistry for the loan of a million sterling.

Need of legislation. The pressure of urgent financial difficulties the obvious necessity of providing some form of legalized rnment for the Indian possessions of the Company forced North's government to undertake legislation. It is unnecessary to relate in this work the course of the prolonged discussions Parliament and at the India House which preceded the enactment of laws settling the disputes. Those discussions may be read ngth in the works of Mill, Thornton, and many other authors. We is concerned only with the result, which was embodied in Acts of Parliament. One disposed of the financial questions sue, requiring among other things that the Company should mit half-yearly accounts to the Treasury.

Control of Parliament. The other (13 Geo. III, c. 63), monly known as the Regulating Act of 1773, created a new m of government for India, and definitely subjected the Company the control of the Crown, or, in practice, to the control of the nistry of the day, and ultimately of Parliament to which such nistry is always responsible.

The 'constitution' of India. The enactment of the Regulating may be regarded as the starting-point of the modern constitutional history of India. Although the idea of a 'constitution' foreign to the traditional Indian modes of thought, which ally have been content to leave government in the hands of autocrat or despot, the peculiar nature of the connexion of the ian administration with a parliamentary monarchy in Great tain has led to the gradual development of an extremely plicated Anglo-Indian constitution. By the term 'constitution' an the mixed body of positive law and established practice ich regulates the form of the Indian government both in land and in India ; determines the relations between the Government and the Government of India, sometimes led the Supreme Government ; defines the power of the Supreme vernment over the provincial administrations ; delimits the ctions of the legislature or law-making authority as distinct m the executive power ; prescribes the powers of the judicial rts ; lays down the principles of internal administration ; and, t but not least, guides the adjustment of the delicate relations ween the sovereign, the Government of India, and the rulers the Native or Protected States.

Elements of the 'constitution'. That body of mixed law and tom rests primarily upon the statute law of Parliament, comprising about fifty enactments, more or less. Subsidiary, although by no ans unimportant, elements in its composition are the prerogative wer of the Crown as expressed sometimes by charters, sometimes proclamations ; orders issued by the Directors of the East

India Company, or by the Board of Control, or the Secre
State; rulings of the Privy Council or House of Lords; l
regulations passed or issued in India; survivals of ancient
institutions; and a long course of settled custom or practi

The body thus constituted is a growing organism sub
incessant growth and development, which has proceeded at
rate since the beginning of the twentieth century. No m
foresee the constitutional consequences of the Great War.

Analysis of the Regulating Act. The Regulating Act o
which forms the basis of the Anglo-Indian constitution,
with several distinct subjects. My discussion of it and co
matters follows the competent guidance of Sir Courtenay
Certain changes were made regulating the appointment of Di
of the Company and the voting by the proprietors of stock or
which did not concern India closelyand need not befurthersp
It is, however, important to note that the Directors were re
to submit to the king's ministers copies of all material corr
dence concerning the affairs of the Company. A separat
as already mentioned, directed the submission of half-
accounts to the Treasury. The subjection of the Compa
parliamentary control through the ministry was thus
complete.

Sovereignty. 'For the government of the Presidency of Fort W
[Calcutta] in Bengal, a governor-general and four counsellors were app
and the Act declared that the whole civil and military government
presidency, and also the ordinary management and government of
territorial acquisitions and revenues in the kingdoms of Bengal,
and Orissa, should, during such time as the territorial acquisitio
revenues remained in the possession of the Company, be vested
governor-general and council of the Presidency of Fort William,
manner as they were or at any time theretofore might have been ex
by the president and council or select committee in the said kingd

The avoidance of any attempt to define, otherwise than by ref
to existing facts, the nature or extent of the authority claimed or exe
by the Crown over the Company in the new territorial acquisitions i
noticeable, and is characteristic of English legislation.'

The clear assertion of the sovereignty of the king over I
was deferred until 1858, and was further extended on Janua
1877, by the Proclamation of Queen Victoria as Empress of I

Persons appointed. The Governor-general and the
counsellors appointed to start the new government were n
in the Act and secured in their positions for five years. That
limit thus fixed by statute in the first instance has been ap
by custom to the subsequent appointments of lieutenant-gover
and other high officials. Ample salaries were provided, nam
£25,000 a year for the governor-general, and £10,000 for
counsellor.[1] They were all forbidden to trade, receive pres
or otherwise add to their income by irregular means.

The persons appointed were: Governor-general, Wa

[1] The salaries have been much reduced.

Esquire, recommended by Lord North in glowing
which has been quoted; members of council: (1)
General John Clavering, a distinguished officer, who
knighted two years later; (2) the Honourable George Monson,
had been in Parliament and had served in the army as second
command at the siege of Pondicherry in 1760; (3) Richard
Esquire, who had been in the Company's service since
and (4) Philip Francis,
who had been em-
ployed as a secretary and in
War Office.



SIR PHILIP FRANCIS.

Presidency of Bengal. 'The
Presidency of the Bengal Presi-
dency over the other presidencies
was definitely declared. The
governor-general and council were
given the power of superintending
and controlling the government
and management of the presi-
dencies of Madras, Bombay, and
Bengal,' so far and in so much
that it should not be lawful
for the government of the minor
presidencies to make any orders
for commencing hostilities, or de-
claring or making war, against
any Indian princes or powers, or
for negotiating or concluding any
treaty with any such prince or
power without the previous con-
sent of the governor-general and
council, except in such cases of
sudden necessity as would ren-
der it dangerous to postpone such hostilities or treaties until the arrival
of their orders, and except also in cases where special orders had been re-
ceived from the Company. A president and council offending against
these provisions might be suspended by order of the governor-general and
council. The governors of the minor presidencies were to obey the order of
the governor-general and council, and constantly and dutifully to transmit
them advice and intelligence of all transactions and matters relating to
the government, revenues, or interest of the Company.

The governor-general and council were to be bound by the votes of
the majority of those present at their meetings, and in the case of an equal
division the governor-general was to have a casting vote' [in addition
to his ordinary vote].

The Supreme Court. The Act further empowered the Crown
to establish by charter a Supreme Court of Judicature at Fort
William, consisting of five barristers, namely, a Chief Justice,
with a salary of £8,000 a year, and three judges, each with a salary

In Sumatra, also called Fort Marlborough. The place was given up
to the Dutch in 1824 in exchange for the town of Malacca and certain other
possessions.

of £6,000 a year.[1] Sir Elijah Impey, an old schoolfellow of I… at Westminster, was appointed Chief Justice; his co… being Robert Chambers, subsequently knighted, John… and Stephen Caesar Lemaistre. Impey and Chambers w… of considerable distinction, but their two junior colleagues … earned any notable reputation prior to their appointmen… court was given civil, criminal, admiralty, and eccle… jurisdiction.

'Its jurisdiction [subject to certain limitations] was declared t… to all British subjects who should reside in the kingdoms or p… of Bengal, Behar, and Orissa, or any of them, under the protecti… United Company. And it was to have "full power and authority … and determine all complaints against any of His Majesty's sub… crimes, misdemeanours, or oppressions, and also to entertain, h… determine any suits or actions whatsoever against any of His M… subjects in Bengal, Behar, and Orissa, and any suit, action, or co… against any person employed by or in the service of the Compa… any of His Majesty's subjects".'

The Act contained many minor provisions concerning the … system and other matters which it would be tedious to enu…

Defects of the Act. Ilbert observes that

'the provisions of the Act of 1773 are obscure and defective a… nature and extent of the authority exercisable by the governor… and his council, as to the jurisdiction of the Supreme Court, and a… relation between the Bengal Government and the court'.

The ambiguities and obscurities of the Act and the charter … under it produced a plentiful crop of disputes, some of whi… be noticed in the next chapter. Nobody could tell what la… to be administered by the court.

'The Act was silent. Apparently it was the unregenerate Engli… insular, technical, formless, tempered in its application to Engli… cumstances by the quibbles of judges and the obstinacy of juries, … of being an instrument of the most monstrous injustice when admi… in an atmosphere different from that in which it had been administe…

Nobody knew how to define the classes of persons, Eur… or Indian, who came under the jurisdiction of the court, o… far the court had power outside the limits of the European … ment. Endless problems arose out of the loose wording of th… and from the manifest absurdity of applying the English l… the eighteenth century to the natives of Bengal. Unfortun… the statute had been drawn by persons who knew nothing … India and who failed to consult Hastings or anybody else… had some knowledge on the subject. The judges adminis… the law were equally ignorant of Indian conditions.

Another grave defect in the Act was the provision which al… the Governor-general to be outvoted and overruled whenever … members of his council chose to combine against him. That f… enactment wrought much mischief. Some of the most g… faults of the Act were remedied after a few years' exper…

[1] The salaries are now lower.

… until grave injustice had been done and the security of … imperilled.

… East of India. Marāthā affairs and the various happenings … Madras, and other parts of India during the two and … years of the rule of Hastings in Bengal as governor, before … of the new members of council, will be more conveniently … in the next chapter in connexion with events slightly … in date.

CHRONOLOGY

… Hastings governor of Bengal	April 1772
… reforms	1772–4
… Regulating Act	1773
… Rohilla war	1774

AUTHORITIES

… two special authorities, both based on an exhaustive study of … documents, are: STRACHEY, Sir JOHN, *Hastings and the Rohilla …* (Oxford: Clarendon Press, 1892); and M. E. MONCKTON JONES, … *Hastings in Bengal, 1772–1774* (Oxford: Clarendon Press, 1918). I … favoured with the perusal of the proofs of the second book …, which is an excellent work, and should rank as the standard … on the subject, excepting the Rohilla war, which has been dis… of in Sir John Strachey's conclusive monograph.

… books on the Hastings period will be named at the end of the … chapter.

… Regulating Act is best studied in ILBERT, Sir COURTENAY, *The … of India*[3] (Oxford: Clarendon Press, 1915).

CHAPTER 4

… Hastings as Governor-general; the policy and character of Hastings; Sir John Macpherson.

… government. The Judges of the Supreme Court, … arrived in Calcutta on October 17, 1774, were followed two … later by the three Members of Council, General Clavering, … Monson, and Mr. Francis, in another ship. The next day, … Mr. Barwell had taken his seat, the Council met to hear the … instructions. By the orders from home a separate … of Trade was established for the purpose of relieving the … from a portion of the purely commercial business of the … company; strict economy in the military expenditure was … ; the land revenue system established by Hastings was … ; correspondence with the 'country powers'—or … business' in modern official language—was to be … by the Governor-general, subject to the condition … every letter received or sent by him should be laid before … Council; inquiry was to be made into abuses; and, finally, … members were enjoined to work together in harmony with

a view to the preservation of peace, the safeguarding of the
pany's possessions, and the due advancement of the Com
interest.

Hostility of Clavering, Monson, and Francis. The
virate from England at once fastened on the order to inqui
abuses, and displayed open hostility to Hastings. The m
was adjourned until the 25th in order to allow Mr. Barwell t
and from that date the Council was divided into two sc
Clavering, Monson, and Francis on one side, Hastings and B
on the other. The constitution of the body threw all real
into the hands of the majority and subjected Hastings
mortification of seeing the officers of his choice dismissed a
his measures, so far as practicable, reversed. That state of
lasted for almost two years, until September 1776, when the
of Colonel Monson restored power to Hastings, who could d
he pleased with the help of his casting vote.

Disputes in council. The details of the unseemly wran
in council during those two years need not be recounted at l
The members spent their time in firing off minutes against
other from day to day. They seem to have put everyth
writing on the spot, and the unedifying recriminations may
be read in print in the 'consultations'. The biographer of Ha
must wade through the dreary mass in order to under
the personal position of his hero and to realize the aston
endurance of the man, but the particulars of the disputes
little interest for the historian as distinguished from the
grapher. In most respects the selfish spite of the triumv
produced effects of only a temporary character, but a good
of more or less lasting mischief was done, especially in relati
Oudh, which was compelled to cede the Benares province.
majority in council relied upon support from the Minist
England, where Indian affairs were then closely intertwined
party politics. Both General Clavering and Mr. Francis aspi
the office of Governor-general, and were resolved to employ
means to drive Hastings into retirement before the expir
of the period of five years for which he had been appointed b
of Parliament.[1] Happily they failed, and Hastings enjoyed
and a half years of power from September 1776 to February
which enabled him to save the nascent British empire in
from destruction and to establish it upon firm, well-laid founda

The case of Nandkumār. The most famous incident o
personal struggle between Hastings and his hostile colleag
the case of Mahārājā Nandkumār (Nuncomar), the wealthy
influential Brahman who was executed for forgery on Aug
1775. That case, like the other incidents of the struggle, h
biographical rather than historical interest, which means tha
execution of Nandkumār in itself was a matter of no impor
so far as the history of India is concerned. The immense
which the case assumes in English literature and in the ey

[1] His term of office was subsequently extended from year to yea

general public is due to the malignant cunning of Philip
, who knew how to use the genius of Edmund Burke as
. The result of the joint labours of Francis and Burke,
mented by the disingenuous partisanship of James Mill and
specious rhetoric of Macaulay, has been the growth of a legend
wholly fictitious. The existence and acceptance of that
have most unjustly besmirched the characters of Warren
ings and Sir Elijah Impey, and have done much harm by
ing in the public mind an unwarranted belief that the Indian
rests upon foundations stained by the blood of the victim
judicial murder, planned and executed by the Governor-
al and Chief Justice. Nandkumār's case when looked at
that point of view is of historical interest and importance,
it is therefore necessary to set forth the essential facts.

The majority in council, eager to supplant Hastings, and pro-
g to investigate abuses, invited charges against the Governor-
al. Nandkumār, a thorough scoundrel, whose misdoings
been familiar to Hastings for many years, had ample reason
expect personal advantage from the overthrow of the Governor-
al, who knew too much, and the victory of his enemies who
nothing.

Nandkumār's false charges against Hastings. Accordingly,
March 1775 (11 and 13) Nandkumār responded to the manifest
es of the majority of the council by submitting through
ir papers charging Hastings with gross corruption, and en-
ing a letter purporting to be from Mannī Bēgam, the widow
Mīr Ja'far, offering a bribe. The counsellors proceeded with
eat haste to assume the truth of all the charges, and to require
Governor-general, their President, practically to be tried by
. The letter purporting to come from the widow, a manifest
ry, was accepted without question. The papers having been
home were submitted in 1776 to the law officers of the Company,
declared that the information of Nandkumār, even upon the
orts case before them, could not possibly be true. Nothing
was heard about those accusations against Hastings until
teen years later in 1789 when Burke founded a charge (No. III)
them, and failed to convince the House of Lords, which
animously acquitted Hastings in the matter. That fact is often
gotten.

Nandkumār prosecuted for conspiracy. To come back to
utta. After Nandkumār had made his accusations in March,
stings and Barwell retorted in April by bringing a charge of
spiracy against him and others. The case came before all the
ges of the Supreme Court, who in their capacity of justices of
peace considered the evidence for a whole day (April 20)
10 a.m. to 11 p.m., and allowed Nandkumār and the other
used persons to be on bail till the 23rd.[1] On the 21st Francis

[1] See Gleig and the extracts from Barwell's letters in Stephen; the
of *Nuncomar*, chap. xvii, and sundry passages in Gleig, not to speak
the documents of the trial and the impeachment proceedings.

and his colleagues were shameless enough to pay an offic
on Nandkumār. On the 23rd Hastings was bound over to pr
at the next assizes. The trial took place in July, when
defendants were acquitted of conspiring against Hastin
Nandkumār and a Mr. Fowke were convicted of conspiracy
Mr. Barwell.

Nandkumār prosecuted for forgery. Before July can
things had happened. On May 6 Nandkumār had been
on a charge of forgery preferred by one Mohan Parshād, a
for a party in a civil suit. On that date, after an invest
lasting from 9 a.m. to nearly 10 p.m., Judges Hyde and Le M
acting in their capacity as Justices of the Peace, co
Nandkumār for trial on the charge of forgery and lodged
jail. The proceedings for forgery arose naturally out of
civil suit, and the complainant had decided to prosecute eve
the Supreme Court was established. The delay which n
prosecution coincident in time with the conspiracy case was
by the difficulty in getting hold of the document allege
forged. Marshman truly observes that the coincidence
was 'purely accidental'.

Trial and execution of Nandkumār. The actual
Nandkumār for forgery began on June 9, and lasted until
on the 16th. The Court never adjourned, sitting in the
season of the year even on Sunday the 11th, from 8 a.m. u
at night, and on the last day until 4 a.m. All the four judg
present throughout, Hyde and Le Maistre asking more q
than Impey or Chambers. Nandkumār challenged eighteen
on the panel whom he suspected of being unfavourable to h
was convicted by a unanimous jury of twelve European
rule prohibiting the appearance of counsel for the defence i
cases was relaxed in his favour, and probably he would ha
acquitted but for the evident perjuries committed in his
which made a deep impression on the jury. No man v
a fairer or more laborious trial. The fairness of his trial is
relevant issue. All the judges agreed as to the legality
proceedings, and their law seems to have been correct.
special share in the proceedings which fell to Impey
summing up, a task performed by him fairly and impa
After conviction legal objections were heard, so that sente
not passed until June 24, and the execution was deferr
August 5. The Court could not recommend the home au
under the provisions of the Charter to grant a reprieve, be
the judges were satisfied that the conviction was right, w
petition for respite disclosed no legal grounds for action. C
Monson, and Francis refused positively to take any steps
obtaining a reprieve.

Comment. Hastings had nothing to do with the ca
Impey simply did his duty, which he shared with three ou
colleagues. The prisoner was convicted, not by the judg
by an independent sworn jury, who alone had the task of

ict on the facts. It is folly for critics now to retry the case.
ttempt to impeach Impey many years later completely
down. Macaulay's abuse of the Chief Justice is wholly
rved. The above is a plain statement of the most material
t facts, which are not open to serious dispute.[1] Hastings's
that he had nothing to do with the forgery case is in exact
lance with the facts established by the record. The propriety
pey's conduct in every stage of the proceedings is manifest
body who reads the papers with due attention. There is not
htest foundation for Macaulay's denunciations of the conduct
er Hastings or Impey in connexion with the execution of
umār. The critics of Warren Hastings may make out
against him in regard to the Rohilla War, Rājā Chait Singh,
Begams of Oudh. The facts of all those cases admit of
ence of opinion concerning his action, but nobody who has
understood the Nandkumār affair can believe it possible
judicial murder was committed. The procedure was regular,
and deliberate, and the actual trial by jury was more laborious
hausting, probably, than that of any other case on record.
body concerned, without regard to his health or convenience,
in the terrible heat of a Calcutta June for eight days from
orning until late at night to get at the truth, and no reason
er exists for holding that any illegality or injustice was
tted by either the four judges or the twelve jurymen.
is enough, perhaps more than enough, about Nandkumār and
rigues of Clavering, Monson, and Francis. We may now
with the history of India, stopping merely for a moment
the final collapse of the opposition to Hastings in the
and to discuss at some length the serious quarrel between
utive government and the Supreme Court.

th of Monson and Clavering. The wearisome story of the
squabbling in council, of Hastings's action in empowering
in London to tender his resignation, and then cancelling
of the acceptance of the offer by the Directors and
of the complicated intrigues in London, and the final
Hastings need not be retold. Those matters concern
grapher rather than the historian. It may suffice to state
already mentioned, the death of Colonel Monson in Septem-
gave Hastings and Barwell the powers of the majority

irrelevant matters have been introduced into the discussion by
Questions of law were within the province of the judges
much more likely to be right than their critics. Chambers had
Professor at Oxford. So long as the judges decided honestly
faith, as they did, it is absurd to abuse them because other
hold a different opinion on obscure points of law. 'Pitt,
perfect propriety, "treated the accusation of a conspiracy
and Hastings for the purpose of destroying Nuncomar as
shadow of proof"' (Stephen, i. 88). The jury alone,
often repeated, were responsible for the verdict on the
followed in course of law.

by means of the Governor-general's casting vote, and that
1777 General (Sir John) Clavering made a rash attempt
on the office of Governor-general, in the belief that it ha
vacated by the supposed resignation of Hastings. A da
crisis extending over four days was ended by the decision
Supreme Court that Hastings had never actually resigned a
consequently no vacancy existed to be occupied by Si
Clavering. A few months later, in November, Clavering al
In August 1780 the Governor-general, in accordance with t
of honour observed at the time, fought a duel with Franc
was wounded and went home after his recovery.[1] He
revenge later.

The executive government and the Supreme Court. entering on the history of the relations between Hastings
native states and the story of the Marāthā and Carnati
it will be convenient to notice in some detail the violent
between the Supreme Court and the executive which ca
head in 1780, long after the recovery by the Governor-ge
his power in council. For several years the executive
Court had usually kept on good terms, in spite of the di
caused by the imperfect constitution of the governm
unsuitability of the Court and its law to the country, and th
of the Regulating Act to determine the jurisdiction and
of the Court, or to protect adequately the powers which
executive government must keep in its own hands. H
declared in December 1774 that

> 'the court of justice is a dreadful clog on the government, but
> God the head of it is a man of sense and moderation. In all
> a choice could not have been made of a man more disposed to
> and avoid mischief, which, however, is not wholly in his power,
> sorry for it.'

In the following year, 1775, the Governor-general reco
desire that the Chief Justice might be given either 'a
occasional seat at the Council Board' for purposes of le
and legal advice, thus foreshadowing the appointment of
Member, which was not carried out until Macaulay was a
in Lord William Bentinck's time. In 1777, as already n
Court unanimously supported Hastings against the violent
tion attempted by Clavering, impartially condemning at t
time a foolish resolution passed by Hastings and Barw
Clavering had forfeited his seat in council.

[1] 'My antagonists sickened, died, and fled. I maintained m
unchanged, neither the health of my body, nor the vigour of my
a moment deserted me' (Confidential letter of W. H. to David
September 13, 1786, in Gleig, iii. 304). The extraordinary
Madras between Lord Pigot, the governor, and his council
features in common with the case of Hastings. It occurred in
The affair was too complicated and local to merit detailed de
this work. It could not be made intelligible without full exp
the particulars.

later, the temptations to assert the large powers apparently
to the Court by the Regulating Act proved too much for the
trol of the judges, who allowed themselves to take action
threatened the very existence of the government. The
more with the puisne judges than with Impey, the Chief
The conflict was most marked in the conduct of two
cases, the Cossijurah case and the Patna Cause, which must
ly explained. Macaulay's account, largely based on Mill,
tephens bluntly observes, 'false from end to end'. But,
h we cannot accept the lurid picture painted by the essayist,
chief actually done was serious and had to be stopped
ow.

Patna Cause. To take the Patna Cause first. The
on was between the widow and the nephew of a deceased
uhammadan, who left a large property in the Patna District
The Court claimed jurisdiction over the nephew as being
or contractor of the revenue, and so in the service of the
, within the words of the Act. The Court further found
proceedings of the local Company's officers, acting ostensi
court under the designation of a Provincial Council, were
void, the Provincial Council having allowed its functions
rped by the Muhammadan muftis and *kāzīs*, whose proper
merely to advise as assessors on points of Muslim law and
Ultimately, the Court awarded heavy damages amount-
about £31,000. The Company allowed the time for appeal
Privy Council to lapse, and, when granted an extension
a special statute in 1781, the Directors failed to prosecute
al which had been formally lodged. Thus the judgement
Supreme Court held good, and the damages were paid by
mpany.

proceedings produced a good effect by drawing public
to the impossible situation in Bengal. The powers
the Supreme Court over people in the districts away
lcutta, while justified by the language of the Regulating
the Charter of the Supreme Court, could not be exercised
fatal weakening of the authority of the executive. Accord-
Act 21, George III, c. 70, deprived the Supreme Court of
in any matter concerning the revenue or its collection,
went so far as to sanction customary 'severities' in the
which might mean a good deal in practice. It also
the Company's courts, and enabled the Indian govern-
make Regulations.

Cossijurah case. The Cossijurah case may be more briefly
A creditor sued the zemindar of Cossijurah, a place
miles distant from Calcutta, for debt in the Supreme
ing by affidavit that the defendant came within the
of the Court as being a person 'employed' by the
Sir Justice Hyde issued process. When it was resisted
tried to enforce the orders of the Court by a posse or
of sixty sailors and other people collected for the

purpose. The posse seized the zemindar's belongings in a
fashion, regardless of Indian customs. Hastings, when he
of it, sent an officer with a force of sepoys to arrest the s
men, which they did. Impey never could persuade the gove
to submit the questions at issue to the king in council for d
and apparently the legal aspect of the case was never settle
violent action taken by the executive practically had the e
confining the jurisdiction of the Supreme Court to Calcut
Sir James Fitzjames Stephen held that 'the Council
haughtily, quite illegally, and violently, without any a
reason for their co
The illegality may
mitted, but the
was difficult, and t
tensions of the Cour
be resisted somehow
Government was t
tinue to exist. A
sometimes finds
forced to transgres
law.



SIR ELIJAH IMPEY.

Impey made h
the Company's
One other connect
remains—the exped
which Hastings a
council (Francis di
patched up the qua
October 1780 Impey
duced to accept th
supervising the Co
courts as president
Chief Civil Court
Dewanee Adalut).
short time the salar
5,000 a month was
to his new office
tion to the salary which he drew under the Act of Parli
Chief Justice of the Supreme Court. The transaction, h
viously open to objection, was disapproved at home
result that Impey was recalled and an unsuccessful att
impeach him on various grounds was made. He does not
to have actually drawn any of the additional salary, o
rate to have retained the money, if he ever drew any. Th
prove that both he and Hastings were actuated by
motives in making the arrangement, believing that in
way could the prolonged conflict be adjusted. Macaula
gram that 'the Chief Justice was rich, quiet, and infam
wholly false. Impey stated the facts correctly when he w

'I have undergone great fatigue, compiled a laborious cod

], restored confidence to the suitors and justice and regularity
courts of justice, and settled the internal quiet of a great empire,
any reward, and for my recompense shall have lost my office,
tion, and peace of mind for ever.'

aracter of Impey. Impey afterwards entered Parliament
rvived until 1809. He was a good judge and in no way
ing of the abuse showered upon him by Burke, Mill, Thornton,
day, and a host of lesser detractors. Sir James Fitzjames
en observes:

ave read everything I could find throwing light on Impey's character,
appears to me that he was neither much blacker nor much whiter,
e or in part, than his neighbours. He seems to me to have resembled
many other judges whom I have known. . . . He seems to have
excellent education both legal and general, to have been a man of
able energy and courage, and a great deal of rather common-
ability. I have read through all his letters and private papers, and
discern in them no trace of corruption.'

e author closes the discussion of the subject by the obser-
that 'slightly to adapt the famous remark of De Quincey in
ay on *Murder as a Fine Art*, Impey has owed his moral ruin
erary murder of which Macaulay probably thought but little
he committed it.'

stings's foreign policy. The period of about eight and a
ars, from September 1776, when Monson died, to February
when Hastings retired, during which he possessed the power
as the rank of Governor-general, included the years of the
rrible strain to which the kingdoms of Great Britain and
have ever been subjected, save only in the darkest times
Revolutionary War and the Great War. During those years
the British Government had to fight France, Spain,
the revolted American colonies, besides the Marāthās,
Haidar Ali, and to appease formidable discontent in Ireland
dangerous concession of an independent Parliament. It
sible to pass a fair judgement on the policy of Hastings
it is considered in relation to the events outside of India.

erland route. He was a man of large ideas and wide
who understood thoroughly that the part played by him
was only one of many parts played by many various
the stage of the world. His prescience and breadth of
well illustrated by the fact that in 1778 he had organized
mail service via Suez for rapid communication with Europe,
which he received timely accounts of the ill progress of
erican war and of the peril arising from French intervention,
abled him to take measures for defence in India with the
promptitude. The strenuous opposition of the Sublime
ged the Directors to discontinue the service, which was
until the time of Lord William Bentinck.[1]

intervention in Marāthā politics. Bombay has
mentioned so far. The reason is that the settlement

[1] *Past and Present*, vol. iv, July–December 1909, pp. 563–76, 586.

there had continued for more than a century after the ces
Charles II by the Portuguese to be a purely commercial
of no political importance. The territory of the presiden
confined to the narrow limits of the island of Bombay and
or Fort Victoria, ceded in 1756 by the Marāthās in excha
Gheria. But in 1775 the President in Council of Bombay, w
ambitious, sought to acquire the neighbouring island of S
and the port of Bassein twenty-eight miles distant, which ha
taken by the Marāthās from the Portuguese some years
The Bombay government resolved to attain that object by
vening in domestic Marāthā politics and supporting one
claimants to the office of Pēshwā, then in dispute. The gove
at Calcutta was not consulted in the first instance und
provisions of the Regulating Act because the Bombay auth
had not knowledge that the new government at Calcutta ha
installed. That intervention of the Bombay government
the First Marāthā War, which lasted until the treaty of Sā
1782.[1]

Origin of the First Marāthā War. The temptation to
the Bombay government succumbed arose in this way.
Rāo, the fourth Pēshwā, an able man, and the last to exercis
personal authority, died in 1772, and was succeeded by th
Pēshwā, Nārāyan Rāo, who after nine months was murdered
adherents of his uncle, Raghunāth Rāo, commonly called R
Civil war ensued between the partisans of the Regent, act
an infant alleged, and probably with truth, to be a posth
son of Nārāyan Rāo on the one side, and Raghunāth or R
who denied the child's claims, on the other. Ragoba i
the aid of the Bombay government, promising the ces
Salsette and Bassein. When he failed to effect the cessio
Bombay people took possession of Salsette, and compelled R
who was in difficulties, to sign the treaty of Surat, acknowl
the rights of Bombay to both places. The local governm
thus involved in a war with the Regency, in the course o
Colonel Keating won a battle at Arās (Adās, Arras) in th
district of Gujarāt, at a heavy cost in casualties to his sma

Treaties of Surat and Purandhar: convention of Wa
Meantime Francis and his colleagues had come into powe
approving strongly of the Bombay proceedings they sent p
tory orders to stop the war and recall Colonel Keating.
with the concurrence of Hastings, dispatched an envo
Upton) who made with the Marāthās a disadvantageous c
called the Treaty of Purandhar (1776). As it was never ac

[1] It is best to treat all the hostilities between 1775 and 1782 as
war, the First Marāthā War. Some writers prefer to confine that
the proceedings ending with the treaty of Surat. The Bombay gov
continued to display an insubordinate spirit even after it had
full knowledge of the new law, and strongly resented the autocratic
of the Governor-general and Council. Madras was equally a
control, and often from less respectable motives.

rms need not be recited. Four months later came a dispatch
the Directors approving of the treaty of Surat with Ragoba.
778 the Bombay government were emboldened by another
tch from home to renew their alliance with Ragoba, who had
d successes, and to send an expedition towards Poona. It
with disaster, and was compelled to surrender. Colonel
, who was acting as the Civil Commissioner or political
with the force, losing courage, concluded the disgraceful
ntion of Wargāon (January 1779), which actually stipulated
ving British hostages as security for the restoration to the
thās of all acquisitions made since 1773, and for the surrender
goba. He relieved the British from the disgrace of betraying
by taking refuge with Sindia and arranging terms with him.
e course the convention was repudiated by the Directors,
the officers concerned were dismissed. Hastings observed
the document 'almost made me sink with shame when I
it.

oddard's expedition. Hastings having recovered power,
plained above, felt bound to retrieve the disgrace and support
mbay government to the best of his ability. He conceived
old plan of dispatching a Bengal force right across India
ugh hostile states and country then unknown, under the con-
st first of Colonel Leslie, and then of Colonel (General)
ard. The expeditionary force of more than 6,000 sepoys
European officers, and encumbered, as was the fashion
days, by a crowd of camp followers and traders number-
bout 30,000,[1] being admirably led, reached Surat in safety.
nuary 1779 Goddard occupied Ahmadābād and made an
with the Gaikwār of Baroda, which continued unbroken
all subsequent troubles.

ure of Gwālior. His brilliant operation was supported
other admirably conducted expedition sent by Hastings
ral India. In August 1780 Major Popham most cleverly
the strong fortress of Gwālior at night and took it
losing a man. Colonel Camac succeeded in surprising
camp and frightening him.

y of Sālbāī. Towards the close of 1779 the Nizam had
a coalition embracing all the Marāthā princes, except
, and including Haidar Ali of Mysore, in the hopes of
the growing English power. The principal Marāthā
defeated, and the Rājā of Nāgpur was bought off.
was threatened by the successful march of a Bengal
Colonel Pearse by land through 700 miles of almost
country, an exploit second only to Goddard's march
Ultimately, peace was arranged with the aid of Māhā-
, the ablest and most powerful of the Marāthā chiefs.[2]

Memoir, 1793, p. 236 *n.*

(माधवजी in Nāgarī characters) should be spelt as in the
who call the chief Mādho or Mādhava are in error.



treaty, signed at Sālbāī in Sindia's territory, secured Salsette the English, gave Ragoba a pension, and in other respects ly restored the old condition of affairs. Although the terms ace as thus concisely stated may seem to be of small moment, treaty of Sālbāī (1782) should be remembered as one of the marks in the history of India because it assured peace with rmidable power of the Marāthās for twenty years, and marked ascendancy of the English as the controlling, although not the paramount government in India. The enemies of Hastings ed at his 'frantic military exploits'. We may applaud rvedly the energy, boldness, tenacity, and resource which led him to grapple successfully with his hydra-headed enemies. may be described with justice as the Indian Pitt, 'the Chatham the East'.

1782, an 'annus mirabilis'. The year 1782, it may be noted, remarkable for many other important events in various parts the world, namely, the resignation of Lord North, who had been wer as Prime Minister of England since 1770; the repulse the Franco-Spanish main attack on Gibraltar; a great naval ry gained by Rodney in the West Indies; the death of Haidar and the establishment of Grattan's Parliament in Ireland. truly an *annus mirabilis*, a year of wonders. In 1779 the ch fleet had become for a short time superior to the British. ney's victory gave Britain again the command of the sea on the retention of India depends.

Mahādajī Sindia. A few words must be devoted to Māhādajī , the chief through whom the treaty of Sālbāī was negotiated. was the illegitimate son of Rānoji Patēl, a Marāthā of humble who had started life as slipper-bearer to the Pēshwā, but the world, as happened in those times. Māhādajī was at the battle of Panīpat and was one of the few Marāthās who escaped with his life, although permanently lamed severe wound. He succeeded to his father's *jāgīrs*, and soon the most prominent of the Marāthā chiefs. In those days of the Pēshwā had been obscured, and real power was mostly by four territorial chiefs, namely, Sindia of Gwālior, of Indore, the Gaikwār of Baroda, and the Rājā of Nāgpur. Shāh Alam, the titular emperor, quitted British protection and attained his desire of re-entering Delhi, Sindia furnished and in practice became his jailor. The military ability in 1780 and 1781 by the commanders whom Hastings ted convinced Māhādajī that it was safer to treat with itish than to fight them. Accordingly he came to an under- with Hastings, who was in urgent need of peace with the even without their hostility his enemies were almost he could manage, and his financial embarrassment was The result of the friendly understanding was the treaty ned at the village of that name in Sindia's territory. conducted the negotiations in two capacities, as plenipo- empowered by the Pēshwā and as guarantor for the due

execution of the compact. The transaction greatly enh
his influence, so that his power grew rapidly. He trained inf
in the European fashion under foreign officers and by their
became for a few years the arbiter of Hindostan. Hasting
been criticized for his indifference to the aggrandizement of S
but the fact was that he could not afford to quarrel with the Ma
chief.

Count de Boigne. The most celebrated of the foreign ge
employed by Sindia was Count de Boigne, whose rema
career may conveniently receive a passing notice in this
Monsieur de Boigne, after service in the French and R
armies, made his way to
in 1778 at the age of tw
seven and obtained a co
sion as ensign in a M
infantry regiment. Wh
employed he narrowly es
from being involved in Ba
disaster in 1780. Q
the British army, he
various ways of maki
fortune, and finally
down to Sindia's service
served his master we
loyally, and was the pr
instrument in establishi
hādajī's temporary lo
over Hindostan. In
after his principal's
de Boigne left India,
tired to his native place,
béry in Savoy. In the
of his Indian adventu
had accumulated witho



COUNT DE BOIGNE.

honour immense wealth, much of which he expended on cha
institutions and municipal improvements in his birthplace
rulers of France and Savoy loaded him with well-deserved
and distinctions. In 1830 he died in his eightieth year.
de Boigne was the worthiest of the many European fre
or military adventurers who swarmed at Indian courts
latter half of the eighteenth and the earlier years of the
teenth century.

Two contested incidents. Before entering upon the
of the Second Mysore War and describing the heroic ex
of Hastings and Sir Eyre Coote to save the Carnatic from t
of Haidar Ali and his son and to counteract the corrupt in
tence of the Madras local government, it will be advisable to
with some fullness of detail two hotly contested incidents
career of Hastings. The incidents are his treatment of Rāj
Singh of Benares and his extraction of a large sum, supp

been about 76 lakhs of rupees, from the coffers of the
ms of Oudh. Both affairs were the outcome of the pressing
ulties, political and financial, which beset the Governor-
al during the terrible years from 1778 to 1782. No fair
ment can be passed upon his actions unless the existence
ose difficulties be constantly present to the mind of the reader
is story.

Rājā Chait Singh. The action of the Governor-general
which the 1st article of impeachment was based was as
ows:

When the war with France broke out in 1778 and the British
t was in imminent danger, the Governor-general-in-Council
ired from Rājā Chait Singh, the ruler of Benares and adjoining
icts, a special war contribution of five lakhs of rupees (then
more than £50,000). An equal sum was exacted in each of the two
ceeding years, 1779 and 1780, being fifteen lakhs, or over
,000 in all. The Rājā naturally disliked such demands, and
,00 so delayed remittances that the government found difficulty
aying Colonel Camac's detachment. The Rājā also failed to
1,000 horsemen at the disposal of the authorities for the
ce of Bihār, a province adjoining his territory, as demanded by
Eyre Coote, the commander-in-chief. Hastings suspected that
Rājā was planning revolt, and was well assured that he had
s of both men and money. He regarded Chait Singh's delay
king payment of the special contribution in 1780 and his
to furnish horsemen in the same year as acts of contumacy
disloyalty, holding that the Rājā, as a zemindar or large
holder, under the sovereignty of the Company, was bound to
ready support to his superior in time of stress, in accordance
well-established usage. In his *Narrative* Hastings frankly
that 'he considered Cheit Sing as culpable in a very high
e towards our state, and his punishment . . . as an example
justice and policy required. . . . In a word, I had determined
e him pay largely for his pardon, or to exact a severe
ge for his past delinquency.' In pursuit of that resolve
intended to levy a fine of 40 or 50 lakhs, and com-
ed his intention to his colleague, Mr. Wheler. No demand
fine was ever actually made, and nobody except Mr. Wheler
the Governor-general's intention. Hastings went to
to execute his plans, repelled the humble advances made
Rājā, and ordered his arrest, to which Chait Singh sub-
quietly. A tumult arose, in the course of which a number
and sepoys were killed. Hastings was obliged to fly to
s of Chunar. After considerable fighting Chait Singh
ted and compelled to take refuge among the Marāthās.
deposed and a relative was installed in his place. The
ed the funds taken in his fort as prize-money, so that
money reached the Treasury. The new Rājā was
land revenue at a sum nearly double that paid by Chait
was deprived of the power to coin money, as well as of

civil and criminal jurisdiction over Benares city, and of cri
jurisdiction in the whole of his country.[1]

The main issue. For those proceedings Hastings was impe
on the allegation of Pitt that his conduct was 'cruel, u
and oppressive'. The main issue taken was the status of
Chait Singh. Was he an independent sovereign prince or a
zemindar? It was conclusively established that he was
a zemindar, not an independent prince, although allowed the
tional privilege of coining money. His possession of civil
criminal jurisdiction proved nothing, because under the Mu
madan governments all large zemindars exercised such jurisdi
The sovereignty of the Benares province undoubtedly had
vested in the Company from 1775. It is also certain that
Singh was an illegitimate son of his predecessor, and th
succession was due to the personal initiative of Hastings.

Criticism. Concerning the justice and propriety of the
taken by Hastings my opinion is that the grave necessities
situation justified the demand of exceptional war subsidies
a subordinate ruler in the position of Rājā Chait Singh; th
could have afforded to pay them without undue strain; th
could have supplied and ought to have furnished the 1,000
men finally demanded; and that Hastings was injudicio
imprudent in arresting the Rājā, whom he treated with im
harshness. The proposed fine of 40 or 50 lakhs was exc
All legitimate objects apparently could have been attained w
violence. No praise can be too great for the energy and r
shown by Hastings in dealing with the outbreak produced
arrest of the Rājā. Probably the excessive severity practi
intended by Hastings was partly due to his personal resen
against the Rājā for having sought to curry favour wi
hostile members of council while they were in power. The
of Hastings in the business, whatever they may have be
not deserve impeachment, and his acquittal on the Benares
by a large majority of the Lords was right.

Affair of the Bēgams of Oudh. The next case for co
tion is that of the exaction of about 76 lakhs of rupees fr
Bēgams of Oudh, the mother and grandmother of the
Vizier, Āsafu-d daula, and the employment of severities to
the eunuchs in charge of the treasure to disgorge.

Abstract of the facts. The Company always had had
bill pending against the Nawāb-Vizier for arrears of subsi
for the maintenance of the troops who secured his do
against external aggression in the midst of wars. The
Āsafu-d daula, was a wretched, worthless creature, wholly in
of governing and surrounded by gangs of greedy adve
Indian and European. In 1781 the arrears were part

[1] Benares occupied a special position as the head-quarters of
and the resort of princes and people of all ranks from every part
so that the proper administration of the city was a matter of
local concern.

y, and the requirements of the Marāthā, Benares, and Carnatic
had exhausted the Company's treasury. After the suppression
jā Chait Singh, Hastings met the Nawāb at Chunar and
luded a treaty or arrangement by which it was hoped that the
ab's difficulties might be adjusted and the Company's necessi-
satisfied. Hastings undertook to clear the European adven-
s out of Oudh and to relieve the Nawāb of a portion of the
tary charges. The Nawāb not only agreed but expressed
ong desire to resume the *jāgīrs*, or grants of lands made to the
ms and other persons, and to recover his father's treasure
h the Bēgams had been allowed to retain in 1775, with the
tion of the majority in council hostile to Hastings. In 1781
Governor-general held that the complicity of the Bēgams in
Singh's revolt was fully established and warranted the
llation of the arrangement made in 1775 by which the ladies
been allowed to retain the treasure subject to a payment in
uction of all demands amounting to 30 lakhs (also stated as
When the Nawāb was required actually to resume the *jāgīrs*
recover the treasure he naturally hesitated to take proceedings
such near relatives, and the Resident, Mr. Middleton,
to enforce compliance. Hastings, being determined to get
oney from the 'old women' who, as he observed, 'had very
ffected our destruction', wrote severe reproofs to Middleton
his remissness. The screw was then applied vigorously. The
ms palace at Fyzabad was occupied by troops, and the ladies
their attendants, although not personally mishandled, were
to much inconvenience. Their two confidential eunuchs in
of the treasure were placed on short commons, lightly
and perhaps beaten. The Resident certainly handed them
to the Nawāb to do what he pleased with them. By those
ures, which any Hindu or Muhammadan government would
garded as normal, the money was obtained and the debt
Company was cleared off. During the operations Hastings,
s in Calcutta, was not personally cognizant of the details
severities employed. How far he would have sanctioned
asked does not appear. It is beyond doubt that no grave
al injury was inflicted on the eunuchs, who lived rich and
ous for years afterwards. During the impeachment the
were among the numerous persons who sent in unsolicited
ously sincere testimonials in favour of Hastings while
was in progress.

ment. If the urgent necessities of the time be remembered
may be considered to have been justified in cancelling the
not sanctioned by his hostile colleagues in 1775, and in
certain amount of pressure on the Bēgams to make
ngs. The severities used by his agents without his
personal knowledge, while not legitimate according to
standards of conduct, were thoroughly in accordance
dian practice, and would have been regarded by Indian
as mild measures. The Bēgams themselves bore no

malice for their rough treatment. Critics should remember
until quite recent days, and within my own experience, it
a point of honour in India not to pay money until coercion had
applied. Landholders with the cash tied up in their waistb
would submit to be beaten in order to satisfy the public opini
their fellows before they would pay out the land revenue admit
due. Hastings was familiar with such practices and must
had them at the back of his mind when he abstained from a
questions about the exact degree of coercion applied to the p
at Fyzabad. The business, which formed the subject o
second charge at the impeachment, was ludicrously exagge
by the prosecutors and made an excuse for much raving rhe
The Lords had the good sense to acquit Hastings on the c
by a majority of 23 to 6.

Second Mysore War. The way has now been cleared f
study of the last and most strenuous campaign conducted
the general direction of Hastings—the Second Mysore
fought primarily for the defence of the Carnatic against H
Ali and his son Tippoo (Tipū), but involving various subs
military operations and political transactions. The war
from July 1780 to March 1784.

Capture of the French settlements. France having
her forces with those of the revolted American colonie
between France and England was declared in 1778. Early i
tion of the event was received by the Governor-general th
the overland route, which had been opened for a short ti
already mentioned. The French settlements were pro
attacked, and Pondicherry fell after a gallant resistance.
little French station of Mahé on the Malabar coast was ta
the same month, and, after a short occupation, was disma
It was useful to Haidar Ali as a port through which he r
supplies, so that the British attack upon the place annoye
Sir Thomas Rumbold, the governor of Madras, oppos
operation for that reason, but was overruled by Sir Eyre
who felt bound to carry out the orders of the home governm

Hostile confederacy. The current histories generally
that the formation in 1779 of a confederacy against the
by the Nizam, including both the Marāthās and Mysore, w
to the Nizam's resentment at the annexation of the
District in the northern Sarkārs. That resentment was a
in the Nizam's policy, but the Rumbold papers show th
displeasure had been aroused at an earlier date by the
given to his enemy Ragoba by the Bombay government,
a project which Hastings had planned for an alliance w
Marāthā Rājā of Nāgpur. In 1780 Hastings, by giving up
secured the neutrality of the Nizam, who was offended by
Ali's intrigues at Delhi.[1]

[1] For the Rumbold papers see Marshman, *History of India*, v
1869), Appendix; and Miss Rumbold's book, *A Vindication* . .

The Madras government. The Madras government under
Thomas Rumbold in 1779 repeatedly sent warnings to Bengal
t an attack by Haidar Ali was to be feared and that the local
urces were insufficient to meet it. But in January 1780
tings wrote that 'I am convinced from Hyder's conduct and
osition that he will never molest us while we preserve a good
derstanding with him'. When Sir Thomas Rumbold was quitting
ia in bad health at the beginning of April 1780 he had come
nd to the same opinion and expressed a belief that peace would
maintained. Both Hastings and Rumbold were honestly mis-
en. Although the Madras government was torn by internal
nsions and saturated with corruption, there is excellent reason
believing that the charges of personal corruption against Sir
omas Rumbold were unfounded. The weakness and other
cts of the local administration consequent on the rotten system
'double government', which still recognized the worthless
wāb as the sovereign of the Carnatic, poisoned the whole policy
Madras and prevented the elaboration of adequate measures for
nce. Thornton observes that at that time the moral atmosphere
Madras 'was pestilential: corruption revelled unrestrained. . . .
not wonderful that where public spirit and public decency
alike extinct, the government should have been neither
nor strong.' The Nawāb was wholly in the hands of
ey-lenders, whose baneful influence dominated the Madras
ncil.

Invasion by Haidar Ali. In June 1780 Haidar Ali moved
Seringapatam his capital, and descended on the Carnatic
with a force of 70,000 or 80,000 men, including a body of
hundred Europeans under Lally junior. He plundered Porto
as well as Conjeeveram, distant less than fifty miles from the
tal, and committed horrid cruelties on a systematic plan. The
bitants, notwithstanding his savagery, seem to have preferred
ar Ali to their own Nawāb, and furnished the invader with
rmation which was refused to the British defenders of Muham-
Ali.

e country was stripped so bare that the most necessary
ies for even a small army were almost unprocurable. The
under the command of Sir Hector Munro, numbering only
8,000 men, was continually hampered by lack of money,
and transport. The commander-in-chief, then fifty-four
of age, was no longer the man he had been at Buxar. Indeed,
nduct amounted almost to imbecility, so that Marshman
nces him as 'the dastardly Munro'.

tunately, Haidar Ali was left to fight his battles alone. The
thās gave him no support. The Marāthā chiefs in Orissa
bought over by Hastings, who was clever enough to per-
them to allow the passage through their territory of a

Rumbold (London, Longmans, 1868). Rumbold went to Europe
nt medical advice.

reinforcement under Colonel Pearse which marched from Be
by land.

Disaster of Colonel Baillie. On September 10, 1780,
appalling and apparently wholly unnecessary disaster befell
British army. Colonel Baillie, who was marching with 2,813
from Guntūr, subsequently raised to 3,720 by a reinforcem
in order to join Munro, who had 5,209, was overwhelmed by Hy
Ali's son Tippoo near Conjeeveram, although the commande
chief was only about two miles distant. Munro's excuses fo
failure to succour Baillie were feeble and unconvincing,
Baillie's leadership was marred by errors. The detachment w
surrounded fought so gallantly that out of eighty-six B
officers engaged only sixteen surrendered unwounded. B
and all the survivors who were taken prisoners suffered unspeak
ill treatment. The painful details have been recorded by se
of the victims.

Action of Hastings. A special dispatch vessel brought
ill news to Bengal. The spirit of Hastings rose nobly to the occa
Forsaking all other plans he resolved to hasten peace with
Marāthās and to send every man and every rupee he could c
to save the Carnatic. Within three weeks Sir Eyre Coote
dispatched by sea with fifteen lakhs of rupees, about four hun
Europeans and some gunners, a thousand men in all, whil
detachment under Pearse marched by land. The corrupt
incompetent governor of Madras, a person named Whitehill,
suspended, and every possible measure was taken to repair
mismanagement. Space fails to narrate in detail the incident
the melancholy war which followed. Its unpleasant story i
deemed by acts of heroism which may be read in the pag
Wilks.

Battle of Porto Novo. After several months of ineffe
operations Haidar Ali was brought to bay at Porto Nov
July 1, 1781, and decisively defeated by Coote, with a
estimated at 10,000 killed and wounded. The casualtie
the British side were only 306. It is curious to find tha
this occasion Sir Hector Munro, who served under Coote,
praised for 'conduct equally spirited and active', a str
contrast with his behaviour in the matter of Baillie's dis
General Stuart, who afterwards displayed utter incompete
commander-in-chief, also was commended for highly merito
service.

Other less decisive successes were gained by Coote at Pol
and Sholinghur.

Lord Macartney. Lord Macartney, a nobleman of con
able distinction, who had been sent out from England in the
that he might reform Madras, took charge of the local gover
just before the battle of Porto Novo. He strongly disapp
of the Marāthā war, and was so eager for peace that he sent a
improper letter to the Marāthā chiefs, offering to guarante
treaty that might be arranged by the Governor-general,

promising the restoration of Gujarāt, Salsette, and Bassein.[1] It
astounding that a subordinate administration should have
ed to issue such a document. The blunder, which did not stand
one, necessarily produced strained relations between the govern-
nts of Bengal and Madras, and the southern presidency continued
pay the penalty for official friction in high places.

Admiral de Suffren. In the course of 1782 the hopes of Haidar
were raised by the appearance of a powerful French squadron
der the command of Admiral de Suffren (Suffrein), an able
ficer. Five actions were fought between him and Admiral Sir
ward Hughes, resulting in much damage to both combatants
thout decisive result. The interruption of sea-borne supplies
used a distressing famine at Madras and a large mortality. The
nch admiral was accompanied by Bussy, then 'gouty, worn out,
d querulous', and consequently quite useless.

Failure and death of Haidar Ali. In December Haidar Ali
d at the age of sixty.[2] Coote had been obliged by ill health
return to Calcutta, and General Stuart, his successor, lost the
portunity presented by the passing of the ruler of Mysore.
Haidar Ali knew before he died that he had failed. Whenever
had met Coote in the field he had been beaten; the hopes of
nch aid had come to naught; the Marāthās, according to their
ure, had betrayed him, and even meditated an attack upon him
the north; while the Nāyars (Nairs) of Malabar were in
olt. 'Deeply reflecting on this unprosperous aspect of affairs,'
resolved to give up his attempt to hold the Carnatic, concen-
ting his attention on the western coast and the defence of Mysore.
August 1782 the Bombay government had dispatched Colonel
mberston (Mackenzie) to operate in Malabar. After the rains
aidar Ali sent Tippoo to defend his western provinces. While
was thus engaged his father died. Ingenious arrangements
e made to conceal the fact of Haidar's decease until Tippoo
d secured the succession.

ot long before his death Haidar Ali had a talk with his minister
ūrnea (Poornea), whom he addressed in this remarkable language:

I have committed a great error; I have purchased a draught of spirits
the price of a lakh of pagodas;[3] I shall pay dearly for my arrogance:

The fact is recorded without comment by Mill (iv. 157), who seems
been unconscious of the enormity of Lord Macartney's offence.
the other hand, the interference of Calcutta sometimes was practised
irritating way.

Wilks gives the date of his death as December 7 (reprint, ii. 33). Robson
gives it as November 9. The concealment of the event for a time
caused doubts concerning the exact date. Thornton, Forrest,
d of other authors state erroneously either that Haidar Ali
the age of eighty or at a very advanced age. It is certain that he
sixty, having been born in 1722.

explains the meaning of the exact terms used. A lakh of
was worth £40,000.

between the English and me there were perhaps mutual grounds of
satisfaction, but not sufficient cause for war, and I might have made t
my friends in spite of Muhammad Ali, the most treacherous of men.
defeat of many Braithwaites and Baillies will not destroy them. I
ruin their resources by land, but I cannot dry up the sea, and I mus
first weary of a war in which I can gain nothing by fighting.'

He concluded by lamenting how he had been deceived by
Marāthās and disappointed by the French. Colonel Braithwa
when encamped with about 2,000 men in the Tanjore territ
had been surrounded by a superior force under Tippoo and suff
the fate of Baillie, early in 1782.



HAIDAR ALI.

Sir Eyre Coote died in 1783, a few months after the decea
his antagonist.

Character of Haidar Ali. Haidar Ali in the south and R
Singh in the north were the ablest of the fierce adventurers
rose to power during the turmoil of the eighteenth century.
were illiterate and absolutely unscrupulous. Haidar Ali ha
religion, no morals, and no compassion. He relied on sa
terrorism and strict personal supervision of every act of go
ment. 'No person of respectability', it was said, 'ever le
house with the expectation of returning safe to it,' and the hi
officers in his service were liable to brutal floggings.[1] He
five languages fluently and ordered his affairs with regularity

[1] On one occasion he flogged his son Tippoo severely in public. Co
Akbar's more private buffeting of Prince Salīm.

ift dispatch. Like Akbar, he remedied his lack of formal
ucation by a memory of extraordinary power. He could go
rough complicated arithmetical calculations with accuracy equal
d quickness superior to that of an expert accountant. He was
lled in the necessary art of appreciating character, and may be
id to have justly earned his success in those wild times by the
periority of his personal endowments as compared with those
his equally wicked but less able rivals. No Indian politician in
se days pretended to have any principles. Each one of them
ught for his own hand with undisguised selfishness.

End of Carnatic war; peace of Versailles. Before pro-
ding to glance for a moment at the subsidiary operations in
alabar, it will be well to dispose of the war in the Carnatic.
ohappy dissensions between Lord Macartney, the Company's
vernor of Madras, and General Stuart, a 'King's officer', holding
commission directly from the Crown, paralysed the operations
Madras territory and imperilled the safety of the army. A force
sieging Cuddalore, where French and Mysorean troops had
ken refuge, was even in danger of being lost when news arrived
June 1783 that peace between France and England had been
ned at Versailles.[1] The combatants in India made no attempt
carry on unofficial hostilities. All military operations ceased
July 2, which, accordingly, is the date of the close of the Second
ore War, so far as the Carnatic was concerned.

Defence of Mangalore. Tippoo not being a party to the Ver-
lles compact, the war in Malabar continued. The Bombay
thorities appointed General Matthews to the supreme command.
e incidents of the contest included the taking of Bednūr (Bednore)
Colonel Macleod and its recapture by Tippoo, as well as many
er interesting happenings deserving of notice if space permitted.
most notable event was Colonel Campbell's gallant defence
Mangalore, 'a common country fort of the fourth or fifth order',
ich held out until reduced by famine. General Macleod's
ure to relieve the place may be reckoned as the most scandalous
currence of the campaign, which was marked by more than one
dal. Campbell's defence, which was at least equal to Clive's
ous performance at Arcot, had not the good fortune to receive
ually brilliant literary applause and is rarely remembered or
tioned.

Treaty of Mangalore. Although Tippoo had gained consider-
successes, his resources were much exhausted by long con-
ed war,[2] and his capital was threatened by Colonel Fullarton, who

metimes, as by Gardiner, called the Treaty of Paris.
The exhaustion of the resources of Haidar Ali and Tippoo is explained
general remarks of Mr. Verelst contained in a letter to the Directors
March 28, 1768, which throw much light on the growth of British
wer in India. The writer dilates on 'the general indigence of the
d empire', and proceeds:
The natural consequence of these circumstances has been, that the
ent powers find their finances narrow, and their treasures unequal to

had occupied Coimbatore with 13,000 men, and had devised a w
planned campaign. A strong, courageous government at Ma
might have dictated an advantageous treaty. Unfortuna
Lord Macartney, who desired peace almost at any price, allo
himself to be manœuvred into the attitude of a suppliant.
advance of Colonel Fullarton was stopped, and envoys were
to the camp of Tippoo, where they were treated with al
incredible insolence, to which they tamely submitted. At
when Tippoo realized the danger of being attacked by both
British and Marāthās, and feared that the patience even of
long-suffering Lord Macartney might be exhausted, he gracio
signed the treaty of Mangalore on March 11, 1784. The docu
provided for mutual restitution of conquests and the libera
of the surviving prisoners in the hands of the Sultan. Ti
gave up 180 officers, 900 European soldiers, and 1,600 se
2,680 in all. But the abject governor of Madras had not s
enough to insist on a complete jail delivery, and some m
able victims were left in the tyrant's hands to suffer a sad
later.

Hastings, while loathing the disgraceful compact, and resen
the insults which attended its execution, lacked the cordial sup
of the ministry in England, and was not in a position to r
ratification. 'What a man is this Lord Macartney!' he exclai
'I yet believe that, in spite of the peace, he will effect the lo
the Carnatic.'[1]

Thus ended in dishonour the Second Mysore War, including
Carnatic War terminated in July 1783, and the Malabar opera
closed in March 1784. Such a peace carried within it the
of a new war, which duly followed in the days of Lord Corn
The Madras government, disobeying express instructions to neg
on the basis of the treaty of Sālbāī, omitted to make any refe

the maintenance of a respectable army, or the prosecution of a war
duration. Whenever, therefore, they are urged by ambition or ne
to enter on any expedition, they assemble new levies for the purpos
the most unreflecting precipitancy; they risk every thing on one cam
because they seldom have resources for a second, and come to an e
ment at all events, because the consequences of a defeat are less t
than those which must ensue from the desertion, or sedition of an i
and disaffected army. As their troops are chiefly raw men and
they are without attachment to their general, or confidence in each
a variety of subordinate commanders destroys all subordination and
ity; and the certainty of beggary and starving, from the common a
of war, throws a damp on the most ardent bravery.

These circumstances, I apprehend, gentlemen, have been very pr
sources of our repeated victories over these immense Asiatic armie
have fled before a handful of your troops. ... A second, and no-less p
for the security of our situation, is the discordancy of the principles
and interests of the neighbouring powers. ... The majority of the
princes of Hindostan have no natural right to the countries they p
(*A View*, App., p. 101).

[1] Gleig, iii. 186.

that document. Hastings had much trouble to persuade Sindia
the other Marāthā leaders that he was not responsible for the
neous form given to the Mangalore compact by the perverse
ernment of Madras.

Retirement of Hastings. The work of Hastings in India
stantially closed when he gave unwilling assent to the humilia-
treaty of Mangalore. The Court of Proprietors, or general
ting of the shareholders in the East India Company, gave
almost unanimous support, but Pitt, the Prime Minister, had
some hostile, and towards the close of 1784 intimated his dis-
roval of several features in the policy of Hastings. The position
the Governor-general was much affected by the clash of parlia-
tary parties. In those days Indian affairs were the battle-
und of the party leaders to a degree never known before or
It is impossible in this place to go into details of the parlia-
tary conflicts which ultimately led to the impeachment
eedings. Two India Bills prepared by Fox, the rival and
ment of Pitt, were defeated in 1783, much to the satisfaction
Hastings. But he equally disliked Pitt's bill, which became
in 1784, and clearly perceived that his resignation was desired.
general knowledge that his withdrawal from the Indian stage
imminent seriously weakened his authority both in the Cal-
council and at Madras. Under such conditions he could not
to remain in office. He therefore resigned, and on February 1,
made over charge to his colleague, Mr. John Macpherson, who
second in council.

Hastings in retirement. The life of Warren Hastings was
nged after his retirement from India for thirty-three years
1818, when he passed away at the age of eighty-five in
with honour. He never again took an active part in public
save as the victim of the long-drawn agony of the impeach-
When he went home he had every reason to believe that
ould receive the rewards justly due for his eminent services
dia and his country. The malice of Philip Francis, the
l zeal of Burke, and the cold hostility of Pitt not only
him of his reward, but consumed his moderate fortune,
subjected him to the fiercest ordeal of inquisition ever endured
statesman.

Impeachment. The responsibility for his prosecution rests
upon Pitt, whose decision still causes legitimate astonish-
even when viewed in the light of the words of his colleague
contained in a letter dated March 21, 1787, addressed to
Cornwallis:

only unpleasant circumstance is the impeachment of Mr. Hastings.
and I have got great credit from the undeviating fairness and
with which we have proceeded in it, but the proceeding is not
to many of our friends; and of course from that and other
, not pleasing to us; but the truth is, when we examined
articles of charges against him with his defences, they were
and the defences so perfectly unsupported, it was impossible

not to concur; and some of the charges will unquestionably go to the House of Lords.'[1]

That statement is open to much criticism, but the story of the impeachment belongs to the domain of biography and parliamentary polemics rather than to the history of India. It is sufficient to chronicle the bare facts that the trial began on February 13, 1788, and ended on April 23, 1795, with a verdict of acquittal that sixteen questions were put to the twenty-nine lords who voted; that the acquittal was unanimous in two cases, including the principal charges of corruption; and that the minority in favour of conviction on the other charges ranged from two to [illegible]. The Court of Proprietors wished to give Hastings a pension of £5,000 and to pay his costs to the extent of £71,080, but Pitt and Dundas vetoed the proposed grants. The Directors managed to give him an allowance sufficient to permit of his living at Daylesford, an estate of 650 acres, as a benevolent country gentleman in decent comfort until the end. Throughout those long years he maintained an attitude of dignified serenity, and when his time came died like a gentleman. The Horatian motto, *Mens aequa in arduis*, inscribed under one of the best known of his many portraits, indicates exactly his bearing in the face of adversity.

Character of Warren Hastings. Probably no person equipped with tolerably accurate knowledge of the facts could now be found to deny that the impeachment of Hastings was undeserved. His few errors, so far as they were real, were those of a statesman exposed to imminent peril and beset by embarrassments so complex that fallible human judgement was bound to err occasionally. Can any statesman be named who never made a mistake or perpetrated a job under pressure? If Hastings deserved impeachment, how many potentates and prime ministers would be entitled to impunity? Hastings should be judged by the standard applicable to sovereigns or prime ministers. It is impossible to contest the truth of the observation of Lord Cornwallis that he was 'unjustly and cruelly persecuted'. The foulness of the abuse heaped upon him by Burke and the other orators of the prosecution would be incredible were it not recorded to their everlasting shame.[2] The violence of Burke's language was

[1] Ross, *Correspondence of Marquis Cornwallis*, vol. i, p. 293. The process of impeachment, which had many defects as a mode of trial, is obsolete and not likely to be revived. After the trial of Hastings it was used only once when Dundas (Lord Melville) was the accused person. He, too, was acquitted, in 1806. In an impeachment the House of Commons prosecutes through the agency of managers, and the House of Lords gives a verdict after the manner of a jury. Each peer votes separately, pronouncing his finding on his honour. For criticism of the statement by Burke and the reasons for the apparent weakness of the defences see Forrest, *Selections*, p. xv. Macaulay gives a brilliant description of the impeachment scene at the opening of the trial.

[2] For an anthology of Burke's flowers of speech see *The History of the Trial of Warren Hastings, Esq.*, part v, pp. 151–4 (London, 1796).

quoting that on one occasion it drew down the grave censure of the House of Commons.

James Mill, who had devoted many pages to unsparing criticism of the acts and policy of Hastings, felt himself constrained when reaching the subject to pen a partial recantation and bear emphatic testimony to the rare gifts of the man whom he had treated so harshly. It is true that the praise is qualified by the absurdly false statement that Hastings 'had no genius, any more than Clive, for schemes of policy including large views of the future, and large anticipations of the future'. The contrary is the truth. Every body who studies the letters and minutes written by Hastings cannot fail to recognize the largeness of his mind and the breadth of his views. The somewhat unwilling eulogy pronounced by Mill includes the following propositions which any of the rulers of India might be glad to have inscribed upon his tomb:



WARREN HASTINGS
(in old age).

'It is necessary, for the satisfaction of my own mind, and to free me from the fear of having given a more unfavourable description than I intended of his character and conduct, to impress upon the reader the importance of considering two points. The first is, that Mr. Hastings was placed in difficulties, and acted upon by motives, such as few public men have been called upon to [illegible]; and of this the preceding history affords abundant evidence. The second is, that no man, probably, who ever had a great share in the government of the world, had his public conduct so completely pulled and laid open to view. . . . It is my firm conviction, that if we had the same advantage with respect to other men, who have been much engaged in the conduct of public affairs, and could view their conduct as completely naked, and stripped of all its disguises, few of them would be found, whose character would present a higher claim to indulgence than his. In point of ability, he is beyond all question the most eminent of the chief rulers whom the Company have ever employed, nor is there any one of them, who would not have succumbed under the difficulties, which, he met and overcome, he at any rate sustained. . . . He was the first, or one of the first, of the servants of the Company, who attempted to acquire the language of the natives, and who set on foot those liberal inquiries

into the language and literature of the Hindus,' which have led t
satisfactory knowledge of the present day. He had the great art of a
which consists in attaching to the Governor those who are governed
administration assuredly was popular, both with his countrymen a
natives in Bengal.' [2]

It is not easy to recognize as the same man the tyra
oppressor depicted in such lurid colours by Burke, Sheridan
Macaulay. 'We may', as Wilson remarks in a note, 'look no
wonder, not unmixed with contempt, upon the almost i
virulence with which he was assailed, and think of him in no
character than that of the ablest of the able men who have
to Great Britain her Indian Empire.'

Warren Hastings should not be treated as a man lucky e
to escape conviction in court and qualified for the indulge
superior persons. He is entitled to warm appreciation
uncommon powers, and to the affectionate admiration of Euro
and Indians alike. As a young man he emerged unscathed
temptations to which his contemporaries succumbed. As a m
man of forty he took charge of Bengal with absolutely un
hands. Throughout his official life he laboured unceasing
the public good. Whatever judgement modern critics may
upon the propriety of certain acts of policy, nobody who
the facts can deny that Hastings gave his best to the servic
of England and of India.

His industry was almost superhuman, his resolution infl
his patience abounding, his courage imperturbable, an
dignity unfailing. Throughout the long years of the impeac
torture he bore with stoic equanimity the buffets inflicted by
men, and at last towards the close of his long life attained
recognition of his merits.

In private life, as a contemporary truly said, 'all who
him loved him, and they who knew him most loved him
His generosity was inexhaustible and often overstepp
bounds of prudence. It is impossible to read the letters
'beloved Marian' who shared his joys and sorrows for so
years, or those addressed to intimate friends without feeli
charm as well as admiring the ability of the writer.

Hastings in his old age was indeed the Happy Warrior,

> Who, if he rise to station of command,
> Rises by open means; and there will stand
> On honourable terms, or else retire,
> And in himself possess his own desire. . . .

[1] Add 'and Muhammadans'.

[2] The admitted popularity of Hastings among the 'natives of
is in itself a conclusive answer to the accusations of oppressio
oppressed do not love their tyrants.

[3] The extensive, although still very incomplete, publicatio
private correspondence of Hastings produces the same effect on
of his life. 'Mr. Hastings's tastes were essentially domestic,' as
spondent writes in Gleig, iii. 533.

> Whose powers shed round him in the common strife,
> Or mild concerns of ordinary life,
> A constant influence, a peculiar grace. . . .
> He who, though thus endued as with a sense
> And faculty for storm and turbulence,
> Is yet a Soul whose master bias leans
> To home-felt pleasures and to gentle scenes. . . .
> Whom neither shape of danger can dismay,
> Nor thought of tender happiness betray. . . .
> This is the Happy Warrior; this is He
> Whom every Man in arms should wish to be.

itt's India Act. The Bills prepared by Fox having been re-
by the Lords,

other ministers, Pitt found himself compelled to introduce and defend
in office measures which he had denounced when in opposition.
chief ground of attack on Fox's Bill was its wholesale transfer of
age from the Company to nominees of the Crown. Pitt steered clear
his rock of offence. He also avoided the appearance of radically
ing the constitution of the Company. But his measure was based
same substantial principle as that of his predecessor and rival, the
ple of placing the Company in direct and permanent subordination
tly representing the British Government.

Act of 1784 begins by establishing a board of six commissioners,
were formally styled the "Commissioners for the Affairs of India",
were popularly known as the "Board of Control".'

Board met for a time and Pitt took part in its deliberations,
it soon ceased to assemble, and its power was exercised by
ngle member, the President. In modern times a similar fate
befallen the Board of Trade.[1]

he Board was given power 'from time to time, to check,
ntend, and control all acts, operations, and concerns which in
wise relate to the civil or military government or revenues of
territories and possessions of the said United Company in the
Indies'. At the same time a Committee of Secrecy was
inated, consisting of three Directors of the Company, through
all important communications from the Board were to be

The remaining twenty-one Directors were excluded from
hare of political power, and the Court of Proprietors, whose
dence had offended ministers, was restricted from inter-
with the decisions of the Board.

he control of the Governor-general and Council over the minor presi-
was enlarged, and was declared to extend to "all such points
to any transactions with the country powers, or to war or peace,

that a Secretary of State or the senior commissioner present was
dent *ex officio*, and without extra salary. Dundas usually presided.
system was changed in 1793, when the presidentship was made
appointment with a salary.' Dundas continued to retain the
until 1801 (Malcolm). He was created Viscount Melville in 1802.

GOVERNMENT OF INDIA

or to the application of the revenues or forces of such presidencies i of war ".'

An attempt to stay the inevitable development of B dominion in India was made by the emphatic declaration th pursue schemes of conquest and extension of dominion in Ind measures repugnant to the wish, the honour, and policy o nation', and by the formal positive enactment that

'it should not be lawful for the Governor-general and his council, w the express authority and c of the Court of Directors, the secret committee, to war, or commence hostili enter into any treaty for war, against any of the c princes or States in India, treaty for guaranteeing th session of any country or State, except where ho had actually been commen preparations actually m the commencement of ho against the British nation i or against some of the pri States who were dependen on, or whose territories wer anteed by any existing tre



WILLIAM PITT THE YOUNGER.

The Act contains many provisions, but those ci the most important. at the same time Acts at various dates remedi worst defects of the Reg Act of 1773, defining th diction of the Supreme giving the Governor- power to overrule his c and introducing other ad trative changes which need not be detailed.

Patronage remained in the hands of the Directors, who re the power even of recalling a Governor-general. When the cised that power in the case of Lord Ellenborough Queen V was much annoyed.

The modern Secretary of State for India represents the Pr of the Board of Control, and his Council, which has a P Committee of its own, takes the place occupied by the committee of the Court of Directors. The 'double goverm

[1] The quotations are partly from Mill and partly from Ilbert latter author notes that 'almost the whole' of Pitt's India Act (24 G sess. 2, c. 25) 'has been repealed, but many of its provisions w enacted in the subsequent Acts of 1793, 1813, and 1833'.

rown and Company set up by Pitt's Act subsisted with material change until 1858. The machinery was cumbrous dilatory in working, but no government cared to undertake ask of eliminating the Company from the administrative anism until the shock of the Mutiny forced the hand of sters.

r John Macpherson. Mr. (Sir John) Macpherson, the senior ber of council, who took the place of Hastings pending the intment of a permanent successor, had a bad record. Origin- a ship's purser, he had been employed as a secret agent for awāb of the Carnatic, whose affairs were a mass of corruption. ot into the service of the Company by backstairs influence, deservedly, although irregularly, dismissed by Lord Pigot, nor of Madras; was reinstated by the Directors, and sent out place Barwell on the Bengal council. During his administra- which lasted for twenty months, Māhādajī Sindia, who had ined the government of the provinces of Agra and Delhi complete control of the titular emperor, and the imperial had the audacity to demand payment of *chauth* for the h provinces. It need hardly be said that the impudent est met with a peremptory refusal. Macpherson does not seem ve been responsible for the scandalous action of Dundas, dent of the Board of Control, who insisted on paying off the d debts of the Nawāb of the Carnatic amounting to about millions sterling without examination. The action of the dent, although not taken for the sake of personal gain, was tially corrupt, being dictated by a desire to retain the parlia- tary influence wielded by Mr. Paul Benfield and other dishonest s who had secured control of the Nawāb's finances. The same induced the minister to cancel the assignment of the Carnatic nues to the Company, which had been arranged by Lord rney.[2] That nobleman resigned his office as governor of s when his principal measure was reversed. Negotiations appointment as Governor-general came to nothing, and Lord rnwallis was appointed.

John Macpherson effected some financial economies, chiefly the reduction of salaries, but deserves no commendation. His or, Lord Cornwallis, a thoroughly honest man, would t believe a word he wrote, nor touch the corrupt jobs which mmended. His government is described as 'a system of dirtiest jobbing', and the man himself is justly held up to

a matter of form the Pēshwā was appointed *Vakīl-i mutlak*, or nt of the Empire', and Sindia was styled his deputy. The Emperor, of course, had to do as he was told. His name, however, s respected to a certain extent, and his grants gave a pleasing ce of legality to lawless proceedings. European writers of the ually call the Pādshāh 'the King'.

alleged jobs of Hastings were trifles compared with the doings of his accuser.

scorn as 'weak and false to a degree, and he certainly w
most contemptible and the most contemned governor tha
pretended to govern'.[1]

Sir John Malcolm, while giving full credit to Hastings f
'personal integrity' and the 'active energy of a great state
directed to the saving of the interests of his country in Indi
ruin, is constrained to admit that 'the system of gover
over which he presided was corrupt and full of abuses'.[2] H
did all that man could do in the circumstances to effect an im
ment, and actually succeeded to no small extent. But the s
was too strong to be overthrown by a mere servant of the Co
The retirement of Sir John Macpherson, who belonged to t
unreformed school, marks the close of an evil period in I
The Carnatic had to endure even worse government for som
longer.

CHRONOLOGY

Hastings Governor-general; the Supreme Court . . .
Cession of Benares province to the Company; treaty of Surat
first Marāthā war began; execution of Nandkumār .
Treaty of Purandhar; death of Col. Monson . . .
War with France; occupation of French settlements . .
Convention of Wargāon (Jan.); Nizam's confederacy . .
Capture of Gwālior; invasion of Carnatic by Haidar Ali; Baillie's
disaster . . . . . .
Battle of Porto Novo; affair of Chait Singh . . . .
Affair of the Bēgams of Oudh; Treaty of Sālbāī; Braithwaite's
disaster; Admiral de Suffren; death of Haidar Ali; (*European
events*—Resignation of Lord North, prime minister; relief o
Gibraltar; Admiral Rodney's victory; Grattan's Parliament
in Ireland) . . . . . .
Surrender of Mangalore to Tippoo; peace of Versailles .
Ascendancy of Māhādajī Sindia; treaty of Mangalore; Pitt's
India Act . . . . . .
Resignation of Hastings; Sir J. Macpherson acting Governor-
general . . . . . .
Impeachment trial began . . . . . .
Acquittal of Hastings . . . . . .
Death of Hastings . . . . . .

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FORREST, G. W. [Sir], *Selections from the State Papers of G
general, Warren Hastings*, 2 vols. (Oxford, Blackwell; and
Constable, 1910) may be given the first place. Besides the general h

[1] *Cornwallis Correspondence*, (1859), ed. Ross[2], i. 383, 454. T
is much too favourable to Macpherson.

[2] *The Political History of India*, 1826, vol. i, p. 35. The author's
tion of the causes which brought about the abuses is too long t
but deserves study.

llowing special works, among others, have been used. ANONYMOUS,
tory of the Trial of Warren Hastings, Esq. (London, Debrett, 1796),
an excellent and well-documented account of the impeachment and
ted proceedings. The biographical works are numerous. The
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more than its title indicates. The leading *Life* still is that by GLEIG,
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n by Sir ALFRED LYALL and other authors. I am inclined to think
the best is that by TROTTER, LIONEL, in *Everyman's Library* (Dent,
, which is superior to the volume by the same author in the Rulers
dia series. All the biographies, except Sydney Grier's, contain
kes. *A Vindication of Warren Hastings* by HASTINGS, G. W. (Frowde,
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n, Sonnenschein, London, 1905), are useful, but not quite free from
, V. A. SMITH, annotated edition of Macaulay's essay (Clarendon
, 1911). Many other books and a multitude of pamphlets might be
d. A huge quantity of unpublished MSS. about Hastings exists,
It is almost hopeless to look for a really satisfactory biography of him.
material is overwhelming in mass, and controversy is endless.

erything about 'Nuncomar' will be found in STEPHEN, Sir JAMES,
tory of Nuncomar and the Impeachment of Sir Elijah Impey, 2 vols.
millan, 1905), on one side; and in BEVERIDGE, H., *Maharaja Nun-*
(Calcutta, Thacker, Spink, 1886), on the other.

latter work, a revised reprint of articles in the *Calcutta Review*,
gh learned and painstaking, seems to me to be thoroughly wrong-
d. It is based on the assumption that Hastings conspired with
to murder 'Nuncomar' because the death of the Mahārāja was of
ntage to Hastings. It would be as reasonable to assume that the
-general poisoned Colonel Monson, whose death was still more
ume for him. When the *jury* convicted 'Nuncomar', the Chief
was bound to pass sentence. The proposition that Hastings and
joined in a conspiracy to murder, which was rejected by the law
s and by Parliament, is an atrocious calumny, inconsistent with the
ters of both the men accused. The title 'Hastings' Confession'
pter viii of Mr. Beveridge's big book is a most unfair *petitio principii*.
confession ever was made. Most of the points discussed in the book
relevant, and later works supply fuller information on some of

all Marāthā affairs GRANT DUFF is the leading authority. I possess
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WILKS, MARK, *Historical Sketches of the South of India, &c.*, is the
l guide for the Mysore war. Some other books are cited in the
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Soc., read in November 1916.

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CHAPTER 5

Lord Cornwallis; reforms; the third Mysore war; the 'perm settlement'; Sir John Shore, a man of peace.

Lord Cornwallis. Charles, second Earl Cornwallis, was forty-eighth year when, in 1786, he accepted unwillingly and a sense of duty the office of Governor-general. A soldier b fession, he had seen much active service. It was his misf that in October 1781 he was in command of the force whic compelled to surrender at Yorktown on the American because the French fleet under de Grasse had secured fo moment command of the sea. Although the surrender ende American war and assured the independence of the United S the disaster, for which Cornwallis was not blamed perso did not prevent his appointment to India. It was, as Mar observes, 'the singular caprice of circumstances that the ma had lost America was sent out to govern India, and the ma had saved India was subjected to a prosecution for high crim misdemeanours'.[1]

It is refreshing for the historian to escape from the turbid p of the time of Hastings and Macpherson and to pass into the wholesome atmosphere of the Cornwallis régime. 'The new Gov General, a member of the aristocratic oligarchy which then go England, was raised by his peerage above the jealousies must ever beset the path of a man promoted from the ra an official service and set to rule over his fellows. Hastings could wholly overcome the disadvantages of his position, as regards the Directors and ministry at home or his coll and subordinates in India. He was forced to make compr

[1] '*An Historic Meeting.*

Yesterday members of the American Mission met the British War C and the Heads of the Departments most intimately concerned in t at No. 10 Downing-street. The meeting was essentially a business m to consider how the United States could best work with us and w other Allies for the single end we have in view. But the dullest imag must be stirred by the gathering of the representatives of the tw English-speaking peoples for such a purpose upon such a scene. a century and a half ago they were one people with a common inhe of blood and of language, of political and religious thought, of instit habits, character, and traditions coming down to them through e generations. Then the claim of the colonists to self-government s them from the Mother Country, and just because they were of th family the kinsmen stubbornly fought their quarrel out. It wa room and at the table where the decisions which made the s inevitable were taken, and where the treaty of peace with the new R was signed, that their representatives took counsel together a against the enemy of the polity and of the civilization they have de (*The Times*, November 21, 1917).

opportunist arrangements, and even occasionally to perpetrate in order to secure his continuance in office and control over instruments which he had to use. The personal rank and reputa- of Cornwallis freed him from such necessities. He could d to defy even the Prince Regent, when he sought to effect ndalous job, and he enjoyed the full confidence of the ministry, hat his authority in every department of government was ntested. He was invested with military control as commander- ief. He obtained powers to overrule for adequate reasons majority of his council.

want of that authority been the most serious arrassment of Hast- The other most glar- faults in the Regulat- Act had been remedied arlier legislation. Corn- was not a genius, but lack of imagination intellectual brilliancy compensated by the gth of his character his unflinching moral rage. No man ever ned to question his grity. His mistakes ilures do not affect igh respect due to his tially noble nature and s invariably straight- ard conduct.



LORD CORNWALLIS.

form of civil ser- The first three years his lordship's term of were mainly occupied reform of abuses, the tion of corruption, and the provision of adequate sala- the civil service. He was resolutely opposed to the old- ned commercial view of the Directors, who liked to see small s shown in the accounts, while they were indifferent to the s of the unofficial perquisites appropriated by their servants. allis, soon after his arrival, estimated the takings of the t of Benares at £40,000 a year. Such monstrous gains, s were stopped. The Resident was given the adequate then excessive salary of 5,000 rupees a month. Under ence of the new system the Civil Service of India developed honourable body which it has continued to be ever since. allis was served by several admirable officials, among whom Shore and Jonathan Duncan stand out pre-eminent. The strative changes and reforms will be discussed more fully later.

Peace sought; war found. Lord Cornwallis came o
India as a man of peace, bound by Act of Parliament and hi
convictions to refrain from conquests and alliances, exc
defence of British possessions or those of an ally. Bef
went home he had broken the power of the principal pot
in the far south and had taken half of his dominions. Like
than one of his successors he came seeking peace and foun
The self-denying ordinance enacted by Parliament could n
strictly observed; and even Cornwallis, who disliked tri
was driven on at least one occasion to evade the Act by a s
fuge. The various Indian states, or 'country powers', as co
porary writers called them, were not stable kingdoms with s
boundaries, capable of entering into a permanent system of p
Nearly all the kingdoms were of recent origin founded by a
turers, each of whom fought for his own hand, and schem
cessantly to outwit and subdue his neighbours. The pol
the Marāthās, in its essence predatory, could not be reco
with general order. Nānā Farnavīs, the Pēshwā's po
minister in those times, aimed at restoring the supremacy
people. Tippoo in the far south, an arrogant fanatical t
apparently not quite sane, and filled with bitter hatred
English intruders, never relaxed his efforts to drive them
No fixed authority could be found anywhere, and the B
rulers of Bengal, as the strongest military and naval p
found themselves irresistibly constrained to acknowledge the
imposed by the possession of strength, and to accept the po
of 'umpires', not only in Hindostan or northern India,
Verelst's time, but of the whole country, even down to Trav
and Coorg in the extremity of the peninsula. When th
with Tippoo began in 1790, only thirty-three years had
since Plassey.

Causes of the Mysore war. In 1786 the Marāthās, m
the Pēshwā acting under the advice of Nānā Farnavīs, s
and Holkar, combined with the Nizam for the purpose of de
Tippoo, and in the following year forced him to cede a
and pay thirty lakhs of rupees. In 1788 Lord Cornwallis suc
in obtaining Guntūr in the northern Sarkārs from the Nizam
in return asked for troops under the provisions of the tre
1768. Lord Cornwallis, hampered by the Act of Parliament
anxious to avoid an open breach with Tippoo, adopted, as
Duff observes, 'a line of conduct more objectionable th
avowed defensive alliance'. He addressed a letter to the
promising that if the English should at any future time
possession of the Carnatic Bālāghāt or uplands they would
fulfil their obligations to both the Nizam and the Marāthās.
the letter was written the territory in question was inclu
the Mysore state. The Governor-general further promised t
the battalions on demand, on condition that they should
employed against the allies of the Company, including spe
the Marāthās. Tippoo's name was not included among the

wallis thus evaded the Act by framing a treaty in the form
letter. Tippoo heard of the evasion, and his anger at it was
f the causes of the war which followed. In any case he had
ded to fight the English, and if possible, destroy their power.

vasion of Travancore. The immediate cause of the war
Tippoo's attack on Travancore, a state in alliance with and
the protection of the Company. It is needless to go into
pecial reasons which induced the Sultan to attack Travancore
t moment, as he proceeded to do. On December 29, 1789,
mled the 'lines of Travancore', a rampart covering thirty
of the northern frontier of the state, and suffered a repulse
to a sudden panic among his troops. 'The plain country
scene of merciless devastation, the inhabitants were hunted
nt in immense numbers to the usual fate of captivity and
.' Lord Cornwallis treated that attack as an act of war
t the Company, and, ignoring the effects of his letter to the
n in July, wrote:

t mad barbarian Tippoo has forced us into a war with him by
ing without any just provocation our ally the Raja of Travancore,
territories it is not only our interest to defend, but we are specifically
d to do it by the late treaty of peace.'

ple alliance. Orders were sent to the government of
s to regard the invasion of Travancore as equivalent to
laration of war against the Company, to collect military
and transport, and to suspend all commercial expenditure.
provincial government, then under the control of two brothers
d Hollond, of whom one, John, was governor, deliberately
yed the peremptory orders of the Governor-general in every
ular. The rascals soon found that they had a master. John
nd fled to Europe, and his brother, Edward John, who
ded him as acting governor, was suspended from office.
quently, both of the Hollonds went to America and dis-
ed. The Governor-general, being now at war in defence of
, felt himself at liberty to conclude a 'tripartite treaty' or
alliance' with the Nizam and the Marāthās against Tippoo.

first two campaigns. General Medows, in command of
mpany's forces, occupied Dindigul and other places, while
from Bombay took possession of Malabar. Seasonal and
t difficulties prevented decisive operations.
December 1790 Lord Cornwallis in person assumed command.
siege he captured Bangalore, which he made his base.
ed by appalling difficulties in the way of supplies and trans-
struggled on and inflicted a severe defeat on the Sultan
ra (Arrakerry), only nine miles from Seringapatam, the
The victory proved fruitless. At the moment when
emed assured Cornwallis was obliged by fear of starvation
his siege train and retire on Bangalore.[1] Just then

details of the sufferings of the army are given by Wilks. The
force had to abandon a small hospital with 18 patients.

a Marāthā force arrived with ample supplies. If they had
a few days earlier the war might have been ended triumph
Lord Cornwallis bought the further aid or neutrality of the
cenary Marāthās with funds provided by seizing the Comp
silver on its way to China. In those days modern financial fa
did not exist. There was no paper money, no funded debt, a
machinery of extensive credit. Each campaign had to be fin
by chests full of coin, and the amazingly cumbrous arrange
for transport and supply were of a mediaeval character.[1]

Treaty of Seringapatam. Two campaigns having
Lord Cornwallis resolved to finish the business in 1792.
the help of an army from Bombay he approached Seringa
in February, and convinced Tippoo that resistance was ho
Preliminary terms then arranged were converted on Mar
into the definite treaty of Seringapatam, which require
cession of half of the Sultan's dominions, the payment of 330
of rupees, the release of all prisoners, and the surrender of
Tippoo's sons as hostages.

The Sultan was furious when he learned that the Gov
general insisted on the cession of Coorg, which did not come
within the precise language of the preliminary terms ac
Lord Cornwallis could not possibly abandon to the rage
Sultan the gallant little principality, which had already su
unspeakable cruelties at Tippoo's hands; but he should no
exposed himself by the use of loose language to even the su
of breaking faith. Tippoo had paid a large part of the ind
and sent in his sons before he realized that he must lose Coo

Territorial adjustments. The territorial adjustment
tended to give shares of equal value to the three allies, n
described in the words of Wilks:

'The selections of ceded territory brought the Mahrattas to th
Toombuddra [Tungabhadrā], their frontier in 1779; restored to
Ali his possessions north of that river, and the province of Kurpa
pah] to the south, which had been lost about the same perio
English obtained Malabar and Coorg; the province of Dindigul
the north of the Madura District], which had jutted inconvenien
their southern provinces, and Baramahal [now the NE. portion
Salem District], an iron boundary for Coromandel, which pla
frontier fortress of Rayacota [Rāyakottai, now in Salem District
table-land of Mysoor to the east, as the undisputed cession o
secured a similar advantage to the west.'

[1] The needs of Lord Cornwallis in 1792 were supplied by a huge
mentary army of Banjāras ('Brinjaries', 'Lumbanies'), or pro
nomad grain-carriers and dealers, numbering not less than 400,000
gives a curious account of them. Now that their ancient occupa
gone they have been mostly merged in the general population and
a mere caste. See Yule and Burnell, *Glossary*, *s. v.* Brinjarry.

[2] The dispute turned on the meaning of the word 'adjacent
preliminary articles. See the full diary of the tedious negotia
Malcolm, *Political History*.

districts left to Tippoo were 'rugged and unproductive' in
arison with those of which he was deprived. Coorg was
ained as a protected state under its Rājā, and so remained
1834, when the misconduct of its ruler made annexation
ary. The annexations under the treaty of Seringapatam
y extended the area of the Madras and Bombay presidencies.
iticism. Lord Cornwallis is sometimes criticized for his
to deal in a more drastic fashion with an implacable enemy.
quent events proved that the complete overthrow of Tippoo
would have saved another war;[1] but at the time the
rnor-general believed that he had done enough to secure a
peace. Annexation of the whole of Mysore would have
ed both the Nizam and the Marāthās, offended public and
opinion at home, and contravened the policy of the Act of
The partial annexation effected was approved by the
ry, and the Governor-general was promoted to the rank
rquess. Tippoo compelled his subjects to pay most of the
nity,[2] and at once began preparations for the next war.

Land policy. The most momentous and most hotly debated
are carried through by Lord Cornwallis was the Permanent
ment of Bengal, Bihār, the Benares Province, and part of
. Comparatively few readers of this book can have had
al, inside knowledge of the nature and working of the Indian
of land tenure and finance, which differ widely from those
ent in Europe and other parts of the world. Explanation
length of elementary facts familiar to experts is therefore
nsable for the majority of students who do not possess the
ence gained by Collectors and Settlement Officers.
ia always has been a country mainly agricultural, and for
reason the proper treatment of the problems connected with
and is the primary duty of an Indian government, so far as
al administration is concerned. Good policy concerning
and means contentment and peace; bad policy means dis-
t and disturbance. Indian finance always has depended
land policy, because from time immemorial the right of
government, whatever its form might be, to a large share of
gross produce of the land has been admitted by everybody,
that share has been the principal source of the income of the
Even now, when new sources of revenue have been developed
e action of modern conditions, the 'land revenue' constitutes
from 38 to 40 per cent. of the income of the government of

eral Medows would have preferred to dethrone Tippoo and restore
ry to its Hindu rulers, the policy adopted later by Lord Wellesley
Corr., ii. 78).
tells of the 'horrible tortures' used to enforce the levy, which
extensive secret emigration into the Company's newly acquired

pts to introduce the permanent settlement into the northern
years) 'mostly failed' (*I. G.*, 1908, vol. xvi, p. 318, *s. v.* Madras
).

India. In earlier days its percentage was considerably h
amounting to 75 per cent. or more of the gross receipts.

The share of the state. The legitimate government
of the gross produce according to the best legal authoriti
one-fourth, but Akbar demanded one-third generally, and o
in Kashmīr. Theoretical limitations did not count for
In practice, nearly every ruler, Hindu or Musalmān, took
could get, and often the principle was avowed that the culti
occupier, the 'ryot' (*raiyat*), should be left no more than
subsistence and seed grain, in order that he might not w
and kick. Very often so much was not left. Then the culti
were forced to desert their lands, which lay waste, a prey t
beasts. The temptation to kill the goose which laid th
proved irresistible in many cases. Even the early 'settle
made by British officers frequently erred on the side of
assessment, with disastrous results. The financial and ec
benefits of moderate assessment are now universally reco
in British India, but the practical difficulties in the way of at
the golden mean are immense. In Bengal of the eighteenth c
the information accessible was so crude that a decent
assessment was impossible. The Benares province was
fortunate, because it was a comparatively small area an
assessed by Jonathan Duncan, the best revenue officer
period.

Modes of collection. The government share of the p
might be collected in kind, either by actual division and wei
of the crop, or by various methods of appraisement or esti
It might also be valued and collected in cash, the system pr
by Akbar, and now universally adopted in British territory
ancient tradition, it should be clearly understood, allow
place for an economic, competitive landlord's rent. Accor
theory, the whole produce should be shared between th
(*sarkār*) and the peasant ('ryot'). Akbar encouraged
payments by each peasant ('ryotwār settlement'), wh
Sir Thomas Munro rightly insisted, was 'the old system
country'. But in practice that arrangement often proved
unworkable, and the services of a middleman under one n
another, zemindar, or what not, had to be called in. His re
tion was in the nature of a commission on the collections.
sanctioned the payment of such commission, where necess
the rate of 2½ per cent.[1] That allowance to middlemen
passes into landlord's rent, and, as a matter of fact, is th
of the landlord's rent now levied in Bengal and most p
India. Ancient Indian law recognized no freeholders, ex
Malabar, and certain other regions in the peninsula.[2] The pre

[1] The best definition of the position of an early Bengal ze
that in Harington's *Analysis*, reproduced in Seton-Karr, *Lord C*
(Rulers of India), p. 34. It deserves careful study. The C
zemindar is defined, ibid., p. 36.

[2] Munro found documentary evidence of private property in

n certainly was that the ultimate property in land vested
State, and that opinion still is ordinarily held and acted on
Native or Protected States of northern India. The corollary
t proposition is that the State or government could do what
sed with tenures, subject only to vague customary rights,
or less recognized, but never defined, and never enforceable
w. Powerful people also needed to be careful, for fear of
ing land out of cultivation. Established 'ryots' were under-
to have a prescriptive right to retain their fields so long as
paid at customary rates their 'land revenue', or government
of the produce, which in the old days was indistinguishable
rent. The British creation of 'proprietary right' in northern
has brought in a third party, the landlord or zemindar, who
s rents from the 'ryots' or peasants, and pays 'land revenue'
hare of the rent, not of the produce. The modern settlement
values rents, not crops. If there is no actual rent, as in the
here a 'proprietor' cultivates his own land, a hypothetical
s calculated, and 'rent-rates' are worked out for the whole
ated area. In the eighteenth century no such refinements
possible. Rough assessments were usually made on the basis
ious collections, or, sometimes, as by Duncan in Benares,
timates framed by hereditary skilled officers called *kānūngōs*
ungoes'). At other times the assessments were made in
rougher fashion by putting up the 'land revenue' of a tract
tion. In that case the contractor was called a 'farmer',
highest bidder got the contract. He then had to raise
m agreed on as he best could from the middlemen and
ts under him. Warren Hastings was obliged to resort to
ming system as a makeshift for his hurried quinquennial
ement' of 1772–7. It is an evil system, intolerable except
makeshift.

Questions of person and time. In the time of Lord Cornwallis
body was agreed that the 'settlement' contract should
de with the established middlemen or zemindars, whose
e had become hereditary, as usual in India.
question of term remained open. Most native governments
ough 'annual settlements'. Akbar had preferred longer
and, actually, the Bengal 'settlement' made by his finance
r, Rājā Todar Mall, lasted for seventy-six years.

Ruin in Bengal. In the eighteenth century everything fell
confusion. In Bengal the village communities, which still
ral society together in Upper India, dissolved, and the
ceased to maintain their records properly. Individual
s, originally mere collecting removable middlemen, de-
into hereditary potentates, each controlling a huge ex-
country. The Mogul government always had been in
going back for a thousand years (Gleig's *Life*[2], i. 347). The
gions' alluded to are—from Sunda [in Mysore] to the Wynaad
ded in the Malabar District], the Carnatic, Tanjore, and Madura
p. 193).

the habit of allowing local landholders and middlemen, wh
their designation might be, to exercise practically despotic au
over the peasantry. The officials did not worry much ab
details of administration, so long as the revenue came in suff
well to satisfy the persons in power, whoever or wherev
might be. Nobody's position or rights could be exactly de
legal, precise terms. Lord Cornwallis suddenly introdu
' permanent settlement ' into the chaos thus sketched, and
a revolution, without fully intending it. He was firmly pe
that he had conferred a boon on the country which he did s
to ruin; and when he had departed his successors co
to pretend that all was well, being unwilling to admit
No official blundering could ruin altogether a fertile reg
Bengal, filled with an industrious population.

Meaning of ' settlement '. The term ' settlement ' s
used in the foregoing observations has in India a technical m
which needs definition. The term is a translation of the
word *bandobast*. In the time of Lord Cornwallis revenue
being written in Persian, the technical terms used mostl
from that language, which included many Arabic word
vocabulary of official Persian differed little from that of
' High Urdū '. The comprehensive term *bandobast* or ' sett
covered all the operations incidental to the assessment of t
revenue or government share of the produce. The survey
had been a necessary preliminary in Akbar's time, as it
had dropped out of use in all provinces. The main fa
a ' settlement ' were the persons with whom the contract sh
made, the amount of money demanded, the modes of co
the penalties for default, and the term for which the arra
should hold good.

Policy of the home authorities. The home authori
been much disturbed by the reports concerning the va
policy pursued in Indian revenue matters, and were ex
anxious to secure a permanent revenue assessed on fixed pr
They were not keen about obtaining an increase of the
amount. The farming system was condemned definitely,
parties were agreed that the ' settlement ' should be made
recognized zemindars. Nobody advocated a survey or very
investigation of the assessable resources of the country
settlement officers are accustomed to call the ' assets '.

Question of term. The term for which the settlement
be made was the principal topic debated. So far back as
1776 Francis had written an able minute advocating a per
unchangeable assessment.[1] In a dispatch of 1786, the
which Cornwallis came out, the Directors expressed their pr
for a permanent settlement, never again to be revise
Governor-general seems to have made up his mind from
that such a measure must be passed. It is certain that in
had come to a fixed resolve on the matter, which could

[1] Ascoli, p. 34.

n by any argument. He succeeded in convincing the Prime
ter and the President of the Board of Control that he was
. The two statesmen shut themselves up in a country house
n days to study the question and decided to support the
on of the Governor-general. Accordingly the Permanent
ement for Bengal, Bihār, and Orissa (i. e. Midnapur) was
ained in 1793, and for the Benares Province two years later.
urged with all his force the obvious common-sense view
the measure was premature and that an irrevocable step
ld not be taken on information which everybody knew to be
ely imperfect concerning a huge country largely waste and
suffering from the effects of the famine of 1770. He argued
ordinary prudence required that the agreements should be taken
n years only, an arrangement which would allow time for
y and consideration.

guments of Cornwallis. Cornwallis replied to the effect
there had been plenty of inquiry, that the information was
ent, that the government would be no wiser ten years
, and that nothing save absolute permanence would stimulate
progress and improvement of the country. He cherished an
dream that he would be able to create a class of landholders,
the best kind of English county magnates, who, under the
influence of ownership and permanent assessment, would
the country flourish, and secure happiness to the body of
itants '. Being ' persuaded that nothing could be so ruinous
he public interest as that the land should be retained as the
erty of Government ', he was further ' convinced that, failing
laim of right of the zemindars, it would be necessary for the
good to grant a right of property in the soil to them, or to
ns of other descriptions.' He proceeds to say:

may safely assert that one-third of the Company's territory in
dar is now a jungle inhabited only by wild beasts. Will a ten years'
induce any proprietor to clear away that jungle, and encourage the
to come and cultivate his lands, when at the end of that lease he must
submit to be taxed *ad libitum* for the newly cultivated lands, or lose
of deriving any benefit from his labour, for which perhaps by that
he will hardly be repaid?

must own that it is clear to my mind that a much more advantageous
will be necessary to incite the inhabitants of this country to make
ertions which can alone effect any substantial improvement.
habit which the zemindars have fallen into of subsisting by annual
nts has originated, not in any constitutional imperfection in the
themselves, but by the fluctuating measures of Government; and
therefore admit that a period of ten years will be considered by
ality of people as a term nearly equal in estimate to perpetuity.
the prudent landholders it will not, whatever it may be by proprietors
ntrary description. It would be unwise, therefore, to deny the
the benefit of a permanent system, because the mismanagement
ther will not allow them to derive the same advantage from it.
is the interest of the State that the landed property should fall into
ds of the most frugal and thrifty class of people, who will improve

their lands and protect the ryots, and thereby promote the general
perity of the country.

If there are men who will not follow this line of conduct when an
tunity is afforded them by the enaction [sic] of good laws, it surely
inconsistent with justice, policy, or humanity to say that the soone
bad management obliges them to part with their property to the
industrious, the better for the State.

It is immaterial to Government what individual possesses the
provided he cultivates it, protects the ryots, and pays the public re

The short-sighted policy of having recourse to annual expedien
only be corrected by allowing those who adopt it to suffer the conseq
of it, leaving to them at the same time the power of obviating th
pursuing the opposite line of conduct.'

Criticism. Such feeble reasoning, while plausible enou
paper to deceive able English ministers ignorant of Indian
tions, was so utterly unrelated to the realities that it
deserves the trouble of refutation. It may, however, be
observe that the grant or declaration of a heritable, transf
right of property in the soil as a boon bestowed on the zem
ignored the ancient rights of multitudes of under-propriet
various kinds as well as the customary tenant-right or he
the soil at fair customary rates enjoyed by the ryots; th
serious attempt was made to secure respect for such right
customary possession; that the words 'his lands' appl
a vast zemindāri were false in fact and implied an agrarian r
tion; that great zemindars were not in the habit of sp
capital on land reclamation or improvement; that such oper
actually were effected bit by bit on a small scale by indi
ryots; that no shadow of reason existed for believing th
transferees of properties would 'improve the lands and
the ryots' better than the old zemindars had done; that
matter of fact, the new men were much worse than the old
that the policy avowed in the concluding paragraphs of the
was heartless and cruel. Much more might be said, but so
enough.[1]

Cruelty of the sale law. A tremendous change in usa
practice was introduced by the Permanent Settlement legi
through the enforcement of the sale of zemindāris by auc
the sole penalty for default. Previous rulers had been accu
to imprison, flog, torture, or even kill defaulters; but wh
pain was inflicted fell upon individuals, without impairi
position of the defaulter's family, or inflicting loss of the
rights recognized as existing. The notion that a big zem
interest in a whole barony or county was liable to be sold
lost for ever because his agent had been a day late in pay
government revenue was wholly new to the Indian mind,
found extreme difficulty in grasping the terrible reality
novel situation. Lord Cornwallis abhorred all forms of p

[1] Mill's very much longer denunciation of the Cornwallis leg
is not open to hostile criticism to any material extent.

ression, and in his anxiety to relieve landholders from corporal
dignities subjected them to evils far worse. The rigid punctuality
payment required by the law could not be fully enforced. Large
ances accrued in spite of the cruelty of the sale law, especially
ing the period of about fifteen years following the proclamation
the permanent settlement. Innumerable proofs of the mischief
might be cited, but it will suffice to quote the testimony of
Collector of Midnapur in 1802, who wrote that the zemindars

say that such a harsh and oppressive system was never before resorted
this country; that the custom of imprisoning landholders for arrears
evenue was, in comparison, mild and indulgent to them; that, though
was no doubt the intention of government to confer an important
fit on them by abolishing the custom, it has been found by melancholy
perience that the system of sales and attachments, which has been
stituted for it, has in the course of a very few years reduced most of
great zemindars in Bengal to distress and beggary, and produced a
ater change in the landed property of Bengal than has, perhaps, ever
pened in the same space of time, in any age or country, by the mere
ct of internal regulations.'

hat indictment of the policy of Lord Cornwallis is literally
. The great landholders more or less completely ruined
uded the Rājās of Dīnājpur, Rājshāhi, Bishanpur, Nadiyā
ddea), Cossījurah, and many others.[1]

The auction purchasers. Nor were the persons substituted
better as landlords than their predecessors had been. On the
trary, as already stated, they were much worse, because the
understood foreign sale law afforded endless opportunities for
ery and chicanery to rogues who mastered the formalities
the collector's office, suborned the underlings, and often acquired
uable properties for a trifle. In many cases the purchasers
agents, attorneys, or bailiffs of the zemindars, and purchases
constantly effected in the names of persons other than the
buyers. The purchasers, far from showing an inclination
come 'prudent trustees of the public interests', were selfish,
speculators, indifferent to everything except their own
diate pecuniary interest, and bitterly hostile to the holders
ll subordinate rights. Very often they resided in Calcutta
some other city, never going near the estates which they were
ted to improve. In the years 1871–4, when I served as
stant Collector in the permanently settled districts of the
ares province, I examined many old records and heard endless
es of the iniquities of the auction-purchasers, although in
province the evil never attained the magnitude which it
ed in Bengal. The effect on the peace of the country-side
then disastrous and probably is still felt. A family which
st its legal rights by an auction sale always regards the
action as unjust, and usually becomes a centre of agrarian
ntance, frequently resulting in murder.

far as the hoped for creation of a landed aristocracy of a

[1] *Fifth Report*, in Ascoli, pp. 214, 223.

progressive character from among either the old zemindar
the new men was concerned the permanent settlement
a ghastly failure. The pecuniary benefit was reaped chiefly
rogues.

Neglect of subordinate rights. In respect of the u
proprietors and peasants or 'ryots' of various classes,
possessed well-recognized, although ill-defined customary ri
while owing equally well-recognized and ill-defined duties.
result of the obstinate idealism of Lord Cornwallis was eq
disastrous. The government contented itself with expressing
aspirations in the wordy preambles to Regulations and in ma
fine promises of future legislation which were never fulfilled.
first serious attempt to grasp the problem of tenant-right was
by Act X of 1859, which unhappily proceeded on lines n
accordance with custom, and was on the whole a failure. S
quent attempts to solve the problem do not seem to have
with much greater success, but I am not qualified by exper
in the Lower Provinces to express a decided opinion on that

'No rent' combinations. Another evil result of the
mental obstinacy of Lord Cornwallis was the demoralizatio
the tenantry, who often adopted a 'no rent' policy, and ma
impossible for the landholder to fulfil his obligations. A man
could not collect his rents could not pay his land revenue.
Cornwallis was perversely wedded to the notion that all dis
concerning the land could be easily settled by referring the p
to the civil courts established by him. The break-down of
courts will be noticed presently.

Distraint; the Fifth Report. In 1799 an attempt to r
the embarrassment of the zemindars was made by giving
the power of distraint, as copied from English law. The
acquired power, which was unsuitable to the country, was ty
cally abused. The famous *Fifth Report* of the Select Com
of the House of Commons, presented in 1812, and drafted b
Senior Clerk of the Board of Control, gives a comprehensive
distressing view of the evils wrought by the permanent settle
coloured to a considerable extent by the desire of the com
to prove that the country, notwithstanding 'certain imperfec
in the 'system of internal government in the Bengal provi
yet 'exhibited in every part of it, improvement on a general
advancing with accelerated progress in latter times.'

Advantages of delay. If the settlement had been mad
ten years only as Shore advised, or even for a longer term
defects inevitable in a rough and ready measure designed
executed by officers very imperfectly informed concerning
facts could have been noted and cured by suitable remedies.
rights of subordinate holders and ryots might have been pro
secured, the old landholding families might have been pres
the villanies attendant on auction sales could have been sto
and grave financial loss would have been avoided.

Lack of local knowledge. The permanent settlement ha

more injurious result. The land revenue being fixed for ever
its payment on the whole secured by a mechanical recourse
the process of sale, no motive remained to induce officials to study
purely rural tenures and conditions. The *kānūngōs* (canoongoes),
authorized hereditary custodians of knowledge concerning
land, were abolished, and the village accountants (*patwārīs*)
are declared to be merely private servants of the zemindars.
local collecting establishment was required. The extensive
ablishment of *tahsīldārs* and subordinate officials at the disposal
the Collector of a District in temporarily settled provinces
s not exist in Bengal, where the Magistrate and Collector is,
to speak, deprived of eyes and ears. He is constrained to rely
local investigations almost entirely on the police, an unsatis-
tory agency. Considerable tracts of Bengal had the good
une to escape the wide net of the permanent settlement for
ious reasons which cannot be explained here. Such tracts
e been surveyed, examined, and assessed by skilled settlement
ers in modern times and the knowledge thus acquired has
own much light on rustic economy. But in the province taken
whole it is extremely difficult for officials to gain that accurate
rmation concerning the land which is the ordinary equipment
a competent officer in other provinces. Under the Bengal
ancy Act of 1885 power was taken to make a survey and prepare
record of rights even in permanently settled tracts. Such
erations have taken place in north Bihār and certain other
tricts. In so far as they have been completed they remove
reproach of official ignorance concerning those areas.

Financial loss. The financial loss caused by the permanent
ement is enormous, and cannot be less than 300 lakhs, or
millions of rupees a year, a burden which the rest of India has
bear.[1] Apologists for the measure may urge that the apparent
has been made up by the increase of cultivation due to the
manency of the assessment. Several years ago when lecturing
Oxford I came to the conclusion and taught my pupils that
large increase in cultivation which has taken place cannot be
ascribed to the Permanent Settlement legislation. Mr.
h, an expert revenue officer serving in Bengal, independently
formed the same opinion.[2] Probably few disinterested and

[1] The figure is put considerably higher in *I. G.* (1908, vol. vii, p. 301, Bengal).

[2] 'There is little doubt that the extension of cultivation subsequent to was due entirely to natural causes, such as the normal increase of ation. . . . There is nothing in the contemporary accounts, nor in the quent history of zemindāri management, to show that the extension ltivation was in any way due to the efforts of the proprietors, or to that similar results would not have been obtained under a different settlement. . . . The Permanent Settlement in itself had no immediate on the state of cultivation' (*Early Revenue History of Bengal*, 1917, 'We have only to guard the Ryots from oppression, and they will the revenue for us' (Sir T. Munro in Gleig's *Life*[2], i. 174).

well-informed persons outside of Bengal could now be found to applaud the wisdom of the Permanent Settlement. Right or wrong, it has become irrevocable. The author of this book has no doubt that it was wrong.

Districts. 'The division of the province into districts is the basis of the whole system of reforms. The Supervisors, the Provincial Courts and the earlier Collectors had exercised their doubtful authority over a series of fiscal divisions, *parganas*, zemindāries, &c. . . . The new districts were territorial units . . . reduced to twenty-three in number' in number. 'The process of rendering the districts more compact continued . . . but the system evolved by Shore . . . has formed the basis of all subsequent administration.'[1]

Judicial reforms. The judicial reforms, civil and criminal, were based on the district arrangement, and, although many modified in detail by later legislation, served as the foundation of the existing system, and were an improvement on the tentative institutions of Hastings. A civil court under a European judge was constituted for every district, and a gradation of appeal courts was established. Collectors were divested of judicial functions, and almost all disputes were referred to the civil courts. European judges were sent on circuit to perform the functions now performed by Sessions Judges, and the grosser faults of the Muhammadan criminal law were abolished, but that law, slightly modified, still supplied the place of a penal code, and supplied it very ill. The Judge of each district (*zillah*) had also the powers of a magistrate, and the control of the police, who were officered by Indian *darogas*, each in charge of a police circle (*thāna*) about twenty miles square. The *daroga* received a salary of only twenty-five rupees a month, plus ten rupees for every dacoit or brigand convicted, and a commission on stolen property recovered. Murders, robberies, and other enormities were extremely numerous, and the *darogas* were a terror to the well-disposed rather than to the evil doers. The introduction of a more efficient police administration had to wait until the years 1859–62, when the High Courts were founded, the Penal Code and Code of Criminal Procedure enacted, and the police was organized on the model of the Royal Irish Constabulary.

Radical error of Lord Cornwallis. Lord Cornwallis had an extraordinary distrust of all 'native' or Indian officials.

[1] Ascoli, p. 39. 'The unit of administration in British India is the district, corresponding roughly with the Sarkār of the Mogul system. In British India 258 districts exist. . . . Many of the native or protected states, as for example the Nizam's dominions or Hyderabad state, follow the British system and make use of the district as the unit of administration. Each such district is ordinarily a considerable area, as large as a good-sized English county, and supporting a population of 1,000,000 more or less. In the Madras presidency the districts are exceptionally large. . . . The average area of a district is about 4,430 square miles, and the average population is about 931,000' (*The Oxford Survey of the British Empire*, 1914, vol. ii, p. 249). The districts in the time of Lord Cornwallis were large and unwieldy.

conceive', he wrote, that all regulations for the reform of that [criminal] department would be useless and nugatory, whilst the execution of them depends upon any native whatever,'

and went on to insist that all judicial proceedings should be at first supervised by Europeans. His plan for paying liberal salaries applied only to the European service.[1] Such entire exclusion of the indigenous agency from any responsible position was, as Ilbert justly observes,

'a great and radical error of Lord Cornwallis. . . . Under the impolitic system established in 1793, the prospects of legitimate and honourable ambition were altogether closed against the natives of the country.'

Ascoli fails to enter into particulars of the working of the judicial system, but there can be no doubt that it broke down utterly on both the civil and criminal sides to such a degree that for many purposes justice was almost denied. The courts were far too few, were hampered by technicalities,[2] and clogged with arrears. In 1795 the Civil Court of Burdwan was more than 30,000 cases in arrear. Much information on the subject is contained in the *Fifth Report*. Magisterial powers were restored to Collectors in 1835. Cornwallis believed firmly, as many people now do, in the theoretical merits of the complete separation of executive from judicial functions. Practical men, who know the strength of the Indian tradition which looks to one officer, the Hākim, or person who can give orders (*hukm*), as the representative of the government, do not believe that the villagers are gainers by the multiplication of departments and the sub-division of authority. But the subject is too large for discussion in this place. The student, however, should note that the theories of Cornwallis failed to stand the test of practice.

The '**country powers**'. Cornwallis did his best to avoid engagements with the 'country powers'. He had, however, the spirit to tell Māhādajī Sindia in peremptory language that he must keep his hands off Oudh. Both that province and the Carnatic continued to be scandalously misgoverned. Neither of them took the slightest practical notice of the abundant excellent advice tendered by the Governor-General.

Sir Thomas Munro understood the subject far better and entertained much more liberal views on it.

The Cornwallis Code drawn up by Mr. George Barlow, afterwards governor-general, was an extended and spoiled edition of Impey's short code, which was much more practical and sensible. 'It would have been better to have curtailed nine-tenths of the regulations—to have confined them within narrower limits, and to have made the zillah [district] more absolute' (Munro in Gleig's *Life*, i. 420). It is hardly necessary to point out that now the great majority of judicial officers on the civil side are of Indian birth, that thousands of their countrymen exercise criminal powers, and that some of the most efficient High Court judges are Indians. The general level of judicial integrity has been raised to an extent which would have seemed incredible to Lord Cornwallis, but not to Sir Thomas Munro, who fully understood the possibilities of improvement. Munro, perhaps, was the wisest of all Anglo-Indian statesmen.

Ghulām Kādir. Māhādajī was in a critical position in owing to attacks by Rohilla chiefs. In the year following a ruffian named Ghulām Kādir, son of Zābita Khān R seized Delhi and plundered the palace. In the course proceedings he even flogged the princesses and brutally b the titular emperor, Shāh Ālam, in order to force the disc of supposed hidden treasure. When Sindia recovered Ghulām Kādir paid the penalty of his ill deeds by a death of t

Later career of Sindia. Sindia had established his powe the aid of M. de Boigne, the foreign officer already menti who ultimately commanded three brigades of eight batt each, with the needful complement of artillery and cavalry. old Marāthā style of warfare was abandoned, and Sindia on regular troops, equipped much in the same way as th the Company, and comprising both Rājputs and Musal M. de Boigne defeated Ismaīl Beg, a Muhammadan chief, at in Rājputāna in 1790; the Rājput allies of that chief at (Mairta, Merta) in the year following; and Holkar's army a Frenchman named Dudrenec at Lakherī (Lukhairee) in 1

Sindia then (1792) went down to Poona and took part solemn investiture of the Pēshwā as titular *Vakīl-i Mutlak*, o gerent of the Empire, which dignity had been conferred Pādshāh some years earlier. Māhādajī died in 1794. Gran describes him as

'a man of great political sagacity, and of considerable genius; artifice, restless ambition, and of implacable revenge.... His count was expressive of good sense and good humour; but his complexi dark, his person inclining to corpulency, and he limped from the of his wound at Pauniput. His habits were simple, his manners k frank, but sometimes blustering and coarse.'

He left no male issue, and was succeeded by his grand-n Daulat Rāo, a boy of thirteen, whom he had intended to ad

The intrigues of the Marāthā courts during the time o Cornwallis are too complex for narration in this work. curious will find full details in Grant Duff's *History*.

Renewal of Charter. When the Regulating Act of 17 enacted the Charter of the East India Company had been con for twenty years. As the time for renewal drew near a discussion on the subject arose in England, and an agitati started by merchants and manufacturers in favour of the o of the trade. Lord Cornwallis was strongly opposed to subs change, and saw dreadful visions of India filled by 'de speculators', if the Company's privileges should be abo The authorities also strongly objected to the importat schoolmasters or missionaries. In short, all the old notion prejudices still swayed official minds, and Parliament was persuaded to follow the guidance of the ministers, without exa

[1] For an account of these battles from the Rājpūt point of vi Tod, *Personal Narrative*, chap. xxviii, xxix (popular ed., vol. i).

arguments too closely. In the end the charter was renewed twenty years without material modification. The only con- made to the general public was the trivial allowance to traders of 3,000 tons of cargo space yearly under conditions ceptable to merchants.



MĀHĀDAJĪ SINDIA.

Revolutionary War. The execution of Louis XVI of in January 1793 resulted in the beginning of the Revolu- War between France and England, which lasted almost interruption until the battle of Waterloo in 1815. Lord allis, who had determined to retire from India, went down adras in order to superintend the reduction of the French ments, but found that the work had been done before his . He sailed for home from Madras in October.

haracter of Lord Cornwallis. The personal character of

Lord Cornwallis deservedly secured him universal respect
his lifetime, and his memory is still justly held in honour
errors of policy which marked his Indian career were com
from the purest of motives and with the best intentions
extent of those errors did not become apparent until long
he had disappeared from the scene, and both the governm
home and the authorities in India were unwilling to adm
failure of much of his work. He continued to be emplo
high office, and, as we shall see, was even sent out to India
His incessant war against corruption and jobbery in every for
his especial glory. His reorganization of the Covenante
Service and his establishment of the District or *zillah* as th
of administration were enduring reforms for which he deser
credit. He was a capable military commander, and knew h
control his subordinates. He was free from personal animosi
always anxious to promote the most competent officials
correspondence gives a pleasing picture of a thoroughly
hard-working, public-spirited ruler, exempt from avarice
actuated by an imperative sense of duty.

Sir John Shore. Lord Cornwallis maintained for sound
still valid the opinion that no servant of the Company ever
be appointed Governor-general. Unfortunately his este
his friend Sir John Shore induced him to make an excep
his rule and to recommend Sir John as his successor. Th
and ministry concurring, Shore was appointed and too
charge in August 1793. Although his administration las
four and a half years, its history may be dismissed briefl
John, notwithstanding his exemplary personal character and
piety, was one of the worst of the few really incompetent Gov
general. He had the candour to acknowledge his incompet
a private letter dated March 9, 1796, when he wrote :

> 'The fact is this that the duties of my situation are too much, I
> my abilities. . . . Often have I wished that Lord Cornwallis were at
> of the Administration here, and that I were his coadjutor, as fo
> all would then have been easy to him and to me' (*Life*, i. 363).

Like Galba, Shore might be described as *capax imper*
imperasset, 'fit to bear rule, had he never ruled'; an ad
subordinate, but not big enough to stand the test of ex
supreme power.

Battle of Khardā. Shore, paralysed by a slavish obed
the words of the Act of Parliament of 1784 and by unwor
of the Marāthās, broke faith with the Nizam, when tha
was threatened by the robber state. The Governor
wrapped up his reasons for refusing to obey the call of h
sophistical phrases, equivalent substantially to a declarat
it would not pay to keep faith.[2] He therefore allowed a

[1] Both he and General Medows refused to take their shar
Seringapatam prize-money.

[2] The words of the treaty did not definitely bind the gover

thā combination, including the Pēshwā, Sindia, Holkar, and
the other leaders, to overwhelm the Nizam at the battle of
rdā in 1795.[1] The battle itself was nothing, the fighting being
mptible, but it was enough to reduce the Nizam to a state
assalage and to exalt the dangerous Marāthā power to a pinnacle
rrogance. The war of 1795 was the last occasion on which
chiefs of the Mahratta nation assembled under the authority
their Pēshwā'. In all subsequent transactions each chief acted
pendently.

Marāthā troubles. The aggrandizement of the Marāthās was
ed by unexpected events, not by the foresight of the Governor-
ral. Mādho Rāo Nārāyan, the young Pēshwā, weary of the
tutelage of Nānā Farnavīs, the 'Indian Machiavelli',
mitted suicide. That tragedy threw all Marāthā affairs into
der and resulted in three years of obscure, confused intrigue.
a Farnavīs spent part of the time in prison. Towards the close
706 Bājī Rāo II, a son of Ragoba, and the bitter enemy of
minister, was recognized as Pēshwā, but trouble continued long
wards.

he rebellion of the Nizam's son induced the ruler of the Deccan
recall the British battalions which he had dismissed. That
ll checked the development of French influence which had
atened to become supreme. The Nizam was well served by
nch officer named Raymond, who organized regular troops
fought against countrymen of his commanding similar forces
he Marāthā side at the battle of Khardā.

Mutinous combination of officers. Lord Cornwallis and the
ident of the Board of Control had discussed plans for amalga-
ing the king's troops with the Company's army, which came to
ing. The amalgamation, a most proper and necessary measure,
deferred until after the Mutiny. Cornwallis, however, had
eded in reducing the excessive perquisites of officers in the
itary as well as in the civil departments, thereby causing deep
ntent. Towards the close of 1795 the officers formed a
erous mutinous combination, threatening even to seize both
Governor-general and the commander-in-chief and to take
ession of the government. They demanded double *batta* or
allowances, promotion by strict seniority, and other personal
leges incompatible with good administration. Clive had
ressed a similar combination in a fortnight. Shore weakly
in and granted even more than was demanded. When the
of his abject surrender reached England in December 1796

to render the assistance asked for, but, as Wilson points out, the
n had been led to expect protection and had earned it by his cession
ritor.

Khardā is now in the Ahmadnagar District, Bombay. For some reason
parent all the history books call the place Kardla or Kurdla. Two
ons of female sepoys, each 1,000 strong, kept by the Nizam to guard
ives and ladies, took part in the battle, and behaved no worse than
rest of his army (Blacker, p. 213 *n.*).

the Directors at once decided to recall him. Dundas, the Presi
of the Board of Control, made matters worse by yielding still
concessions, merely because the mutinous officers controlled
influential committee in London. Lord Cornwallis, who had
invited to return to India, refused to have anything to do
such cowardly transactions; and in the end Lord Mornington
appointed Governor-general.

Oudh affairs. Once and once only did Sir John display
spirit. Āsafu-d daula, the debauched ruler of Oudh, died in
after nominating as his
cessor a youth named V
(Vazīr) Alī, also known
Mīrzā Alī, whom he recog
as his son. Shore some
hastily sanctioned the su
sion. Within four month
was satisfied that the y
man was the offspring
menial servant and totall
fit to rule as Nawāb-V
The Governor-general
down to Lucknow, reverse
previous decision, and inst
Sa'ādat Alī Khān, a broth
the late Nawāb. The new
paid the price of his elev
by signing a fresh treaty,
among other provisions
the important strategic
tion of Allahabad at the
fluence of the Jumna wit
Ganges. Some disturban
curred which at one
threatened the life of Sir
Shore, who behaved with
rage and discretion. His ordinary cowardice as Governor-g
was political, not physical.



SIR JOHN SHORE.

In the following year (1799) Vizier Ali revenged his do
by murdering Mr. Cherry, the Resident at Lucknow, and s
other European gentlemen. The murderer fled, was surren
by the Rājā of Jaipur, and ended his days at Calcutta in ri
confinement.

Dr. Laurence, an intimate friend of Edmund Burke, wh
died in 1797, threatened Shore with impeachment on accou
his action, but did not proceed with the prosecution. Sir
Shore was created a peer as Baron Teignmouth. After his retir
he lost interest in India, and devoted his time chiefly to the co
of the British and Foreign Bible Society and cognate institu

Ahalyā Bāī. Although it is impossible in this work to
in detail the history of the various Marāthā states, I cannot r

commemorating the virtues of a lady who died in 1795,
Sir John Shore was Governor-general, after she had directed
success for thirty years the affairs of the Holkar dynasty
the administration of the Indore state. In 1765 Ahalyā
widow of Malhār Holkar and then in the thirtieth year of
age, was the sole representative of her late husband's dynasty.
the consent of the subordinate chiefs and the loyal co-opera-
of Tukajī Holkar, the commander-in-chief, who was not related
the reigning family, she ruled the state until her death in such
manner that she gained for herself unbounded veneration and
her subjects the blessings of righteous government. The
rian, weary of the selfish wickedness of nearly all the Indian
es of the eighteenth century, finds agreeable relief in dwelling
moment on the picture of Ahalyā Bāī as drawn by the skilful
of Sir John Malcolm, who delineated her character after
ful investigation of the facts. It would be a pleasure to
scribe the whole of his long and fascinating account, but room
be found only for a few extracts:

The success of Ahalyā Bāī in the internal administration of her domi-
was altogether wonderful. . . . The undisturbed internal tranquillity
country was even more remarkable than its exemption from foreign
. . . Indore, which she had raised from a village to a wealthy city,[1]
always regarded by her with particular consideration. . . . The fond
of her life was to promote the prosperity of all around her. . . . She
become, by general suffrage, the model of good government in Malwa. . . .
munificence was not limited to her own territories. . . . The beasts of
field, the birds of the air, and the fish of the river shared in her com-
. . . She died at the age of sixty, worn out with care and fatigue. . . .
could read and understand the Purānas, or sacred books, which were
favourite study. . . . It is not common with the Hindus . . . to confine
, or to compel them to wear veils. The Mahrattas of rank (even
Brahmins) have, with few exceptions, rejected the custom [of seclusion],
is not prescribed by any of their religious institutions. Ahalyā
therefore offended no prejudice, when she took upon herself the direct
agement of affairs, and sat every day for a considerable period, in open
, transacting business. . . . The facts that have been stated of Ahalyā
est on grounds that admit of no scepticism. It is, however, an extra-
ary picture—a female without vanity, a bigot without intolerance . . .
name is sainted, and she is styled an Avatar, or incarnation of the
ity. In the most sober view that can be taken of her character,
rtainly appears, within her limited sphere, to have been one of the
st and most exemplary rulers that ever existed.'[2]

a noble eulogy by a foreigner honours the writer as well as
lady.

Indore city or Indūr is in 22° 43′ N. and 75° 54′ E. The original
was not founded until 1715. The city, which is growing steadily,
an area of about five square miles, and in 1901 had a population of
, excluding the people attached to the Residency. The place is now
the largest trade centres in Central India, and the chief collecting
distributing centre for Southern Mālwā (*I. G.* (1908), *s. v.*).

[2] *Memoir of Central India* (1832), vol. i, pp. 157–95.

CHRONOLOGY

Lord Cornwallis Governor-general
Internal reforms
Reverses of Māhādajī Sindia 178
Ghulām Kādir; cession of Guntūr
Third Mysore war began; battle of Pātan
Battle of Mīrthā (Mairta, Merta)
Treaty of Seringapatam; battle of Lakherī
Revolutionary war began; permanent settlement of Bengal, &c.; renewal of charter of E. I. Co.
Death of Māhādajī Sindia
Sir John Shore Governor-general; battle of Khardā; suicide of Mādho Nārāyan Rāo, Pēshwā; permanent settlement of Benares; Cape of Good Hope taken from the Dutch; death of Ahalyā Bāī
Bājī Rāo II, Pēshwā
Sa'ādat Alī Khān, Nawāb of Oudh; departure of Sir John Shore (Lord Teignmouth)

AUTHORITIES

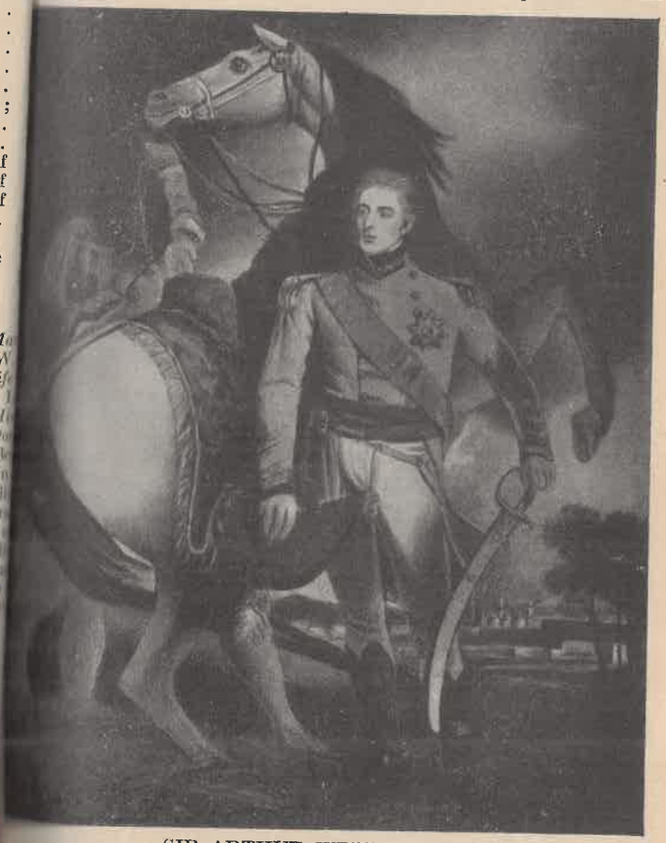
The special works used include *Correspondence of Charles, First Marquis Cornwallis*, ed. Ross,[3] 3 vols. (Murray, 1859); SETON-KARR, W. *The Marquis Cornwallis* (Rulers of India, 1898); *Memoir of the Life, Correspondence of John, Lord Teignmouth*, by his son, SHORE, C. J., 1st Baron TEIGNMOUTH, 2 vols. (London, 1843); MALCOLM, Sir J., *The Political History of India*, 2 vols. (Murray, 1826); ASCOLI, F. D., *Early Revenue History of Bengal and the Fifth Report, 1812* (Clarendon Press, 1917). The Report section of the text of the *Fifth Report* is most conveniently read in Ascoli's little book, which is excellent. The *Report* was officially published in full, with appendices and glossary, folio, 1812. It deals with Madras as well as Bengal. There is also an official 8vo edition of the whole text bearing the same date. Higginbotham, Madras, published a good edition of the complete work, arranged in two volumes, in 1883. An exact reprint by the same firm appeared in 1866. Archdeacon Firminger brought out an annotated edition in three volumes (Cambray, Calcutta

CHAPTER 6

Lord Wellesley; the fourth and last Mysore war; annexations: the of Bassein and the second Marāthā war; policy and achievement

Lord Wellesley (Mornington). Richard, Baron Wellesley, the peerage of Great Britain and Earl of Mornington in the peerage of Ireland, took over charge of the office of Governor-general May 1798. With the exception of Lord Curzon of Kedleston, no Governor-general has come out so well informed concerning all the problems of Indian government as the Marquess Wellesley was. It is convenient to designate him from the first by his more and more familiar title. Wellesley, a ripe and accomplished scholar, had been for several years a member of the Board of Control and had devoted special attention to the acquisition of knowledge

Indian politics. When he took his seat at Calcutta he did not himself to be a novice surrounded by experts. His imperious temper and confidence in his own judgement were justified in no



SIR ARTHUR WELLESLEY.

measure by the depth and accuracy of his knowledge. At time of his accession to power he was almost thirty-eight years of age with his powerful faculties at their best. The Indian climate suited his constitution, so that he was able to perform an

enormous amount of hard work without injury to his h
After leaving India he became Secretary of State for F
Affairs at a critical time in the course of the Peninsular Wa
twice served as Lord-Lieutenant of Ireland.

In almost everything he contrasted sharply with his predece
Lord Cornwallis and Sir John Shore, resembling them on
spotless integrity and unselfish public spirit. His tempera
and ideas were closely akin to those of Warren Hastings.
views were large and comprehensive, imperialistic in m
phraseology; and, like Lord Dalhousie, he believed thoro
in the superiority of British over any native Indian govern
That conviction enabled him to make annexations right an
without any qualms of conscience. Every annexation app
to him to be an undoubted and unqualified public benefit.
times and circumstances being such as they were, it is true
all the territories absorbed into British India benefited immed
by the change. If there were any countervailing disadvan
they were slow to appear. The Governor-general was fort
in being well served by his brothers Arthur, afterwards the
of Wellington, and Henry, who became Lord Cowley and amb
dor in Paris. Many brilliant officers, Elphinstone, Malcolm,
others, who were trained under Wellesley, proved themselve
fitted to undertake at an early age the heavy responsibilities
upon them by the rapid growth of the British power in India.

Effects of Shore's policy. Malcolm justly observes that
'a period of six years' peace, instead of having added to the st
or improved the security of the British dominions in India, had
them in a situation of comparative danger. Though the British st
was not lessened, the power and resources of the other states had inc
The confidence and attachment of our allies were much shaken,
destroyed; and the presumption and hostile disposition of the pri
native powers in India too clearly showed that it was to a princi
weakness or of selfish policy, and not of moderation, that they as
the course which had been pursued by the British government.'

It was proved from the events of Shore's administration
'that no ground of political advantage could be abandoned without
instantly occupied by an enemy; and that to resign influence, w
merely to resign power, but to allow that power to pass into hands
to the British government'.

The enemies alluded to were Tippoo and the Marāthās espec
The self-denying ordinance of the Act of 1784 and subseq
legislation which sought to tie the hands of the Governor-ge
although honestly intended, was founded on a fundam
misunderstanding of the Indian situation. Instead of sec
peace it ensured war. Nevertheless, in spite of the exper
of the results of the brief period of pacificist inaction unde
guidance of Shore, the experiment was tried once more by
Cornwallis in his second term of office, and by his succ
Sir George Barlow, with consequences far more disastrous
those which had followed Shore's desertion of the Nizam.

see presently what an amount of needless misery was caused
illions of innocent people by the pusillanimous policy of non-
ference.

he action and inaction of Sir John Shore had given Tippoo
to regain his strength and mature his hostile designs; had
itted a French party, supported by powerful contingents
French commanders, to become paramount at the courts
oth Daulat Rāo Sindia and the Nizam; had encouraged the
sula Rājā of Berār to plan a scheme of resistance against
ish predominance; had aban-
ed the Carnatic to anarchy
desolation; and, after all,
left the finances of the Com-
y in a state of exhaustion.

he dominant fact. The
y arrived Governor-general,
qualified by previous study
understand the situation as
hole, took a comprehensive
of all the perils confronting
government and country.
modern reader when study-
the records of Wellesley's
rious orders, of his wars and
sations, is apt to lose sight
he dominant fact that Great
in was then engaged in the
ly struggle of the Revolu-
ary War, in which, as now
) in the Great War, every-
was at stake. The political
n of Warren Hastings had
dominated similarly by the
rous position of his country
en 1778 and 1783, while
ing France, America, and
t of other enemies. Wellesley, by reason of his rank, family
sions, official experience in Europe, and a mind trained to
with matters of high politics, was in a position better than
of Hastings for grasping the relation between Indian politics
the wider issues of the Revolutionary War.[1] In 1798, when
sley assumed charge of the government of India, Napoleon,
known as General Bonaparte, had led an expedition into
, and avowedly cherished designs for the conquest of India.
Owen gives a good exposition of the real, although not obvious
on between Indian and European politics at the beginning of the
nth century. 'It had long been a maxim of French policy that the
city of England could only be effectually reduced by the capture
eastern possessions.' The Germans have pursued the policy of
n by their attacks on Egypt, the 'neck of the British empire'.



NAPOLEON.