

LORD WILLIAM BENTINCK IN MADRAS, 1803 - 7

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by

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ABSTRACT

The Governorship of Lord William Bentinck from 1803-7 is a crucial phase in the evolution of the Madras administration. Between 1799 and 1803 the Madras Government had acquired vast territories which presented new problems in the administration of both land revenue and justice. The avowed policy of the Government of India for the extension of the Bengal Zamindari system to Madras was challenged. The alternative was the Rayatwari system which Bentinck ultimately chose after a thorough enquiry into the matter. The administration of justice in both the old and newly acquired areas of the Presidency and the creation of a police force were the next important issues that Bentinck had to face. He examined the anomalies resulting from the existence of a dual judicial system and aimed at establishing a regular and uniform system of justice. In the creation of a modern police force his task was made difficult by the hostility of some of the judges of the Supreme Court.

The French menace and the Anglo-Maratha wars threatened the security of British possessions in South India. As the Governor of Madras, Bentinck played a significant role in these matters of

all-India importance. The question of security also influenced his relations with the dependent Indian chiefs.

The costly wars and military preparations aggravated the depressed treasury of Madras. Here Bentinck was confronted with the task of economising without impairing the efficiency of the administration. Among his various financial measures, the creation of a Government Bank was a remarkable innovation.

The sudden outbreak of the mutiny at Vellore in July 1806 led to his recall. The mutiny had since then figured prominently not only in Bentinck's career but also in the history of the British in South India.

This thesis examines the Vellore mutiny in the last two chapters. The first four chapters deal respectively with foreign policy, land administration, administration of justice and finances.

C O N T E N T S

	<u>Page</u>
ABSTRACT	2
ABBREVIATIONS	5
ACKNOWLEDGEMENT	6
INTRODUCTION	7
CHAPTER I	The French Menace and the Relations with the Indian states. 23
CHAPTER II	Administration of Land. 94
CHAPTER III	Administration of Justice. 150
CHAPTER IV	Some Aspects of Finances. 218
CHAPTER V	The Vellore Mutiny. 281
CHAPTER VI	The Vellore Mutiny: Some Observations. 343
CONCLUSION	394
BIBLIOGRAPHY	405
APPENDIX	<ol style="list-style-type: none">1. List of Governors General, Presidents of the Board of Control etc.2. Map of Madras Presidency.3. Plan of the fortress of Vellore.

Abbreviations

Gov.	Governor
Gov. Gen.	Governor General
Coun.	Council
Comm. in Chief	Commander in Chief
Secy.	Secretary
Adj. Gen.	Adjutant General
Maj. Gen.	Major General
Govt.	Government
Lt. Col.	Lieutenant Colonel
Comm. Off.	Commanding Officer.
Proc.	Proceeding
Ran.	Range.
P. P.	Parliamentary Paper
Misc.	Miscellaneous
Ser.	Series
Desp.	Despatches
Rev.	Revenue
Cons.	Consultation
Sec.	Secret
Pub.	Public
Pol.	Political
Recd.	Received
Mad.	Madras
Comm.	Commission
Dept.	Department
Beng.	Bengal
I. O. L.	India Office Library

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INTRODUCTION

The family of Bentinck originated in the province of Overijssel in the Netherlands. Hans William Bentinck accompanied William of Orange to England in 1688 and acquired property, prestige and the title of the Duke of Portland. He married an English lady and settled down in England.¹ His grandson, the third Duke of Portland, William Henry Bentinck, married Lady Dorothy Cavendish, the only daughter of the 4th Duke of Devonshire, a man of great political influence during the reigns of George II and George III. The third Duke of Portland in his turn, enjoyed vast political pre-eminence among the Hanovarian Whigs and became the ~~Prime Minister~~ *Prime Minister from April to December 1783*, heading the Fox-North Coalition Administration. He further assumed the ~~Premiership~~ *Premiership* from 1807-9.

William Charles Cavendish Bentinck, 2nd son of the 3rd Duke of Portland, was born on 14th September 1774. After completing a moderate school education in London he entered the army in 1791 as an Ensign in the Cold Stream Guards. Soon he was promoted to a Captaincy in the 2nd Light Dragoons and in 1794 he attained the rank of Lieutenant Colonel of the 24th Light Dragoons.

¹ Boulger, D., Lord William Bentinck, p.13.

During the European wars against Revolutionary France, Bentinck gained considerable military experience. He served on the staff of the Duke of York in the campaign in Flanders in 1794. In 1799 he was attached to Marshall Suwarrow's army in its campaign in Northern Italy and Switzerland as the military representative of England. In 1801 he accompanied the Austrian forces against the French and witnessed the battles of Trebbia, Novi, Sangliano, Marengo, the passages of Mincio and Adige, the sieges of Alessandria and Coni and various other incidents. In 1802 he went to Egypt to serve the British forces under Sir R. Abercromby.¹ In the interlude of the Treaty of Amiens between England and France Bentinck returned to England and married in February 1803 Lady Mary Acheson, 2nd daughter of the 1st Earl of Gosford. Three months after his marriage Bentinck at the age of 29 was appointed by the East India Company as the Governor of Madras.

From August 1803 Bentinck worked as the Governor of Fort St. George until 1807 when he was recalled following the mutiny of

¹ Boulger, D., Lord William Bentinck, pp.16-18, and Dictionary of National Biography, Vol.IV, 1885, Sir A.J. Arbuthnot, "Lord William Bentinck", pp.292-93.

the sepoy at Vellore. The incident left a mark of stigma on his career which he resented throughout the next decade. While in Madras Bentinck was promoted to the rank of Major General. In 1808 he resumed his military duties and served on the staff of Sir Henry Burrard's army in Portugal. Europe was then passing through the phase of struggle between the coalition of European powers and Napoleonic France. Soon Bentinck joined Sir John Moore marching against the French in Spain and commanded a brigade in the battle of Corunna. Thereafter Bentinck served for a short time as Lieutenant General of Sir Arthur Wellesley's army in Portugal. From Portugal he was sent to Germany for raising a German contingent. Bentinck successfully completed his German commission and served under Wellington's orders for some time.¹ In 1811, Bentinck was sent as the British envoy to the Court of Sicily and as the Commander in Chief of the British forces stationed in that island. In the following three years Bentinck stayed nominally the British envoy but practically the Governor of Sicily. He introduced in Sicily the constitutional government on the pattern of

¹ L
Dictionary of National Biography, Vol. IV, Sir A. J. Arbuthnot, "Lord William Bentinck," pp. 293-4.

the British constitution. During these years he carefully looked after the defence of the strategic island of Sicily on which Napoleon always had a conqueror's eye. In 1813 Bentinck led a confederation of British, German and Calabrian troops on the east coast of Spain. But his defeat at the hands of the French General Suchet at the Ordal damaged his military reputation. In 1814 he repaired his credit by undertaking a successful expedition against the French garrison at Genoa. Bentinck left Sicily finally in 1814¹ and stayed at Rome and Florence for some time.

In the next 13 years of his life Bentinck was unemployed and cut off from the English public life. In 1819 he was offered by the East India Company the post of the Governor of Madras which he turned down as an inadequate reparation for his unjust removal in 1807. In 1822 when Marquis of Hastings returned from his position as the Governor General of India, Bentinck wanted to become his successor. However, his candidature was ignored in favour of Lord Amherst. But at the end of the term of Amherst in 1827 Bentinck secured the position. His Governor Generalship in

¹ Bentinck's Sicilian career is adequately treated by John Rosselli, in his book Lord William Bentinck and the British Occupation of Sicily, 1811-14.

India (1827-35) was marked for various social and economic reforms. After his return from India in 1835, Bentinck wished to participate in English political life as a member of the House of Commons. In 1837 he was elected member for Glasgow as a Liberal. Bentinck died in Paris on 17th June 1839 at the age of 65 and left no issue.

Bentinck's appointment to the Governor Generalship was undoubtedly the climax of his whole career. This also was an outstanding period of reforms in the history of the British Raj. Naturally, the Bengal period has received priority over the Madras period. The various aspects of his Governor Generalship, therefore, have been studied by the historians and few more investigations are presently in progress. But hardly any study has so far been made on his Madras Governorship,¹ which may be considered as the formative period in Bentinck's career and also the most crucial years in the growth of the Madras administration. Bentinck

¹ One chapter in D. Boulger's Lord William Bentinck in the Rulers of India series, and one chapter in P. Auber's Rise and Progress of British Power in India, Vol. II dealt, though quite insufficiently, with Bentinck's Madras period. Recently, S. Anbhirajan, in his article on "Laissez Faire in Madras" in the Indian Economic and Social History Review (July 1965) has discussed some of Bentinck's financial measures in Madras.

for the first time assumed enormous responsibilities, faced gigantic difficulties and suffered great frustrations. The extent of the influence of Bentinck's Madras career on his Governor Generalship does not come within the scope of this work. But an intensive study of his Governorship, which this work intends to be, might enable a historian of his Bengal period or his general biographer to determine, as to what extent Governor General Bentinck was influenced by his experiences acquired at Madras in the first decade of the 19th century.

At the time of his appointment in January 1803, Bentinck was not a suitable candidate to hold the key position of the Governor of Fort St. George. His training so far was essentially military and his experience was generally of the European wars. Besides, he never had the occasion to acquire any distinct knowledge about India or its administration. He secured this appointment through the influence of his father over the Whigs. In 1802 the Duke sought to obtain a handsome situation for his second son. When Lord Clive's tenure, ^{as Governor} (1798-1803) was to end in Madras, Bentinck's father approached William Pitt, who in his turn, mentioned the name of Bentinck as the successor of Clive to Henry Addington, the then First Lord of the Treasury and the Chancellor of Exchequer.

(1801-4). Addington, being a close friend of Pitt, accepted the proposition and passed it over to Viscount Castlereagh, President of the Board of Control. Castlereagh put forward Bentinck's name to the Court of Directors.¹ The Duke of Portland was also helped by his old friend, Edward Monckton, M.P. in influencing the Directors of the Company. Monckton was a former servant of the Company in Madras Presidency and the son-in-law of Lord Pigot, the Governor of Madras from 1755-63.² Together with his father's endeavours, however, Bentinck's military experience might have carried some weight to the Court of Directors at a time when the Indian territories were passing through a phase of war and apprehension of a French invasion in India.

Bentinck's personal reaction at his appointment in Madras was one of satisfaction.³ As the son of the Duke of Portland he would have gone into public service anyway. The only objection

¹ Philips, C.H., East India Company, p.121.

² Two letters of Monckton in B.P. dated 7th July 1802 and 10th Aug. 1802, throw some light on ^{the} manoeuvres.

³ Draft Address of Bentinck to the Chairman of the Court of Directors, 1803, B.P.

involved in an Indian appointment was the inconvenience of living in a foreign country. But to Bentinck the lure of the salary of a Presidency Governor (£16,000)¹ might have outweighed this objection. Later on, Bentinck clearly admitted that "pecuniary considerations . . . pressed me to take up civil career and I accepted the post of the Governor of Madras".²

Therefore, when Henry Plumer, M.P. and a family friend, offered to help Bentinck by securing a suitable job in England rather than to see him leaving for a foreign country, Bentinck firmly declined his proposal. To Plumer he pointed out: "It is true that my first inducement in going to India is pecuniary consideration". However, he also thought "that millions of my fellow creatures may be benefitted" from his services in India.³

When Bentinck was appointed Governor, the Madras Presidency - excluding the Indian states - covered about 140,000 square miles of Southern India.⁴ The population of the Presidency was 9.57

¹ Madras Civil Servant's List, Finance Dept. 1782-1801 (I.O.L.)

² Bentinck to Minto, 1st Oct. 1806, B.P.

³ Bentinck to Plumer, 7th Jan. 1803, B.P.

⁴ Dharmakumar, Land and Caste in South India, p.7, and also Abbe Dubois, Hindu Manners and Customs, Vol.I, p.361.

millions in 1802 according to the calculations of the Madras Government. This figure is not wholly reliable as it included, in some cases, calculations of population based on revenue.¹ The population was probably larger than estimated and was predominantly Hindu with a very large percentage depending on agriculture. From the administrative point of view the Presidency was divided into twenty-one districts. The districts of Godavari, Kistna, Vizagapatam and Ganjam stretched towards the North East. The districts of South Kanara and Malabar lay between the Indian Ocean and the Western Ghat. Between the Bay of Bengal and the Eastern Ghat were situated the districts of Tinnevelly, Tanjore, South Arcot, Madura, Nellore and Chingleput. In between the two coastal belts lay the districts of Coimbatore, the Nilgiris, Salem-Baramahal, North Arcot, Trichinopoly, Cuddapah, Kurnool, Anantapur and Bellary.² Linguistically, the Presidency of Madras could be divided into four parts. Telegu was the language of the districts of Cuddapah, Kurnool, Anantapur, Bellary, Godavari, Kistna, Ganjam, Vizagapatam and Nellore. Kanarese and Malayalum

¹ Dharma Kumar, Land and Caste in South India, p.101.

² A Short Account of the Madras Presidency, Published by the Govt. of Mad. 1805, pp.1-3.

were spoken in Kanara and Malabar respectively. The remaining districts were Tamil speaking areas.¹

The administration of Madras Presidency was vested in a Governor with a Council of three members, one of whom was the Commander in Chief of the Presidency army. According to Pitt's India Act of 1784 (24 Geo. III, ~~c.25, s.22~~) the Court of Directors appointed the Governor of the Presidency, the members of his Council and the Commander in Chief for a period of five years subject to the approbation of the Crown.² Beside being the executive head of the Government, the Governor in Council constituted the highest court of Civil and Criminal justice in the Presidency. According to the Charter Act of 1793, the Governor in Council also had the power to make, repeal or suspend any general rule, order, or regulation for the good order and civil administration of the country. The Council of the Governor was essentially an advisory body. By the Act of 1793 (33 Geo. III C. 52 SS 57-51) the Governor could - by virtue of his exceptional power - override his Council.³

¹ "Observations on the Land tenures of South India", by a Madras civilian. Tracts relating to India, 1813-77, p.3.

² Misra, B.B., The Central Administration of the East India Company, p.30.

³ ~~1~~bert, Sir C., The Government of India, p.64.

It was a growing tendency among the Governors General and the Governors to treat their Councils with scant respect. Lord Wellesley was an outstanding example of this. He often withheld from the Council his letters written to the Governors of Madras and Bombay and encouraged them to do the same in relation with their Councils.¹

Apart from the Court of Directors and the Board of Control in England, the only check upon the enormous power of the Presidency Governor was the Governor General in Council. Ever since the passing of the Regulating Act of 1773 (13 Geo. III, c. 63, s. 9) the Governor General of Bengal was given the power of superintending and controlling the management of the Presidencies of Madras and Bombay. The Governors of these Presidencies were to transmit regular reports to the Governor General in Council and to receive advice. The Governor General's control over the Governors was further enlarged by the Pitt's India Act of 1784 to cover "all such points as relate to any transaction with the country powers, or to war or peace or to the application of revenues or forces of such

¹ Misra, B.B. The Central Administration of the East India Company, p. 45.

Presidencies in time of war."¹ By this Act the Governor General could even suspend the Governors of Presidencies. Though subject to such control in theory the Governors in practice could and did enjoy enormous discretions. Often they disobeyed the orders and advices of the Supreme Government. During the tenure of the office Lord Cornwallis had had occasions to fear serious difference and insubordination of the Presidency Governors.² The same distrust also probably had influenced Wellesley, who always exercised a stronger control over the affairs of the Presidencies.³ The great distance between India and England as well as between Bengal and other Presidencies, the inadequate communications and the very diverse conditions prevailing in the different parts of the country made the Governors very powerful in their own Presidency. Further, it was the policy of the Court of Directors not to allow the Presidencies to become mere provinces under the Supreme Government. In conformity with this policy the Presidency Governors were authorised to communicate separately with the Court of Directors and to receive

¹ Ilbert, Sir C., The Government of India, p. 65.

² Misra, B.B., The Central Administration of the East India Company, pp. 38-39.

³ Ibid.

direct instructions from the Court.

Under the Governor in Council in Madras, functioned three Boards, namely, the Board of Revenue, the Board of Trade and the Military Board. These boards were composed of four members and each was presided over by a member of the Council and the Military Board by the Commander in Chief. The Board of Revenue exercised superintendence of revenue and control of all revenue officials. The Board of Trade looked after the commercial interests of the Company and the Military Board supervised the administration of the army. Each Board submitted to the Governor in Council its annual reports and advised the Government on all points related to its respective jurisdiction. The Government of Fort St. George functioned through a central Secretariat consisting of three departments, the Secret, Political and Foreign Department, the Revenue, Judicial and Public Department, and the Military Department. At the head of the Secretariate was a Chief Secretary with three subordinate secretaries. Through the Secretariat and the Board of Revenue the Governor in Council maintained a close touch with the District Officers and the Collectors - the head of the district administration.

In his term of office Bentinck had to deal with four Governors General - Wellesley (1798-1805), Cornwallis (July to October 1805), Sir George Barlow (1805 to July 1807) and Minto (1807 to 1813). His Council consisted of William Petrie, John Chamier and Lt. General Sir John Stuart - all of whom had long experience of service in India. Among them Petrie was the most senior.

Bentinck accepted his position in India at a time when the administration of Madras Presidency was in a fluid condition. Between the years 1793 to 1801 the Government of Fort St. George had acquired vast territories and rendered the previous administrative set-up of the Presidency ineffective. A vital problem arose concerning the settlement of land, the main source of Government revenue. From 1793 Cornwallis's Permanent Zamindari System was the avowed land policy of the British authorities in India. But the Zamindari Settlement was found unsuited to the recently acquired vast territories in Madras Presidency. This posed a question of great magnitude to Bentinck's administration, namely, with whom should the land settlement be made, on what principles and for how long. The administration of justice was similarly beset with new problems. Cornwallis's judicial reforms of 1793 had been extended

to certain districts in the Madras Presidency in 1802. Should this be extended to the newly acquired territories?

Further, the establishment of a Supreme Court in Madras in 1801 with separate jurisdiction had introduced a new problem in the administration of justice by arousing a conflict between the Court and the Council. On the financial side the recurring deficit in budget of the Government of Madras had reached a critical stage in 1803. Scarcity of specie and wide flow of diverse and debased coins were also to press hard upon the capabilities of the new Governor.

In addition to the problems of administration, Bentinck was to shoulder immense political responsibilities. One such responsibility was the British relations with the Indian states in Madras Presidency, where British intervention should always be harmonised with the sovereign status of the Chiefs. Further, Wellesley's policy led to the commencement of British hostilities with the Marathas. The Anglo-Maratha wars imposed upon the Madras Government the dual responsibilities of safeguarding the Presidency limits and of assisting the British armies fighting against the Maratha strongholds. But the most alarming issue before the authorities of Madras in 1803 was the apprehension of a revival of French power in South India.

CHAPTER I

THE FRENCH MENACE AND THE RELATIONS

WITH THE INDIAN STATES

The British dealings with the Indian rulers at the beginning of the 19th century were considerably influenced by the apprehension of a revival of French power in India. The Anglo-French rivalry over Indian possessions was guided, not so much by the happenings in India, as by the turn of events in Europe. This was the reason why suspicion of a French revival always disturbed the British, even after their most decisive victory over the French at the battle of Wandiwash, in 1760. The British fear that the French would attempt a return to the Indian scene was revitalised when a Republican France in Europe passed into the hands of a conqueror - Napoleon. The British endeavours in Europe to put a check on Napoleon's power were crushed when the first European coalition against France had failed in 1797 and when Napoleon routed the main British ally, Austria at Rivoli. On the open seas, in different parts of the world, the supremacy of England and her allies was seriously challenged by France and her dependants. Under this circumstance the British authority in India would naturally apprehend that the French

would renew their activities in India, where the strength of the British Empire lay and where they had an interest of their own. The danger of collaboration between some of the ambitious, powerful Indian rulers and the French with the object of overthrowing the British rule in India could by no means be ruled out.¹

When Wellesley became the Governor General of India, in 1798, he was profoundly influenced by this fear of French intrigues with the Indian rulers, especially with the rulers of Maratha Kingdoms, Mysore and Hyderabad. In fact, between 1798 and 1799 there were diplomatic overtures between the French and Tipu, the ruler of Mysore.² The security of British possessions in India at that point therefore, led Wellesley to adopt tough lines. "It is absolutely necessary for the defeat of these (i.e. the French) designs", declared George Barlow, the Chief Secretary of the Supreme Government in 1803, "that no

¹ Sen, S.P., The French in India, 1763-1816, Vol.II, p.559.

² Ibid., p.557.

native state should be left to exist in India which is not upheld by the British power and the political control of which is not under its absolute control."¹ Wellesley thus adopted a policy of aggrandisement in respect of the Indian rulers and developed a system of subsidiary alliance.² The essential object of Wellesley's subsidiary alliance treaty was to eradicate French influence from the Indian courts and the expulsion of French mercenaries like Perron at Poona and Raymond at Hyderabad from services of their Indian masters. Wellesley further thought of sending an expedition to the French-occupied Isle of France (Mauritius) to prevent the French from building it as a stronghold for the invasion of Indian coasts. Out of the

¹ Barlow to Wellesley, 12th July 1803, M. Martin, Wellesley Despatches, Vol.III, p.187.

² The essence of a subsidiary treaty was security at the price of dependence on the British. This system implied that the Indian powers would maintain a subsidiary native force commanded by British officers within their territories. The force, though it was fully under the Company's control, the Indian ruler would bear all its expenses. Further, a British Resident was to be stationed in the Court of the protected ruler and the latter would have no right to negotiate with any of the Indian or foreign powers without consulting the British Government. The advantage of this alliance on the Company's side was that, if the allied states defaulted or desired to resume their independence the subsidiary force was ready at the heart of their dominion to enforce the Company's interests. In internal affairs, however, the allied states remained free from interference. Spear, P. India, pp.221-2 & Roberts, P.E. India under Wellesley, p.35.

fear of a growth of secret design on India between France and her ally Holland, in the Dutch East Indies, Wellesley contemplated a British occupation there also. And in 1801, he sent a force from British India to the Red Sea under Sir David Baird to assist the English forces in Egypt against Napoleon.¹

The Peace of Amiens, concluded in March 1802, brought a temporary cessation of hostilities between France and England in Europe. By the terms of the Peace, England undertook to return to the French their possessions in India, e.g. Pondicherry, Mahe, Calicut, Karikal and Chandernagore. But Wellesley was so doubtful about the peace lasting and so suspicious about the anti-British attitude of the French in India that he even took the risk of disobeying the orders of the home authorities and retained the French posts in India under British control. In 1803 Wellesley's apprehension was confirmed, when he received the intelligence of some secret understanding between France and the Batavian Republic of Holland, by which the Dutch possessions in Cochin, on the Malabar Coast were to be ceded to the French in India.²

¹ Roberts, P.E., India under Wellesley, pp.148-9.

² Auber, P. Rise and Progress of the British Power in India, Vol. II, p.269.

This convinced Wellesley of the necessity of extreme caution and vigilance in safeguarding not only the Malabar Coast, but also the coast of Coromandel where some other Dutch settlements like Pulicat Tranquebar and Tuticoryn¹ existed.

Besides French menace, the recommencement of Maratha hostilities in 1803 and the existence of a number of important Indian states whose princes were capable of intriguing against the British interests, made Wellesley greatly concerned about the military and political affairs of the South Indian territories. At this vital moment Bentinck reached Madras as the Governor, in August 1803. Of all the political and military issues of 1803, the Government of Madras was primarily and directly responsible for the security of the Coromandel and Malabar coasts. Bentinck seemed to be peculiarly suited for this task. His military upbringing helped him in taking precautionary measures against any French move. He had an additional advantage of seeing the Napoleonic armies in action in Europe.¹ Wellesley also felt that Bentinck in Madras was the right person to realise the gravity of a French aggression in India. He informed the Court of Directors

¹ Bentinck's Minute, 14th October 1805, Sec. Cons. B.P.

of his expectation of receiving Bentinck's "most cordial and invariable support and cooperation" against any French menace.¹

Wellesley's anticipations were justified, for soon after Bentinck's arrival in Madras, the Government of India came to know about the renewal of war in Europe in September 1803. The home authorities were alarmed of the safety of India and directed the Madras Government to capture "any French ships or vessels or any forts or possessions which the French may have in India" in order to ensure the complete protection of the trade and dominions of the Company.² As regards the Indian possessions of France's ally - the Dutch, the home authorities were in favour of adopting similar measures.³ At the sudden outbreak of hostilities in Europe, Bentinck also became anxious.

¹ Wellesley to the Court of Directors, December Despt. 1803, B.P.

² Letter from the Sec. Comm. to the Gov. Gen. in Coun. and Govs. of Madras and Bombay, 16th May, 1803. Board's Draft of Sec. Letters to India, Vol. II.

³ Letters from the Sec. Comm. to the Gov. Gen. in Coun. and Govs. of Madras and Bombay, 23rd June, 1803. Board's Draft of Sec. Letters to India, Vol. II

The Coromandel and Malabar coasts were dangerously exposed to foreign attacks. To Castlereagh he wrote; "It seems then *that* with regard to naval defence, that this Presidency is open to attack and I am sorry to add that its military defence is not more adequate."¹ The available force in Madras was 1600 European Infantry and 2800 Indian Infantry, 60 European Cavalry and 150 Indian Cavalry. Bentinck considered this force in Madras establishment as insufficient and even not equal to the French force at Mauritius.² Apart from that, the available force in Madras was so scattered over the country that it was difficult to collect them at short notice to meet an emergency. Bentinck was further afraid of the defenceless state of Fort St. George which "from the badness of works (construction) and the defective state of artillery (cannon)" would not be able to repulse any enemy attack on the South-Eastern coast. Bentinck warned the Governor General that in case of hostilities with France the defence of Madras would be "a subject of much anxiety and consideration".³

¹ Bentinck to Castlereagh, 12th Sept. 1803, B.P.

² Ibid.

³ Bentinck to Wellesley, 20th Sept. 1803, B.P.

Bentinck was deeply concerned with the political, military and financial aspects of the French menace. The Anglo-Maratha conflict started afresh in August, 1803 and the neighbouring Maratha chiefs were eagerly waiting for an opportunity to attack and plunder the British territories. A junction between the French and the Marathas was thus highly probable and Bentinck believed that the French would try to find out a favourable location, from where it would be easy to make secret communication and union with the Marathas.¹ Such location would undoubtedly be some weak parts on the coastal region. But the pecuniary position handicapped Bentinck from adopting measures for the complete safety of the coasts. The financial strain of war with Mysore and conflicts with the Marathas was strongly felt throughout British India and particularly in Madras, leading to enormous deficit.² It was thus difficult for Bentinck to spare sufficient funds for the defence of the Presidency. Besides Madras, Bentinck was also

¹ Bentinck to Wellesley, 20th Sept. 1803, B.P.

² Bentinck to Castlereagh, 7th Sept. 1805, B.P.

worried about the vulnerability of Ceylon. If the French could occupy Ceylon, they would cause constant alarm to the British authority in India. Moreover, the French would also obstruct and damage the British commerce in the East by using Ceylon as their base.¹

Simultaneously, however, Bentinck received various alarming reports about the French movements. One Captain Page of Frigate Caroline reported that a French Squadron with 2500 troops on board had sailed towards the Cape in July 1803.² Captain Hawkins of Madras establishment, who had just arrived from a visit to the Isle of France, informed Bentinck that the French Frigates Atlante and Belle Poule were preparing to sail towards the East by July 1803.³ Some English prisoners, who lately returned from the Isle of France, stated that the French "were preparing for an expedition to Ceylon and probably against Penang or some other British settlements in the East." Information reached from the authorities in England that a French fleet with

¹ Bentinck to Wellesley, 20th Sept. 1803, B.P.

² Bentinck to Castlereagh, 12th Sept. 1803, B.P.

³ Capt. Hawkins to Bentinck, 6th July 1804, W.P.

5000 troops had left French coast for ^{the} West Indies. The home authorities in fact believed that the ultimate destination of the fleet was not the West Indies but the East Indies.¹ Such was also Bentinck's own apprehension. "If Bonaparte intends to make colonial war," he observed, "he will certainly send troops to India."²

Bentinck was, however, not upset with this information. He carefully calculated the preventive measures and employed them with promptitude. By the Peace of Amiens 1802, the British authorities were to restore to the French their possessions in India. Accordingly on 15th June 1803, the French Republican Frigate Belle Poule under Captain Binot had arrived at the Coast of Madras to receive the return of the French Settlement of Pondicherry. But on the instruction of Lord Wellesley, the Madras Government postponed the restitution of Pondicherry.³ When hostilities followed the Peace of Amiens

¹ Letter from the Sec. Comm. to the Gov. Gen. and the Goys. of Mad. and Bombay, 4th June, 1805, Board's Draft of Sec. Letters to India, Vol. III.

² Bentinck to Maitland, 3rd Nov. 1805, B.P.

³ Gov. in Coun. Mad. to Gov. Gen. in Coun. 18th June 1803. Beng. Sec. & Pol. Cons. 10th Nov. 1803, Vol. 119, No. 44.

in Europe, Bentinck on 6th September 1803, ordered His Majesty's 23rd Regiment to march to Pondicherry. The French detachment there was thus arrested and the prisoners including Col. Binot were temporarily removed to Poonamalle from where they were sent back to France on 1st November, 1803.¹

The Dutch Settlement of Cochin, next drew Bentinck's attention. "Cochin was exposed to invasion", he commented to Wellesley, "and very favourable for a French establishment."² The rebellious Malabar country in the neighbourhood made the position of Cochin especially favourable for any French design. Wellesley himself was aware of the danger and it was at his order that the Government of Madras demolished in October 1803 the Dutch fortifications in Cochin and the French fortifications in Karikal. The Malabar coast was thus rendered unfavourable for the French disembarkation to a certain extent. Regarding the Coromandel coast, Bentinck adopted similar measures and ordered the destruction of the Dutch Settlements of Pulicat and

¹ Gov. in Coun. Mad. to the Sec. Com. 6th Oct. 1803. See Letters from Fort St. George, Vol.2, Series I.

² Bentinck to Wellesley, 20th Sept. 1803, B.P.

Tuticcyron.¹ Further the situation of Tanjore, a weak native state on the Coromandel coast, appeared to Bentinck a suitable spot for landing of the enemy. Hence, the Commander-in-Chief of Madras, Sir John Stuart, felt it necessary to keep a substantial British force in the fort of Tanjore. Bentinck shared the views of the Commander-in-Chief and convinced the Raja of Tanjore, the owner of the Fort, of the necessity of stationing British troops there for the sake of the Raja's own safety as well as for the preservation of British interests.² The Tanjore Fort was therefore occupied by the British and a number of Tanjore Provincial Battalions were raised and placed under the command of Captain Butler.

By that time, the Government of Madras received an alarming intelligence from the military sources that the French were considering to despatch forces from the Isle of France to India.³

¹ Gov. in Coun. Mad. to Gov. Gen. in Coun. 5th Oct. 1803. Beng. Sec. & Pol. Cons. 29th Dec. 1803, Vol.121, No.100.

² Gov. in Coun. Mad. to Gov. Gen. in Coun. 21st Sept. 1803. Beng. Sec. & Pol. Cons. 29th Dec. 1803, Vol.121, No.92.

³ Minute of Sir John Stuart, Comm. in Chief, 13th Sept. 1803, Beng. Sec. of Pol. Cons. 29th Dec. 1803. Vol.121, No.93.

This prompted Bentinck to take necessary steps to prevent the enemy from landing in the coastal areas. Posting of troops all around the coastal border seemed to Bentinck the most political measure which should be adopted first. But the military strength of Madras fell short of the requirements of the situation. The maximum force that could be collected in an emergency was the small detachment of a European and Indian Cavalry and a detachment of European and Indian Infantry of approximately 4500 men. To meet the deficiency of this force, the Commander in Chief suggested the employment of men from the civil administration meaning the Peons (who collected revenue in the villages) and the district watchers or guards. The duties of these civil employees would essentially be to keep watch on the coastal regions and to prevent the enemy from communicating or concluding any agreement with the inhabitants of these places. In case of emergency, the Commander-in-Chief further suggested the raising of corps of irregular cavalry and infantry and advocated an increase of cavalry in the Madras army.¹ Bentinck enthusiastically supported the recommendations of Stuart and promptly

¹ Minute of Sir John Stuart, 13th Sept. 1803, Beng. Sec. & Pol. Cons. 29th Dec. 1803, Vol.121, No.93.

instructed the collectors of the maritime districts to adopt every possible measure to prevent the intercourse between an invading army and the local inhabitants.¹ The collectors were also authorised to employ the Peons as guard and to raise irregular Indian cavalry and infantry.²

In March 1804 news reached Bentinck that a French Squadron under the Command of Admiral Linals, attacked the English establishment at Bancoolen on the southern coast of Sumatra, capturing two vessels, burning a few others and inflicting considerable damage on the English.³ This action of the French Admiral appeared to Bentinck an obvious attempt to capture the rich China convoy of the English company expected to start from Canton in January 1804 with a cargo worth £200,000.⁴ Bentinck felt concerned for the protection of valuable British trade in the Eastern seas. He immediately

¹ Bentinck's Minute, 17th Sept. 1803. Board of Rev. Proc. 22nd Sept. 1803. Ran. 287, Vol.42.

² Gov. in Coun. Mad. to the Sec. Comm. 23rd Mar. 1804, Sec. Letters from Fort St George, Vol.5, 1804-9.

³ Gov. in Coun. Mad. to Gov. Gen. in Coun. 23rd March 1804, Beng. Sec & Pol. Cons. 17th May, 1804, Vol.136, No.277.

⁴ Sen, S.P., French in India, 1763-1816, Vol.II, p.569.

ordered Albion and Sceptre, two of His Majesty's ships, to sail in pursuit of the enemy.¹ The French Squadron at Bencoolen, however, did not stay there for long and sailed away towards Batavia. Bentinck's endeavour for the safety of British trade in the Eastern seas were highly praised by Wellesley, who expressed his "entire and most cordial approbation of the zeal, judgment and promptitude manifested by the Right Honourable Lord Bentinck."² For the protection of valuable British trade Bentinck further requested the British Admiralty to station a convoy on the Indian Ocean.³ The lack of vigilance of His Majesty's ships was considered by Bentinck "inadequate effectually to control the situation."⁴

The threat to British trade in the Indian Ocean impressed Bentinck with the necessity of obtaining prior information with regard to the French movements. In his opinion it was difficult

¹ Gov. in Coun. Mad. to Admiral Rainier, 23rd March, 1804. Beng. Sec. & Pol. Cons. 17th May, 1804, Vol.136, No.279.

² Gov. Gen. in Coun. to Gov. in Coun. Mad. 1st May, 1804. Beng. Sec & Pol. Cons. 17th May, 1804, Vol.136, No.280.

³ Gov. in Coun. Mad. to Admiral Rainier, 4th Feb. 1804, Beng. Sec & Pol. Cons. 26th April 1804, Vol. 134, No.275 B.

⁴ Bentinck's Minute, 22nd May, 1804, Beng. Sec. & Pol. Cons. 14th June 1804, Vol.140, No.18.

for the British authorities to know the intentions and movements of the enemy "until they did something arrogant to the British trade or they were arrested in their progress by the skill and activity of the naval commanders."¹ To avert this difficulty, he felt that the Dutch Settlement of Tranquebar within the jurisdiction of the Tanjore State could be used as a channel of information. He had a strong suspicion that this Dutch Settlement had links with the French as well as with the Raja of Tanjore. Though British relations with the Raja of Tanjore were otherwise normal Bentinck suspected the existence of a league between the Raja and the French. To find an answer to both the problems Bentinck decided to appoint a British agent at Tranquebar.² Accordingly, in May 1804, Col. Cullen was sent to Tranquebar as a Resident at the Raja's court, with the instruction that his views should be directed to the intercourse subsisting between ~~that place~~ Tranquebar and other foreign settlements.³ The Supreme Government fully agreed to this decision.⁴

¹ Bentinck's Minute, 22nd May 1804, Beng. Sec. & Pol. Cons. 14th June 1804, Vol.140, No.8.

² Ibid.

³ Ch. Secy. Govt. of Mad. to Lt. Col. Cullen, 22nd May 1804, Beng. Sec. & Pol. Cons. 14th June 1804, Vol.140 No.19.

⁴ Wellesley to Bentinck, 18th June 1804, W.P.

With regard to the French menace, however, the Portuguese colony at Goa attracted the most serious attention of Bentinck. "It appears that a French force landed at Goa", he observed, "would be enabled to do us more serious injury than they could from any other spot within our territories on either side of the Peninsula."¹ The greatest danger emerging from a possible French landing at Goa would be an immediate contact of the French with the Marathas. "The Maratha chiefs," he concluded, "would give them all the assistance which they might require."² British authorities both in India and at home, unanimously acknowledged the necessity of preventing Goa from passing into the French hands. Lord Hobart, the Foreign Secretary of State to His Majesty, foreshadowed a French attempt on the Indian settlement of Portugal. Wellesley's apprehension ran in the same direction and in August 1803 he asked the British envoy at Goa to negotiate for the admission of British troops to the garrison of Goa.³ Subsequently, a strong British force was despatched

¹ Bentinck's Minute, 3rd Nov. 1805, Sec. Cons. B.P.

² Ibid.

³ Minute of Jonathan Duncan, Gov. of Bombay, 19th Oct. 1805. Beng. Sec. & Pol. Cons. 29th Nov. 1805, Vol. 179, No. 85.

from Bombay for the defence of Goa and the safety of which was thus secured.

In 1805 the Government of Bombay received information that a French contingent was proceeding towards Goa and Western India. In face of such a direct danger the Bombay Government doubted the capability of the Portuguese authorities in employing the British troops at Goa against the French. If they failed, the effect would endanger the British position in Bombay, Gujrat and Surat. The Governor of Bombay, Jonathan Duncan, was especially concerned about the safety of Bombay, which would then be exposed "to the most eminent risk of passing into the hands of the French."^(sic) In October, 1805, he decided therefore to bring back immediately the Bombay troops stationed at Goa for the security of Bombay, Gujrat and Surat.¹

Bentinck, who always considered Goa as the safety valve of Madras Presidency, was vehemently opposed to this decision of the Governor of Bombay and urged him to realise the necessity of the defence of Goa.² The occupation of Goa, Bentinck asserted,

¹ Minute of the Governor of Bombay, 19th Oct. 1805, Beng. Sec. & Pol. Cons. 29th Nov. 1805. Vol.179, No.85.

² Bentinck to Duncan, 4th Nov. 1805, B.P.

would be the "greatest consequence for the security of our empire and more specially for this particular Presidency (Madras)". In Bentinck's opinion the danger would not be so serious if the French landed in any other part of the coast line. For in that case, the British authority would remain in between the Marathas and the French and would prevent contact between them. But he was convinced that a French landing in Goa would foster a Franco-Maratha understanding and would be ruinous to the safety of Madras. The security of Goa appeared to him so important that in spite of the insufficient military strength of Madras, he decided to replace the Bombay troops in the garrison of Goa, by a Madras force.¹ The Commander in Chief, John Cradock, who succeeded Stuart, could not approve of this. He did not believe that the Madras establishment had the means of sending "a sufficient body of troops to occupy that post (Goa) and to replace with effect the garrison drawn from thence by the Governor of Bombay." He suggested making a forcible representation to the Governor of Bombay to suspend the evacuation of Bombay troops from Goa for some time.² But a mere representation did not seem sufficient

¹ Bentinck's Minute, 3rd Nov. 1805, Sec. Cons. B. P.

² Cradock's Minute, 3rd Nov. 1805, Beng. Sec. & Pol. Cons. 29th Nov. 1805. Vol. 179, No. 51.

to Bentinck and he remained firm in his own decision. In November 1805, he directed the commanding officer of Malabar to prepare His Majesty's 80th Regiment to start for Goa. The Resident of Travancore was also asked to keep ready two Indian battalions for the same purpose.¹ Finally, in 1806, after a futile attempt to retain some of the Bombay troops, the Madras detachment consisting of His Majesty's 80th Regiment and two Indian battalions replaced the former, at Goa.² Last of all, Bentinck made contact with Admiral Edward Pellew of the British Naval Squadron and impressed upon him the necessity of assuming a covering position in Trincomally at Ceylon.³

The measures thus adopted by Bentinck as safeguard against the French were well considered and military sound. The measures were largely what Wellesley desired and he heartily approved of them. Throughout his stay in India Wellesley was always anxious about the possible French

¹ Chief Secy. of Mad. Govt. to William Clerk, British Envoy at Goa, 3rd Nov. Beng. Sec. & Pol. Cons. 29th Nov. 1805, Vol.179, No.86.

² Gov. in Coun. Mad. to the Sec. Comm. 12th Feb. 1806, Sec. Letters from Fort St George Vol.2, 1804-9.

³ Edward Pellew to Barlow, 1st May 1806, Beng. Sec. & Pol. Cons. 29th May, 1806, Vol. 189, No.15.

attack on India. During the initial years of his Governor Generalship (1799-1803) he put too much emphasis on the possibility of French reappearance. In 1804, however, he recovered to a certain extent from his great concern and expressed the view that a French offensive in India might not be very imminent.¹ But he always believed in the ability of the French power to advance towards India. He was still cautious and was "extremely anxious to provide the means of vigorous defence or of active attack against what remains of French or Dutch power in this quarter of the globe."² Wellesley attached so much importance to French danger that he complained of the indifference of the home authorities, as they did not reciprocate his concern. "Indian politics are in such a state at home", he commented to Bentinck, "that ^{the} utmost danger may be apprehended."³ Bentinck shared Wellesley's anxiety for security measures but differed on the imminence of the French attack. He believed that France would prefer to launch a direct attack on England rather than on her colonies.

¹ Wellesley to Bentinck, 20th July 1804, W.P.

² Ibid.

³ Ibid.

Napoleon, in his opinion, was too much engrossed with European affairs to undertake adventures in the East. But as Bonaparte was not certain about England's military strength, he could attempt a diversion of the regular English force by false or real attack on the colonies. Such a diversion would remove a considerable part of the best defensive forces of England.¹ Bentinck thus agreed with the prevalent English opinion that England and not her colonies would be the real target of the French. For this reason he did not accuse the home authorities of their cold attitude. The military upbringing of Bentinck taught him to take no chances with the enemy and therefore, he promptly devoted himself to devising safety measures. His anxiety and exertions for ensuring protection against the French menace were undoubtedly sincere. "We have done all within our power", he wrote, "all that our duty demands from us."²

During the later years of Bentinck's stay in Madras the French menace was rapidly diminishing. It was not only because

¹ Bentinck's Minute, 14th Oct. 1804, See Cons. B.P.

² Ibid.

Bentinck had completed his preparations for the prevention of French attack, but also for a change of situation in the European politics. In 1806 and 1807, Napoleon was dominating the European politics and concentrating all his energies on the European questions. Thomas Grenville, a member of the Board of Control, wrote to Bentinck in July 1806: "The European war does not appear in its continuance to be such as is likely to affect the internal state of India."¹ Such was also the feeling in India. Governor General George Barlow, Wellesley's successor, stated that his Government "entertain no apprehension for the safety of any part of our territorial possessions or for the tranquillity of India. From the operations of the French squadron, supposed to have been originally destined to ^{the} East Indies."² The gradual disappearance of the French menace at that point coincided with the end of the Anglo-Maratha conflict. The Supreme Government and the home authorities were in favour of utilising this tranquillity for an improvement in the finances.

¹ Grenville to Bentinck, 29th July 1806, B.P.

² Gov. Gen. in Coun. to Gov. in Coun. Mad. 24th May 1806. Beng. Sec. & Pol. Cons. 29th May 1806, Vol.189, No.18.

They felt that the military expenses of Madras could be reduced without much danger and the safety of the Indian seas could be entrusted to His Majesty's fleet.¹

In Madras, Bentinck too, was thinking in the direction of economy rather than increasing the defence expenditure. At the beginning of 1806, Bentinck suggested a considerable reduction in the establishment of Madras army. The reduction was inspired not merely by the financial consideration but by the hope that Madras was comparatively free from the fear of an attack of the Indian or European powers. To Castlereagh, Bentinck wrote; "We are under no apprehension of any attack from the French in India."² In November 1806 Bentinck felt that the French danger was almost over. "It is only necessary," he wrote, "that we shall be prepared to cooperate in such manner as future events may require for the safety of the possessions under our authority."³

¹ Gov. Gen. in Coun. to Gov. in Coun. Mad. 7th Aug. 1806. Beng. Sec. & Pol. Cons. 7th Aug. 1806, Vol.193, No.63.

² Bentinck to Castlereagh, 11th May 1806, B.P.

³ Gov. in Coun. Mad. to Gov. Gen. in Coun. 29th Nov. 1806, Beng. Sec. & Pol. Cons. 24th Dec. 1806, Vol.198, No.54.

During the Governorship of Bentinck, the apprehension of a French attack coincided with the Maratha wars - and the two together formed an alarming situation for the British authority in India. The warlike, powerful and audacious Maratha chiefs constituted the most imminent threat to the security of the British possessions in India and a greater danger than the designs of the French. The Anglo-Maratha conflict progressed in the North, where General Lake was entrusted by the Supreme Government with the task of subduing the Maratha chiefs. In the South, Lord Wellesley engaged his brother Arthur Wellesley, the Commander in Chief of Mysore army, with unlimited military and political power to deal with the Marathas.¹ Bentinck assumed the charge of Madras administration at that critical stage of the Anglo-Maratha conflict. As the Governor of the Madras Presidency Bentinck had naturally to share the responsibility of making arrangements for the supply of the British forces against the Marathas. But his most significant role was to keep an alert eye on the progress of the conflict and to adopt

¹ Gleig, G.R., History of the British Empire In India, Vol. II, p.189.

specific measures of defence for the Madras Presidency and the neighbouring British allies.

All over India, there were five principal Maratha houses engaged in a confederacy. The Peshwa at Poona was the titular head of the Marathas who controlled the Western India. In Gujrat, the Gaekwar family had established itself at Baroda. The Bhonsle chiefs with their capital at Nagpur were sometimes called the Raja of Berar. The Scindhias of Gwalior and the Holkars of Indore were two other Maratha families of rather inferior rank than the former three, but they had gradually gained power and prestige. The confederacy of the Marathas was always loose and the chiefs were often engaged in conflict with each other to acquire supremacy. Dowlut Rao Scindhia and Raghuji Bhonsle II, though nominally acknowledged the supremacy of the Peshwa, often raised in arms against him. Tadoji Holkar was also trying hard to become the most powerful force among all other Maratha chiefs. However, their approach to the British was all the time hostile, though actual hostilities did not start with them until Wellesley's arrival in India. From the beginning Wellesley's concern for the safety of British Indian possessions

prompted him to court a close connection with the Maratha powers. He made offers to induce them to enter into his system "of defensive alliance and mutual guarantee" on several occasions. But his offers to the Peshwa in 1798, 1799 and 1800, and to Scindhia in 1801 proved to be of no avail.¹ The powerful Maratha chiefs were obviously unwilling to allow a foreign power to interfere in their domestic affairs. "Hitherto", Wellesley commented in 1800, "either the capricious temper of Bajji Rao or some remains of the characteristic jealousy of the nation with regard to foreign relations have frustrated my object and views."² Considering the militant French policy in Europe and the possibility of a French attack on India, Wellesley was eager to establish a complete internal security of the British authority in India. The keynote of his policy was thus "to avert war and to establish tranquillity" all over India through the establishment of subsidiary alliances with the Indian rulers.³

¹ Roberts, P.E., India under Wellesley, p.186.

² Wellesley to the Sec. Comm. of the Court of Directors, 9th June, 1800, Wellesley Despatches, Vol.II, p.272.

³ Wellesley's Minute, 12th August 1798, cited in Srinivaschari, C.S. The Inwardness of the British Annexations in India, p.III.

Wellesley could not allow the strongest of the native powers in India - the Marathas - to remain outside British influence. A sudden change in the course of Maratha affairs afforded Wellesley an opportunity to intervene. Nana Fadnavis, the shrewd, old Maratha statesman, who had so long successfully resisted all British interference in Maratha affairs, and who tried his utmost to preserve the Maratha confederacy, died at Poona on 13th March 1800. With his death, the British Resident at Poona, Col. Palmer rightly remarked, "has departed all the wisdom and moderation of the Maratha Government."¹ The death of Nana Fadnavis, in fact, removed the last check on the disruptive tendencies of the Maratha chiefs. Scindhia and Holkar entered into a fierce struggle for supremacy and control over the Peshwa at Poona. Holkar won a decisive victory over the main army of Peshwa and a portion of the forces of Scindhia in 1802.² The Peshwa, who had so long refused to accept a subsidiary alliance with the British, helplessly appealed to Wellesley for protection against his vassals. On 31st December

¹ Duff, J.G., History of the Marathas, Vol. II, p.350.

² Petrie's Minute, June, 1803, Sec. Cons. B.P.

1802, by signing the Treaty of Bassein with Peshwa, Wellesley succeeded in realising his object to establish control over the Marathas. The effect of the Treaty of Bassein was undoubtedly very great. The submission of the head of the maratha powers to the British Government was bound to make the position of the subordinate Maratha chiefs quite vulnerable. The treaty of Bassein was bitterly resented by the Maratha Chiefs as an absolute surrender of their national independence. For the time being their patriotism rose above their mutual jealousies and they presented a united front against the British. Scindia and the Raja of Berar combined together and invited Holkar to join with them. Even Peshwa, who regretted the treaty with the British, secretly communicated his support to the coalition. But the Maratha coalition could not function effectively; Scindhia and the Raja of Berar delayed in mobilising their troops and Holkar preferred to remain neutral.¹

Hostilities started early in the month of August 1803 and it was on the side of the Deccan that the first blow was struck.

¹Duff, J.G., History of the Mahrattas, Vol.II, pp.383-5.

On 12th August, Major General Wellesley captured Ahmednagar on the Nizam's frontier and advanced towards Aurangabad against the Berar army. Bentinck, who had recently arrived at Madras, did not have much time to understand the gravity of the military situation and his own responsibilities. His military training enabled him to assess the military tactics of the Marathas and their strength. Bentinck had confidence in the ability of Major General Wellesley and at the same time had no illusion about the strength of the Maratha armies. In his opinion, the Marathas who had adopted the system of European warfare by leaving aside their traditional tactics of sudden cavalry charge, would not be able to resist British attacks for long.¹ He believed that in discipline and action the British army was infinitely superior to that of the Marathas. Such a superior British army, he held, "would overtake and overcome a bad infantry incumbered by numerous artillery, to which their (the Marathas) irregular cavalry could be of no support."² Thus, Bentinck did not consider the anti-British coalition of Scindhia and the Raja of Berar as formidable.

¹ Bentinck to Castlereagh, 12th September, 1804, B.P.

² Ibid.

The joint Maratha armies gathered on the frontier of the Nizam's territory seemed really alarming to him. But what he was most afraid of was the possibility of a protracted war with the Marathas. He desired a quick end of the Maratha hostility. To Castlereagh he wrote; "It would have been desirable that the Maratha war should have been terminated before the commencement of hostilities in Europe."¹

Bentinck's confidence in Major General Wellesley's ability was soon strengthened by a complete victory of British arms over the combined forces of Scindhia and the Raja of Berar at Assey on 23rd September 1803. Historian Grant Duff described the battle as a triumph "more splendid than any recorded in ~~the~~ Deccan history."² Following this incident, Bentinck was jubilant when he heard about two successive victories of the British forces at Argaon and Gawilgarh on 29th November and 15th December, 1803 respectively. While these developments were taking place in the Deccan and the British troops from Bombay were overrunning Gujrat, General Lake was carrying on his operations with vigour and success against Scindhia's possessions in North India.³ In course of all these

¹ Bentinck to Castlereagh, 12th Sept. 1804, B.P.

² Duff, G.G., History of the Marathas, Vol.II, p.398.

³ Roberts, P.E., India under Wellesley, pp.225-35.

actions in the South and in the North, the Madras Government helped the British forces with men, money and supplies. A detachment of Madras troops under the command of Lt. Col. Harcourt invaded Cuttack in October, 1803. Bentinck arranged all possible assistance to this Madras detachment. He instructed the revenue officers to keep the supply of money ready all the time. He even permitted the collectors to obtain necessary amounts from the general treasury of Madras and Masulipatam.¹

Uptil now the British armies had defeated the Marathas everywhere. The forces of Scindhia and Bhonsle were severely defeated and compelled to conclude two separate treaties with the English. The latter signed the treaty of Deogaon on 17th December and the former concluded the treaty of Surji Arjangaon on 30th December, 1803. The performance of the British army was glorious and Bentinck happily congratulated the Governor General "on the splendid and remarkable achievements."² Finally, on 27th February, 1804, Scindhia entered into a subsidiary alliance with the English, by which a British force of 6,000 infantry was stationed near the frontiers of Scindhia. The Maratha chief was

¹ Chief Secy. of the Mad. Govt. to Chief Secy. of the Beng. Govt. 5th Nov. 1803. Beng. Sec & Pol. Cons. 29th Dec. 1804, Vol. 121, No. 262.

² Gov. in Coun. Mad. to Gov. Gen. in Coun. 29th Jan. 1804, Beng. Sec. & Pol. Cons. 26th April, 1804, Vol. 134, No. 262.

further prevented from having any connection with the French or any other European power.¹ Lord Wellesley had every reason to be satisfied with the results of the Maratha wars.

The Marathas could not swallow the disgrace silently. However inimical the Maratha chiefs might be to each other, the leading principle of their politics had invariably been to exclude the Europeans from every part of their empire. Holkar, who had so long kept himself aloof from the war, suddenly took the field. In a sole effort he defeated the British forces under Col. Manson and advanced as far as the plains of Rajputana. With this attack in April 1804, the repose existing between the English and the Marathas was widely disturbed. Bentinck in Madras was immediately informed about the actions of Holkar which were "manifestly hostile to ~~our~~ (British) interests and the interests of ~~our~~ allies, whose territories were exposed to the plunder and violence of his (Holkar's) feudatory troops."² Holkar in the meantime had entered the territories of the Raja of Jaipur, a British ally. With such an outbreak of hostilities in Northern India, Bentinck turned his attention towards the safety of the Deccan. In the Deccan, Holkar possessed the fort of

¹The copy of the Peace Treaty with Scindhia, 27th Feb. 1804, Beng. Sec. & Pol. Cons. 7th June, 1804, Vol. 138, No. I.

²Extract of a letter of Capt. Sydenham to Bentinck, 12th May 1804, enclosed with Bentinck's letter to Wellesley, 17th June 1804, W. P.

Chandore situated in Bellary district, which was acknowledged to be a strong military post. Besides, Bentinck came to know by that time, that Raghuji Bhonsle had started intriguing with the Raja of Cuttack and was preparing for an attack on the English possessions in Orissa. He at once instructed the Commanding Officer of the Northern Circars to co-operate with Col. Harcourt of the Madras establishment to frustrate the designs of Raghuji Bhonsle. Among all other Maratha chiefs, Bentinck was most apprehensive about Holkar whose bravery and ability could create troubles of any dimension. "If he should continue to be successful", Bentinck wrote to Castlereagh, "I fear the greater part of North India will be up in arms."¹ In view of this impending danger Bentinck resented the failure of the British Residents at the various Maratha courts, in sending him information as to the actual Maratha movements and actions which might materially affect the security of the Madras Presidency. Many contradictory accounts of the hostile dispositions of the Maratha chiefs came to him through different channels - from places like Nagpur, Gwalior and Hyderabad. Such scattered intelligences and rumours increased his anxiety for the safety of his Presidency. Hyderabad seemed to him to be the first probable

¹ Bentinck to Castlereagh, 18th Oct. 1804, B.P.

target of a Maratha aggression. In that case, he wrote, "If the Nizam's house were on fire, it would become necessary for us to take care of our own."¹ Bentinck was eager to get from the British agents in the Maratha courts, the earliest notice "of the possible turn of affairs"; so that he could be prepared "to meet any exigency."²

Meanwhile, in North India, Holkar had joined hands with the Jat Raja of Bharatpur and continued defying the English. In February, 1805, General Lake failed to capture the famous fort of Bharatpur and suffered heavy casualties.³ Bentinck was shocked at this news. He could not imagine "that Holkar would have caused such resistance and ill-luck." He commented that "there was no game subject to so much chance. A battle is never won or lost till it is over."⁴ Almost at the same time in April 1805, Bentinck came to know that Scindhia was carefully watching the eventful siege of Bharatpur and considering to regulate his conduct according to the

¹ Bentinck to Sydenham, 23rd Jan. 1805, B.P.

² Ibid.

³ Duff, J.G. History of the Mahrattas, Vol. II, pp. 441-4.

⁴ Bentinck to Sydenham, 29th March, 1805, B.P.

result of that siege. The news of Scindhia's motive combined with General Lake's failure at Bharatpur led Bentinck to imagine that British reverses in the North of India might be followed by a large-scale hostilities in the south. "In the event of any reverse which might be experienced by our army in the North . . .", he observed, "it would be difficult to say where the evil might not extend."¹ He strongly felt, therefore, the necessity of adopting elaborate defence measures in his Presidency.

Wellesley was always conscious of the danger of the renewal of hostilities in South India. He suggested to Bentinck certain steps for the security of the British territories and the territories of the British allies - such as Hyderabad, Mysore, Travancore and Tanjore in South India. He advised Bentinck to create a reserve corps in the Deccan and to place it in an advanced position at Hyderabad. This corps, the Governor General thought, would "afford protection to the territories of our allies . . . or may be employed in active operation or in the protection of the convoys in any direction."² Further he warned Bentinck of the possibility of intrigues of the Southern Jagirdars (the petty Maratha chiefs of south-India) with the important

¹ Bentinck's Minute, 21st April 1805, Sec.Cons.B.P.

² Gov.Gen.in Coun.to Gov. in Coun. Mad. 9th Jan. 1805, Beng. Sec. & Pol. Cons. 20th June 1805, Vol.165, No.34.

Maratha chiefs. He advised Bentinck to keep some force ready to watch and prevent the Jagirdars from uniting with Scindhia or any other British enemy.¹

Bentinck promptly put into effect Wellesley's suggestions. On 21st April, he decided that "an efficient corps of infantry, cavalry and artillery both European and Native, should be immediately assembled in some point of the Ceded Districts, near to our northern frontier and should be completely equipped for actual service."² Accordingly a fully equipped force of 4769 infantry, 1264 Cavalry and 150 artillery was raised from the irregular Indian infantry and cavalry of Madras combined with some regular European and Indian forces of the Presidency. This troop was assembled at Bellary ready to march at any time.³ The Commander in Chief of Madras himself took charge of the detachment and Bentinck hoped that the force at Bellary would "check all adventures of whatever description."⁴ But Bentinck still felt the need of procuring additional military strength and turned his attention towards the state of Mysore

¹ Wellesley to Bentinck, 5th April, 1805, W.P.

² Bentinck's Minute, 21st April, 1805, Sec. Cons. B.P.

³ Gov. in Coun. Mad. to Gov. Gen. in Coun. 23rd April, 1805. Beng. Sec. & Pol. Cons. 20th June, 1805, Vol.165, No.368.

⁴ Bentinck to Wilks, 23rd April, 1805, B.P.

for that purpose. An agreement was made with the Mysore Government in May 1805, to the effect that a substantial portion of the Mysore troops (500 Stable horse, 3500 Silladar horse, 4000 Regular infantry, 2000 Peons and 8 field guns) together with several battalions of British soldiers should be placed to guard the borders of Mysore. It was further agreed that the rest of the Mysore troops would be kept ready to help the British detachment in the Ceded Districts at any time by the order of the Governor.¹ The arrangement seemed satisfactory to Bentinck and he wrote to the British Resident in Mysore that the assembly of a large body of troops "will ^{solely} suffice to keep tranquility in the south."² Next, Bentinck turned his attention towards the intrigues of the Southern Maratha Jagirdars. To prevent any of their hostile designs, he directed Major Wilks, the resident of Mysore and Capt. Sydenham, the resident of Poona on 23rd April, 1805, to keep watchful eyes on the movement of these petty chiefs. The Residents were also instructed to keep a force ready to prevent those Jagirdars from making contacts with Scindhia or Holkar.³ Finally, in July 1805, Bentinck placed a strong detachment near Tungavada under General Campbell in order to restrain the Southern Jagirdars.⁴

¹ Wilks to Buchan, chief Secy. Mad. Gov. 10th May 1805, Beng. Sec. & Pol. Cons. 20th June 1805, Vol. 165, No. 426.

² Bentinck to Wilks, 10th May 1805, B.P.

³ Bentinck to Wilks, 23d April 1805, B.P.

⁴ Petrie to the Chairman of the Court of Directors, 3rd July 1805. Letters recd. from Mad. Pol. Dept. Vol. 31.

While Bentinck was strengthening the British position in Madras, an important development took place in North India. General Lake's failure to capture the fort of Bharatpur came as a terrible blow to the British prestige, but the Marathas could not make much use of it. The Raja of Bharatpur, after a successful resistance saw the impossibility of evading the ultimate defeat, and finally made a treaty with the British Government on 17th April 1805.¹ The war in Northern India might have taken an adverse turn for the Marathas after this submission. But to their relief Wellesley suddenly resigned following a censure by the home authorities in July 1805, on the ground of their displeasure at his continued "war-loving" policy in India.² Wellesley's departure effected a total change in the policy of the Company's Government in India. His successor, Cornwallis, was despatched to India to put an end to Wellesley's policy of expansion and aggrandisement. Shortly after Wellesley left India, Jenkins, the Resident at Scindhia's court, informed the Madras Government that Holkar had gained a complete ascendancy over Scindhia and they both were preparing to undertake "a plunge" into south India.³ But Bentinck was confident

¹ Aitchison, C. U., Treaties, Engagements and Sarads relating to India and neighbouring countries, Vol. III, pp. 390-3.

² Roberts, P. E., India under Wellesley, pp. 268-72.

³ Petrie to the Court of Directors, 3rd July, 1805, Letters Recd. from Mad. Pol. Dept. Vol. 31.

at that time, as he believed that the British forces in the Deccan were strong enough to repel any such aggression. "They (Scindhia and Holkar) know too well our superior strength", he wrote, "and their entire annihilation would be hazarded by a new war."¹

Cornwallis, succeeding Wellesley on 30th July 1805, inaugurated a complete reversal of British attitude towards the Marathas. He came with explicit instructions from Castlereagh, President of the Board of Control, to return to the pre-1798 position with regard to the Marathas. The home authorities were averse to sanctioning the mounting expenses of war and the cost of administering huge tracts of land. They were specially reluctant to support Wellesley's policy in view of the categorical clauses of the Acts of 1784 and 1793 of Parliament, prohibiting further aggrandisement in India.² Cornwallis himself was committed to these ideas and he always believed in a peaceful and non-interfering policy in dealing with the Indian princes. Whatever might be the justification for a reversal of policy, the Anglo-Maratha war was almost at its last phase. Holkar, though not totally crushed was struck severely. Scindhia, who was always looking for an opportunity to break the Subsidiary Alliance Treaty he had entered in February 1804, was still bound by

¹ Bentinck to Castlereagh, 29th April 1805, B.P.

² Home. Misc. Series, Vol. 486, pp.6-8.

it. And General Lake was preparing for a final test with the confederate forces of Holkar and Scindhia.¹ The situation on the whole appeared to be favourable to the British. But Cornwallis's policy was not to destroy the Maratha chiefs, but to let them enjoy their previous positions. He condemned the prevailing attitude of ruthlessness to Holkar and Scindhia. He deprecated "the effects of ^{The} almost universal frenzy, which has seized even some of the heads which I thought the soundest in the country, for conquest and victory."² Cornwallis, in fact, decided to make peace with Scindhia and Holkar even conceding all the British advantages of victory. But before anything could effectively be done he died in October 1805. Sir George Barlow, who succeeded him, however, faithfully set out to implement Cornwallis's policy.

As regards the Marathas, Bentinck was devoted to the policy of Wellesley. His idea about the Maratha characters was somewhat prejudiced. "The Marathas are ^{or} faithless and perfidious people", he believed, "plunderers upon principle and by profession."³ He had no doubt that the Maratha threat should be crushed and crushed as promptly as possible. He was always against a prolonged

¹ Petrie to the Chairman of the Court of Directors, 3rd and 31st July, 1805, Letters Recd. from Mad. Vol.31.

² Cornwallis to Lt. Col. Malcolm, 14th Aug. 1805, Correspondence of Charles, First Marquis Cornwallis, Ross, C., Vol.III, p.54Z.

³ Bentinck's Minute, 3rd Nov. 1805, Sec. Cons. B.P.

war which would adversely affect the financial position of the British Government. He therefore could not approve of the directions of the home authorities and Cornwallis's policy. He was against concluding peace with the Marathas at the expense of all the advantages of a victory. This moderation, he thought, was extreme weakness and he recalled and deprecated such weakness of Cornwallis in his past dealings with Tipu of Mysore. "I only trust," Bentinck wrote to Castlereagh, "that Cornwallis will make no appearance of moderation or concession. The Chieftains of India understand not such conduct."¹ To Bentinck the Maratha war was justified by expediency and he was unconcerned about any parliamentary obligation of the Acts of 1784 and 1793. Though inconsistent with the principle laid down by Parliament, the views of Wellesley and Bentinck were justified from the point of view of security of the British empire. The Maratha power, in fact, posed a serious threat to the British authority in India and a quick reversal of Wellesley's policy might have betrayed the British security in India to a certain extent. This practical consideration, however, weighed little with Sir George Barlow and the preparations for peace with the Marathas were hastily made. The Peace Treaty was first concluded with Scindhia on 22nd November, 1805, which was followed by another with Holkar on 24th December 1805. In both cases the terms were

¹ Bentinck to Castlereagh, 7th Sept. 1805, B.P.

favourable to the Maratha chiefs and most of their lost territories were restored to them. In return the British Government only secured the pledge from the chiefs that they would renounce claims on the neighbouring kingdoms.¹ As the head of a subordinate government Bentinck had to accept these final arrangements. He was, however, relieved when he found that the terms of peace were not altogether unsatisfactory.²

Bentinck's allegiance to Wellesley's policy was further manifested in the former's dealings with the other Indian Princes. Wellesley on his arrival in India, found that the French menace, the Maratha threat and the ambition of Mysore created an atmosphere of utmost insecurity to the British in India. He apprehended that the Indian princes were in a position to take advantage of this situation either by collaborating with the enemies of the British or by defying the British Government. With a view to counteracting such tendencies and to strengthening the hands of the British authority, Wellesley resorted to the policy of subsidiary alliance.³ In his minute on Mysore, dated 12th August 1798, Wellesley wrote in support of that policy: "It is our right and duty to restore the

¹ Aitchison, C.U., Treaties, Engagements and Sarads etc. Vol.V, pp.400-403, Vol.IV, pp.26-8.

² Bentinck to Barlow, 26th December 1805, B.P.

³ For subsidiary alliances see page 3 of this chapter.

vigour and efficiency of our defensive alliances . . . The establishment of our subsidized forces at Poona and Hyderabad will afford effectual means of guarding not only against any such (foreign) intrusion but against the undue growth of any native powers. "¹

Wellesley's policy of subsidiary alliance was obviously very controversial in his own time. It had its advantage as Wellesley believed in exercising "a general control over the restless spirit of ambition and violence which is characteristic of every Asiatic Government. "² But its disadvantage was also conspicuous. It had the tendency of bringing every Indian state under the exclusive control of the British Government - the tendency which was neither liked by the Indian rulers nor approved by the home authorities. Munro, an expert on South-Indian politics, pointed out that the subsidiary alliance brought security to an allied state, purchased by the "sacrifice of independence, of national character and of whatever renders a people responsible. " Financially, too, it could ruin a country. A subsidised British army was always ready within an Indian state to dictate to the ruler and to reduce him to the state of a cypher. In effect the

¹ Wellesley's Minute, 12th Aug. 1798, cited in Srinivasachari, C.S., The Inwardness of British Annexations in India, p.III.

² Lyall, Sir A., British Dominion in India, p.244.

subsidiary system could protect an incompetent ruler against any internal opposition. Bentinck, however, upheld Wellesley's policy of subsidiary alliance and rendered earnest co-operation towards its success. After his arrival at Madras the subsidiary alliance had been implemented in several cases in the Presidency. On his own part he helped its extension to Travancore state, a harmless, trusted ally of the British in South India.

The Hindu Kingdom of Travancore had connections with the English East India Company from as early as 1684. In 1783, the Raja of Travancore along with all the native princes of South India took sides with the British and resisted Tipu Sultan, the powerful ruler of Mysore. His zealous co-operation entitled him to be ranked as an ally and led to the conclusion of a treaty with the Company in 1784.¹ Out of the fear of being attacked by Tipu, the Raja in June 1788, applied to the Madras Government requesting them to send some British officers to train six of his own regiments. But instead of sending officers, the Madras Government offered him direct help of the Company's army. Consequently, the Raja agreed to maintain two battalions of British forces on the basis of monthly subsidy.²

¹ Aitchison, C.U., Treaties, Engagements and Sanads, etc., Vol.X, p.115.

² Shungoony Menon, P., History of Travancore, p.251.

Following the treaty, Travancore was attacked by Tipu in 1790 and was defended by the British troops stationed there. In 1795, the Raja of Travancore again engaged himself to subsidise three battalions of the Company's sepoy, a company of European artillery and two companies of lascars. It was further stipulated that the commanding officer of the force should require prior sanction of the Government of Madras to help the Raja to repel invasions.¹ It should be noted here that in the treaties of both 1788 and 1795, arrangements were transacted on terms of equality and the stinging clauses of a typical subsidiary alliance were not thought to be necessary. The independent and assertive tone of the Raja of Travancore, even after these treaties were drawn, was clearly manifested in 1804, during a controversy over levying duties. The Dutch Settlement of Cochin was contiguous to the territories of Travancore and had had treaty relations with the Raja since 1753. By taking advantage of the Raja's attention with regard to the state of Mysore, the Dutch officers of the Settlement of Cochin began an unauthorised collection of duties on trade within the territories of Travancore. In 1804, the Dutch Settlement of Cochin was annexed by the British and the unauthorised collection continued there by

¹ Petrie's Minute, June, 1803. Sec. Cons. B.P.

the British Revenue Officers. The Raja vehemently protested against such action of the British "is solely grounded upon *this* unprincipled and unjustifiable usage" and demanded an outright end of it.¹ Bentinck, the then Governor of Madras, had to acknowledge that the Dutch officers in the past had unduly usurped the authority of the Raja and that the Company's officers in Cochin had "improperly continued that (usurpation of) authority".² He lost no time in sending orders to the British Officers in Cochin to stop collecting duties in Travancore.³ Hitherto, in their relations with the Raja of Travancore the British Authorities had never shown any tendency to disregard the Raja's power and position. Similarly, the Raja had always reciprocated by his constant support to all British actions.

The situation was changed by a sudden mutiny of the Nair⁴ troops in December 1804. From the year 1802, the young Raja of

¹ Resident of Travancore to Ch. Secy. Mad. Govt. 31st Jan, Mad. Pol. Proc. 31st March 1804, Ran. 317, Vol.I.

² Gov. in Coun. Mad. to Gov. Gen in Conn. 31st March 1804, Mad. Pol. Proc. 31st March 1804, Ran.- 317, Vol.I.

³ Bentinck's Minute, 31st March 1804, Mad. Pol., Proc. 31st March 1804, Ran.- 317, Vol.I.

⁴ The 'Nairs' are Malayi Hindus who were principally of the military class but held lands too. Nair troops were famous for their courage and military performances.

of Travancore was guided by his Dewan Valu Tharayy, a ruthless and strong personality. The Dewan's rigorous measures against corruption and his pro-British leanings had created tension among the civil and military officials of Travancore. The matter took a serious turn when in 1804 the Dewan decided to cut down the allowances of the Nair battalions in order to meet some arrears of subsidy payable on account of the British forces stationed in Travancore. The Nair battalions mutinied and proceeded towards Trivandrum, the capital of Travancore with the object of demanding the Raja to dismiss and execute the obnoxious Dewan and his associates. The Dewan was away from the capital in Aleppy at that time. The young Raja was panicky and there was none beside him to cope firmly with the situation. Meanwhile in Aleppy too, the Nair battalions mutinied and the Dewan fled to Cochin accompanied by the British Resident. After a hurried consultation between the two, the British Resident ordered the British troops from Tinnevely to march towards Trivandrum. It was further arranged that the subsidiary forces at Quilon should also march towards the capital. The movement of these two forces subdued the uprising and the rebels were severely punished.¹

¹ Shungoony Menon, P. History of Travancore, pp.307-9.

On hearing the news of insurrection in Travancore Bentinck immediately instructed the Commanding Officer of Malabar to assemble his troops in the field. This he thought was necessary to check similar uprising in the southern provinces. He further arranged to send reinforcements to Travancore if asked by the Resident.¹ Wellesley was highly satisfied with the measures of the Madras Government and desired to utilise this golden opportunity by bringing the Raja explicitly under the complete British control. "I consider this occurrence", he wrote to Bentinck, "to afford a favourable opportunity for the modification of our subsidiary engagements with the Raja of Travancore."² The affair of Travancore, Wellesley expressed, had not only required but justified a vigorous intervention of British force "for the preservation of the British interests in that Quarter." He, therefore, wanted to modify the existing subsidiary treaty on the line of installing a permanent subsidised British force in the Raja's dominion, solely regulated by the British.³ Bentinck gave full support to the plan and remarked, "there can be no doubt as to the great advantage of the proposed arrangement to our

¹ Chief Secy. of the Mad. Govt. to the Commanding Officer, Macdowall, 3rd Dec. 1804, Beng. Sec. & Pol. Cons. 24th Jan. 1805, Vol.150, No.56.

² Wellesley to Bentinck, 17th Dec. 1804, W.P.

³ Ibid.

general interest."¹ He promptly transmitted a copy of Wellesley's letter to the British Resident in Travancore, Lt.Col. Macaulay. The Resident also welcomed the proposal. In his opinion it was "injudicious to make any delay in seizing the favourable opportunity which seemed to present itself for the conclusion of an arrangement by which the rights and interests of the Company in Travancore might be fixed on a solid and secure foundation."² The motive behind the eagerness of all in imposing a rigorous subsidiary treaty on Travancore was their suspicion about an increasing anti-British feeling among the civil and military ranks. As Wellesley wrote to Bentinck, "the avowed object of the insurrection is the subversion of the British influence in the counsels of the Raja."³ The Raja was at first reluctant to modify the arrangements with the British; but for the Dewan's unceasing endeavours and the pressure of the British Resident he had ultimately to give way.

The proposed treaty of "perpetual friendship and alliance" was signed by the Raja on 12th January 1805. It was decided that

¹ Bentinck to Wellesley, 16th Jan. 1805, B.P.

² Resident of Travancore to Chief Secy. of Mad. Govt. 8th Jan. 1805, Beng. Sec. & Pol. Cons, 16th May 1805, Vol.162, No.284.

³ Wellesley to Bentinck, 17th Dec. 1804, B.P.

the Raja would financially support an additional British regiment to be stationed in his territory. The treaty provided that in case of necessity, the Raja would concede to the British his power of regulating the administration of all the branches of public affairs and would bring them under the direct management of the officers of the Company. In such an eventuality, however, it was decided that he would be given the guarantee that his personal income would not be less than two lakhs of rupees in addition to one fifth of the annual revenue. The Raja further bound himself to abide by the British advice in the external affairs. Finally, the treaty provided that the Raja would make no communication with any foreign state, admit no European to his service, and allow no European to stay within his territories without the permission of the British Government.¹

Bentinck was happy at the way in which the new treaty was concluded giving an impression that it was a voluntary act, performed by the Raja himself. This, he believed, would not raise any objection from the Court of Directors, the majority of whom were not favourably disposed to the system of subsidiary alliances. He had no doubt about the intrinsic merits of the treaty. "I trust", he wrote to Resident Macaulay, "that our interests in that country (Travancore)

¹ Aitchison, C. U. Treaties, Engagements and Sanads, etc. Vol. X, pp. 135-8.

are now forever secured."¹ At heart, however, both Bentinck and Macaulay were afraid of the adverse popular reaction to the treaty in Travancore as well as in Malabar. The Resident strongly advised the Government that British troops should speedily enter Travancore in view of widespread disaffection.² This appeared most expedient to Bentinck and he wished no delay in marching British troops to Trivandrum. But at the same time he felt that the people should not be given the impression that the treaty was intended to make their Raja dependent on the British authority. To Wellesley he wrote that "the point should be carried without giving offence to the Raja or to his subjects."³ Immediately after the treaty was signed, three battalions of British troops were despatched towards Travancore and the British force in Malabar were kept alert for any disturbance.⁴ Fortunately, no further complications arose and the state of Travancore was safely brought down to the status

¹ Bentinck to Macaulay, 20th June 1805, B.P.

² Resident of Travancore to Chief Secy. Beng. Govt. 13th Jan. 1805, Beng. Sec. & Pol. Cons. 16th May 1805, Vol. 162, No. 286.

³ Bentinck to Wellesley, 16th Jan. 1805, B.P.

⁴ Bentinck to Wellesley, 26th Jan. 1805, W.P.

of a dependent and protected kingdom under the British authority.

The Travancore affair was a typical illustration of how a subsidiary alliance was concluded with an Indian state. The policy, though devised as a means to safeguard the British possessions in India, was in effect a policy of aggrandisement. Bentinck, who was always concerned for the security of British territories in India supported this policy. He seemed to believe in the notion that expansion was justified as a safety measure. Whatever might be the practicability of the policy of countering hostilities from Indian states, the treatment to a firm British ally like Travancore was fully unjust. One characteristic feature of the expansive British policy at this phase was, however, to maintain the pretence that the Company had no intention of interfering with the sovereign status of the Indian rulers and their internal government. Wellesley solemnly alluded to this in his famous minute on Mysore by stating that he had no intention of "altering the condition or reducing or raising the power of any established state in India."¹ The pretension served a useful purpose by soothing the injured vanity of the Indian rulers by satisfying the sentiments of their subjects and by arresting the tendencies towards intrigues. Bentinck had no doubt as to the

¹Wellesley's Minute, 12th Aug. 1798, Srinivasachari, C.S., The Inwardness of British Annexations in India, p.III

importance of such pretence. In the case of Travancore he expressed his reluctance to offend the Raja and his subjects. The same consideration prompted him to deal carefully and cordially with the rulers of Mysore, the Carnatic and Tanjore.

The powerful kingdom of Mysore had been a constant source of danger to the British authority ever since Hyder Ali's accession to power. His able son, Tipu, inherited his enmity towards the English and fought with them to his last breath in 1799. Thereafter, the conquered territories of Tipu were divided into three parts. The districts on the sea coast of Mysore and the provinces adjoining the British territories in Malabar and the Carnatic were held by the British government. The territories contiguous to the Nizam's dominion including the districts of Goramconda and Gutl were assigned to the Nizam of Hyderabad. Some districts in the North-West of Mysore first offered to the Marathas were subsequently shared by the British Government and the Nizam. What remained of the Mysore kingdom was restored to Krishnaraj Udaiyar, a child of about three years of the old Hindu dynasty ousted by Hyder Ali.¹ During the minority of this child, the administration of the kingdom of Mysore was entrusted

¹Aitchison, C.U., Treaties, Engagements and Sanads, etc. Vol.X, p.183.

to the able minister of Tipu, Purniah Dewan, a brahmin by birth .

A British Resident was appointed at the Raja's court and the Mysore troops were placed under the Command of Sir Arthur Wellesley. The Governor General, Lord Wellesley, soon concluded a subsidiary alliance with the minor ruler on 8th July 1799. The treaty stipulated for a British force for the defence and security of Mysore and for this the Raja was to pay an annual subsidy of as much as the cost of the force required to the British Government. It forbade any direct intercourse of the Raja with any other state, native or foreign. It provided that in case of financial confusion and misgovernment the British Government would temporarily assume the administration of the kingdom. It further required the Raja to pay his "utmost attention" to the advice of the British Government on all important matters.¹ After the completion of the settlement of Mysore kingdom, the Company's civil and military personnel in Mysore were placed under the direct control of the Government of Madras. And it was decided that on every important transaction concerning Mysore, the final approbation of the Governor General was essential.²

¹ Aitchison, C.U., Treaties, Engagements and Sanads etc. Vol.X, pp.220-25.

² Wellesley's Minute, 14th Sept. 1799, referred in the letter of the Beng. Govt. to Mad. Govt. 5th Oct. 1804, Beng. Sec. & Pol. Cons. 24th Jan. 1805, Vol.150, No.2.

Bentinck arrived in Madras after the settlement with Mysore was over and therefore found no difficulty in his dealings with that kingdom. The Purniah Dewan was a good administrator and a favourite of Wellesley. During his able Regency Mysore became prosperous which resulted in an increase of revenue ranging from 50 to 70 per cent.¹ The kingdom of Mysore offered help in men and money to the government of Madras during British campaigns against the Marathas. Bentinck was always eager to maintain cordial relations with the Dewan. When the British troops were withdrawn from Mysore during the Maratha wars, Bentinck felt worried for the safety of that kingdom. Then it was due to Bentinck's endeavours that the damaged fort of Seringapatam was reinstated and the security of Mysore was ensured.²

In 1806, Anglo-Mysore cordiality was suddenly upset when the British commanding officer at Bangalore arbitrarily interfered in the internal affairs of Mysore state. The incident occurred, subsequent to the mutiny of native sepoy at Vellore, a place adjoining to the state of Mysore. The Vellore mutiny in July 1806 had created extreme alarm among the British military circles in South India. Lt. Col. Ogg, the commanding officer of the British troops at Bangalore, in Mysore

¹ Petrie's Minute, June 1803, Sec. Cons. B.P.

² Bentinck to Wilks, 16th Jan. 1806, B.P.

state came across a rumour in October, 1806 about plans for a mutiny in his own establishment. The fact was that Col. Ogg was informed that the Subadar of Bangalore Madhab Rao, a high official of Mysore state and a near relative of Purniah Dewan, who had previous knowledge of the mutiny and massacre of European officials at Vellore, had planned a similar uprising among the British troops at Bangalore. The Resident, Major Wilks, was also informed of this plot and he discussed the charges against Madhab Rao with Purniah Dewan. The Dewan agreed to appoint an impartial commission to enquire into the matter. In course of this investigation it was decided that Madhab Rao should be suspended from his duties for the time being.¹ When the investigation was in progress Col. Ogg suspected that some people in Bangalore were in possession of seditious documents connected with this plot. He immediately arrested these persons and made a vigorous search for the papers which could not be traced. This led Col. Ogg to believe that Madhab Rao had these secret documents in his own custody in the Bangalore palace of the Raja of Mysore. On 9th November 1806, he ordered the seizure of Bangalore palace without consulting the Mysore Government or any of its responsible officers. The palace was seized and

¹ Resident of Mysore to Gov. in Coun. Mad. 15th Nov. 1806, Beng. Sec. & Pol. Cons. 5th Feb. 1807, Vol. 200, No. 8.

searched thoroughly by the British troops but the seditious papers were not found.¹

Such an interference and coercion on the part of Col. Ogg seriously disturbed the peace of Mysore state. He superseded and degraded the authority of the Mysore Government and filled the minds of the inhabitants with great apprehensions. The officers of Mysore felt distrusted, suspected and humiliated. Major Wilks promptly informed the Government of Madras of the situation and sought the Governor's direct intervention to restore the confidence of the Mysore Government in British Justice.² Bentinck believed that Col. Ogg had acted precipitately out of the fear of the mutiny of Vellore and commented that his mode of action was obviously arbitrary and injudicious. He could not disregard the feeling in Mysore that the state had been unjustly treated by a foreign power.³ He blamed Col. Ogg's action as "imprudent, ill-judged, intemperate and impolitic" and did not hesitate to issue instructions for his outright removal from Bangalore.⁴ This was carried out without delay. Bentinck then

¹ Resident of Mysore to Gov. in Coun. Mad. 20th Nov. 1806, Beng. Sec. & Pol. Cons. 5th Feb. 1807, Vol.200, No.9.

² Resident of Mysore to Gov. in Coun. Mad. 20th Nov. 1806, Beng. Sec. & Pol. Cons. 5th Feb. 1807, Vol. 200, No.9.

³ Bentinck to Wilks, 25th Nov. 1806, B.P.

⁴ Bentinck's Minute, 11th Dec. 1806, Beng. Sec. & Pol. Cons. 5th Feb. 1807, Vol.200, No.14.

informed Purniah Dewan to reinstate Madhab Rao to his former position.¹ "In this time of doubtful allegiance and affection," Bentinck wrote to Col. Ogg, "it is a paramount duty to strengthen every bond of union, and more particularly in respect ~~to~~ a power from which we received such zealous and effectual co-operation."²

Bentinck's treatment of the case of Mysore, had however manifested his willingness to respect the jurisdiction of a subservient ally. The same attitude guided him to treat the powerless Nawab of Carnatic and the Raja of Tanjore with great consideration. The first British subsidiary treaty with the Nawab of Carnatic was concluded in the year 1787, by which the Company's Government undertook the responsibility of defending ^{the} Carnatic for a subsidy of 15 lakhs of pagodas. The treaty further provided that the British Government could assume even the internal government of the Nawab if it was necessary.³ However, the Company at that time showed no intention of interfering with the internal affairs of the Nawab. The imprudent and extravagant Nawabs of the Carnatic were habituated to borrow money from the Company's servants at exorbitant rates of

¹ Governor of Mad. to Purniah Dewan, 24th Dec. 1806, Beng. Sec. & Pol. Cons. 5th Feb. 1807, Vol. 200, No. 15.

² Bentinck to Ogg, 11th Dec. 1806, B.P.

³ Aitchison, C.U., Treaties, Engagements and Saads, etc. Vol. X, pp. 41-47.

interest. Such improvident habits soon led the country to a deplorable state of affairs. The loans were generally contracted on the guarantee of lands and on the farming of tax collection of the state to the creditors. Gradually the creditors of the Nawabs, mostly European and Indian officials of the Company, began to exercise a very demoralising influence on the management of the state. The matter took a worse turn when the Nawabs having failed to pay the subsidy to the Company augmented the debt still further. Several attempts on the part of the Company to improve the situation proved to be of no avail and the deplorable condition continued when Lord Wellesley arrived in India. To this financial difficulty were added the demerits of dual administration. The collection of revenue by the Company's servants and the internal administration at the Nawab's hands had led the country, as Sir Arthur Wellesley observed, "not only to the oppression of the inhabitants of the country, but to the impoverishment of the Nawab and the destruction of the revenues of the Carnatic". From the beginning, Governor General Wellesley was averse to the existence of such evils in the administration of the Carnatic and wanted to draw

1 Srinivasachari, C.S., The Inwardness of British Annexations in India, p.72.

2 Owen, Wellington Despatches, cited in Roberts, P.E., India under Wellesley, p.162.

the Nawab under the supreme control of the Company. In the Carnatic and in Tanjore (a dependent state of ^{the} Carnatic) Wellesley preferred, therefore, the establishment of the Company's sovereign control rather than imposition of subsidiary alliance. In the miserable financial situation of the Carnatic a subsidiary treaty would only help to ruin the country by adding more financial burden to the Nawab without making any improvement in the administration.

Wellesley soon found a suitable opportunity to implement his plan. After the fall of Seringapatam the British authority seized a secret communication between the Nawabs of the Carnatic and Tipu Sultan. Wellesley asserted, that the correspondence of Muhammad Ali and Omdut ul-Omrah, two successive Nawabs of ^{The} Carnatic were treasonable and hostile to the British interests. At this point Omdut-ul-Omrah died in July 1801 and Wellesley refused the claim of Ali Hussain, the son of the deceased Nawab, to succeed and he opened negotiations with Azim-ud-Dowlah, his nephew. On 25th July 1801, a new treaty was signed between the Company's Government and Azim-ud-Dowlah and the latter was recognised as the Nawab of the Carnatic by the British. According to the treaty the Nawab renounced the civil and military government of the country to the Company in exchange for a guaranteed pension of one fifth of the revenues.

The treaty also accepted the Nawab "in the state and rank, with the dignities dependent thereon, of his ancestors...".¹ Wellesley was severely criticised for this act of annexation. At home Sheridan and Lord Moira even threatened to launch an attack on the Governor General in Parliament.

Bentinck entered the scene at this stage and took much care to preserve the hereditary dignity of the Nawab. By the treaty of July 1801, the Nawab was granted exclusive jurisdiction over his followers and relations in the Chepuk palace and surrounding gardens adjacent to the city of Madras. Before Bentinck's arrival, a conflict started between the Supreme Court and the Nawab, as the former challenged the limited sovereign rights of the latter. The newly established Supreme Court of Madras had a territorial jurisdiction over the town of Madras. On the basis of this the Court claimed that the Nawab and his men living in the Chepuk palace were amenable to the jurisdiction of the Court. In fact, on several occasions, the Supreme Court of Madras had failed to respect the sovereign status of the Nawab and gave protection to some of the dissident members of the Nawab's family.² In this conflict, the

¹ Aitchison, C. U., Treaties, Engagements and Sanads, etc., Vol. X, pp. 57-61. p. 73

² Govt. of Mad. to the Court of Directors, 23rd March 1804, Letters Recd. from Mad. Pol. Dept. Vol. 29.

Government of Madras had to abide by the treaty of July 1801.

Bentinck's predecessor, Lord Clive, upheld the rights of the Nawab, much to the dissatisfaction of the Supreme Court. Bentinck, too, supported the Nawab's status. He had no doubt that the Nawab "should enjoy all the rank, state, and ~~the~~ privileges of ~~the~~ sovereignty, excepting those, which he has expressly delegated."¹ He not only kept the Supreme Court away from the controversy but also recommended an amendment of the treaty of July 1801, so as to give no further grounds for any future complication. He was in favour of granting the Nawab perpetual sovereignty within the limits of the Chepuk palace. Bentinck proposed to Wellesley that the British Government should explicitly declare that they would not interfere in the palace and gardens of the Nawab, where his sovereignty over his own men and relatives should be absolute. In return he felt that the Nawab should engage himself to deliver to the British Government any subject of the Company who might temporarily reside within his palace.² Lord Wellesley, however, was reluctant to reopen the question of modification of the treaty, hence shelved Bentinck's

¹ Bentinck to Wellesley, 2nd May, 1804, W.P.

² Additional Articles proposed by Bentinck, Enclosure to Bentinck's Letter to Wellesley, 2nd May, 1804, W.P.

proposal. But the case was solved by the Supreme Government in favour of the Nawab.¹ The proposals made by Bentinck had proved his unwillingness to degrade "the illustrious house of Arcot" (the capital of ^{The} Carnatic).² Bentinck's sympathetic attitude towards the Nawab produced the fruitful result. The Nawab was satisfied and grateful for the British treatment and he had no hesitation in expressing his gratitude for the support that he received from Bentinck.³

British relations with the state of Tanjore resembled those with the Carnatic and there Bentinck was confronted with a similar problem. In 1786, a complication arose on the question of succession following the death of Tulaji, the Raja of Tanjore. The Raja's half brother, Amir Singh, and his adopted son, Surfogi, were the candidates for the throne. Amir Singh's claim being proved stronger, he was enthroned by the British in spite of his corrupt and unbalanced dispositions. However, his calamitous reign led the British authorities in Madras to reconsider the succession. In course of this

¹ For the details of the Carnatic case, see Chapter III, pp. 184-88.

² Bentinck to the Nawab of Arcot, 22nd May 1804, B.P.

³ The Nawab of Arcot to the Court of Directors, 16th Oct. 1807, B.P.

reconsideration, Sarfogi, a gifted and accomplished man, secured unanimous approval by the authorities in India as well as in England. But nothing definite was done with regard to Sarfogi's nomination to the throne till Wellesley arrived in India. Very soon Wellesley found in the unsettled condition of Tanjore a rare opportunity "to sweep away another Indian state."¹ With the intention of drawing Tanjore completely under the Company's authority, Wellesley commenced negotiations with Sarfogi and persuaded him to conclude a treaty on 25th October 1799 in return for his elevation to the Rajaship by deposing Amar Sing. By the treaty, the whole civil and military administration of the kingdom was taken over by the Company in lieu of a pension of £40,000 a year to the Raja.² Raja Sarfogi thus failed to gain the actual power and prestige of the Rajaship and had to surrender all his administrative jurisdictions to the British for an empty title, some privileges and a guaranteed pension. In 1803, therefore, when Bentinck took charge of the administration of Madras, Tanjore was under absolute supremacy of the Company leaving to the Raja the fortress of Tanjore, the palace of residence and a few gardens.³

¹ Roberts, P.E., India under Wellesley, p.112.

² Aitchison, C.U., Treaties, Engagements and Sanads, etc., Vol.X, pp.90-94.

³ Petrie's Minute, June 1803, Sec. Cons. B.P.

Bentinck's initial step with regard to Tanjore was an act of intervention into the restricted sphere of the Raja's jurisdiction. The small fort of Tanjore situated on the coast line, belonged to the Raja. Influenced by the suspicion that the Raja might be in secret link with the neighbouring Dutch settlement and thus implicated with the French design, Bentinck decided to place the fort under the British control as a precautionary measure.¹ Accordingly, the fort was garrisoned by the British with the prior consent of the Raja.² Bentinck, however, justified his interference on the ground of the Raja's previous consent as well as on the ground of the emergency situation. In case of an attack by the French, he explained to the Court of Directors, the fort could effectively be utilised "for the purpose of intercepting the supplies and of interrupting^{the} intercourse of the invading enemy with the interior part of the country."³ In any case, as the occupation of the fort was not made on a permanent basis, it did not impede the understanding between the Raja and Bentinck.

¹ A reference to this incident is made in connection with Bentinck's measures to counter the French menace. (See above, p. 35.)

² Raja of Tanjore to Bentinck, 28th Sept. 1803, Beng. Sec. & Pol. Cons. 24th Jan. 1805, Vol.150, No.12.

³ Gov. in Coun. Mad. to Sec. Comm. of Court of Directors, 13th Sept. 1803, Sec. Letters from Fort St. George, Vol.III, 1804-9.

By the 4th Article of the treaty of 1799, provision was made for the creation of a court of Circuit to administer the civil and criminal justice in Tanjore under the authority of the Government of Madras. The treaty clearly provided that such a court would not be "subject to the control, authority or interference of the said Raja".¹ The court, when established in Tanjore in 1806, refused to give the Raja any special privilege as regards jurisdiction, without special instructions from the Madras Government. On the occasion of misdeeds and law-breaking it indiscriminately arrested the Raja's servants and compelled them to appear before the court for trial. The Raja, in September 1806, strongly resented the actions of the Company's court and contended that his jurisdiction had been rudely violated. He protested bitterly to Bentinck. "In delivering to the Company's authority the judicial and revenue departments of the province, I divested myself of everything but ^{my} dignity. I remain the Raja of Tanjore, still, recognised as such and entitled to all the honours and privileges of sovereign dignity."²

Bentinck felt that it was necessary to restore the confidence of the Raja in the British sense of justice and he started examining the relevant papers. He found that the treaty of 1799 confined the

¹ Aitchison, C. U., Treaties, Engagements and Sawads relating to India and neighbouring countries, Vol. X, p. 91.

² Raja of Tanjore to Bentinck, 25th Sept. 1806, B. P.

Raja's jurisdiction only to the fort and made no mention of the palaces. Moreover the treaty insisted on establishing an undivided civil and military jurisdiction throughout Tanjore. But some later documents of the Madras Government written immediately after the treaty not only clarified but extended the jurisdiction of the Raja. On the basis of these documents Bentinck decided the question. A letter from the Governor of Madras, Lord Clive, to the Resident of Tanjore, dated 3rd October 1799, revealed that the Government proposed to provide for the administration of justice throughout Tanjore "with the exception of the Raja's fort and palaces."¹ A subsequent letter from the Secretary of the Government of Madras to the Raja, dated 5th July 1800, further revealed that "the palaces, gardens, etc. belonging to the Raja, and the gardens and bazars (markets) appropriated to the Houses of Charity of the Queens - shall be held under their respective authorities."² Thus Bentinck had no doubt that the Madras Government intended to place "the palaces and gardens" exclusively under the jurisdiction of the Raja.³

In December 1806 Bentinck, therefore, proposed a regulation defining specifically the jurisdiction of the Company's court and of

¹ Quoted in Bentinck's letter to Blackburne, 23rd Nov. 1806, B.P.

² Ibid.

³ Ibid.

the Raja. He asserted that the Raja should enjoy exclusive jurisdiction over his relations and servants residing in the palaces and the fort. "This arrangement", he stated, "will be satisfactory to the Raja, ~~and~~ will facilitate the solution of any difficulty that may arise in ~~defining~~ more exactly His Highness's jurisdiction..."¹

In 1807, such a regulation was put into effect. Blackburne, the British Resident in Tanjore, expressed his satisfaction at Bentinck's decision favouring the Raja.² The Raja, of Tanjore, on his part, was completely won over. "This has made upon my mind", he wrote to Blackburne, "an everlasting impression of his Lordship's particular desire to maintain my honour and dignity."³

Bentinck's attitude towards the French menace was not different from that of Wellesley. Like Wellesley he was deeply concerned for the safety of British possessions in India and believed in the possibility of a French attack on the Indian coasts. He thus agreed with Wellesley that the British policy in such an eventuality should be one of elaborate defence arrangements. In a situation tense with the apprehension of French offensive, Bentinck felt that the Maratha

¹ Bentinck's Minute, 11th Dec. 1806, Sec. Cons. B.P.

² Blackburne to Bentinck, 15th Dec. 1806, B.P.

³ Raja of Tanjore to Blackburne, 14th Oct. 1807, B.P.

power in India should be destroyed totally. He was therefore not satisfied when Barlow effected a settlement with the Marathas by giving them considerable concessions. Bentinck's dealings with the Indian states like Travancore, Mysore, ^{the} Carnatic and Tanjore demonstrated a mixture of the British policy of intervention and of respect for the sovereignty of the Indian rulers. He always felt the necessity of respecting the jurisdictions and sentiments of the Indian princes so long as they did not clash with the vital interests of the British empire. His generous treatment of the Mysore state was an example of this policy. But his dealings with the state of Travancore was altogether different. The existence of an anti-British feeling among the military and official ranks in Travancore led him to impose a stringent subsidiary alliance on a hitherto faithful and dependent ally.

CHAPTER II

ADMINISTRATION OF LAND

Land being the main source of income, the settlement of its revenue had always been the prime concern of the rulers in India. In South India, as in all other parts of the country, the prosperity of the populace and the benevolence of the rulers depended largely on the administration of land. Starting from the days of early Hindu rulers down to the advent of the British the settlement of land revenue remained an object of great care and interest. However, the amount of land tax and its pressure on the cultivators varied from time to time. The Hindu rulers directly collected the land tax from the cultivators through their representatives in each village. Further, during the Hindus the land collection was generally moderate. The assessment of revenue was not regulated merely by the extent of land the husbandmen cultivated but also by the quality of the produce.¹ For example, in the district of Kanara, the Pandiya rulers realised one sixth of the whole produce. In Malabar, prior to the invasion of Hyder Ali in 1764, the land tax was least burdensome.² Dr. Buchanan in his

¹ Briggs, John, Land Tax in India, pp. 54-55.

² Ibid., p. 59

book, Journey through Mysore, Canara and Malabar, wrote that Krishnadevaraya, the King of Vijayanagar (1509-29) took one fourth of the gross produce of rice lands.¹

The Mohammedan conquerors of South India continued the Hindu method of direct revenue collection. But under them the state demand on lands in southern territories rose appreciably. The Mysorean Revenue Regulations on the government under Hyder and Tipu showed that half of the produce was retained as "the share of the sovereign".² On account of heavy taxation by the Mohammedan rulers in the 17th and 18th centuries many proprietors in South India abandoned their lands. Writing about Kanara in 1800, Munro, the Principal Collector, maintained, "... for the amount of land left unoccupied, from the flight or death of its cultivators, became at last so great, that it could not be discharged by the remaining part of the inhabitants, and the collections ... fell short of the assessment from ten to sixty per cent."³ The condition of other South Indian territories did also exemplify the higher rate of revenue assessment by the Mohammedan rulers. In Malabar and Colmbatore the officials

¹ Buchanan, Dr.F., Journey from Madras through Mysore, Canara and Malabar, Vol.3, pp.171-2.

² Greville, C.F., British India Analysed, The Provincial Revenue establishments of Tippoo Sultan and of Mahomedan and British conquerors, Reg.3, p.3.

³ Munro's Report on Canara, 31st May 1800, Arbuthnot, A.J., Maj.General Sir Thomas Munro, Vol.I, p.69.

of Mysore had taxed at rates which could be endured only by fraudulent practice. At Chinglepet and Nellore, on the east coast, benevolences and forced loans had been screwed out of the cultivators in addition to the land taxes.¹ The economic condition of Tanjore was miserable due to inhuman exactions under the Nawab of Arcot. Same was the picture of the Zamindar countries. In Vizagapatam, Godavari, Ganjam and Kristna the rayats' nominal share was half of the gross produce but in practice additional taxes levied by the Zamindars reduced the rayats' share to merely one fifth or one sixth.²

Along with this high rate of taxation the age long warfare and struggle for supremacy among different powers reduced the agricultural class of Madras to miserable poverty. On the economic condition of the rayats, Munro commented in 1797, that "many of the ryots were so poor that it was always doubtful whether next year they would be in the rank of cultivators or labourers".³ Only a few of them were able to stick to their holdings in spite of one or two bad seasons. Heyne, a contemporary writer, observed that the

¹ Dharma Kumar, Land and Caste in South-India, pp.8-9.

² Raghavaiyanger, S., Memorandum on the progress of the Madras Presidency for the last forty years, p.12.

³ Ibid., p.13, ~~Sept. 1797, Arbutnot, A.O.~~, Mad. General Sir Thomas Munro, Vol. A, p.45.

cultivators of Mysore were left with a mere trifle when the expenses of the cultivation and dues of the village and sircar servants were deducted from their one half of the whole produce.¹

The British settlement in South-India began in the first quarter of the 17th century although they started acquiring territories only in the middle of the 18th century. As a reward to the English for their help in his war of succession in the Carnatic, the Nawab Mahammad Ali Khan granted the East India Company a part of his Jaghire lands surrounding Madras in 1750 and finally the rest in 1763.² These Jaghire lands were later on constituted into Chingleput district. Soon after in 1765 the Mughal Emperor of Delhi granted to the Company's Government the Northern Circars - comprising the districts of Ganjam, Vizagapatnam, Godavari and Kristna. At the conclusion of the first Mysore war with Tipu Sultan in 1792, Salem-Baramahal, Dindigul, Palni and Malabar were acquired by the English. Further acquisitions of Kanara, Coimbatore and the Hoisur Taluk were made after the second Mysore war in 1799.³ The same war resulted in the transfer of some Mysore districts to

¹ Heyne, B., Tracts on India, p.85.

² Briggs, John, Land tax in India, p.237.

³ Baden Powell, Land Systems of British India, Vol.III, pp.7-8.

the Nizam. The Nizam being unable to carry on the administration of these districts, handed them over to the Company in 1800. This tract of land was known as the Ceded Districts - comprising an area of approximately 27,000 square miles - covering Bellary, Cuddapah, Kurnool and Palnad.¹ In 1799 the Raja of Tanjore renounced his sovereign rights over his entire territory which was brought directly under British management. The remaining districts of Nellore, North Arcot, South Arcot, Madura, Trichinopoly and Tinnevely were originally held by the Nawab of Carnatic. But having been greatly indebted to the Company's servants he had to assign to them the revenues of his various estates from time to time to pay off his debts. In consequence, by 1801 almost the whole possession of the Nawab of Carnatic passed into the hands of the Company.² Thus at the beginning of the 19th century the Presidency of Madras under the Company's government comprised virtually the whole of South India.

In course of the acquisition of these territories, the British authorities found the land systems prevailing in those areas confusing and varied. In the Northern Circars they found the

¹ Arbuthnot, A.J., Maj. General Sir Thomas Munro, Vol. I, p. XC.

² Baden Powell, Land Systems of British India, Vol. III, p. 9.

existence of big proprietorship under which some local chieftans owned the lands, held magisterial authority and possessed military power. They collected rent from the cultivators of their land and paid only a portion of it to the Government. This pattern of land tenure closely resembled the Zamindari system in Bengal. In the wider Tamil and Telegu speaking areas - including Coimbatore, Nellore, Madura, Kanara, Trichinopoly and Tinnevelly - Amani system (a sort of village communal system) prevailed. Under this system the villages were considered as corporate bodies and the lands of the villages belonged to the corporation. The Government collected the land revenue cash or kind directly through its village officials, without any intervention of farmers or Zamindars.¹ A similar system prevailed in the Ceded Districts under the name Appanum. In course of time this village communal system underwent drastic modifications and it even allowed individual land holders or Mirasdar² to settle the revenue of his land directly with the Government.³ This system of direct settlement with the

¹ Iyengar, S., Sundararaja, Land tenures in the Madras Presidency, p.78.

² The word Mirasdar came from the Arabic word Miras. A Miras is literally a hereditary right and its holder is called a Mirasdar. Iyengar, S., Sundararaja, Land Tenure in the Madras Presidency, p.20.

³ Dharma Kurnar, Land and Caste in South India, p.15.

cultivator instead of through the village corporation was later on called the Mirasdari system. This Mirasdari system was similar to what the British officials finally adopted as Rayatwari Settlement. Thus in Madras, the British found three types of land settlement - Zamindari, Village Communal and Rayatwari - whereas in Bengal they found only the Zamindari system.

The land settlement in early British possessions like Jaghire lands and the Northern Circars, did never pose any great problem to the Company's Government. The Jaghire lands were farmed to the Nawab's agents till 1780 when the Madras Government took the management directly into their own hands. They recovered the lands from the mismanagement of the farmers and allowed the existing village communal system to continue there up to 1798.¹

In the Northern Circars the government permitted the local chiefs to retain their position as land holders provided they paid to the government a stipulated share of the revenue they collected from the cultivators. In order to regularise the land tax, the government in 1789 arranged with the proprietors of the Northern Circars that they would pay one third of their rental to the treasury.

¹ Report of L. Place, Collector of Jaghire Lands, 6th June 1799, Firminger, Fifth Report, Vol. III, pp. 163-7.

At this point, in the year 1793, Cornwallis effected a permanent settlement of land revenue with the Zamindars of Bengal. The anticipated advantages of the Permanent Settlement and its successful application in Bengal enthused the Supreme Government to extend its application in South India too. During the Governorship of Clive (1798-1803), all the Jaghire lands and the lands in the Northern Circars were settled in accordance with the Permanent Zamindary System of Lord Cornwallis.¹

So far the Government of Madras did not face any overwhelming problem. But when they started considering land settlement in the territories occupied between 1792 to 1801, they were confronted with a difficult situation. This vast tract of newly acquired lands "had been for upwards of two centuries a scene of successive invasions and a constant prey to internal conflict and misrule."² The long drawn out struggle for supremacy between the French and the English, fights for survival between the Mysore rulers and the British, the age long suspicion and stratagem among the Indian rulers, had virtually thrown the whole area into a state of anarchy. There the existing land revenue system was confused, uncertain and

¹ Dutta, R. C., Economic History of India, p.120-122.

² Arbuthnot, A. J., Major General Sir Thomas Munro, Vol. I, p.xc.

irregular. Hence it had to be reorganised. But the Permanent Zamindari Settlement which the Supreme Government wanted to extend over the whole of British possessions in India, now seemed to be incompatible with the conditions prevailing in the newly acquired territories. The authorities in Madras found it difficult to create Zamindars where they did not exist. A group of Madras revenue officers, therefore, attempted experimenting a new form of land settlement.¹

Captain Alexander Read was the pioneer in introducing the Rayatwari System (direct land settlement with the rayats) in Madras. He was appointed in 1793 the Superintendent and Collector of the newly acquired Baramahal district. He selected Captain Munro, Captain Graham and Captain Macleod from among the military officers and George Hurdis of the civil service, as his assistants in Baramahal. Read believed in the sovereign's indisputable proprietary rights in land. In his scheme there were to be no intermediaries. The settlement was to be made directly with the actual cultivators. The assessment of the revenue, preceded by an extensive survey of the lands, was to be based on the average yields of the

¹ Among these officers the names of Capt. A. Read, Lt. Col. Th. Munro, W. Thackeray, M. Wallace, G. Graham and G. Hurdis, should be mentioned.

lands for the last ten years. In Baramahal Read successfully applied his scheme of direct settlement on annual basis.¹ The success of Read's settlement at Baramahal impressed the Court of Directors who, however, felt that "the system is perhaps better adapted for ascertaining the resources of a new country than for continued practice."² The Board of Revenue in Madras, too, was highly satisfied with Read's successful experiment up to 1796 and expected that he would be able to make a permanent settlement at Baramahal. But the Board was totally disillusioned when on 10th December 1796, Read's Proclamation declared the Rayatwari, Settlement at Baramahal as essentially annual. At that point the Supreme Government instructed the Government of Madras to extend and establish the Bengal system of revenue administration in the Madras Presidency. In consequence, shortly after Read's resignation in 1799, the system introduced by Read was ignored and the Permanent Zamindari Settlement was established at Baramahal.³

¹ Read's Proclamation, 10th Dec. 1796, cited in N. Mukherjee, Ryotwari System in Madras, p.13.

² Briggs, John, Land Tax in India, p.262.

³ Mukherjee, N., Ryotwari System in Madras, pp.14-5.

During his stay at Baramahal, Munro became a supporter of Read's Rayatwari Settlement. In September 1797, he wrote without hesitation that the system which would be equally beneficial to the cultivators and the government was the Rayatwari System.¹ This system not only recognised the Government as proprietor of the land but also protected the interests of the cultivators of the soil. From Baramahal Munro was transferred to South Kanara as collector in 1799, and remained there for a year. Lamenting on the economic condition of Kanara, Munro wrote, "Hyder ruined Canara ... he regarded it as a fund from which he might draw, without limit, ... The same demands and worse management, increased them in the beginning of Tipu's reign."² It was at this period that Munro felt more strongly that a proper assessment on land was the only solution to the sad plight of the Kanarese people. He was impressed to find that the settlement of land in Kanara prior to Hyder's conquest was similar to the Rayatwari system.³ In Kanara, therefore, he started with the preliminaries

¹ Mukherjee, N., Ryotwari System in Madras, p.13.

² Extract of Munro's Report on Canara, 31st May 1800, Firminger, Fifth Report, Vol.III, p.309.

³ Extract of Munro's Report on Canara, 9th Nov. 1800, Firminger, Fifth Report, Vol.III, pp.447-48.

of direct settlements with the rayats. But his stay there was too short to bring any substantial change in the situation. His removal from Kanara, however, did not bring an end to the system he started there. His successor, J. Ravenshaw carried on the experimentation started by Munro and the Rayatwari Settlement was introduced in Kanara on annual basis.¹

In November 1800, Munro was put in charge of the civil administration of the Ceded Districts. As the Principal Collector of the Ceded Districts, Munro first got the opportunity to make a full fledged experiment with the Rayatwari system as a land tenure for Madras Presidency. When the Ceded Districts first came under the British Government, they appeared to be a scene of turmoil and depression. The frequent changes of masters, the ravages of the Mysore war, the unrest caused by the turbulent poligars² and

¹ Report of Ravenshaw, Collector of Southern Canara, 30th April 1802,; Firminger, Fifth Report, Vol. III, pp. 452-4.

² Poligar is a Telegu word meaning military chieftains. The poligars in Madras districts originally descended from the officers of police and revenue agents of the Hindu sovereigns. In power and position they were like local chiefs who possessed military forces and strongholds. In course of time, they became large proprietors of lands too. They gradually turned so powerful that the cultivators had to pay them protection money. During the acquisition and settlement of lands in the Madras Districts, the British government had to face the powerful resistance of the poligars who rose in revolts in defence of their arbitrary power and position. However, most of the poligars were successfully subdued by the British Authority before Bentinck's arrival. Maclean, A.D., Standing Information regarding the Official Administration of the Madras Presidency, pp. 95-97, and Gleig, G. R., Life of Sir Thomas Munro, Vol. I, pp. 337-45.

finally the abuses caused by the Nizam's misgovernment pulled the Ceded Districts down to an utmost state of misery.¹ With the purpose of improving the conditions there through safeguarding the interests of the cultivators, Munro decided in 1802 on a detailed Rayatwari survey in each district and village of the Ceded Districts. This survey continued up to 1806, and during that period the Rayatwari system was practiced in the Ceded Districts on an annual basis. After the completion of his survey, Munro was so impressed with the success of annual Rayatwari system, that he recommended to the Board of Revenue to make the system permanent for the Ceded Districts.² But the issue of permanent settlement in Madras was yet undecided, and the Government of Madras was hesitant to adopt Rayatwari settlement as an official policy.

Coimbatore was another district where the Rayatwari settlement was introduced after its acquisition in 1799, by Col. Macleod and G. Hurdis, appointed as the Collectors of North-Coimbatore and South Coimbatore respectively. Both the Collectors had worked as assistants of Read at Baramahal and believed in the

¹ General Report of the Board of Revenue, Cited in Mukherjee, N., Rayatwari system in Madras, p.20.

² Munro to the Board of Revenue, 30th Nov. 1806, Extract Proceedings of the Board of Rev. 5th Jan. 1807, Firminger, Fifth Report, Vol.III, pp.204-208.

success of the Rayatwari settlement. They both therefore started Rayatwari surveys in their areas and introduced the system of direct annual collection from the rayats. Later on in 1805, the two divisions of the district of Coimbatore were consolidated and the Rayatwari system progressed satisfactorily under the collectorship of George Garrow.

By 1803, however, the number of settled districts in Madras were less than that of unsettled provinces. The areas, which had been settled permanently were Guntur, Chingleput, Baramahal, the whole of the Northern Circars, Nellore, a division of Ramnad and Tinneveley. The rest of the Madras provinces were continuing under annual settlement and were considered as unsettled districts.¹

In the mean time in 1798, Wellesley succeeded Sir John Shore as the Governor General of Bengal. It was soon after his arrival that the question of land settlement in the vast territories of the Madras Presidency became very important. Wellesley, a more assertive personality than his predecessor, insisted that the Government of Madras should introduce the Bengal system of Permanent Zamindary settlement in all the unsettled areas of Madras.

¹ Baliga, B.S., Studies in Madras Administration, Vol. II, pp. 83-4.

The Court of Directors also supported Wellesley and in 1801 desired the Government of Madras to comply with the ideas of Wellesley.¹ Thus in the commencing years of the 19th century two different systems of land administration were found to be struggling for successful emergence in Madras Presidency. One was the Bengal system of Permanent Zamindari Settlement sponsored by the Supreme Government and upheld by the authorities at home, and the other was the newly evolved Rayatwari settlement initiated by Read and adopted by Munro. It was at this juncture that Bentinck reached Madras as the Governor of the Presidency. From the very beginning he was confronted with the difficult task of choosing one or the other of the two systems - a decision on which depended the resources of the Government and the happiness of the millions of people.

Sometime after his arrival in early 1804, Bentinck made an acquaintance with Munro and his works in the Ceded Districts. This association provided him with an initial knowledge of the land systems of Madras and its characteristic problems. In a letter to the Court of Directors, Bentinck drew the attention of the Court to the

¹ Banerjea, P., Indian Finance, p.179.

settlement made by Munro of the revenues of the Ceded Districts. "The basis of this settlement", formed by Major Munro, "is a defined and detailed assessment apportioned on the lands, and paid by the individuals who occupy them."¹ Under the Munro system, as observed earlier, the Government was considered as the sole proprietor of the lands. While distributing the lands for cultivation the Government would give the tillers Pettah or deed of lease,² by which the holders of land would be considered as its proprietors. This settlement in the Ceded Districts was thus described by Munro as a system of ensuring peasant proprietorship. In this system all the lands were surveyed and then assessment made according to their qualities (fertility and total production). In fixing the rate of assessment, Munro relied on the accounts of the previous years. The land tax, when fixed, was to be paid by the cultivators directly to the Government. Bentinck seemed to be highly impressed with this system in the Ceded Districts and referred to the Court of Directors that under Munro's Settlement 208,819 independent farmers had secured the profits of their industry. This, he hoped, would

¹ Rev. Letters from Mad., 23rd March 1804, Vol.I, para.119.

² Pettah or Pattah is a document given by the Collector to the Zamindar or by some other receiver of revenue specifying the condition on which the lands were held, Phillips, C.H., Hand Book of Oriental History, p.71.

revive the ruined resources of the Ceded Districts and would yield a considerably increased revenue to the Government.¹ His satisfaction with the settlement of the Ceded Districts turned him into an enthusiast of the Rayatwari system. He desired to make it permanent, not only in the Ceded Districts but in other parts of Madras Presidency also. To Petrie, the senior member of the Council, he wrote, "I confess myself that I should have liked better the Kulwady² Settlement in permanency This would have given the animation of interest to every individual in the country and the future interests of the Government would have kept pace with the general prosperity of the country."³

Though Bentinck believed in the success of Munro's system, he still could not decide whether it would be expedient for the Government to enforce Rayatwari Settlement in opposition to the favoured policy of the Supreme Government. The Governor General's instruction about the establishment of Bengal system in Madras was still operative and the influences against a Rayatwari experiment were widespread not only in Bengal but also in Madras. The works

¹Rev.letters from Mad. 23rd March 1804, Vol.I, para.110.

²Kulwady derived from Kulwari a Persian word meaning a settlement made by the Government directly with the individual rayats.

³Bentinck to Petrie, 8th Nov.1804, B.P.

of Col. Read and his assistants had already been disregarded by Clive's Government and the lands were directed to be settled on Zamindary tenure. At this moment Bentinck strongly felt the need of preventing the unwanted extension of the Bengal settlement in other Madras territories. For him the only way to safeguard the new experimentation was to persuade the Supreme Government to assume a flexible attitude with regard to land tenure in Madras Presidency. But it was not an easy task to induce Wellesley to change policy. However, the relationship between Bentinck and Wellesley was very cordial at this stage and the Governor General seemed to be sympathetic and helpful to him.¹ Soon Bentinck made up his mind and on 29th June 1805, he reached Calcutta with the purpose of consulting the Governor General on the subject of land settlement.² No detail record is available about the outcome of Bentinck's visit to Wellesley. To Frederick North, the Governor of Ceylon, (1798-1805), Bentinck wrote, "Lord Wellesley received me with every possible distinction ... I was not disappointed with any of the expectations which I have formed either of information or of general curiosity and I am satisfied that my journey has been of special

¹ Boulger, D. Lord William Bentinck, p.20.

² Bentinck's Minute, 20th June, 1805, Mad. Rev. Cons. 9th Aug. 1805, Range, 276, Vol.I.

advantage to the public service." ¹ From the letter of Wellesley, which Bentinck forwarded to the Board of Revenue, after he returned from Bengal, it appears that Wellesley was somewhat influenced by Bentinck on the question of the future land settlement in Madras. The letter stated that the surveys and assessments which were being made in Madras should be completed and the question of ultimate settlement of the rest of the territories should be left for further investigation. ² This undoubtedly indicated a positive change in the attitude of the Supreme Government with regard to Madras land settlement. Bentinck's initial success lay in checking the extension of the permanent Zamindari settlement in Madras Presidency and in allowing Munro and others to carry on their experimentation with the Rayatwari system.

Wellesley's decision to allow further investigations afforded Bentinck with the opportunity to look deeper into the question of land revenue. He was astounded to see the poverty of the rayats in a predominantly agricultural country like South India. According to him, the excessive assessment of the Indian rulers on land and the

¹ Bentinck to Frederick North, 5th July, 1805, B.P.

² Wellesley To Bentinck, 4th July, 1805, Mad. Rev. Cons. 9th Aug. 1805, Range, 276, Vol.I.

continuation of the same policy by the British authority was the root cause of poverty. At the end of 1804 he wrote, "I have paid a great deal of attention to the revenue management in this country. Your Lordship will perceive, . . . that the general tenor of my opinion is, that we have rode the country too hard and the consequence is that it is in a state of the most lamentable poverty."¹ The high assessment on land and the rigorous collection of revenue, Bentinck observed, were detrimental not only to the peasantry but also to the Company's power and prestige. As a devoted servant of the Company he was against the adoption of any system which was harmful to the revenue and prosperity of the country.² To Bentinck the introduction of a new system in the Ceded Districts offered a better prospect. He had in fact started to believe that the direct settlement with the rayats was the most workable way to ameliorate the condition of the people.³

Bentinck, however, had no inclination to reverse all that had already been done. He confirmed the permanently settled areas of the Northern Circars where the big landholders were allowed to stay

¹ Bentinck to Castlereagh, 18th Oct. 1804, B.P.

² Rev. Letters from Madras, 16th Oct. Vol.1, paras.101-103.

³ Bentinck to Charles Grant, 8th Sept. 1805, B.P.

as before. But he was obviously reluctant to extend the Zamindary system in other parts of the country. Bentinck critically examined the Zamindary system and discovered some grave defects in it. This system, he believed, was likely to deprive both the Government and the cultivators of the benefits of future prosperity.¹ Firstly, the Zamindary system provided no incentive either to the Zaminder or the cultivator to bring wastelands under cultivation. The Zamindars, who distributed the lands to the tillers for cultivation, were more concerned about the immediate revenue return than in the long term improvement of the lands. His distance from the soil made him ignorant of the nature of the soil and rendered him disinterested about the measures which could be adopted for its improvement. The cultivators, on the other hand, being merely the tillers and not proprietors of the land, felt no incentive to labour hard for making wastelands cultivable. Thus the wasteland would remain waste for ever without any attempt being made by either party to make it fertile. Secondly, under the Zamindary system the Government would sell the land to the highest bidder who would become the proprietor of the land. As a proprietor he would receive a certain percentage of

¹ Bentinck to Charles Grant, 8th Sept. 1805, B.P.

revenue, which Bentinck calculated to be approximately fifteen per cent of the total gross product of the land. This amount of the land revenue consumed by the highest bidder of the land appeared considerably high to Bentinck. Further, the Permanent settlement gave no prospect to the Government to enhance the revenue in accordance with any future rise in the productivity or value of the land. Thirdly, under the Zamindars the Pettah Regulation was not specified. In that settlement it was the Zamindars and not the Government who gave the rayats the deed of lease, stating the amount of the rent and the time it was to be paid. Each Zamindar, being an independent proprietor of land, was not bound by any fixed rules and regulations for the Pettah.¹ In this situation the rayat had to depend entirely on the discretion of the Zamindars.

As against the drawbacks of the Zamindary system, Bentinck pointed out the advantages of the direct settlements with the rayats. In the Ceded Districts the Pettahs had been granted by the Collectors instead of by the big landholders. There, as Bentinck observed,² the land is first surveyed and assessed, the amount of the assessment is fixed with each individual, and a Pettah specifying the amount and period of payment is given to him.² According to Bentinck, the large

¹ Bentinck to Charles Grant, 8th Sept. 1805, B.P.

² Ibid.

profit which the proprietors of land received under the Zamindari system was sheer wastage. Instead of allowing this profit to the Zamindars, he preferred a 7 to 10 percent reduction in the assessment of the rayats. The amount of revenue which could thus be saved by the exclusion of Zamindars should be used for better purposes, such as, "the improvement of the country, the making of roads, bridges, tanks and buildings."¹

In the Rayatwari System, under which the Government would be the sole proprietor of the lands, the problem of wasteland would be solved. Bentinck believed that under this system the cultivators would grow prosperous and wealthy and they would like to bring additional lands under cultivation. At this point the Government could allot them the wastelands, in addition to cultivable lands, without any assessment for the first year. In subsequent years the revenue was to be assessed according to the produce in wastelands. The cultivator, having permanent interest in the land, would also try his best to improve his land and ^{to} make it cultivable. So the wastelands would not remain barren for ever. Thus, in the Rayatwari system, there seemed a possibility of obtaining additional revenue in future and effecting gradual improvement of the wastelands. As Bentinck

¹Bentinck to Charles Grant, 8th Sept. 1805, B.P.

commented: "By such a settlement ...the population would become rich and the interest and revenue of the Government would keep on equal pace with the prosperity of the people."¹ In the existing condition of the Madras Presidency, Bentinck believed, that the Rayatwari Settlement would be most suitable for the unsettled districts, where "it would appear dangerous to create powerful Zamindars."² But before taking any final decision on the question, Bentinck thought it wise to complete the survey and assessment of the country which Wellesley had suggested to him in July 1805.

In May 1805, Bentinck had asked the Collectors of the various districts to express their opinion on the issue. "The proposed settlement", he wrote to the Collectors, "shortly is to confirm the rayots in possession of their lands in perpetuity upon a fixed rent without any agent between the Government and the ryot." With a view to convincing the Collectors of the advantages of the abolition of intermediate agents, Bentinck pointed out the unnecessary loss of a large portion of total revenue which the Zamindars appropriated. This amount could be used for other beneficial works.³ Bentinck

¹ Bentinck to Charles Grant, 8th Sept. 1805, B.P.

² Ibid.

³ Bentinck to the Collectors of different districts, 27th May 1805, B.P.

believed that the Collectors, who had direct relation with the peasantry, would be able to provide him with better suggestions on the mode of settlement in their areas. He first asked their views as to the extent of relief which a cultivator of the unsettled districts would require at the time of assessment to cover the loss of bad years, to keep up his stock and to dispense with the future advances of Tuccavi (agricultural loan to the cultivators by the government). Next, Bentinck desired the Collectors to State, what should be the rate of rent for the different kinds of wastelands. On this point he requested the Collectors to bear in mind that the rent should be moderate to encourage every rayat to bring new lands under tillage without diminishing the existing cultivable lands.¹

With a view to avoiding any such allegation that he intended to influence the Collectors with his own ideas, Bentinck sent them a second circular on 8th June, 1805. There he made it very clear that his wish was only to collect information through the Collectors and not to impose his views on them.² The Collectors, however, could not send any immediate reply to Bentinck's queries, but they adequately helped William Thackeray, Bentinck's representative, to gather

¹ Bentinck to the Collectors of different districts, 27th May, 1805, B.P.

² Governor's Circular to the Collectors, 8th June 1805, Pub. Dept. Cons. B.P.

detailed information when he visited Malabar, Kanara and the Ceded Districts in 1806.¹

During the early years of his Governorship, Bentinck was thus engaged in twofold activities; first, he carefully watched the state of affairs in the Presidency and tried to form an idea about the existing land system. Secondly, with his personal preference for a Rayatwari system Bentinck attempted to influence a change in the official land policy. But before arriving at any final decision Bentinck wished to be equipped with all informations in support of the proposed Rayatwari settlement. Much of his time was thus occupied in pursuing the discussions of the relative merits and demerits of the Rayatwari and Zamindari systems. A controversy had already developed in the Madras Presidency over the land question. The arguments put forth by the opponents and supporters of the two land systems must have considerably influenced Bentinck's opinion.

The case for the introduction of Zamindari system throughout Madras Presidency was voiced by some experienced revenue officials of the Government led by John Hodgson. They attempted to demonstrate the advantages of a Zamindari system and wanted to expose

¹ Thackeray's Report, 4th Aug. 1807, Firminger, Fifth Report, Vol. III pp. 455-65.

the weaknesses of a Rayatwari settlement. The other group of revenue officials led by Thomas Munro endeavoured to prove the superiority of a Rayatwari settlement over a Zamindary system.

The advocates of the Zamindary system pleaded that the Government of Madras should make permanent settlements with the Zamindars where they already existed and should create them where they did not exist. They had no doubt that the Zamindary system would prove advantageous to the government and beneficial to the rayats. It would save the government the enormous trouble of looking into the agricultural details before assessing the land tax and also the hazardous job of its collection. The Zamindar with a profit incentive would be professionally most suitable to take care of these details.¹ Free from the troubles of directly administering the land, the government would find their revenue more secure under the Zamindary system. A permanent settlement with the Zamindars would not necessarily mean low revenue earnings for the state. Even allowing the Zamindars a reasonable profit from the land, the government would still be safe against any loss, because there would be

¹ Hodgson's Memoir, 1806, Fifth Report of the Select Committee, 1812, Vol.7, pp.922-37.

competition among the Zamindars for securing a settlement from the government.¹

Besides, Hodgson argued, settlements with the Zamindars would lead to the improvement in agriculture. The proprietors of big estates would always have the means and the incentive to invest in cultivation. The cultivators would likewise be benefitted under this system. The fear that the cultivator, if hard-pressed, might abandon his holding, would restrain the landlord from over-assessing his tenants. The rayats, therefore, were likely to have a greater certainty of holding his land at a moderate rent under the Zamindars. Hodgson even went so far as to suggest that under the Zamindary system there would be a growth of mutual confidence between the landlord and the tenants.² The cultivator, under the Zamindary system, the Tanjore Committee commented, would be at liberty to pay rent or to divide the produce as settled between him and the landlord.³

¹ Report of the Tanjore Committee, 22nd Feb. 1807, Mad. Rev. Cons. 10th April 1807, Range, 276, Vol. 13. The Tanjore Committee was appointed by Bentinck in April 1804 to investigate into the charges of corruptions against the Tanjore Revenue Officials. The Committee consisted of Hodgson, Wallace and Blackburne.

² Hodgson's Memoir, 1806, Fifth Report of the Select Committee, 1812, Vol. 7, pp. 922-37.

³ Report of the Tanjore Committee, 22nd Feb. 1807, Mad. Rev. Cons. 10th April 1807, Range, 276, Vol. 13.

Moreover, the Zamindars, being aware of the nature of the soil and the circumstances of the rayats, would regulate their demands fairly "so as to enable the better sort of rayats to thrive, and the poorer sort to avoid the distress~~s~~ and failures."¹

The advocates of the Zamindari system then went on underlining the defects and inconveniences of the direct settlement. The system would leave the ultimate responsibility of fixing state demand in the hands of the revenue officials. This, in consequence, would lead to the over~~ass~~essment of land. Unlike the Zamindar, the Collector would have no interest in lands and would pay no heed to the difficulties of the cultivators. Under the Rayatwari system the cultivator would not be able to evade over~~ass~~essment as he could under the Zamindars, by leaving one proprietor for the other. A revenue officer could always follow a fugitive rayat and assess him.² Even Thackeray, an exponent of Rayatwari settlement, had to admit that an indolent, corrupt and incapable revenue officer could oppress the rayats.³ It was further argued that the investment in land would be poor under Rayatwari system and agriculture would consequently suffer.

¹ Hodgson's Memoir, 1806, Fifth Report of the Select Committee, 1812, Vol.7, p.929.

² Ibid., p.929.

³ Memoir of Thackeray, 29th April 1806, Mad. Rev. Cons. Range 276, Vol. 6.

Hodgson, the then Collector of Coimbatore, in his report dated 10th September 1807, held Rayatwari system responsible for the depressed condition of South Coimbatore.¹ Men like Hodgson were convinced that under a Zamindari system the people would be relieved from the constant and vexatious interference of the revenue officials in all their transactions, and consequently the government would save a greater part of expense in maintaining them.²

The advocates of the Rayatwari settlement in Madras refuted all the arguments raised against a direct arrangement between the government and the rayat. Further, they sharply pointed out the main defects of the Zamindari system. Their arguments were strengthened by Munro's experience, who, as the Principal Collector of the Ceded Districts, had completed surveying the whole area by 1806.³ Munro always believed that the Rayatwari settlement, being the original land revenue system of South India, should be retained. and that its abandonment would lead to injurious consequences. Thus the chief argument in favour of the Rayatwari settlement was

¹ Hodgson's Report on Coimbatore District, 10th Sept. 1807, Mad. Rev. Cons. 16th Aug. 1808, Range, 276, Vol.21.

² Hodgson's Memoir, 1806, Fifth Report of the Select Committee, 1812, Vol.7, pp.928-34.

³ Arbuthnot, A.J., Major General Sir Thomas Munro, Vol.I, p.xcv.

that it was the indigenous system of South India and was naturally suited to the conditions and customs of the people.¹ A system which had long been practised in a country and which the people understood, could not be intricate and hazardous in execution. Besides, many of the details of the Rayatwari settlement would be "done away with once the survey was completed and a full picture of agricultural conditions gained."² After the fixation of rent following a thorough survey in a district no further official interference would be necessary. The deficiencies for bad years could always be adjusted against the increased produce of the good years. According to Munro, overassessment under the Rayatwari system could be obviated with the help of the rayats. The cultivators were generally well-informed about the actual condition of crops of the neighbouring lands. Their advice to the revenue officers at the time of assessment would be invaluable to avoid high assessment.³ Thus a proper assessment of revenue would turn the rayat's lands into saleable properties and he would enjoy the right to dispose of a part of his land or to buy an additional

¹ Munro's Report, 30th Nov. 1806, Fifth Report of the Select Committee, 1812, Vol.7, pp.745-8.

² Munro's Answer to Questions regarding Rayatwari Settlement, 26th June, 1806, cited in Shastri, V. Munro System of British Statesmanship in India, pp.22-46.

³ Munro's Report, 30th Nov. 1806, Fifth Report of the Select Committee, 1812, Vol.7, pp.745-8.

plot according to his varying needs. The gist of the argument was that the Rayatwari settlement would not only ensure a fair and reasonable assessment of lands, but would also provide proper incentives to the cultivators to improve and expand their individual holdings by bringing wastelands under cultivation.¹

The advocates of the Rayatwari system then pinpointed the various drawbacks of the Zamindari system. Thackeray criticised the settlement with the Zamindars as a bargain. "Under the Mootadary System",² he wrote, "the remission will perhaps filter through mootadars, renters and sub-renters; and a little of it may reach the ryots"³ The gravest weakness of the Permanent Settlement was the creation of a class which would obtain profit from the government as well as from the rayat. Any remission of rent during the lean year would go to the Zamindars instead of to the ryats. Further, by creating Zamindars the government would become a substantial loser. The Zamindari settlement involved a loss of the wastelands, a loss of revenue and an increasing ignorance about

¹ Memoir of Thackeray, 29th April, 1806, Mad. Rev. Cons. 29 April, 1806, Range, 276, Vol.6.

² The word "Mootadar" came from the Tamil word Motai, meaning a person on whom the Zamindari rights of a Moota (or a Farm of several villages) were confirmed by the government in a perpetual settlement.

³ Thackeray's Report, 4th Aug. 1807, Firminger, Fifth Report, Vol.III, p.584.

the country.¹ The adherents of the Rayatwari settlement apprehended that with a view to keeping all the advantages, the Zamindars would give the rayats only short leases of land, compelling them to pay increased rent. Moreover, in the conditions of Madras districts, where there were no Zamindars, the rayats would dislike to be put under a big landholder. Politically, too, the creation of a class of powerful Zamindars with armed retainers would be dangerous for the government.² To Macleod, the Collector of North Coimbatore and Hurdis, the Collector of South Coimbatore, the Rayatwari settlement, seemed to be the only right system which should be adopted throughout the Madras Presidency.³ It would give the cultivator a defined proprietary right in his holdings received directly from the government. It should, however, be remembered that the whole controversy over the mode of revenue settlement in Madras was largely conjectural. The year 1806 was in fact too early to judge the merits and demerits of the Permanent Settlement which had been operating only for a decade or so.

¹ Memoir of Thackeray, 29th April 1806, Mad.Rev.Cons., 29th April 1806, Range, 276, Vol.6.

² Munro's Report, 15th Aug. 1807, Mad.Rev.cons.Range,276, Vol.6

³ Mukherjee, N., The Ryotwari System in Madras, pp.42-43.

Bentinck announced his decision in favour of the Rayatwari system in January 1806. "It ^{has} always appeared to me that the exact plan of the Permanent Settlement of the revenues adopted in Bengal, was not applicable to these territories." (Madras Presidency).¹ He firmly maintained that the creation of Zamindars where none existed before was neither calculated to improve the condition of the lower orders of the people, nor politically wise. He emphasised the advantages of the Rayatwari settlement and thought it best to make the system permanent in Madras.¹ In collaboration with the collectors Bentinck already started his enquiry in this direction. But without a thorough field investigation it was found impossible to obtain all the accurate information. A personal visit to each collectorship would have been fruitful. But Bentinck could not afford it for want of time and lack of his knowledge in the native languages. He therefore selected William Thackeray, an experienced civil servant, and a good linguist, to do this job. Thackeray was given six months leave from October 1805 to March 1806 from his Masulipatam Collectorship to visit the various districts of the Presidency and to investigate into the revenue records.² At the completion of his investigation in

¹ Bentinck's Minute, 22nd Jan. 1806. Mad. Rev. Cons. ^{29th April 1806} Range, 276. Vol. 4.

² Ibid., 29th April 1806, Range 276, Vol. 4.

the Ceded Districts and in the Northern Circars, Thackeray submitted a report on 29th April 1806. In this report he sharply criticised the Zamindary settlement and argued in favour of making the Rayatwari system permanent in the unsettled districts of Madras.¹

Backed by Thackeray's report, Bentinck put his views before the Board of Revenue in favour of the Rayatwari settlement: "The more I consider this important question, the stronger my conviction is, that the present system, (Zamindary system) is not the best which might be adopted. I am satisfied that the creation of ~~the~~ Zamindars is a measure, incompatible with the true interests of the government, and of the community at large."² The Board of Revenue, however, decided not to take any hasty decision on the issue, especially when at this moment another revenue expert, John Hodgson, had made a strong case in favour of the permanent Zamindary settlement in Madras.³

Bentinck in fact had no objection to the operation of permanent Zamindary systems in the presidency of Bengal. The existing circumstances in Bengal, according to him, were suitable for a Zamindary

¹ Thackeray's Memoir, 29th April 1806, Mad. Rev. Cons. 29th April, 1806, Range, 276, Vol. 6.

² Bentinck's Minute, 29th April 1806, Mad. Rev. Cons. 29th April, 1806, Range, 276, Vol. 6.

³ Hodgson's Memoir, 1806, Fifth Report of the Select Committee, 1812, Vol. 7, pp. 922-937.

settlement; but in Madras "the same circumstances do not exist."¹ The more he examined deeply the land question of Madras the more he became convinced about the inapplicability of the Bengal system there. To Charles Grant, the Chairman of the Court of Directors, he conveyed his firm conviction that sooner or later the Rayatwari System would be established in Madras as a natural phenomena.² But Bentinck apprehended that a quick solution of the land problem of Madras would not be easy at this stage. The final adoption of the Rayatwari system was destined to be opposed not only by the advocates of the Bengal system, in Madras, but also by the Supreme Government in Bengal. The Government of Bengal, Bentinck commented, were "partial to their own system and never reached the knowledge of revenue detail, upon which the Rayatwari settlement has been established with such extraordinary success."³ Bentinck's apprehension about the opposition of the Government of Bengal was quite reasonable. Wellesley, with whom he had reached an understanding on the necessity of a change in Madras land policy, had left India in July 1805. Both of his successors, Cornwallis and then Barlow, strongly favoured the extension of the Zamindari settlement

¹ Bentinck's Minute, 29th April 1806, Mad. Rev. Cons. 29th April, 1806, Range, 276, Vol.6.

² Bentinck to Grant, 11th May 1806, B.P.

³ Ibid.

to the rest of the English possessions in India. Bentinck was hesitant to oppose men who were at the helm of the affairs in India. He therefore deliberately avoided committing his Government quickly to the adoption of a system in Madras. But the Rayatwari system was in effect operating in some of the Madras districts and investigations were being made in some other collectorates with a view to its extension in those areas. At this point, Bentinck expressed his opinion about Rayatwari system more clearly. In a minute in November 1806, he declared that the Rayatwari settlement¹ consisted in the equal distribution and the defined amount of the land tax, and upon the security afforded to the poor against extra-assessments from head-inhabitants. Everyman knew his exact obligations to the Sircar, and was assured of the quiet enjoyment of the surplus produce of his labour."¹

Bentinck was impressed by the improved conditions of the rayats in the Ceded Districts where land settlement at this point was made only annually. He had no doubt that if this settlement be made permanent the ratio of benefit would increase to a greater extent. But Bentinck's endeavours to settle the land tenure of Madras Presidency suddenly received a check by an unexpected uprising at Vellore. After having written his last minute in November

¹ Bentinck's Minute, 25th Nov. 1806, Mad. Rev. Cons. 28th Nov, 1806, Range, 276, Vol.10.

1806, on the land revenue question, Bentinck became increasingly involved in the matters arising out of the Vellore mutiny.

Though the outbreak of the mutiny at Vellore on 10th July 1806 was promptly suppressed, it left behind a tense atmosphere in the Presidency. Even after the mutiny, Bentinck persevered in his effort to resolve the land question. But the post mutiny problems increasingly absorbed his attention and in November 1806, he had to admit that "the state of public affairs will necessarily oblige me to relinquish the intention of visiting some of the distant provinces. I regret this necessity, both as it prevents me from benefiting by that best of information, which is obtained by personal communication with the local authorities."¹ As he could not investigate further into the land question personally, Bentinck decided to gather the required information through other efficient channels. Once again he deputed William Thackeray to make enquiries in Kanara, Malabar and the Ceded Districts, at the completion of which he decided to give his final opinion as to the suitability of adopting Rayatwari Settlement in the Madras Districts. He had several reasons for selecting these three areas.

¹ Bentinck's Minute, 25th Nov. 1806, Mad. Rev. Cons. 28th Nov. 1806, Range, 276, Vol.10.

Kanara, from its first transfer to the British authority, had enjoyed undisturbed tranquillity and grew prosperous. The system of land tenure in Kanara, Bentinck argued, was responsible for its success.¹ He was happy to find a close resemblance between the actual land system in Kanara and the proposed Rayatwari settlement. This similarity led Bentinck to believe that the tenure found in Kanara originally existed throughout the peninsula in some form or other.² It was from Kanara that Bentinck hoped to trace "those principles and regulations which might be applicable to the unsettled districts where permanent tenures are to be introduced."³ He also expected to find there the cultivators' hereditary right to the property.

Besides Kanara, Bentinck was interested in making enquiries in Malabar, where the proprietors possessed hereditary rights in the land from ancient time and paid a land tax which was almost negligible. In fact, the British Government had to raise the assessment of Malabar when their first revenue collection in 1793 fell short of twenty five per cent. This increase had led to the rebellions

¹ Bentinck's Minute, 25th Nov. 1806, Mad.Rev.Cons. 28th Nov. 1806, Range, 276, Vol.10.

² Revenue Letters Recd. from Madras, 6th March 1807, Vol.2, para.2.

³ Bentinck's Minute, 25th Nov.1806, Mad.Rev.Cons. 28th Nov.1806, Range, 276, Vol.10.

of the Malabari people and the British Government had to struggle hard to suppress them.¹

The Ceded Districts were to provide the models for future settlements, as it was there that Munro had introduced the Rayatwari system. Bentinck thought it indispensable to know all the details of Munro's works in the Ceded Districts. Bentinck instructed Thackeray first to find out all the sources of the government's income in these areas including the land revenue. Then he wanted him to ascertain the rules of assessment and the mode of collection that prevailed; next to gather information on the conditions of the rayats there and their opinions on the land question; and finally to find out the changes effected there by the British administrators.²

In March 1807 Thackeray started his tour in Kanara, Malabar and the Ceded Districts. In the course of his enquiries, Thackeray received ample co-operation and assistance from the Collectors, the Magistrates and the members of the Board of Revenue. After the completion of his tour, he submitted his report on the 4th August 1807.³ Thackeray's report endorsed the prosperity and well-being

¹ Briggs, John., Land Tax in India, pp.277-8.

² Bentinck's Minute, 25th Nov. 1806, Mad. Rev. Cons. 28th Nov. 1806, Range, 276, Vol.10.

³ Thackeray's Report, 4th Aug. 1807, Firminger, Fifth Report, Vol.III pp.562-95.

of the cultivators in the three areas which had been attained in greater measure through the introduction of Rayatwari system there. He was highly impressed with the administrative success of Malabar, Kanara and the Ceded Districts. According to Thackeray, if the new settlement was completed and allowed to continue, the districts would be up in such position "which the soundest authors, the greatest political economists, and wisest statesmen, have ~~ever~~ thought best suited to produce general happiness, and the greatest agricultural improvement."¹ In conclusion, he asserted that the establishment of a strong government and the security of the person and property could only be guaranteed through a direct settlement between the rayats and the Government. He was of firm conviction that the cultivators were fully capable of acting as small proprietors. The rayats of the Madras Presidency, according to Thackeray, were laborious and in some respects parsimonious. Their characteristic qualities and expedient nature made them eligible to establish direct relationship with the government.

Thackeray's findings supported Bentinck's views on the land question. The scheme of a thorough investigation into the condition

¹ Thackeray's Report, 4th Aug. 1807, Firminger, Fifth Report, Vol. III, p. 567.

of the Rayatwari settled districts was Bentinck's own plan. He had suggested the areas into which the enquiry was to be held and also the methods and scope of investigations. The conclusion drawn by Thackeray on the suitability of Rayatwari settlement in the Madras Presidency was that Bentinck believed in. At that point, Bentinck was further strengthened in his stand by Munro. On 15th August 1807, Munro submitted a report to the Government of Madras on the grand success of direct land settlement in the Ceded Districts.¹ Munro concluded asking Bentinck's Government to confirm the Rayatwari revenue settlement in the Ceded Districts as a permanent measure. "In favour of the Rayatwari system", he remarked, "it may be observed that it is the system which has always prevailed in India, that no other can be permanent, and that however different ^{any new} one may be, it must resolve itself into it."²

However, the reports of these two revenue experts upholding Bentinck's views, came only too late to allow him an opportunity to press forward his ideas. On the question of the Vellore mutiny, the home authorities had already decided in April 1807 to remove

¹ Munro's Report, 15th Aug. 1807, Mad. Rev. Cons. 4th May 1808, Range, 276, Vol.20.

² Ibid.

Bentinck from the Governorship of Madras. With Bentinck's dismissal in September 1807, the question of land settlement in Madras fell into abeyance. It appears from an analysis of the circumstances, that if Bentinck had been allowed to stay at Fort St. George, as he had always hoped, he certainly would have tried to clinch the land question in favour of the Rayatwari system. On Bentinck's sudden departure the land administration of Madras was left to continue in its diverse and unsystematic forms. It was not before 1820, when Munro came back to Madras as the Governor, that the question of permanent Rayatwari settlement was taken up.

In his endeavours to find out a suitable land system for the Madras Presidency, Bentinck did not overlook the necessity of examining the system of land administration on which depended the success of any ~~land~~ system. In the administrative structure of land revenue the Governor in Council, as the head of the executive, possessed the final power to determine the land policy for the whole of the Presidency. Then the Board of Revenue, consisting of four members, was responsible for the general revenue administration. The President of the Board was a member of the Council. The general duties of the Board were to supervise the

revenue department and to advise the Government in revenue matters. The Board used to lay before the government an annual report. The collectors, who served under the Board of Revenue, were solely entrusted with the revenue administration of the districts. They, in their turn, controlled all the subordinate revenue officers of the districts. The Indian revenue assistants like Seristhadar, the village head man, Kurnam or village accountant, were all responsible to the collector.¹ In addition to the revenue collection, the collector also enjoyed magisterial and judicial powers in the district. Thus he was almost an absolute authority in the territories under his charge. The collectors were, in fact, so powerful that the Board of Revenue could only exercise limited control over them. Board could check their account but could not restrain them from abusing their powers.² Bentinck lamented that the collectors were often "accustomed to arbitrary government and to the exercise of uncontrolled power."³

¹The Code of Regulations for the internal government of the Madras Territories, 1802-29, Compiled by A.D. Campbell, Vol.I, pp.294-306.

²Bentinck's Minute, 15th June 1805, Mad. Rev. Cons. 18th June 1805, Range, 276, Vol.I.

³Ibid.

The collectors were thus the main agencies in the administration of land and consequently the quality of the district administration largely depended upon their character and ability. An impetuous and inefficient collector could give a bad name to the British administration in the district and arouse the antipathy of the people. Bentinck was aware of this from the very beginning. He realised that there were some collectors like Munro, Macleod, Ravenshaw, who were "sufficiently virtuous" not to abuse their powers¹; but the incompetent collectors formed the majority. Bentinck believed that two factors were mainly responsible for the recruitment of incompetent collectors in the district administration. First was the pressing need for collectors resulting from the sudden creation of many collectorships in the recently acquired territories. Secondly, the non-existence of an official system for their selection. Unworthy collectors, Bentinck reckoned, were not only detrimental to the good administration but also a financial liability. The sum spent in their salaries and commissions actually amounted to 5 per cent of the total government revenue.² As a solution to this problem, Bentinck first contemplated reducing the number of existing collectorates by amalgamating them into a few large collectorates. Next, he wanted to make a definite improvement

¹ Bentinck to Castlereagh, 18th Oct. 1804, B.P.

² Bentinck's Minute, 15 June 1805, Mad. Rev. Cons. 18th June 1806, B.P.

in the system of recruitment.¹ This plan was later abandoned in favour of depriving the collectors of their judicial powers and removing those who were inefficient and corrupt, from their office.² Bentinck was always ready to intervene in the cases of gross incompetence and corruption. This point could be clearly illustrated by referring to Bentinck's handling of the collectors of Tanjore and Arcot.

The territories of Tanjore came under British suzerainty in the year 1799. After its acquisition, Madras Government appointed J. Harris, an experienced civil servant, as its collector. During the early years of his service, Harris appeared to be a successful administrator, but at the end of 1803 his administration ran into difficulties. The Government of Madras in their despatch of March 1804, complained that the Tanjore revenue accounts were not in order. The accounts showed a total deficit in the collection of revenues which the collector failed to explain. Doubts arose regarding the character of Harris. His attitude towards the Indians was also questionable. Bentinck commented, Harris "~~professed~~ an abhorrence for

¹ Bentinck to James Walker, 8th Oct. 1804, B.P.

² In 1806 Bentinck's Government passed Regulations restricting the Collector's power only to revenue collection. The judicial powers of the collector were divested and given to the Courts of Justice established in 1806 in the districts. See Chapter III, p. 176

~~the~~ native character and his intercourse both with the Europeans and the natives has [always] been unwilling. His administration of justice has been marked with severity."¹ He was even more strongly criticised for his bad temper and blind confidence in the subordinate officers whom he himself had employed. These gross defects in Harris's personality affected the administration of Tanjore. The subordinate officers of the district administration, namely, the local tax collectors and principal land holders (who were Indians) had joined together in oppressing their people through undue exactions. They also defrauded the Company by misappropriating the portion of a revenue for themselves.² Harris had failed to detect this corruption among his officers. Not only this, when afterwards an Indian, Trivangadatayenger, put forth the charges of corruption against the government servants and failed to substantiate them by evidence (as the witnesses seemed to have been coerced not to give evidence) Harris ordered a public flogging and then banished the man from Tanjore for making a false charge.³

This episode immediately attracted the attention of Capt.

William Blackburne, the Resident of Tanjore, who intervened

¹ Bentinck's Minute, 21st Sept. 1804, Mad. Rev. Cons. Range 275, Vol. 74.

² Ibid.

³ Ibid.

into the matter and wrote privately to Bentinck on this.¹ He testified to the fact that the government officers in Tanjore were corrupt and oppressive and the complaints of Trivangadatayenger were not ill-founded. Bentinck at once formed a committee for investigating into the alleged frauds. It had been found that in two years and a half, the Company suffered a substantial loss of revenue amounting to 3,10,000 pagodas, believed to have been misappropriated by the government servants.² Such a loss was serious enough, but far more serious in Bentinck's view was the loss of the good name of the British administration. The people of Tanjore, Bentinck regretted, sustained the same lack of confidence in the British administration as they had in the preceding Indian rule.

This lack of vigilance, "errors and gross mismanagement on the part of the Collector" were considered by Bentinck as serious breaches of duty.³ Without any hesitation, therefore, he proposed removing Harris and all his assistants from their positions. "The profound silence under which the confederacy had been conducted",

¹ Blackburne to Bentinck, 14th March 1804, Mad. Rev. Cons. Range 275, Vol. 74.

² Bentinck's Minute, 21st Sept. 1804, Mad. Rev. Cons. Range, 275, Vol. 74.

³ Ibid.

Bentinck wrote to the Court", was more and more ascribed to the fear of revealing injuries and of seeking redress under the known severity, which had been exercised by the collector's authority."¹ Harris was further censored for his cruel treatment of Triyangadatayenger, which had not only terrified the people into submission to the power and influence of the collector's servants, but also made the revenue officers the virtual governors of the district. Harris had in fact turned himself into "an unconscious instrument of all their villainy and oppression."²

Without any further delay Bentinck wanted to put an end to this abuse. The people, he believed, should have confidence in the sense of justice and protective power of their Governor. He, therefore, promptly discharged Harris and all his assistants from their offices. Explaining the object of his measures, he wrote to Petrie, the senior member of the Council, "I shall remove him upon what I assume to be the foundation stone of all good government; the responsibility of the individual who undertakes any charge, whether great or small, in the administration of it. In this Mr Harris has most unfortunately failed and he ought to suffer for the good of India."³ To provide Tanjore with a better administration, Bentinck

¹ Rev. Letters Recd. from Mad. 16th Oct. 1804, Vol.1, para.128.

² Bentinck's Minute, 21st Sept. 1804, Mad. Rev. Cons. Range 275, Vol.74.

³ Bentinck to Petrie, 11th Sept. 1804, B.P.

planned to divide the province into two collectorates. John Wallace, the Collector of Trichinopoly was placed in charge of Tanjore for the intervening period until the arrangement for division became effective. He was instructed to find out without delay the amount of embezzlement of the land revenue made by the government servants during Harris's collectorship.

Finally, Bentinck set up a Zillah Court in Tanjore which could enquire into the charges of corruption and oppression.¹ The Court of Directors were satisfied with Bentinck's handling of the Tanjore case and readily approved all the measures adopted by him. They also agreed to Bentinck's plan for the better administration of Tanjore.²

The second case of mal-administration occurred in South Arcot. South Arcot consisted of the whole southern half of the Carnatic. In the year 1801, the Company's Government took over the administration of the Carnatic. For more than thirty years the Carnatic had been scandalously misgoverned by a system of double government. The Nawab of Carnatic retained the power to control the internal administration of his territory. As he was not

¹ Rev. Letters Recd. from Mad. 16th Oct. 1804, Vol.I, para.222-30.

² Court of Directors, to Mad. Govt. 6th Nov. 1805. Letters to Madras Vol.I, para.69.70

strong enough the Company provided him with military force to maintain peace. The cost of a huge British subsidiary army within the Carnatic deteriorated the Nawab's financial position to a great extent. The Nawab was thus forced to borrow money from the Company's servants at an exorbitant rate of interest. In consequence of his failure to pay back the loan the Nawab handed over to the Company's servants the revenues of his various estates from time to time. Thus a system of double rule developed in the Carnatic. This, however, was ended with the acquisition of the territory by the Company's government who in 1801 appointed Captain Graham as the Collector of South Arcot. He was superseded in October 1802 by George Garrow, the secretary of the Board of Revenue.¹

Nearly a year after Garrow's appointment, Bentinck took charge of the Madras Presidency. Soon after his arrival, he came across a report sent by some principal land holders of South Arcot, complaining against Garrow's misrule. The report stated that Garrow, knowing full well about the deplorable economic condition of Arcot, had forced the people to pay the maximum land tax. The amount he extracted from the cultivators had never been realised

¹ Bentinck's Minute, 2nd Dec. 1803, Mad. Rev. Cons. 16th Oct. 1804, Range. 275, Vol. 68.

by any ruler so far. The sufferings of the people, therefore, reached its finality. The information was testified to by both the European and the Indian sources.¹ The news disturbed Bentinck greatly as he also came to know that Garrow had a notorious previous record. When employed in Ceylon, Garrow had been removed from his office mainly for "an arbitrary and violent use of authority which ... broke out in acts of unwarrantable oppression to the people."² In spite of this, Garrow had managed to get the Collectorship of South Arcot through the influence of some of his powerful friends in the Board of Revenue.³ Bentinck, however, was not ready to let Garrow carry on his oppressive administration any longer. He at once admitted that the assessment in South Arcot was too high and torture was practiced in the collection of revenue and this should be stopped. Bentinck even dispensed with the formality of holding a public enquiry into the administration of Garrow and removed him immediately from the Collectorship of South Arcot. Major Macleod an experienced military officer, replaced him in January 1804.

The removal of an important officer without first making

¹ Bentinck's Minute, 14th Oct. 1804, Mad. Rev. Cons. 16th Oct. 1804, Range. 275, Vol.75.

² Gov. of Ceylon to Gov. in Coun. Mad. 17th Sept. 1799. Mad. Rev. Cons. 16th Oct. 1804, Range. 275, Vol.75.

³ Rev. Letters Recd. from Mad. 16th Oct. 1804, Vol.I, para.224-5.

an enquiry into the charges against him was, indeed, a questionable measure. It was not surprising therefore that "clamour prevailed in the settlement against the supposed injustice of his action."¹ Garrow, who was in England at the time of his removal, returned to Madras and became loud in his complaints against the Governor's action. He wrote to Bentinck that the stigma attached to his character by the existing order of the Governor was highly injurious. He urged Bentinck to allow him the privilege of self defence.²

Instead of granting Garrow any such privilege Bentinck in reply strongly criticised his revenue administration. "Too much stress seems to be laid upon the realisation of revenue and too little importance attached to a consideration of the rights of the people."³ With the removal of Garrow, Bentinck believed that the evil had come to an end and a public enquiry, hereafter, would only help the recollection of British mismanagement. Bentinck was thus so convinced about the propriety of his action that he did not consider it necessary to ask for the opinions of the Board of Revenue, who had initially supported Garrow's appointment

¹ Bentinck's Minute, 14th Oct. 1804, Mad. Rev. Cons. 16th Oct. 1804. Range. 275, Vol.75.

² Garrow to Bentinck, 21st Sept. 1804, Mad. Rev. Cons. 16th Oct. 1804. Range, 275, Vol.75.

³ Bentinck's Minute, 14th Oct. 1804, Mad. Rev. Cons. 16th Oct. 1804, Range, 275, Vol.75.

to the post. The Board now stood in favour of Garrow. They not only praised his zealous services in Arcot, but also tried to justify his high assessment there.¹ Upon this Bentinck simply commented, "let the Collector be also asked if tracts of country have not been abandoned and if torture has not been exercised upon the inhabitants." He firmly asserted that malpractices caused in the sphere of land administration and the man responsible for this must pay the price.²

The Court of Directors strongly criticised Bentinck for adopting such an extreme measure without a thorough enquiry. They suspected the reliability of the testimony on which Garrow was removed. The native inhabitants, the Court wrote, often complained against the revenue collectors and Garrow might have become a victim of such complaint without any real ground. The Court further pointed out that Bentinck should have allowed Garrow the privilege of a public trial to clarify and defend himself.³

But Bentinck, who strongly believed in the propriety of his measures against Garrow, did not pursue the matter any further.

¹ Rev. Letters Recd. from Mad. 16th Oct. 1804, Vol.I, para.224.

² Bentinck's Minute, 14th Oct. 1804, Mad. Rev. Cons. 16th Oct. 1804, Range.275, Vol.75.

³ Court of Directors to the Gov. in Coun. Rev. Letters to Mad. Vol.I, paras 49-54.

He remained firm in his decision and Garrow had to go back home, a frustrated and bitter man.¹

In his dealings with the cases of Harris and Garrow and in his endeavours to introduce a permanent Rayatwari system in the Presidency of Madras, Bentinck's main consideration was the well-being of the people. An efficient and just administration together with an equitable revenue settlement would foster the prosperity of the people and consequently arouse their faith in and strengthen their ties with the British Raj. In his scheme the security of the empire was to rest on good government.

¹ Court of Directors to the Gov. in Coun. Rev. Letters to Mad. Vol.I, paras. 49-54.

CHAPTER III

ADMINISTRATION OF JUSTICE

Bentinck's Governorship in Madras commenced when the judicial administration of the Presidency was in flux. On 26th December 1800, the Supreme Court had replaced the old Recorder's Court in Madras. In January 1802, a new system of the administration of justice was introduced in the Presidency bearing close resemblance to Lord Cornwallis's Bengal system of 1793.¹

Bentinck was an ardent supporter of the judicial system "formed by the illustrious founder" Governor General Lord Cornwallis.²

He desired an extension of the Bengal judicial system throughout the Madras Presidency. He was convinced that the basic principle of Cornwallis's system, namely, the separation of the judiciary from the revenue functions of the Collectors was sound and would be useful for the Madras territories. Bentinck's judicial plans and reforms in Madras were, therefore, modelled on the Bengal system. In addition to this, his Governorship from 1803 to 1807 was characterised by a conflict between the government and the newly established Supreme Court of Madras.

¹ Regulations for establishing and defining the jurisdiction of the courts of Adalat or Courts of judicature, 1st Jan. 1802, Mad. Jud. Cons. 1st Jan. 1802, Ran - 321, Vol. 92.

² Bentinck to Grant, 11th May 1806, B.P.

The system of introducing new laws and the method of their administration developed simultaneously with the extension of British suzerainty in India. The first charter of King Charles II in 1661 empowered the Company only to make laws and impose punishment on their own servants. Thus in Madras as well as in other places in India the Company's agents had no rights to administer justice over the Indians unless derived from the local rulers. With the extension of British power and influence in India the Court of Directors felt the need of an extensive judicial authority and petitioned the King of England in 1726 to introduce a speedy and effectual administration of justice in British India.¹ In response to this, the Charter of King George I in 1726 introduced a Mayor's Court in each of the three Presidency towns to administer civil justice. The Mayor's Court was thus a crown court and it applied the English civil laws.² This new set up brought forward the question whether the civil laws of England were to be applied in cases where a party was an Indian. In 1746 the French occupied Madras and the Mayor's Court there was dissolved for sometime. With its restoration in

¹ Archibold, W.A.J., Outlines of Indian Constitutional History, pp. 38-37.

² Rankin, Sir G.C., Background of Indian Law, p. 2.

1749 a new Charter was granted in 1753 by George II for improvement of the judicial set up in British India. This Charter explicitly provided that the Mayor's Courts were not to try actions between the Indians unless they themselves willingly submitted the case for determination.

This early British hesitation to introduce their own laws and customs over the Indian people soon gave way to new developments. In 1786 by an Act of Parliament an extensive civil and criminal jurisdiction was conferred on the Governor in Council and on the Mayor's Court at Madras. It was decided that all the British subjects "residing in the territories of the East India Company on the Coast of Coromandel, or in any other part of the Carnatic, or the Northern Circars, or within the territories of the Soubah of the Deccan, the Nawab of Arcot or the Raja of Tanjore" would be under the jurisdiction of the Governor in Council and of the Mayor's court.¹

The Mayor's Court of Madras was replaced by a Recorder's Court in 1798, consisting of the Mayor, nine Aldermen and a Recorder. There was little difference between the old Mayor's Court and the new Recorder's Court except for the addition of a

¹ Cowell, H., The History and constitution of the Courts and Legislative Authorities in India, p.91.

Recorder directly appointed by the Crown. The jurisdiction of this newly established body was extended to Civil, Criminal Ecclesiastical and Admiralty cases.¹ Thus in power and authority the Recorder's Court was similar to that of the Supreme Court of Calcutta. Its jurisdiction covered not only the British subjects within the British territories of Madras Presidency, but also the Indian subjects within the territories of the native princes in alliance with the Madras Government.² The new court did not last long due to mutual jealousies and accusations between the Mayor Abbott and the Recorder Sir Thomas Strange. Consequently, the Recorder's Court was superseded by a Supreme Court in 1800 composed of a Chief Justice and two puisne judges. The powers of the Recorder's Court were transferred to the new Supreme Court of Madras and it was placed upon an equal footing with the Supreme Court in Calcutta. On 26th December 1800, the Charter of George III empowered the Supreme Court of Madras to enforce its jurisdiction over all the British subjects in Madras, but its territorial jurisdiction was confined to the town of Madras and its adjacent areas.³

¹ The Charters of the High Court and of the Courts which preceded it from 1687 - 1865, edited by John Shaw, pp. 52-84.

² Morley, W.A. *The Administration of Justice in British India*, pp. 12-14.

³ The Charters of the High Court and etc. ed. John Shaw, pp. 85-116.

Along with the King's Court in Madras town there was also a Choultry court from the beginning to try civil cases valued up to 50 pagadas and petty criminal offences. This court consisted of three Company's officers - mint master, pay master and customs master.¹ The system of justice in other parts of Madras territory under the Company's possession was not organised up to 1802. The Collector's Court or Cutcherry was the main administrative body in all the places. This court consisted of an English Collector and his Indian assistants like Dewan, Seristadar, Gumastas, Kurnams and the Record keeper. With the help of these officers, the Collector carried on the district administration of all the branches of revenue, executive and judiciary.² Thus the Collector possessed enormous judicial power to try all the civil and criminal cases within his jurisdiction. From the Collector's court appeal lay to the Governor in Council. In Zamindary areas the Zamindar also could exercise civil and criminal jurisdiction on his subjects. In capital cases he could consult the Mohammedan Kazis or could refer the case to the Collector's Court.

¹ Jain, M.P., Outlines of Indian Legal History, p.16.

² Ruthnaswamy, M., Some influences that made the British administrative system in India, pp.330-333.

Considerable changes were effected in this judicial system in 1802. By the end of the 18th century the Company's possessions in Madras Presidency had largely extended through annexations. The Government of Madras felt the necessity of creating a well-defined code of regulations for the whole of the Madras territories. Accordingly, on 1st January 1802, a Code of Regulations was passed by the Governor in Council of Madras with the purpose of organising and improving the judicial administration of the Presidency. The new regulations were based upon the principles of Cornwallis's Bengal system made in May 1793, By Cornwallis's Code, the collectors of Bengal were divested of their judicial powers (Reg. 2, 1793). Their powers were restricted exclusively to the administration of revenue. The Revenue Court was consequently abolished and the revenue department was separated from the administration of justice.¹

The Madras Regulations of January 1802 clearly stated that the offices of the judges, the magistrates and the collectors of revenue were to be held by three distinct persons. It was further declared that justice should be administered in accordance with the established regulations and the laws of the country. By Regulation II of 1802, Zillah (District) Court of Diwani Adalat was introduced

¹Jain, M.P., Outlines of Indian Legal History, pp.161-66.

in every district for trying civil and revenue cases. The Zillah court was to be presided over by an European judge assisted by the Indian law officers. The Zillah Court would have cognizance in all suits but its decision was to be final in cases up to 1000 arcot rupees. Above that amount an appeal would lie to the Provincial Courts of Appeal.

Four Provincial Courts of Appeal (each consisting of three judges) were established in the towns of Chicacole, Nellore, Kistnagherry and Dindigul - to hear appeals from the Zillah Courts. Their decisions were to be final in all the cases up to 5000 arcot rupees (Reg. IV, 1802). Above that amount a further appeal lay to the Sadar Diwani Adalat.

The Sadar Diwani Adalat was created by Reg.V, 1802, consisting of the Governor and the members of the Council as judges. The Court was to have power to determine all cases appealable from the Provincial Courts. An appeal from this court could be made to the Governor General in Council of Bengal for the cases exceeding the amount of rupees 444,000.

Besides that Reg. XVI created a Court of Commission in each district, held by an Indian Commissioner. These Courts were empowered to try suits not exceeding rupees 80. Above this amount

suits lay in the Zillah Courts. The Code of Regulations of 1802 further laid down that all the Indians and other persons excluding the British subjects would be amenable to the jurisdiction of the Adalat courts. However, by Reg. II some categories of British civilians like the Collectors, customs officers, commercial residents, salt agents, mint and assay masters and their British assistants were declared amenable to the Zillah and Provincial Courts for acts done in their official capacity. The proceedings of the Zillah and Provincial courts were to be carried on in native languages.

The plan introduced for the administration of criminal justice in Madras was also similar to that of Bengal. In each district the Magistrate was appointed to maintain peace and arrest those charged with crimes. They had the power to inflict punishment in cases of abuse, assault and petty theft by imprisonment, corporal punishment or fine up to 200 rupees.

Four Courts of Circuit were to be held twice in every year for the trial of persons charged with crimes and misdemeanours. The judges of the Provincial Courts of Appeal were to be the judges of the Courts of Circuit. These courts were entitled to pass every sentence excepting capital sentences for which they had to get confirmation of the Nizam Adalat.

To keep uniformity in the decisions of the Court of Circuit a superior criminal court known as the Sadar Nizamat Adalat was created in Madras. This court consisted of the Governor and the members of the Council. It was empowered to take cognizance of all matters relating to the administration of justice in criminal cases, and police of the country. It was to have the power of passing final sentences in capital cases. Both the Sadar Diwani Adalat and the Sadar Nizamat Adalat were thus respectively created into Civil and Criminal Courts of Appeal. They were also entitled to issue orders and instructions to the lower judicial organs for effectual administration of justice. The sentences of the criminal courts were to be in accordance with the Mohammedan law modified by the regulations. The civil courts were to apply Hindu law or Mohammedan law according to the religious persuasion of the parties before them. In other cases they were to act in accordance with justice, equity and good conscience.¹

The Board of Revenue hitherto had exercised judicial authority and determined certain civil appeals from the Collector's Court. A

¹ Regulations for establishing and defining the jurisdiction of the Courts of Adalat or Courts of judicature. 1st Jan. 1802, Mad. Ind. Cons. 1st Jan. 1802, Range, 321, Vol. 93.

regulation, therefore, was passed in January 1803 divesting the Board of Revenue of the judicial duties which were hereafter transferred to the Zillah Courts (Reg.I).¹

Clive, the then Governor of Madras, supported this new system of judicature based on the principle of separation of judicial power from the revenue functions.² Petrie, another adherent of the system and a member of the Council, went even further and strongly opposed a proposal in 1803 of appointing the collectors as the judges of Rajanundry and Vizagapatam. He championed the principle of Cornwallis's system by pointing out that, "No Company's servant should be appointed a judge in those districts where he has immediately before acted as a collector."³

At this juncture Bentinck reached Madras and gave his full support to Cornwallis's principle in the judicial administration and expressed his satisfaction at its extension to the Madras territories. But soon he found that under the prevailing condition of the Presidency the new system of judicature was operating only in those districts where land revenue had been settled permanently.⁴ In the major

¹ A New Edition of the Code of Regulations for the Internal Govt. of the Madras Territories, edited by A.D. Campbell, Vol.I, pp.294-5. *Madras 1830.*

² Clive's Minute, 10th April 1802, *Mad.Jud.Cons.* 1st Jan.1802, Range, 321, Vol.93.

³ Petrie's Minute, 20th May 1803, *Letters Recd. from Mad.* Vol.20, para.12.

⁴ For the settled districts, see Chapter II, p. 108.

part of the Madras Presidency the justice was still administered by the Collectors. Bentinck felt utterly dissatisfied with this situation in which two systems operated in the same place. He wanted to solve the problem by extending the Courts of judicature established in 1802, in the unsettled districts as well. He also desired to introduce further reforms in the existing system of justice. Apart from this, Bentinck found that even in the areas where courts of justices had been established two different laws and systems were operating — one under the Adalat Courts and the other under the Supreme Court. Such a diverse system of judicature in Madras was contrary to Bentinck's basic idea that in the administration of justice "there ought to be no distinction."¹ From the beginning, therefore, he became very critical of the Supreme Court and the English law it exercised.

The establishment of the Supreme Court, as mentioned before, had explicitly excluded the Governor in Council from exercising any legal jurisdiction over the Presidency town of Madras. Thus all the British born subjects of the Presidency and the inhabitants of Madras town, both Indian and European, became amenable to the

¹ Bentinck to Strange, 7th March 1805, B.P.

Supreme Court and were subjected to English law. The Governor in Council, in their turn, were entitled to exercise jurisdiction over all the Madras territories except the town of Madras. They were authorised to pass regulations and bye-laws in conformity with the established laws of the country. There had thus emerged a dual legal system in the Presidency. The Supreme Court, on the one hand, exercised pure English law and worked as the King's Court deriving authority from Parliament. The Company's courts, on the other hand, administered Indian law and were controlled by the Governor in Council.

Bentinck considered this dual method as an anomaly in the legal system of Madras. "The people of the Jaghire and of the town of Madras are the same", but subjected to different laws and courts.¹ The partial introduction of English law, Bentinck believed, was a factor obstructing the growth of a uniform legal system. Bentinck had strong objection to the application of English law in the Madras Presidency. English laws, which guarantee both civil and political liberties to the people, were not considered suitable to the conditions of Madras Presidency. He argued that the English laws were "suited to the circumstances

¹ Bentinck to Strange, 7th March 1805, B.P.

of a great and enlightened nation".¹ But the state of society in India was different and the Indians were used to despotic rule for centuries. For the people of India therefore, the requirement was not the liberty, but security of persons and property and an upright administration of justice. The growth of a strong British empire was needed to fulfil these requirements. The spirit of liberty in English laws would only "incite the people in India against foreign yoke," which consequently would endanger the British power in India.² For the safety of British interest as well as for the happiness of the Indian people, Bentinck preferred good administration of laws rather than good laws.

Bentinck's next argument against the English laws in India was based on the necessity for introducing a uniform system of justice for all the people irrespective of race, religion and status. In principle Bentinck believed that the Europeans coming to India should be subjected to the jurisdiction of the Company's courts.³ English laws, according to him, had crept into India on the plea of the "birth right" of the Englishmen living there to be governed

¹ Bentinck's Minute, 28th Feb. 1807, Incomplete File on Madras police and judiciary, 1806-7, B.P.

² Ibid.

³ Bentinck to Strange, 7th March, 1805, B.P.

By their own laws. The British born subjects were always exempted from the jurisdiction of the Company's courts. But the nature of British settlement in India, Bentinck believed, had been completely changed with the establishment of British rule there. India was not a mere colony of the Europeans. "We are now the governors and the guardians of a great empire. We must treat the people as our subjects, as our brothers."¹ In this circumstance he thought it quite unwise to make distinction between the Indians and Europeans by establishing separate Courts of Justice. He believed it more convenient to establish an uniform legal system by subjecting the European society in Madras (consisting of a small number of ^{the} Company's servants and merchants and 'mostly of the worse men of all nations') to the Company's courts, than to bring the entire Indian society (composed of different religions and races) under the English law. On the same consideration of uniform justice Bentinck advocated that the Governor in Council should have the full power to make laws for the whole Presidency including the town of Madras. Why should the Governor in Council who is adjudged by the Parliament of Great Britain¹ to be competent to the formation of

¹ Bentinck to Strange, 7th March 1805, B.P.

laws be restricted in the single case of the town of Madras?"¹

The Governor in Council being the authority on the spot, Bentinck believed, would understand the local circumstances and this was more efficient to make and alter laws for the Presidency. He further argued that in a place like Madras, consisted of various races and thus needed frequent legal changes, the power of making laws to the Governor was essential for quick remedies. On the other hand, if the Supreme Court was allowed to exercise English law in the Madras town the delay in providing legal remedies would continue. The Supreme Court would have to seek Parliamentary legislation each time a new circumstance arose demanding a new law or an alteration in the old. The ignorance of Parliament about the social condition of Madras and the considerable amount of time involved in seeking a Parliamentary redress would only extend the sufferings of the people.²

As the substitute for English laws, Bentinck preferred to introduce the golden rule of "the law of the Defendant", either of the European or Hindu or Muslim in the civil suits. In the criminal cases he favoured the introduction of some principles of English

¹ Bentinck to Strange, 7th March 1805, B.P.

² Ibid.

Criminal Code to modify the existing Mohammedan criminal laws. He justified this by pointing out that the Mohammedan government in South India, in the Carnatic, in the Ceded Districts, and in the Northern Circars were so corrupt that laws were virtually not in existence.¹

Bentinck was not satisfied with the system of law making in the Madras Presidency. Under the prevailing practice the Governor in Council initiated and framed laws necessary for the whole of the Madras Presidency excluding the town of Madras. Usually laws were made or amended on account of some local necessities or general causes existing within the district. The Collectors, the Magistrates and the Zillah judges, being the local administrators, would know more than any other agency about the kind of laws required in the local circumstances. Thus, according to Bentinck, the Collectors or the Magistrates should be the initiators of legal remedies in the district level. But in initiating a law they should consult the Zillah judges about the problem. The solution suggested by them should then be placed in the Sadar Adalat through the Provincial Court. The result of the suggestion should

¹ Bentinck to Strange, 7th March, 1805, B.P.

hereafter be submitted to the Governor in Council who alone had the power to pass laws.¹

Bentinck next turned his attention towards the existing judicial framework of the Presidency and suggested extensive reforms in it. The reforms were calculated not only to provide the people with an efficient and equal system of justice, but also to render the existence of the Supreme Court quite unnecessary. The Sadar Adalat, the highest judicial body of the Presidency was up to this time composed of the three members of the Governor in Council, of whom only two were really effective. The President of the Court (the Governor) being encumbered with executive functions could not attend the court regularly except when a casting vote was required. Bentinck objected to this method and wanted the President of the Sadar Adalat to be most effective in the administration of justice. According to him, the President of the Court should be a judge appointed by the King of England. His salary should be equal to that of the Councillors and his pension after ten years of service should equal that of the Chief Justice of the Supreme Court of Calcutta. By this change, he wanted to bring the King's supervision in the most vital judicial organ of the Presidency

¹The Act of Parliament 1797, gave separate powers to the Governor in Council to pass regulations for their own territories. Bentinck to Strange, 7th March 1805, B.P.

and to make it efficient and "Supreme tribunal of the Empire".¹

Next to Sadar Adalat there were four Provincial Courts of Circuit consisting of three non-professional judges appointed by the Governor in Council. It was in this court that Bentinck desired "to extend the superintendence of the King through the person of his judges ^{through} the whole judicature of the country".² He thus suggested a thorough reform in the composition of the Provincial Courts. In this court two more junior judges should be appointed with the existing three members to speed up the administration of justice. The President of this Court should be appointed by the King of England. He should be a barrister of five years experience and would retire after ten years of service. He should enjoy the same salary and pension as that of the judges of the Supreme Court. The President of the Provincial Court with his professional knowledge and integrity, Bentinck believed, "would be highly conducive to wise and correct legislation".

Under the Provincial Courts existed the Zillah Courts in each settled districts of Madras, with one non-professional European judge, assisted by Indian law officers. While contemplating reforms

¹ Bentinck to Strange, 7th March 1805, B.P.

² Ibid.

and changes in the judicial system of Madras, Bentinck paid his first attention to the Zillah courts. By the Regulation of 1802, Zillah courts were established only in some of the Madras districts. But this court, Bentinck believed, was the most useful organ of the judicial administrative body. The extension of Zillah courts appeared to him the greatest improvement that "we have to make in the civil government".¹ As he wrote to Charles Grant, the member of the Court of Directors, "where the Zillah courts have not been established neither person nor property is secured".² Among all other judicial reforms, the establishment of Zillah courts in all the Madras districts, either settled or unsettled, was Bentinck's primary consideration.³ The judges of the Zillah courts, he desired, should be experienced lawyers. They should also have sufficient acquaintance with the Indian customs and enough knowledge of the native languages. Each Zillah judge should receive 10,000 pagadas annually as his salary and should retire after ten years of service with a pension of £1,000 per annum.

At the bottom of the judicial framework was the Collector's

¹ Bentinck to Grant, 11th May 1806, B.P.

² Ibid.

³ Bentinck to Castlereagh, 18th Oct. 1804, B.P.

Cutcherry in the unsettled districts of the Presidency. The Collector of revenue also acted as the magistrate and judge with his Indian assistants. Bentinck, who was always against the collector's judicial power, entertained a poor opinion about the collector's Cutcherry. He regretted the existence of such a court even after the introduction of Cornwallis's system in Bengal and its subsequent extension to Madras. The collectors were not usually trained for judicial services and Bentinck was astonished to find such "great trust" placed on very "improper persons".¹ He wanted to abolish the collector's Cutcherry as soon as possible.

The whole scheme of judicial reorganisation was planned by Bentinck in such a manner as to make the existence of the Supreme Court quite superfluous. If the King's judges be appointed in the Company's courts and justice be administered according to the laws of the defendants, the Supreme Court would become perfunctory. Bentinck, in fact, had no objection to the abolition of the Supreme Court. He even suggested the division of the town of Madras into two Zillahs and to substitute the Supreme Court by two Zillah courts.

¹ Bentinck to Strage, 7th March 1805, B.P.

² Ibid.

The principal object of Bentinck's plan was to introduce an efficient and equitable legal system. With this end in view and also to ensure that the judiciary was reasonably independent he planned to employ professional men on the bench. The appointment of a King's judge to the Sadar Adalat was also suggested by him for the complete separation of the judiciary from the executive. This, Bentinck always believed, was essential for the proper administration of justice.

It may be observed that this elaborate scheme of judicial reorganisation was not placed by Bentinck before the Court of Directors; but written in a letter to his friend, Sir Thomas Strange, who was then the Chief Justice of the Supreme Court of Madras.¹ Probably he was not certain that the home authorities would like his plan which was principally calculated to render the Supreme Court useless. Strange, however, was profoundly impressed with his plan supposed to provide "the best practical system for the administration of justice". He praised Bentinck for devising a plan

¹ Sir Thomas Andrew Lumisden Strange was born on 30th Aug. 1756. Educated in Oxford and called to the bar from Lincoln's Inn in 1785. Chief Justice of Nova Scotia in 1789; Recorder of Madras 1798 and President of the Mayor's Court and Alderman. Chief Justice of the Supreme Court of Madras 1800. Returned to England 1817; died July 1841.

which materially differed from "any at present in force in any part of this country."¹ Strange was in favour of implementing Bentinck's plan for better administration of justice and recommended it to Castlereagh, the President of the Board of Control.² As the abolition of the Supreme Court was not an acceptable proposition to the home authorities the scheme was not pursued at all. In spite of this Bentinck was successful in putting some of his ideas into practice during the years 1806-07.

Soon after his arrival Bentinck made his attempt to divest executive officers of the judicial functions. The Collector's judicial power in the unsettled districts drew his first attention. He desired to erect "independent tribunals" in those districts where lands had not been settled.³ He wanted to appoint Registers as assistants to the Collectors in revenue matters but exclusively in charge of the judicial business. The Registers would thus take away the judicial functions of the Collectors and bring propriety to the administration of justice. In implementing this plan Bentinck was opposed by Col. Munro, the Principal Collector of the Ceded

¹ Strange to Castlereagh, 17th Oct. 1805, Home Misc. Ser. Vol. 430, pp.285-88.

² *Ibid.*

³ Bentinck to his father, 7th March 1807, B.P.

Districts.¹ Munro, who was deeply interested in settling the lands of the newly acquired territories on Rayatwari pattern, did not agree with Bentinck's proposition of curtailing the judicial powers of the Collectors. He was of the opinion that the settlement of the land revenue was of far greater importance to the country than the introduction of the principle of the separation of powers. A judicial system which curtailed the powers of the Collectors, he feared, would seriously interfere with the settlement of land. He further argued that such a judicial reorganisation would not be effective in districts where Zamindars and Poligars were too powerful. A collector with judicial and executive powers alone could control these local chiefs. Further, the separation of civil and judicial powers, Munro argued, was not an indigenous system and "whatever excellence such a system may possess", it would appear strange and unsatisfactory to the people".² Thus Munro advocated a system of omnipotent collectorship not only on the grounds of expediency, but also because it was consistent with the oriental tradition of despotism.

¹ Munro's comment on Wellesley's letter to Bentinck, (Add.Mss. 13679, W.P.) cited in Beaglehote, T.H. Sir Thomas Munro, p.75.

² Ibid.

Bentinck rejected this line of argument. "It is ^{the} fashion here, I find", he wrote to Governor General Wellesley, "to believe that the courts will impede the collection of ^{the} revenues." The courts, he asserted, would certainly interfere in the arbitrary and unjustifiable acts of the inferior revenue officers. But the collectors would be benefitted with the operation of such a check on the arbitrary powers of their subordinates. "There can be no collision of authority. The collector must find relief and assistance from the court in the just discharge of his duty."¹

However, he found it difficult to oppose Munro on this issue while the latter was supporting him on the question of land settlement. Bentinck thus explored other means for establishing separate courts of justice in the unsettled areas. He urged Wellesley to permit the general introduction of the Zillah courts in all the districts of Madras, settled or unsettled.²

The controversy between Bentinck and Munro illuminates the ideas Bentinck had in mind. On the question of land settlement in Madras, he opposed the introduction of Cornwallis's Permanent Zamindari Settlement and supported Munro in effecting a direct

¹ Bentinck to Wellesley, 9th Sept. 1804, W.P.

² Bentinck to Castlereagh, 16th Oct. 1804, B.P.

settlement with the rayats. But in the matter of judicial administration, he was upholding the principle of Cornwallis's judicial reforms and opposing all the pleas of Munro in favour of retaining the extensive powers of the Collectors. Though apparently inconsistent in his views, Bentinck in both cases was guided solely by the motive of improving the lot of the Indian people.

Wellesley, however, was similarly enthusiastic about the separation of legislative, executive and judicial powers of the state. Such a distribution of powers, he wrote in a despatch to Madras, would fulfil two principal objects - first, the establishment of an impartial administration of justice according to the existing laws; and secondly, the gradual improvement of the laws. He was eager to see these two objects pursued in the Madras territories. He further believed that the full-fledged implementation of the Regulations of 1802 would lighten the burden of the Collectors.¹ Wellesley's policy thus echoed Bentinck's own ideas. Enthusiastically he wrote to the Governor General; "The flagrant abuse of authority in the southern division of Arcot and in Tanjore made me anxious for

¹ Gov. Gen. in Coun. to Gov. in Coun. Mad. 19th July 1804, India Office Tracts, Vol. 465.

the establishment of Zillah courts in every part of the country.
 " It is impossible not to concur in every part of that excellent letter in the Judicial Department containing your Lordship's orders for the introduction of the judicial system. "¹

Accordingly it was announced on 14th February 1806 that for the due administration of justice "Zillah courts should be established in all the territories under Fort St. George ... where land revenue has not been permanently settled ... in the same manner as in the districts where the revenue has been permanently settled. "² The collector and the Board of Revenue were divested of their judicial and magisterial functions which were vested in the civil judge. Up till then the Governor in Council was entrusted with the judicial authorities of both the Sadar Adalat and the Nizammat Adalat. But for more "speedy and effectual administration of justice" Bentinck felt an urgent need to alter the system. He wanted to make the principle of the Bengal judicial system a rule for Madras also. Since 1793 in Bengal, the Sadar Adalat consisted of three members, only one of whom was a member of the Council and

¹ Bentinck to Wellesley, 9th Sept, 1804, W.P.

² Regulations for Madras 14th Feb. 1806, Enclosed in Fort St. George letter, 15th Feb. 1806, Beng. Ind. Cons. (c vil) 3rd April 1806, Range, 148, Vol.26.

the court was separated from the government. On 14th March 1806 it was laid down by Regulation IV, "... it is essentially necessary to the impartial, prompt, and efficient administration of justice - civil and criminal - that the exercise of this important function be separated from the legislative and executive authorities, and vested in two Judges, not being members of the government, whose time and attention may be exclusively devoted to the punctual discharge of their judicial duties, under the occasional superintendence of the Governor as President of the Courts."¹

Thus, among the three judges two would be appointed from the civil servants of the Company and the Governor would act as the chief judge.

Bentinck was not fully satisfied with this half measure. He strongly felt that it was difficult for the Governor to carry on the responsibility of the chief judge of the Sadar court. "With the various important and laborious duties ... of the Government", he found it difficult to "discharge the extensive and arduous duties of the Chief Justice of the said court".² Thus he advocated a total separation of the judicial authority from the executive in all their respective

¹ Regulations for the Internal Government of the Madras territories 1802-29, Compiled by A.D. Campbell, Reg. II, 1806, pp. 186-87.

² Bentinck's Minute, 20th June 1806, Mad. Jud. Proc. 19th June 1806, Range 322, Vol. 24.

branches. He argued "if relieved of the labour of reading the criminal trials, the Governor could easily give a general attention to the proceedings of the Court, and to the conduct of the judges and magistrates".¹ Bentinck as the Governor of the Presidency, therefore desired to withdraw himself from the office of Chief Justice of the Sadar Adalat. It was thus announced in June 1806 that "the Chief Judge of the said Court should be selected, by the Governor in Council, from among the civil covenanted servants of the Company, not being members of the council."² But this resolution failed to receive the assent of the Supreme Government. The Governor General in Council suggested that the Chief Judge of the Sadar and Nizamat Adalat should be a member of the Council though he might not be the Governor himself or the Commander in Chief.³ By Regulation III 1807 therefore, the constitutions of the Sadar and Nizamat Adalat were modified on the line suggested by the Supreme Government.

¹ Bentinck's Minute, 4th March 1806, Beng. Jud. Proc. 10th April 1806, Range 148, Vol.26, No.24.

² Bentinck's Minute, 20th June 1806, Mad. Jud. Proc. 19th June 1806, Range 322, Vol.24.

³ Jain, M.P., Outlines of Indian Legal History, pp.284-5.

It was settled that the posts of the chief judges were to be held by some other members of the Council. The number of the puisne judges were increased from two to three and they were to be selected from among the covenanted servants of the Company.¹

These were thus the significant judicial reforms introduced by Bentinck's initiative. Two of his fundamental ideas were realised during his stay - first, the separation of judiciary from the executive and second, the introduction of regular courts of justice in all the districts of Madras Presidency. But Bentinck was involved not only with the general problems of the judicial administration, but also in conflicts with the Supreme Court of Madras. Hence, the account of his activities in the field of the administration of justice would not be complete without an enquiry into his relationship with the King's court.

The Supreme Court in Madras was created in like manner as that of Bengal with the object of protecting the Indians from the oppressions of the Company's servants. The establishment of a Supreme Court, therefore, first in Bengal and then in Madras and later on in Bombay was characterised by an outbreak of conflicts

¹ Regulations for the Internal Government of the Madras Territories, compiled by A.D. Campbell, Reg. III, 1807, p.188.

between the Supreme Court and the Government of the Presidency.

In Bengal, the quarrel between the Court and the Council started on the issue whether the Supreme Court was to serve under the supervision of the Council or it was to function independently. The judges conceived that the Supreme Court in Bengal was established by the King of England to set as a check ~~the~~ on the arbitrary powers of the Company's officials. They thought it their duty to scrutinize sternly any severity or act of corruption committed by the Company's servants, either privately or publicly. The Councillors of Bengal on the other hand believed that their main function was to manage the governmental work and to collect the revenue and not to administer justice. They, therefore, did not like the idea of extending the British justice into the provinces outside the town of Calcutta. They further believed that for all their activities they were responsible to the Court of Directors only and the Supreme Court had no power to interfere in their executive functions. These diametrically opposite standpoints of the Court and the Council in Bengal created great troubles in the civil and judicial administration of the Presidency leading to a series of quarrels.¹ At last to set things right, Parliament had to intervene. The Act of 1781 restricted the

¹ Pandey, B.N., The Introduction of English Law into India, 1774-83, pp. 131-33.

jurisdiction of the Supreme Court to the limits of the city of Calcutta. It further laid down that the Supreme Court should have no legal authority in matters of revenue. The Governor in Council was empowered to determine the civil suits from the country courts and to decide the offences committed in the collection of revenue and to frame regulations for the Provincial Courts.¹ Thus the Act of 1781 decided the issue, by limiting the Supreme Court's legal authority strictly in the town of Calcutta. The decision was however not final and many difficulties remained until 1832, when Parliament by an Act invested the Governor General with powers to limit the Supreme Court's jurisdiction.²

¹Jain, M.P., Outlines of Indian Legal History, pp.113-7.

²After the Supreme Court was established in Bombay in 1823, a similar conflict followed there. In Bombay, the conflict arose in 1828 on the question of the Supreme Court issuing certain writs of Habeas Corpus to some persons living outside the Bombay town. The Governor in Council of Bombay forbade to make return to any of the writs issued by the Supreme Court. In consequence, the Supreme Court stopped functioning and petitioned the King of England against this intrusion of the Government in Supreme Court's jurisdiction. However, the verdict of the Privy Council categorically went against the Supreme Court and the conflict between the Court and the Council in Bombay was solved clearly in favour of the Government. Jain, M.P. Outlines of Indian legal History, pp.125-8. It may be mentioned that during the conflict in Bombay, Bentinck was the Governor General and favoured the curtailment of the powers of the Supreme Court in Bombay.

In Madras too, quarrels of similar nature started soon after the establishment of the Supreme Court in December 1800. The conflict between the Court and the Council over the question of jurisdiction commenced during the Governorship of Lord Clive and became serious during Bentinck's office. "When I first came to India" Bentinck wrote to his father, "I found that the most unpleasant difference had existed between my predecessor and the Supreme Court."¹ The clashes between the Court and the Council in Madras were further complicated by a conflict of personal nature between Bentinck and Sir Henry Gwillim, one of the puisne judges of the Supreme Court.² Curiously enough, the Chief Justice, Sir Thomas Strange, who should have been the mouthpiece of the Court against the Council, was an intimate friend to Bentinck and as such he carefully avoided getting deeply involved in the conflict. Consequently Sir Henry Gwillim assumed the key role in the whole conflict.

The judges differed in their characters and attitudes. Sir Thomas Strange, the Chief Justice, was a learned and distinguished

¹ Bentinck to his father, 7th March, 1807, B.P.

² Sir Henry Gwillim, appointed puisne judge of the Madras Supreme Court on 26th December 1800. Resigned the post being recalled by the Court of Directors on 28th October 1807 and died on 12th September 1837.

man but nervous, sensitive and suffering from ill-health. Of him, Bentinck remarked; "If there is a cautious, moderate, and I might almost add, ^{and} timid man in the world, it was Sir Thomas."¹ Sir Henry Gwillim, the second in order, was different. His great energy and legal talent were strangely overshadowed by his almost insane vanity and aggressiveness. As Bentinck commented, "Sir Henry has something of the constitutional agitation of Holkar (Maratha Chief). He likes to make war upon his neighbours not for the purpose of stealing their purse but without an equally innocent intention against their good name."² He was very ill-tempered and was on bad terms with both the Governor and the Chief Justice. Sir Thomas paid a courtesy visit to Sir Henry on the very day of his return to Madras from England where he had been on a long leave. Sir Henry refused to return the visit on the ground that the Chief Justice had slighted him by not letting him know prior to his departure the purpose of his visit to England.³ Thus, Sir Henry always suffered from a persecution complex. The third member of the Court was the old Sir Benjamin Sullivan, who, like Sir Thomas, suffered

¹ Bentinck to his father, 7th March 1807, B.P.

² Bentinck to Strange, 13th Oct. 1806, B.P.

³ Gwillim to Strange, 29th June 1806, B.P.

from ill health.¹ However, in many controversies that arose between Bentinck and Sir Henry, Benjamin was generally on the latter's side. Bentinck believed "that he permitted himself to be made the tool of that violent man (Henry Gwillim)".²

The root of conflicts between the Court and the Council lay deeper in their mutual assertion of superiority against each other. To go back to the beginning of the conflicts the friction between Clive's Government and the newly established Supreme Court of Madras arose on the question of the jurisdiction of the Court over the Nawab of ^{The} Carnatic. The Government of Madras had made a treaty with the Nawab in 1799 and acknowledged him as the titular ruler of the Carnatic. By this treaty the Company's Government guaranteed him "the rank and state, with the dignities dependent there-on", enjoyed by his ancestors. It was further stipulated that he was to be treated with the attention and respect "due to an ally of the British Government."³ The Nawab's seat of authority and residence was on the Cheepuk palace and gardens, situated in the

¹ Sir Benjamin Sullivan was appointed puisne judge of the Madras Supreme Court on 26th Dec. 1800, Resigned the post on 7th May and died in Nov. 1810.

² Bentinck to Petrie, January 1807, B.P.

³ The Nawab of Carnatic to Bentinck, 12th Jan. 1804, W.P.

town of Madras over which the Supreme Court exercised its territorial jurisdiction. However, Clive's Government made it abundantly clear that the Nawab was considered by the British authorities in India ^{to} "be an independent prince permitted to reside, and ^{to} administer his executive government, within ^{the} British territories." ¹

Soon after the treaty a few members of the Nawab's family, who were hostile to his succession, began plotting against his authority. This was brought to the notice of the British Government and Clive on several occasions directed, without much success, these hostile members to submit to the authority of the Nawab. Finally, these miscreants ^{"being"} assiduously prompted by certain attorneys of the Supreme Court of Madras started bringing false charges against the Nawab before the Supreme Court. ² This they did on the plea that the Nawab, being a resident in Madras town, was subject to the jurisdiction of the Supreme Court. But the Nawab, who was declared by the treaty as a sovereign ruler within his own area, challenged the Supreme Court's right to deal with the charges against him. In this he was supported by Clive. The Government of Madras

¹ Extract of letter by the late Govt. of Mad. to the Supreme Court. 3rd Sept. 1801, Enclosed with Bentinck's letter to Wellesley, 2nd May 1804, W.P.

² The Nawab of Carnatic to Bentinck, 12th Jan 1804, W.P.

held, in view of the independent position of the Nawab, his palace and the walled gardens, of Cheepuk in Madras town as outside the jurisdiction of the Supreme Court. They requested the judges of the Supreme Court to agree "in the expediency of that exception on the principles of national faith and generosity".¹ The Supreme Court, being overconscious of its jurisdiction, declined to concede this exemption and asserted that the Nawab of Carnatic "is not distinguishable by the law, from any other individual residing within the limits of the Court."² The Court also started dealing with the proceedings brought against the Nawab. Thus the relationship between Clive's Government and the Supreme Court became strained from the beginning.

The Nawab was then requested by the Government to remove his residence beyond the limits of the Supreme Court's jurisdiction. But the Nawab rejected the proposition and expressed his determination never to leave the traditional seat of his ancestors. Neither Clive nor Bentinck later on could make the Nawab comprehend "the possibility of the existence of an authority, independent of the Government and apparently ~~controlling~~ its acts."³ Besides this,

¹ Extract of Letter by the late Govt. of Mad. to the Supreme Court, 3rd Sept. 1801. Enclosed with Bentinck's letter to Wellesley, 2nd May 1804, W.P.

² Bentinck to Wellesley, 2nd May 1804, W.P.

³ Ibid.

the non-cooperation of the Supreme Court irritated Clive so much that he urged the Court of Directors to seek Parliamentary intervention in the matter. It was at this point, Bentinck assumed the Governorship of Madras. Considering the whole proceeding of the Supreme Court he commented: "It has been impossible to prevent that part of the family (the Nawab's), hostile to the succession from many opportunities which the law affords of bringing action against the Nawab, especially degrading to his public rank and distressing to his personal feelings."¹ From the beginning Bentinck supported the actions of Clive's Government and assented to the Nawab's claim as an independent Mohammedan prince. The Nawab contended, "I am bound by no particular laws but those of the Islam. My political relation to the British empire in India does not render me in any shape or degree, amenable to the Municipal laws of England, from which my family, household and my dependents must be equally free."²

Bentinck was eager to find out an easy solution. He knew it was difficult to move Parliament promptly for fresh legislation on the issue. Instead, he decided to appeal to the Governor General, who only was competent to grant to the Nawab "in perpetual sovereignty the territory within the walls of ~~Cherpoor~~ ^{Cherpoor}."³ The Government of Bengal urged the Supreme Court to admit the fact that all the sovereign rulers of India

¹ Bentinck to Wellesley, 2nd May 1804, W.P.

² The Nawab of Carnatic to Bentinck, 12th Jan. 1804, W.P.

³ Bentinck to Wellesley, 2nd May 1804, W.P.

were accepted to be the subjects to their own laws only.

Thus the Supreme Government settled the case of the Nawab of ^{The} Carnatic in favour of the Nawab. The Supreme Court had to accept the decision, but felt irritated and remained on the look out for a new opportunity to assert its power against the Madras Government.

The first direct break between Bentinck and one of the judges of the Supreme Court occurred in November 1805, on a rather trifling matter as the application of a church fund for charitable purposes. A rich Indian donated a considerable sum to a church society for the use of public benefits. Reverend Dr Kerr, the Chaplain of the settlement, wrote to Bentinck on the subject and proposed that the money should be put under the care of a responsible trustee selected by the Government. Bentinck thought of the judges of the Supreme Court but the Chief Justice being absent on a visit to England at that time, he sent a letter to Sir Henry Gwillim enclosing the Chaplain's letter and asking for his opinion on the matter.

"I conceive", Bentinck wrote, "that some security more than we have at present would be advisable in order to prevent the possible misapplication of ~~the~~ property to a large amount bequeathed or given

for the best of ^{all} purposes, for those charity. "¹ To secure this, Bentinck suggested that the Church fund be put under the direction of the Supreme Court and Sir Henry to be appointed as one of its trustees. The letter was polite in tone, but Sir Henry saw in it an affront to himself and to the Court. He considered the proposal a product of impudence and ignorance on Bentinck's part and remarked that he could not feel highly flattered at his appointment as a trustee of the fund: "Your Lordship seems to ~~have~~ misunderstand the constitution of a British court of justice; the puisne judges are not appointed, like young lords of certain boards, merely to write their names, ~~and~~ register the orders of their President: nor was I sent here, my Lord, nor will I ever condescend to act as an underpart of the Supreme Court". He thereafter returned all the papers sent to him by the Governor.²

Whatever grounds Gwillim might have had for his annoyance, it was too much for Bentinck to tolerate such a "haughty and disrespectful" reply. He did not like to answer it at all. Instead he wrote to Anstruther, the Advocate General, enclosing Gwillim's letter, which in his opinion was "not written with that temper or in that style of respect usually observed between gentlemen living

¹ Bentinck to Gwillim, 11th Nov. 1805, B.P.

² Gwillim to Bentinck, 12th Nov. 1805, B.P.

On terms of good understanding." He further remarked that though he was always anxious to pay every respect to the judges of the Supreme Court in their private and public capacity, under the present circumstances he felt justified in his determination to cease all communications with Sir Henry unless he addressed him in the language of "polished intercourse" rather than that of "judicial rebuke".¹ This did not upset Sir Henry who accepted Anstruther as a "channel of communication" with Bentinck. For a year after this episode, there was no direct correspondence between Bentinck and Sir Henry.²

Meanwhile in 1806, there took place two incidents which further aggravated the controversy and turned it into an open quarrel between the Court and the Government. The first incident occurred with regard to the appointment of the Indian law assistants Pundits and Maulavis in the Supreme Court. And the second incident, a little more serious than the first, related to the establishment of the police force in the town of Madras and the appointment of one Captain James Grant as the Police Superintendent.

¹ Bentinck to Anstruther, 14th Nov. 1805, B.P.

² Bentinck to Strange, 25th Jan. 1807, B.P.

The Supreme Court in 1806 wanted to appoint native law assistants, Pundits and Maulavis, to interpret Indian laws and customs. During the absence of the Chief Justice the puisne judges themselves had decided upon the appointments. According to the charter it was settled that, "If a new office be wanted the Court must look to the Government for the necessary salary."¹ The Supreme Court therefore applied to the Council to sanction the expenditure needed for the new posts. The application was signed only by the two puisne judges, but not by the Chief Justice, who in the meantime, had returned from England. In the Charter, however, it was clearly stated that if the Chief Justice be present, his signature and seal would be essential in every transaction of the Supreme Court. The Governor in Council, therefore, sent the application back to the Court requesting them to authenticate it by the signature of the Chief Justice. As a reason for withholding the sanction of money the Governor in Council stated that they had done it for "preserving what appeared to be the rule of established custom".² But both the puisne judges felt insulted at this. This incident not

¹ Strange to Tierney, 5th March 1807, B.P.

² Gov. in Coun. to the Court of Directors, 6th March 1807, Letters Recd. from Madras, Vol.28, para. 28.

obly delayed the appointment of the native assistants, but also strained the intercourse between the Court and the Government. Sir Benjamin, who had not so far taken sides, now joined hands with Sir Henry against the Council. This development made Bentinck a little tactful. To win over Benjamin on his side, Bentinck wrote a personal letter to him explaining the reason for returning the application to the Supreme Court. "The Government," Bentinck wrote, "could not receive a communication from two of the judges without the signature of the Chief Justice or an explanation of the reason of that signature not appearing". He further stated that he had no desire to disrespect the authority of the judges and requested Benjamin to forget the breach and renew the usual mode of official intercourse.¹ This communication produced the desired effect. Sir Benjamin was highly gratified and considered the explanation given by the Governor very satisfactory.

The most serious conflict between the Supreme Court and the Council arose over the establishment of a new police force in the town of Madras. The outbreak of the Vellore mutiny in July 1806, led the Government to consider the necessity of creating a regular

¹ Bentinck to Sullivan, 22nd Jan. 1807, B.P.

police force in the Madras town, under the control of one Mr Walter Grant, an able magistrate. Sir Henry held that in establishing this new police force the Government had crossed the limits of its jurisdiction. He contended that the Government had no right to create a police force in the town of Madras without having first obtained the sanction of the Supreme Court. Besides, Sir Henry considered the institution of police force by the executive as unknown to the laws of England and feared that it might lead to a military despotism.¹ The Council, on the other hand, pointed out that it was within its executive authority to create and employ an organised police force "not only to maintain law and order in the country, but also to suppress every possible seed of insurrection within the territory."² The creation of the police force, it was argued, was nothing but an executive measure. For a fuller understanding of the controversy that grew on this question, it is necessary

¹ Sir Henry Gwillim's Charge to the Grand Jury, 21st Jan. 1807, Home Misc. Ser. Vol. 431.

In England there was no police force under the Government before 1829 when it was created by Robert Peel. Public opinion in England was suspicious that a strong police force in the hands of the executive might be used to subvert liberty. The duties of the police were performed by unpaid constables in the country and hired watchmen in the town. They were appointed by the Justices of Peace, Sir L. Woodward, The Age of Reform, 1815-70, Oxford History of England, pp. 465.

² Gov. in Coun. to the Court of Directors, 6th March 1807, Letters Recd. from Madras, Vol. 33.

to give an account of the circumstances which led finally to the creation of the police.

There was no organised stable police force in Madras Presidency up to the year 1806. The Indian police system that had functioned in the days of the Muslim rulers continued to work in the early years of the British rule in Madras. Under the Indian system there was no regular police. The local chiefs like zamindars or poligars maintained band of watchers and peons known as Dundasses, Barkees, Naick Wadies, Mahatuds and Talliaries. These watchmen were fully under the control of their local masters and could be used by them against any outside authority, even the Government.¹ But the establishment of the Company's Government and especially the introduction of the Courts of Justice in 1802 had inaugurated a new epoch in the administration of Madras. It was expected that hereafter the police would work as an organ for maintaining peace and order and thus would become a part of the judicial establishment. In 1793, Lord Cornwallis in Bengal had passed regulations for taking over the control of police from the Zamindars and setting up a new Superintendent of Police with a body of European

¹ Report of the Committee of General Police, 24th Dec. 1806, Mad. Jud. Proc. 2nd Jan. 1807, Range. 322, Vol.18.

constables. But in Madras nothing had been done on this line. By Regulation 35 of 1802, the head inhabitants of each village were entrusted with the charge of looking after the peace and order of their villages. They had to inform the Zamindar of any suspicious person or incident that was brought to his notice. The Zamindars were thus allowed to retain the power of controlling the police. The magistrate of the division was to help the Zaminder if the latter asked for his help.¹ This regulation did very little to improve the existing system of police. When Bentinck came to Madras he found that not only on the outskirts but in the town of Madras also the police were sadly deficient. For the whole of Madras town, with its vast mixed population, there existed only 2 European constables, assisted by 24 Talliaries (watchers) and for the neighbouring areas a few more peons and naicks. For the Indian population the organisation of police consisted of a Poligar and 33 peons who were nominally under the Government control.² This force, if it really existed, Bentinck believed, was hopelessly inefficient and "protected criminals rather than prosecuted them".³

* Regulations for establishing and defining the jurisdiction of the courts of Adalat or courts of judicature. Reg. 35, 1st Jan 1802, Mad. Jud. Cons. Range 321, Vol.93.

² Report of the Committee of Investigation, Oct. 1805 Police and Judicial Papers, B.P.

³ Bentinck to Strange, April 1805, B.P.

The magistrates, therefore, could only rely on the two European constables and their Indian assistants who were in fact nothing more than messengers. They kept no watch and had no authority to act in any circumstance without the positive order of the magistrate. Such a police organisation Bentinck regretted was "defective and insufficient even against common offenders".¹ Soon after his arrival, Bentinck wanted to improve the situation. It was only at his insistence that a Committee was appointed in 1804 to investigate into the existing establishment of police and "with a view of placing it on a connected and defined footing."² The Committee^{of Police} was empowered to call upon any organisation or individual to give information.³ The Committee carried on investigation for over a year and prepared a report at the end of 1805 on the existing condition of the police force in Madras Presidency. But it did not make any satisfactory recommendation for the improvement of the system.

¹ Bentinck to Minto, 20th Oct 1806, B.P.

² Bentinck's Minute, 21st Dec. 1804, Mad. Jud. Proc. 21st Dec. 1804, Range 322, Vol.3.

³ Chief Secy. of Mad. Govt. to the Committee of Police, 22nd Dec. 1804, Mad. Jud. Proc. 21st Dec. 1804, Range 322, Vol.3.

Within a few months after this the mutiny of Vellore took place in July 1806, The mutiny emphasised the urgent need for an organised police force in Madras. The Vellore outbreak had created considerable tension in the political situation of the Presidency. Intrigues and discontent among the sepoys and Tipu's inheritors still persisted. Bentinck insisted that "no delay should take place in the establishment of the best system of police".¹ He had expected at this point that the Committee of Police established in 1804 would suggest the means of enlarging the establishment ^{to} "such an extent as may be necessary to provide in the best practicable manner for the public safety and tranquillity".² The Committee, however, failed to do so. Bentinck further found that the situation of crimes and corruptions in Madras was deteriorating day by day. He felt that no time should be lost to save the people and the Government from the inefficacy of the law and order as it stood at that time.

Bentinck, therefore, decided to reorganise the Committee and requested Sir Thomas Strange to help him in this matter.

Accordingly, a new Committee of Police was formed in November

¹ Bentinck's Minute, 10th Oct. 1806, Pol. & Sec. Cons. B.P.

² Gov. in Coun. to Gov. Gen. in Coun. 21st Oct. 1806, Letters Recd. from Mad. Vol.32.

1806. This new Committee was composed of professional lawyers, magistrates, the Mayor and some important citizens in Madras. It was entrusted with the task of making two-fold investigations into ^{the} crime and the police. On the former it was asked to suggest measures for the prevention of crimes, for preservation of peace and order, and for security from the danger of intrigue and insurrection. As for the latter, it was asked to enquire into the nominal and actual efficiency of the existing police establishment; to consider and state their ideas upon the augmentation of the establishment; and lastly to report what might be the most efficacious means of security.¹ After a thorough investigation, the Committee submitted its report to the Government of Madras on 24th December 1806.² Bentinck was highly impressed with the Committee's primary contention that the power of training regulations for the police establishment should be vested in the Governor in Council. This, Bentinck insisted would secure to the people the benefit of best law and order.³

¹ Chief. Secy of Mad. Govt. to the Committee, 11th Oct. 1806, Police & Jud. papers, B.P.

² Report of the Committee of General Police, 24th Dec. 1806, Mad. Jud. Cons. 2nd Jan. 1807, Range 322, Vol. 18.

³ Bentinck to Minto, 20th Oct. 1806, B.P.

The Committee observed that lawlessness and corruption had considerably increased in the Madras territories. The insufficient and disorganised police system was held responsible for such degeneration. As for its solution, the Committee recommended the establishment of a strong and organised police system for the whole of the Presidency. The Committee believed that the duties of police should be discharged by the people themselves. Thus the head inhabitant of the village should be the primary organ to detect crime and to look after the peace and order in the village. He should be assisted in his duties by other village servants like Karnam, Talliary and so on. Above the head inhabitant, there should be one Daroga in each sub-division of a district. The Magistrates should supervise the duties of the Daroga. The Committee further suggested that the Collectors should be vested with the overall superintendance of the police. In the Zamindary settled areas, however, the Committee wanted the Zamindar to retain superior charge of the police. The people were so attached to their Zamindars, the Committee contended, that "to include the Zamindars in the system of police is in another way to include every inhabitant's assistance towards the suppression

of crimes."¹ The revenue officers of the Zamindar could strengthen the police activities by helping the Daroga in discharge of his duties. The Zamindar should seek the magistrate's help if it be felt necessary by him. Finally the judges of the Zillah court should have the sole authority for trial and punishment of the offences.

In accordance with the recommendation of the Committee of General police, the Government of Madras passed Regulations on 2nd January 1807 for the establishment of uniform police system in Madras Presidency.² By Reg. III, the village headmen were charged with the duties of police officers in the villages. A Daroga was posted in each sub-division to deal with the cases brought by village headmen. The Daroga was to attend to the details of police, but was given no authority to punish the offender. He was to hand over the suspected persons to the Zamindar (in Zamindary area). The duties of the Zamindars were to be similar to those of the village headmen. They were not given such power as to punish the offender either corporally or by fine or imprisonment.

¹ Report of the Committee of General Police, 24th Dec. 1806, Mad. Jud. Cons. 2nd Jan. 1807, Range 322, Vol. 18, para. 27.

² Regulations were passed by the Gov. in Coun. for establishing an uniform system of police, 2nd Jan. 1807, Mad. Juc. Proc. 2nd Jan. 1807, Range 322, Vol. 18.

The Magistrate was given the power to define the duties of the Zamindars and the village headmen. He was also to supervise the Daroga. (Reg. IX). The Magistrate was thus put in charge of supervising the duties of the police officers, but not to perform any police duty himself.

By Reg. XV, the Collector was designated as the Superintendent of police. He was empowered to "examine, commit or release" the accused at his own discretion. He was to decide whether an offender was liable for trial in the Zillah Court or was to be released. The collectors like the Magistrates were also given the power to supervise the duties of the subordinate police officers. But they were not empowered to inflict punishment for any offence. (Reg. XVIII). In all the districts of Madras the sole authority of final trial and punishment was vested in the Zillah judges.¹

The police force in the town of Madras was also increased and strengthened. The number of European constables was increased to 10. Over 400 revenue and customs peons and some writers

¹ Regulations were passed by the Gov. in Coun. for establishing an uniform system of police, 2nd Jan. 1807, Mad. Jud. Proc. 2nd Jan. 1807, Range 322, Vol.18.

were engaged in the Madras town to perform the police duties efficiently. A horse patrol was also created from the Governor's own body guards.

Thus in January 1807 the police system in Madras was set up on a new model. Walter Grant, an able Magistrate, was appointed the Superintendent of the new police in the Madras town. Bentinck had very high opinion about him. "Walter Grant is, I think, without exception, the most eligible person as Director of Police."¹

Bentinck thus deserves the credit of providing the districts and the town of Madras for the first time with a well-organised police force. Politically too, in view of the tense situation of Madras following the mutiny, the measure was quite justified. It is possible that behind all his good intentions of providing peace and security to the country, he nurtured a desire to acquire some authority over the town of Madras, on behalf of the Council. He seems to have been aware that the measure might raise the question of jurisdiction between the Court and the Council. He requested Sir Thomas Strange to support his action. "As the concurrence of the Supreme Court is indispensable to the success of any system of

¹ Bentinck to Petrie, Oct. 1806, Letter Box. B.P.

police which may be established, I have endeavoured to
make Sir Thomas Strange as much a party to it as possible.¹"

But Bentinck did not consult the two puisne judges of the
Supreme Court - Henry Gwillim and Benjamin Sullivan. This
enraged Sir Henry, who pointed out that it was "the majority
of the judges and not the Chief Justice constitutes the court."²
Very soon he created considerable trouble for the Government
of Madras over the question.

As stated earlier, the direct correspondence between
Bentinck and Sir Henry had already stopped. The creation of
the new police force worsened their relations. Being irritated
Gwillim lodged two charges against Bentinck's measures. First,
he felt, the creation of police without consulting him and Sir
Benjamin was a direct insult to them. Secondly the measure,
according to him, was an unjust encroachment upon the sphere of
the Supreme Court's jurisdiction. He, therefore, was determined to
oppose the police force in all their activities in the town of Madras.
He argued that the new police would be nothing more than a machine
of official oppression.³ Some incidents occurred soon to supply

¹ Bentinck to Petrie, Oct. 1806, Letter Box. B.P.

² Memorials of the Court of Directors to the Privy Council, 1807,
Home Misc. Ser. Vol. 431, pp. 356.

³ Anstruther, Advocate General to Gov. in Coun. 18th Feb. 1807, B.P.

Sir Henry with pretexts to assume a dangerously aggressive attitude against the Government and particularly against Bentinck.

In November and December of 1806 there occurred in the Madras Presidency a great scarcity of grain owing to the failure of crops by draught. This scarcity resulted in serious tumult among the native inhabitants and several food riots broke out in the grain market. The store houses and the market were plundered. Police Superintendent, Walter Grant, found it necessary to suppress the riots with the help of a military force. He also stationed some sentinels in different store houses to protect the grain and the grain dealers.¹ Sir Henry violently attacked the action of police, arrested few policemen and compelled Walter Grant to withdraw the military sentinels from the market. The Police Superintendent stood helpless and humiliated. On many other occasions, too, Sir Henry opposed the Police Superintendent in the execution of his duties, either by apprehending the subordinate police officers or by encouraging complaints brought against them in the Supreme Court. Because of such hostile opposition of the Court, Grant resigned the post of the Police Superintendent on 14th January 1807.²

¹ Memorial of the Court of Directors to the Privy Council, 1807, Home Misc. Ser. Vol. 431, pp. 337-373.

² Ibid.

Bentinck then recommended and appointed Captain James Grant, Commanding Officer of his own bodyguards, to act as the head of the police. Sir Henry was further irritated at the appointment of a military officer to a civil post. This he argued gave the police completely a different character: "It is headed and directed by a militaryman, and it retains in its service a military force. Under the system in its present state, your laws and your liberties seem to be laid at the feet of a military despot."¹ Branding the police force as a military regime Gwillim started championing the cause of justice and civil liberty. He held the Government responsible for this measure and launched tirade against the Governor in Council. This time Gwillim seems to have shifted his ground of attack. His objection to the police force now rested on the fact that it was headed by a militaryman. As noticed earlier, he had in the beginning challenged the competence of the Government to create a police force in Madras town.

On January 21st 1807, the storm broke out when the Supreme Court assembled for the opening of the session of Oyer and Terminer.²

¹ Sir Henry Gwillim's charge to the Grand Jury, 21st Jan. 1807, Home Misc. Ser. Vol. 431, pp.307-17.

² This phrase is derived from the Anglo-French phrase Oyer - et - Terminer, It means the session of the court held for the trial of criminal offences.

It was actually Sir Benjamin's turn to attend the session; but because of his illness Henry Gwillim came to replace him. Gwillim at once took up the opportunity and attacked the Government for establishing an oppressive police force within the town of Madras. In an open and crowded court he declared, "That the Government had conducted itself in so arbitrary manner that it would be dastardly for him and a want of attention to the dignity of the Court, not to take further notice to it."¹ He then mentioned the affronts which he believed that he and Sir Benjamin had suffered at the hands of the Government and especially of "the very ill-advised young gentleman at the head of it." The Government, he further stated, had not only violated the pledge given by themselves of supplying the Indian assistants (Pundits and Maulavis) to the Court, but even when the court had addressed a letter to the Government claiming performance of this promise "this ill-advised young Lord had evaded it by insulting the Court."²

He then attacked "with peculiar asperity" the system of police. Another no less gross insult, he complained, had subsequently been offered to the judges of the Supreme Court by establishing a new

¹ Sir Henry Gwillim's charge to the Grand Jury, 21st Jan. 1807, Home Misc. Ser. Vol. 431, pp. 307-17.

² Ibid.

police force without any previous communication with them. He considered the numerous officers of the police to be a "body most dangerous to the community," and that they resembled more the bands of "the Inquisition" than the regular officers of justice. He further stated that he came across the information that the Government of Madras was contemplating to propose to the home authority a material change in the administration of justice, It had also suggested the establishment of a local legislative authority. This proposal, he imagined, was made in order to extend the interference of the Council in the jurisdiction of the Court.

On the specific case of scarcity of grain and riots in Madras town, he commented that undoubtedly some commotion arose from the public distress; but that misfortune might only be traced to the "misconduct of the Government in not providing a sufficient supply of food for its subjects." However, when the riotous incidents occurred, Sir Henry believed it was only the Court and not the police appointed by the Government, who had the right to punish the delinquents.¹

¹ Sir Henry Gwillim's charge to the Grand Jury, 21st Jan. 1807, Home Misc. Ser. Vol. 431, pp. 307-17.

It is clear that Gwillim enthusiastically fashioned himself as the champion of the prestige of the Supreme Court. He always imagined that the Supreme Court was subject to constant humiliation and interference by the Council. It was difficult for Bentinck to stand it. In his opinion the judge was endeavouring "deliberately and publicly to degrade and debase the Government in the eyes of the people".¹ His immediate reaction to "this indecency and folly" was expressed in his remark to Petrie; "It is impossible to submit to it."² Promptly but coolly he took measure to counteract the aggression of Sir Henry, First of all he wanted to stop him from functioning as a judge for that session. He wrote to Sir Thomas that "in the present state of this country the promulgation of such opinions (as Sir Henry expressed) from the authority of the Bench will be highly dangerous to the public safety."³ He therefore requested Sir Thomas Strange to take his place upon the Bench for the remainder of the session. Next he tried to isolate Sir Henry from the other two judges of the Supreme Court, particularly

¹ Bentinck to his father, 2nd Feb. 1807, B.P.

² Bentinck to Petrie, 22nd Jan. 1807, B.P.

³ Bentinck to Strange, 22nd Jan. 1807, B.P.

from Benjamin, for Bentinck was already on friendly terms with the Chief Justice. As Benjamin had on previous occasions supported Henry against the Government, Bentinck wanted to know whether at this point he, too, had joined hands with Sir Henry to hurl abuse at the Government. Sir Benjamin, who had no personal disliking for Bentinck, now felt that it was not prudent to attack the Government in a manner as set by his colleague. He immediately replied expressing his disagreement with Sir Henry's disrespectful conduct.¹ After completing all these preliminaries, Bentinck consulted the Advocate General, Anstruther, who in fact was working as a via-media between the judge and the Governor. He was also present in the Court and witnessed Sir Henry's charge before the Grand Jury. At his suggestion, Bentinck strongly recommended to the Council two immediate actions to be taken against Sir Henry. First to apply to the Supreme Government in Calcutta for the suspension of the judge and secondly, to make an appeal to the Privy Council in England for the removal of the judge from the Bench. The members of the Council, though at first anxious to "avert any procedure which may involve us in controversy

¹ Benjamin to Bentinck, 25th Jan. 1807, B.P.

and contest with the judges of the King's Court", at last unanimously agreed to both the proposals.¹

While Bentinck was busy taking various measures against Sir Henry, another incident occurred offering once again to Sir Henry an opportunity to abuse the Governor in a most foul language. In February 1807 the Governor in Council was informed by the Resident of Mysore, that an Indian, named Coolobraminy, a dangerous man of suspicious and intriguing character, had come from Mysore to Madras. The Government, thereupon, ordered the Police Superintendent, Captain Grant, to apprehend the man and send him back to Mysore. This was obeyed without any delay. Sir Henry, in the name of public liberty, took up the case of Coolobraminy. On 17th February, the Supreme Court issued a Writ of Habeas Corpus to release Coolobraminy. But in the meantime he was sent back to Mysore by the police. Sir Henry was infuriated and took it as an insult to the King's Court inflicted by the Company's military servant. And on 18th February, in the same session of the Court, he publicly launched a second attack on the

¹ Petrie's Minute, 22nd Jan. 1807. Police & Judicial papers, B.P.

Government and the Governor which was even more vicious than the first one. "Unexampled ... and disgusting" as Bentinck mentioned of the language used by Sir Henry "in the history of British court of justice."¹ Again the judge criticised the system of police and governmental actions with the utmost severity. But what was most noteworthy was the unrestrained and improper language in which he launched an outrageous personal attack on Bentinck. He exclaimed, "I cannot suppress my indignation, Good God! and these outrages against the liberty of the subjects to be sanctioned by a Bentinck! By one of the family so illustrious in the cause of liberty! It is impossible, none of the noble blood of the Cavendishes can flow in the veins of that man. He must be some spurious changeling that had been palmed upon that noble family and contaminates it; no one of that race would dishonour it by such illegal measures." He condemned the measure of the Government which had deprived the people of their liberty by placing a 'soldier' at the head of the police. As a representative of the Supreme Court, Sir Henry could not allow this sort of injustice. "I sit here," he declared,

¹ Bentinck to Grenville, 10th March, 1807, B.P.

"to protect the liberty of my fellow subjects". He then threatened the Council that he would bring the whole matter to the notice of His Majesty's Government. He would inform them of the heinous motive that the Government of Madras had, in establishing a new police force.¹

All these allegations of Sir Henry against the Governor in public, whether based on truth or not, obviously undermined the prestige of Bentinck's Government in Madras. Bentinck felt that such misguided assertions on the part of a responsible member of the Supreme Court were bound to affect the minds of the people.² Especially in view of the political situation after the mutiny in Vellore, such actions would clearly impair the British authority in India. "The duty of British Government in India", he wrote, "was only to save the possessions of the mother country, not to preach the Rights of Man."³ In addition to their former decision to apply to the Supreme Government and to the Privy Council, Bentinck's Government now resolved to address to the Court of Directors to

¹ Memorials of the Court of Director to the Privy Council, 1807, Home Misc. Ser. Vol. 431, pp. 337-73.

² Bentinck to Grenville, 10th March 1807, B.P.

³ Bentinck's Minute, 21st July 1807, Home Misc. Ser. Vol. 691. pp. 153-62.

take an extreme measure, namely, the removal of Sir Henry from Madras immediately. In utter exasperation he wrote; "If no superior authority were at hand to whom we could apply for instructions for our guidance, I should deem it my duty to propose even on my own responsibility to order the immediate arrest of Sir Henry Gwillim for the purpose of sending him for trial to England."¹ In a letter to the Court of Directors Bentinck stated that the dignity and decorum of the British Court had always earned national importance and enjoyed great respect from the Indian people.² Such dignity the British Court should maintain in India in the interest of the British rule. But unfortunately, Sir Henry always wanted to place the question of the jurisdiction of the Supreme Court ahead of the actual interests of the British Government.

Apart from the political consideration, Bentinck argued, even legally the Supreme Court could not oppose the executive authority and humiliate it in public esteem. When the Supreme Court was established by His Majesty, Bentinck asserted, "it could never

¹ Gov. in Coun. to Court of Directors, 6th March 1807, Letter Recd. from Mad. Vol.33, para 86.

² Gov. in Coun. to Court of Directors, 23rd July 1807, Letter Recd. from Mad. Vol.33, para.24.

have been intended to give to the judges the power of becoming the public censors of the acts of the Government, or of defaming *and degrading* its authority in the eyes of the public."¹ So Sir Henry, even if he was determined to hamper the progress of the police actions, had no right to abuse the Government, especially the Governor.

In March 1807 Bentinck's Government directed the Advocate-General to frame charges against Sir Henry to submit to the home authorities for his immediate recall from Madras. The authorities in England were requested to consider whether a respectable office holder of His Majesty had any right to make a violent and abusive attack "upon an independent authority forming the government of the country".² The Governor in Council further decided to inform Sir Henry formally of the charges made against him and to enable him to explain himself before the home authorities. The Supreme Government in Calcutta, too, held that the recall of Sir Henry would be both "beneficial and desirable."³ Hereafter, Bentinck was eagerly waiting for the decision from the authorities of England, which he believed should come at its

¹ Bentinck to Grenville, 1st Feb. 1807, B.P.

² Bentinck to his Father, 1st Feb. 1807, B.P.

³ Gov. in Coun. to the Court of Directors, 6th March 1807, Letters Recd. from Mad. Vol.33, para. 25.

earliest "for the safety of the place and for the protection of those public institutions".¹

Suddenly in Madras a dramatic change in situation took place and at the very height of the whole conflict Bentinck had to leave Madras. The mutiny of the Indian troops at Vellore created great tension in England. The prevailing opinion there held Bentinck responsible for the outbreak. Consequently, on the ground of miscalculation and misamangement of affairs, Bentinck was called back by the home authorities, before any final decision on the question of Sir Henry's removal was reached.

However, Bentinck's recall was soon followed by a verdict on Sir Henry. The Court of Directors unanimously considered the conduct of Sir Henry as a "violation of the law". They clearly apprehended that such a controversy - as existed between the Supreme Court and the Government of Madras - would not only disturb "the peace and tranquility of the British possessions in the East Indies" but perhaps the very existence of the British dominion in that country. The British power in India, they believed, was dependent on the authority of the executive government, and not

¹ Gov. in Coun. to Court of Directors. 21st Oct. 1807. Letters Recd. from Mad. Vol.34, para. 15.

on the judiciary. They concluded, therefore, that the continuance of the service of a person like "Sir Henry Gwillim in a high public situation, uncontrollable by the Government may induce the most disastrous consequences."¹ Accordingly, with unanimous decision of the Court of Directors in November 1807, two months after the recall of Bentinck, Sir Henry was called back to England to explain his conduct.

As in Bengal (from 1774 to 1783) so in Madras the conflict between the Company's Government and the King's Court involved both the institutional and personal factors. The Supreme Court created by and owing allegiance to King and Parliament claimed an independent and superior status to the Presidency Government on which, some of the judges thought, the Court was established to act as a check. Constituted differently, owing allegiance to different superior authorities and with their jurisdictions and power in relation to each other vaguely defined, the two bodies could easily clash. Even within this explosive institutional framework a conflict in Madras might have been averted had there not arisen

¹ Memorials of the Court of Directors to the Privy Council, 1807, Home Misc. Ser. Vol. 431, pp. 370-73.

a clash of personalities between the "young Lord" and the impetuous judge. The issues which caused the friction - the church fund question, appointment of Indian law assistants and the creation of police force in Madras town - were not so vital that the Court or the Council could make no compromise. But they were inflated beyond proportion by mutual suspicion and rivalry that persisted between Bentinck and Sir Henry. The judge acted impudently. But in proposing to arrest a King's judge, if his call for help was not responded, Bentinck was ready to go further, perhaps unwisely, than Hastings or Philip Francis did in their opposition to Impey and the Supreme Court in Bengal.

CHAPTER IV

SOME ASPECTS OF FINANCES

During Lord Wellesley's administration the financial condition of the British Government in India saw a steady deterioration. Following a policy of wise economy, Cornwallis (1786-93) had left an aggregate surplus of over 10 million pound sterling. His successor Shore (1793-98) had also followed a pacific policy and practised rigid economy. From 1792-93 to 1796-97 Shore had managed to accumulate an aggregate surplus of £5,637,588 in spite of the increase of expenses resulting from Cornwallis's judicial and administrative reforms.¹

Beneath the total surpluses left by Shore there was an indication of concern. Wellesley, succeeding Shore in 1798, sent home a minute explaining the financial state of the country. In that minute he apprehended that the year 1798-99 would be one of deficit in all the three Presidencies. Explaining the deficiency he stated that the allocation of a large amount (Rs. 4,96,15,165) for the investment and commercial charges of the Company during the years 1796-97 and 1797-98 would adversely affect the finances of the Government. "This annual demand, Wellesley wrote, "for the purpose of investment (and commercial charges) upon a scale

¹ Banerjea, P., Indian Finance in the days of the Company, p.87.

so far exceeding the annual means of the three Presidencies was the principal cause of the deficiency."¹ Wellesley's policy of expansion added to the discomfiture already created by the Company's enormous investments. Wellesley's enthusiasm for aggrandisement led to the increase of the Civil and Military establishments of the Presidencies. He was deeply concerned with the security of the British empire and the expansion of British territories regardless of the stability of the Government treasury. Thus the series of war and conquest which followed Wellesley's assumption of office resulted in regular annual deficit - the total of the five years ending in 1801-2 amounting to £2,743,952.² The deficit was hardly neutralised but increased steadily up till 1806-7.

However, the most depressing point in the whole financial situation of British India was the precarious finances of the Madras Presidency. Ever since the commencement of war with Mysore in South India, the Madras treasury continually showed an annual deficit. By terminating the war with Mysore Cornwallis once brought a hope of improvement. But as soon as the Anglo-French

¹Wellesley's Minute, 12th June 1798, P.P. Vol.16, 1806, p.510.

²Banerjea, P. Indian Finance, p.88.

hostilities broke out in 1793, Madras returned to pecuniary embarrassment.¹ Even during Shore's administration Madras had a considerable amount of deficiency. In 1798, Wellesley was distressed to notice "the pressure of the Government (of Madras) to be so severe."² The condition showed no further sign of improvement and the annual deficit from 1793 onwards became a regular feature. In the year 1803, Bentinck inherited the liability of a crippled finance of Madras Presidency with a deficit of 5,52,115 ahead.³ The precarious condition of Madras finances prompted Wellesley to formulate certain measures for "speedy relief". With the purpose of drawing into the treasury of Madras Government the amount of the balance of trade (estimated at 10 to 12 lacs of pagodas) between Madras and Bengal, Wellesley allowed the Government of Madras "to draw upon Bengal at certain rates of exchange". Secondly, he directed the Madras Government to open a public loan and lastly he permitted the Government of Madras to use specie allotted for

¹ Petrie's Minute on "Finances of Government", June 1803, Public Dept. B.P.

² Wellesley's Minute, 12 June 1798, P.P. Vol.16, 1806, p.514.

³ Petrie's Minute on "Finances of Government", June, 1803, Public Dept. Cons. B.P.

Bengal, if the ships from Europe on their way to Bengal, (carrying those specie) touched the port of Madras. Madras Government was sceptic in its reception of Wellesley's proposals - and the proposals in effect produced little immediate relief.¹ The situation soon worsened with the beginning of Anglo-Maratha wars and in August 1803, Wellesley directed the whole of the Madras army to march towards the Maratha frontiers.

Soon after his arrival in Madras Bentinck felt the inadequacy of Wellesley's proposals to deal with the financial difficulties of Madras. The situation of Madras necessitated more drastic measures than what Wellesley contemplated.² Bentinck realised that a reduction in the army was the foremost requirement for tackling the problem. But the outbreak of Anglo-Maratha war made an augmentation in the military force of Madras indispensable. Madras treasury had to spend eleven lacs of pagodas on the detachment led by Major General Wellesley. In addition to this Madras Government was burdened with an extraordinary disbursement, when Wellesley requested them to assemble troops for the internal security of British territories from Maratha invasions.³ At the beginning of

¹ Petrie's Minute on "Finances of Government", June 1803, Public Dept. B.P.

² Gov. in Coun. Mad. to Gov. Gen. in Coun. 8th Sept. 1803, Beng. Sec. & Pol. Cons. 29th March 1804, Vol.131. No.I,

³ Ibid.

1804, Bentinck was deeply concerned at the gravity of the financial condition of his government. The budget showed a deficit of 39 lacs of pagodas. An additional military expenditure of 7 lacs of pagodas and the payment for a 10 per cent Decennial Bond loan, matured at that time. The total deficit of the year reached to 51 lacs of pagodas.¹ The measures directed by the Governor General could provide only $24\frac{1}{2}$ lacs of pagodas leaving a deficit of $26\frac{1}{2}$ lacs. To overcome this difficulty Bentinck decided to take quick measures at his own initiative.

He promptly made an arrangement with the Madras Bank to supply 5 lacs of pagodas to the Madras Government for Bills drawn on Bengal. He did not wait for prior sanction of the Governor General for increasing the amount of the drafts on Bengal.² With the purpose of meeting the deficiency of specie he further recommended to issue Treasury Bills (a sort of paper money) bearing an interest of 8 per cent to pay the demands where specie was not

¹ Bentinck to Wellesley, 6th Jan. 1804, W.P.

² Madras Bank to the Chief Secy. Govt. of Mad. 31st Dec. 1803, Beng. Sec. & Pol. Cons. 29th March 1804, Vol.131, No.20.

absolutely required.¹ Both these measures of Bentinck exceeded the limit allowed by the directives of the Governor General and were liable to provoke indignation of the Supreme Government.² On the anticipation that the Supreme Government might oppose the issue of Treasury Bills as a mode of temporary relief, Bentinck justified his action on the ground of emergency and wrote "... the disposable balances in the subordinate treasuries (of Madras) having been reduced to the lowest scale, we are at the commencement of the present month without resources and without any means of meeting the difficulties of an accumulated pressure."³

Bentinck's measures were not readily accepted by Wellesley.; In fact the measures adopted by Bentinck had brought him almost to a breaking point with the Governor General. *With* the most serious regret and apprehension, "Wellesley wrote to Bentinck; "The embarrassment (of the financial situation of Madras) represented to your Lordship, appears to me, and to every person conversant with the

¹ Bentinck to Wellesley, 26th Jan. 1804, W.P.

² Bentinck's Minute, 13th Jan. 1804, Public Dept. B.P.

³ Gov. in Coun. Mad. to Gov. Gen. in Coun. 6th Jan. 1804. Beng. Sec. & Pol. Cons. 29th March 1804, Vol. 131, No. 2.

subject, to have been greatly exaggerated, if not altogether fictitious." He was convinced that the presence of a spirit of faction within the Madras Government was responsible for this misrepresentation of the state of finances of Madras.¹

According to Wellesley the situation of Madras was not so bad as to warrant the measures Bentinck had undertaken. He claimed that Bentinck became panicky at the estimates of the Madras Government of May 1803. But the latest estimate prepared in August, 1803 showed a deficit of only 23,16,433 pagodas for the year which was ending on 30th April 1804. The supplies from Bengal being 11,97,712 pagodas the deficiency would then be reduced to the sum of 11,18,721 pagodas. This deficiency, Wellesley believed would be possible to meet by raising loans as he suggested, and through the supply of bullions and specie from Europe.²

Wellesley, however, did not force Bentinck to retrace his actions and approved his measures including the issue of Treasury Bills.

But at the same time he cautioned Bentinck in clear terms: "I sincerely hope that in all future operations of finance your Lordship will rely

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¹Wellesley to Bentinck, 1st Feb. 1804, W.P.

²Gov. Gen. in Coun. to Gov. in Coun. Mad. 9th Feb. 1804, Beng. Sec. & Cons. 29th March 1804, Vol.131, No.3.

confidently on the zeal and prudence of this Government (the Supreme Government) . . . "¹ Further, he wanted Bentinck to furnish the Supreme Government with the estimate of Madras for the year 1804-5.

Bentinck's reaction to Wellesley's attitude was one of disappointment. "Your Lordship's letter was written, " he wrote to Wellesley, "in a tone of ~~disaffection~~ ^{disaffection} which gave me very considerable pain".² He, however, lost no time in furnishing the Supreme Government with the estimate of 1804-5. The estimate showed a deficit of 25,65,967 pagodas of which an amount of 1400,000 pagodas (100,000 for Bills on England and 40,000 for Bills on Bengal) being deducted - an amount of 11,65,967 pagodas still remained to be supplied. The money expected from the successful implementation of Bentinck's measures would cover only a part of this huge deficit, leaving at least 300,000 pagodas to be raised. To meet this, Bentinck requested the Supreme Government to allow the Government of Madras to open a loan on their Promissory Notes of 8 per cent interest. He further wanted

¹Wellesley to Bentinck, 2nd March 1804, W.P.

²Bentinck to Wellesley, ~~1st Feb.~~ 1804, W.P.

to introduce Decennial Loan Certificates bearing an interest of 10 per cent.¹ The estimate of the Madras Government for 1804-5 did not appear unsatisfactory to Wellesley, who thought that the remaining deficit of 300,000 pagodas was not alarming. He, therefore, discarded Bentinck's proposal for introducing 10 per cent Decennial Loan Certificates but allowed the Government of Madras to receive loan in exchange of their Promissory Notes at an interest of 8 per cent per annum.² The difference that arose between Bentinck and Wellesley was with regard to the intensity of the financial crisis of Madras. Wellesley was not as alarmed as Bentinck was. The Presidency Governor had to give way gracefully to the wishes of the superior authority. Bentinck wrote to Castlereagh, "I am happy to say that all misunderstanding has been completely done away with . . ."³ Bentinck even declared not to adopt any measure howsoever proper it might be for the Madras Government, which the Governor General did not consider compatible with his general policy.⁴ Wellesley, in his turn, approved Bentinck's

¹ Gov. in Coun. Mad. to Gov. Gen. in Coun. 9th March 1805, Beng. Sec. & Pol. Cons. 29th March 1804, Vol.131, No.4.

² Gov. Gen. in Coun. to Gov. in Coun. Mad. 29th March 1804, Beng. Sec. & Pol. Cons. 29th March 1804, Vol.131. No.7.

³ Bentinck to Castlereagh, 18th Oct. 1804, B.P.

⁴ Gov. in Coun. Mad. to Gov. Gen. in Coun. 26th April 1804, Beng. Sec. & Pol. Cons. 26th April 1804, Vol.134, No.58.

recent management of the finances of Madras and hoped that the new 8 per cent loan opened by Bentinck would receive good public subscriptions.¹ Differences were thus patched up, but Bentinck did not entirely give up his own point of view. His anxiety over the state of Madras finances was not diminished. "The deficit is very great", he wrote to Castlereagh, "and I have no idea as to the mode of supply which Lord Wellesley may intend to propose."²

The year 1805 was financially the most critical year for Madras administration. Failure of rain further intensified the problem. The expected receipts and disbursements of the year 1805-6 were:

Receipts	125,62,899 pagodas
Disbursements	210,33,018 pagodas

The estimate showed a deficit of 84,70,119 pagodas. Besides an additional cost of 97,97,283 pagodas was estimated on the military charges on account of expected French invasion and Maratha war.³

Under this pressure Bentinck endeavoured to raise money from

¹A note transmitted to Bentinck by Wellesley, 20th July 1804, W.P.

²Bentinck to Castlereagh, 18th October, 1804, B.P.

³Gov. in Coun. Mad. to Gov. Gen. in Coun. 16th March 1805, Enclosure to Mad. Pub. Letters 2nd April 1805, Vol. 1A, 1803-9.

various sources, such as drawing Bills on Bengal and England, receiving treasure (bullion and specie) from England and issuing Company's Public Securities. A further problem arose in connection with the Treasury Bills. The Madras Government was compelled to issue a large number of Treasury Bills (exceeding ten lacs of pagodas) to overcome the difficulty of the scarcity of specie. Now they were faced with the problem of supporting the credibility of the Bills. To maintain the currency of the Treasury Bills at their face full value, the Madras Government proposed a reduction of their circulation. This could be done, they believed, "by opening a general loan on favourable terms to the public". In the operation of this loan Treasury Bills should be received as cash-money. Thus a large part of Treasury notes in circulation would be withdrawn and then the Madras Government would issue a similar description of paper to a moderate extent.¹ The Supreme Government accepted the proposal.²

Meanwhile, with the sanction of the Governor General in Council, Bentinck decided to adopt further measures for curtailing

¹ Gov. in Coun. Mad. to Gov. Gen. in Coun. 16th March 1805, Enclosure to Mad. Pub. Letters 2nd April 1805, Vol. 1A, 1803-9.

² Gov. Gen. in Coun. to the Court of Directors, 4th July 1805, Letters Recd. from Beng. Pub. Dept. Vol. 118.

the heads of expenditure. First of all he reduced the allowance of the Nizam supplied from the treasury of Madras. Next he postponed the payments to the creditors of the Nabab of ^{The} Carnatic. Lastly he withheld the payment of 250,000 pagodas to the Raja of Mysore. This amount was due to the Raja who had supplied Silladar horses to the British army in the last year.¹

When Bentinck was thus struggling with the financial difficulties Cornwallis relieved Wellesley at the centre. The state of finances in India attracted Cornwallis's first attention and he wrote to the Court of Directors that it would be exceedingly difficult to meet the expenses of the renewed war with the confederated Maratha force "unless some very speedy measures are taken to reduce our expenses."² Cornwallis started trying his best to end the Maratha wars as soon as possible. At the same time he urged the Government of Madras to cut expenditure on the charge of Maratha wars and to consign to Bengal £50,000 of the specie allotted them from the treasure that had arrived from Europe.³ At the end of 1805, however, the financial position of Madras showed marks of

¹ Gov. Gen. in Coun. to Court of Dir. 4th July 1805, Letters Recd. from Bengal. Pub. Dept. Vol. 48.

² Cornwallis to the Court of Directors, 9th Aug. 1805, C. Ross, Marquis of Cornwallis Despatches, p. 536.

³ Ibid. p. 537

improvement and Bentinck seemed to be satisfied with the results of his measures. With the establishment of peace with the Marathas Bentinck visualised the reduction of military expenditure and hoped that hereafter his Government would breathe more freely in financial matters.¹

Though the treasury situation showed possibilities of improvement, the Government of Madras was still unable to discharge all the floating debts. In the estimate of 1806/7, Bentinck again observed a probable deficit of 28,54,336 pagodas.² The Supreme Government once more advised the Madras Government to open an 8 per cent Government loan on the line adopted in Bengal. But Bentinck favoured a loan on a higher rate of 10 per cent. In his opinion a lower rate of interest than 10 per cent would neither withdraw from circulation the great amount of Treasury Bills, nor raise enough supplies to provide sufficient relief to the Government. So, Bentinck proposed a loan bearing 10 per cent interest with the principal payable in two years.³ The Supreme Government gave way to the wishes of the Government of Madras.⁴ To Bentinck, now, the overall picture of 1806/7 seemed

¹ Bentinck to Castlereagh, 7 Sept. 1805, B.P.

² Gov. in Coun. Mad. to the Vice President in Coun. Beng. 19 Feb. 1806, Beng. Pub. Cons. 20th March 1806, Range 6, Vol.24, No.4.

³ Bentinck's Minute, 4th Jan. 1806, Beng. Pub. Cons. 30th Jan. 1806, Ran. 6, Vol. 23, No.I.

⁴ Gov. Gen in Coun. to Gov. in Coun. Mad. 20th March 1806, Beng. Pub. Cons. 20th March 1806. Range 6, Vol.24, No.I.

more or less satisfactory. He wrote to Castlereagh ~~that~~ ^{the} *with the* exception of the Treasury Bills and 8 per cent Bonds ... the receipts and disbursements of 1806/7 will nearly balance each other." He was convinced that in the near future, "our own separate resources will afford a surplus and enable us without any foreign assistance to provide ^a considerable investment."¹

At this point Bentinck's optimism was strengthened by the establishment of a Government Bank in Madras, which according to his expectation would secure 4 lacs of pagodas on credit. He further hoped for a fair season which would increase the revenue in addition to the Salt tax (approximately 3 lacs of pagodas). Moreover, with the establishment of peace with the Marathas, he expected to save more than 20 lacs of pagodas on the military charges.

Bentinck's exertions to reach a balance between receipts and disbursements of Madras Government was on the whole appreciated by the Court of Directors. At the same time the Court was very critical about some additional costs incurred by Bentinck in the administration of Madras. During 1804 and 1805 Bentinck proposed and

¹ Bentinck to Castlereagh, 20th Feb. 1806, B.P.

carried out the increment in the salary of different Government officials including the Council members, the Commander in Chief, the Revenue officials and the Mint master. The Court severely censured Bentinck and pointed out that "the situation of our finances in India requires, an earnest and unremitting regard to economy, and to the retrenchment of all unnecessary and superfluous expenses."¹ Several times up to 1807, the Court reproached Bentinck for such unnecessary increase in the expenditure. In April 1807, again the Court rudely disallowed Bentinck's proposal to increase the salaries of some Indian officials at the Provincial Court of Masulipatam.² Bentinck thought that the attitude of the Court was unjust and narrow.³

When the financial prospect of the Government of Madras had improved a little at the end of 1805, Bentinck adopted a number of well-devised measures for a permanent improvement of the finances of the Presidency. He started with a reform in the set up of the Financial Department. Until then this department was

¹ Madras Despatches, 9th April 1806, Vol.37.

² Madras Despatches, 8th April 1807, Vol.39.

³ Bentinck to Castlereagh, 20th Feb. 1806, B.P.

under the sole authority of the Governor himself. All the matters of finances were decided through separate communications between the Governor and the Board of Trade and the Board of Revenue. In consequence, the financial arrangements and detailed distribution of public resources were never included in the Governmental records and were left to the personal care of the Governor. With the rapid growth of the financial business in Madras Presidency, the Court of Directors appointed in 1802, an Accountant General and entrusted him with the executive duties of regulating the receipts and disbursements of the revenue and commercial treasuries, subject to the confirmation of the Governor.¹ Still then, the Financial Department remained beyond the scope of general governmental control. In reality, however, the Accountant General became all powerful in the financial arrangements and the Governor paled into a nominal authority. Bentinck and his Council did not approve of this situation. Bentinck thought that the financial transactions should be brought under the full control of the government. "It is my entire belief", he stated, "that the more our financial transactions are brought under public inspection, the more beneficial will the result be in ordinary cases of the public

¹ Bentinck's Minute, 5th Sept. 1805, B.P.

interests."¹ Further, he wanted to define the position and powers of the Accountant General. With the approval of the Supreme Government, therefore, Bentinck introduced changes in the financial administration of the Presidency in September 1805. Hereafter the Accountant General was placed at the head of the Financial Department, "managing the duties and details of it in all respects, as those of revenue and commerce are by the Boards of Revenue and Trade."² He was to correspond on every financial matter with the Boards, not directly, but through the Chief Secretary. Thus all transfers and issues of money were at first to be recommended by the Accountant General, then approved by the Governor in Council, and finally to be carried into effect by the Chief Secretary of the Government. The measure, therefore, restricted the power of the Accountant General to recommendations only and strengthened the hands of the Chief Secretary of the Government. Finally, the Governor in Council and not the Governor himself was charged with the general supervision of the finances of the Presidency.

Bentinck's boldest financial measures were, however, the establishment of a Government Bank in Madras and the reform

¹ Bentinck's Minute, 5th Sept. 1805, B.P.

² Ibid.

of the currency system of the Presidency. He had to undertake both the reforms simultaneously as the questions of banking and currency were inter-connected. Due to constant deficiency of bullion in the Madras treasury, the Company always faced the problem of inadequate specie or circulating medium in Madras. In course of time financial dealings of the Presidency increased with the augmentation of lands and commerce. But the depressed situation of the Madras finances did not allow the Government to make a required enhancement in the circulating medium.¹ The problem attracted Bentinck's attention and he decided to cope with it by establishing a Government Bank, which he believed would be the best, dependable machinery to deal with the problem. In dealing with the scarcity of specie and circulating medium Bentinck was confronted with another problem of debased and multifarious coins which were in circulation in the Presidency for a long time.

Prior to the Company's rule there was no uniform currency in India. In the early years of their rule the Company's Government found 994 different kinds of gold and silver coins current in India with different weights and fineness. They were constantly varied

¹ Petrie's Minute on General Finance, June 1803, Public Dept. B.P.

in their value from day to day.¹ With the commencement of British rule in Bengal, however, the coinage was confined to the mint established at Calcutta, issuing the most important silver coin, the sicca rupee. In 1792-93 sicca rupee was declared as the legal tender in Bengal.² In the case of Madras, the currency problem was even much wider and varied than that of Bengal. Before the establishment of the Company's rule there were many independent private mints in Madras apart from the official mints of the Muslim or the Maratha Governments. The Muslim and the Maratha Governments licensed the private individuals - like the big merchants, bankers and etc. to set up private mints in lieu of an annual fee. Coins issued from these mints circulated freely along with those of the official mints. In consequence, there was hardly any uniformity in size, weight, fineness and value of the coins in circulation. The currency in Madras was mainly based on gold and silver; but gold standard was maintained and the principal coin was denominated as star pagoda.³

¹ Macleod, H.D., Indian Currency, pp.12-13.

² Banerjee, P., Indian Finance, pp.60-61.

³ Thurston, E., History of the Coinage of the Territories of the East India Company in the Indian Peninsula, pp.11-13 and Coins of India by South Indian Teachers Union, pp.18-21. The nomenclature "pagoda" was derived from "Varahans" the gold coins of Chalukyas. The Portuguese merchants called "Varahans" as "Bhagavadas" which later on became corrupted into 'pagodas'. Coins of India, S.I.T.U., pp.22-23.

The Company's first mint in Madras Presidency was built within the walls of Fort St. George in 1723. But the factory established at Madras must have exercised the right of coining at a much earlier period. The old star pagoda of Madras which was also called Company's Varaha was struck in the early days of the Company and no exact date was found to indicate the earliest circulation.¹ The Company's pagodas contained the same weight, some goodness and passed for the same value with those of the Nawabs and Rajas. This state continued in Madras up to the beginning of the 19th Century. Even when silver coin sicca rupee was declared legal tender in Bengal in 1792-3, Madras carried on with the same system and maintained gold standard. The coins in circulation in Madras in the early days of the 19th century were mainly star pagodas, Madras pagodas, Madras gold mohurs, arcot gold mohurs all in gold; Madras rupees and arcot rupees in silver and fanams in copper. The gold pagoda equalled to three and a half silver rupee.²

¹The Madras Public records stated that bullions despatched to Fort St. George on the appointment of Sir George Walter as Governor in 1661 were coined into pagodas in the Madras mint. Thurston, E., History of the coinage, pp.13-14.

²Banerjee, P., Indian Finance, p.63.

The problem of diverse currency and debased coins drew the attention of the Madras Government even before Bentinck's arrival. During Lord Clive's administration a Committee of Finance was appointed to investigate the plausibility of introducing the Bengal currency of silver standard throughout the Madras Presidency. The Court of Directors welcomed this suggestion and in December 1799 the Committee of Finance recommended for Bengal silver standard. In December 1801, the Board of Revenue accepted the recommendation of the Finance Committee, but at the same time pointed out the inconveniences which might arise due to the differences in the relative rates of gold and silver coins in Madras and in Bengal.¹ Clive's Government then referred the subject to the Assay Master of Madras B. Roebuck, a numismatist, for his opinion. Roebuck undertook the investigation in the intrinsic value of the gold and silver coins of Madras. In his report of April 1802, he pointed out that the principal currency star pagoda was exactly equal to $3\frac{1}{2}$ arcot rupees. The actual proportion of gold and silver in the coins of Madras according to him, was 1 ounce of gold to $13\frac{1}{2}$ or 14 ounces of

¹ Minute of Buchan, Chief Secy. of Mad. Govt. 28th Sept. 1805, Board's Collection, Vol. 188.

silver in bullion. The rate of exchange between pagodas and arcot rupees would therefore be 100 pagodas to 359 arcot rupees. Roebuck further stated that the intrinsic value of gold coins and silver coins in Bengal was 1 to $14\frac{17}{20}$ ounces. Thus there remained a disparity in the relative value of the precious metals of the two Presidencies. On this ground of disparity Roebuck stood against the recommendations of the Committee of Finance and the Board of Revenue.¹

Until Bentinck's arrival in 1803, no action was actually taken to systematise the currency system of Madras. Bentinck took up the matter in earnest and in June 1805, appointed a new Committee of Finance to re-examine the question. The Committee consisted of Thomas Oakes, William Harrington, Cecil Smith, George Buchan and James Taylor.² For several months the Committee considered the question of uniform coinage and improved mintage system. On the vital point of introducing the Bengal currency in Madras the Committee members could not come to a unanimous decision and stated their views separately.

¹ Minute of ... Buchan, Chief Secy. of Mad. Govt. 28th Sept. 1805, Board's Coll. Vol. 188.

² Extract from the Minutes of the Gov. in Coun. 18th June 1805, Beng. Sec. & Pol. Cons. 6th March 1806, Vol. 186, No.96.

The majority of them, however, discarded Roebuck's opinion that Bengal coins should not be introduced in Madras without making an alteration in the intrinsic value between the gold and silver coins there. The majority held that the relative value of gold mohur and sicca rupees was not absolutely fixed and even varied in Bengal from place to place. The disparity of the precious metals in the two Presidencies was such a trifle that it should not be considered an obstacle to the adoption of a uniform coinage for the whole of British India. They thought it advisable to adopt Bengal currency than to expose Madras to the inconvenience and loss by shroffage and varying exchange. They further maintained that the benefit of the introduction of a new coinage could only be experienced by gradual progress.¹

Smith strongly urged the introduction of a general currency throughout British India.² To accomplish this object, Taylor recommended that "Bengal coins should become the currency of British India."³

Oakes merely advocated immediate throwing out of circulation the diverse coins and fixing the relative value of the rest.⁴ Buchan

¹ Report of the Comm. of Finance, 12th Oct. 1805, Board's Coll. Vol. 188.

² Minute of Smith, 28th Sept. 1805, Board's Coll. Vol. 188.

³ Minute of Taylor, 28th Sept. 1805, Board's Coll. Vol. 188.

⁴ Minute of Oakes, 28th Sept. 1805, Board's Coll. Vol. 188.

however, strongly clung to the views of the Assey Master and favoured the retention of star pagodas and arcot rupees in Madras than introducing solely the Bengal currency of gold mohur and sicca rupees. In his opinion, "when it shall have been found practicable to narrow the currency of the two Presidencies to those four coins, (gold mohur, sicca rupee, star pagoda and arcot rupee) the distinction which will then remain will exist more in idea than on any real ground."¹ As regards the mintage system the majority of the Committee held that in future all the bullion should be coined in England, before sent to India. The minority, on the other hand, believed that the government should apply to the Court of Directors for a complete set of coinage machinery and for two experts to come to India for instructing the natives here in the process of mintage.²

Bentinck considered it necessary to consult Roebuck further on the whole issue. This time Roebuck amended his previous opinion of April 1802 regarding the intrinsic value between the gold and silver coins in Madras. As opposed to his former statement that 100 star pagodas should be equal to 359 arcot rupees,

¹ Minute of Buchan, 28th Sept. 1805, Board's Coll. Vol.188.

² Report of the Committee of Finance, 12th Oct. 1805, Board's Coll. Vol.188.

He now stated that the existing rate of 100 star pagodas to 350 arcot rupees ^{was} much nearer to true standard. But he stood firm on his former position as regards the introduction of Bengal currency in Madras. The relative proportion of gold and silver in Bengal, according to him, was not suitable for the Madras Presidency. A general currency for the whole of British India was an "utopian idea" to Roebuck.¹ He was also against the opinion of the majority in the Committee that all the bullion should be coined in England. Such a scheme in his opinion would be expensive. If the Madras Government was furnished with proper apparatus "the cheapness of the labour and ^{The cheapness} some of the materials for refining will render coinage much less expensive in India than at home."²

After a thorough examination of all the views, Bentinck arrived at his own decision on the currency reforms in Madras. His conclusion was that the idea of having one currency for the whole of British India, though very attractive, was impracticable.³ The greatest evil in the Madras currency system, Bentinck observed,

¹ Roebuck to Bentinck, 23rd Oct. 1805, Board's Coll. Vol.188.

² Ibid.

³ Bentinck's Minute, 3rd Feb. 1806, Board's Coll. Vol.188.

was the multitude of various coins with undefined positive value. He found that the value of Madras coins varied according to the caprice of the shroffs. This evil was damaging no doubt; but the introduction of Bengal currency in Madras, he apprehended, would possibly be more detrimental to the public and private interests in the Presidency. Bentinck thought that the majority of the Committee of Finance had no idea about the adverse consequences which might ensue as a result of the introduction of the Bengal currency. He pointed out that in Madras the relative value of gold and silver was 1 to 14 ounces whereas in Bengal it was 1 to $14\frac{17}{20}$ ounces. The Bengal value of precious metals, if introduced in Madras, would disturb the exchange rate of gold and silver coins. One hundred pagodas would then be equivalent to approximately 370 arcot rupees instead of 350 and would occasion a loss of nearly 7 per cent. Such loss in Bentinck's opinion was greater than the losses sustained on account of the circulation of multifarious and undefined coins in Madras. The problem of the base coins according to Bentinck could be remedied by their recall from circulation, by the substitution of Madras standard coins such as star pagodas and arcot

rupees and by enforcing a fixed rate of exchange by government regulations. As to the regulated rate of exchange, Bentinck upheld Roebuck's finding that 100 gold coins would equal 350 silver coins, and ^{this} was found to be seldom varying in different parts of Madras. Any change in this rate, he believed, would create general confusion and great inconvenience. "It is impossible to say", he cautioned in case of any change, "what injury might not be done to individuals and what deception might not be practised upon the ignorant."¹ Thus he refused to disturb the intrinsic value between gold and silver in Madras and did not favour the idea of having one currency system for the whole of India. In his opinion it was immaterial whether one, six or twelve systems prevailed, provided that all the silver coins bear the same relative value in proportion to the gold ones, "If the sicca rupees have the same proportion to the gold mohur, as the arcot bears to the star pagoda, the four coins might be made in the same mint and issued indiscriminately both in Bengal and in Madras." The gold mohur not being the standard coin of Bengal could be altered with less inconvenience in future. Thus, without changing

¹ Bentinck's Minute, 3rd Feb. 1806, Board's Coll. Vol. 188.

the standard coins either in Madras or in Bengal, Bentinck believed "the desirable circumstance of a general currency would be effected."¹ As regards mintage Bentinck discarded the majority opinion of the Committee of Finance of establishing mints in England and upheld Roebuck's views in favour of mintage in India. His suggestion was to establish mint at every Presidency in India under the superintendence of able Company's servants.

Bentinck promptly appealed to the Supreme Government to allow his Government to continue with the Star pagoda and Arcot rupees as the currency of Madras Presidency without effecting any change in their intrinsic value and inscription. He further desired to add some new coins to the prevailing currency by issuing double pagodas, half rupees and quarter rupees in similar forms as that of the Bengal coins.² Without waiting for the sanction of the Supreme Government, Bentinck proceeded with his currency reforms. Soon he ordered the gradual withdrawal of the multitudes of debased coins from circulation.³ Subsequently, a

¹ Bentinck's Minute, 3rd Feb. 1806, Board's Coll. Vol.188.

² Ibid.

³ Bentinck's Minute, 18th March 1806, Sec. Cons. B.P.

building was erected to be used as the new mint house.¹

Lastly, he appointed Roebuck the superintendent of the new mint.²

The Supreme Government in fact had no objection to the plan suggested by Bentinck or to the measures that he already had adopted in this direction. But they felt a little uneasy as the Court of Directors had advised them to work for the introduction of general coinage for the whole of India.³ The only instruction that Bentinck received from Governor General Barlow was that the new coins in Madras "should be struck in the name of the King of Delhi as heretofore..."⁴

The Court of Directors, who firmly believed in the efficacy of a general currency, reluctantly sanctioned Bentinck's currency measures in February 1807. They conceded to Bentinck's argument that "the benefits expected to be derived from a general currency would hardly counter-balance the great loss, we must suffer, in raising the standard of the current coins of other parts

¹ Bentinck's Minute, 17th Oct. 1806, Extract from Fort St. George Cons. 17th March 1807, Board's Coll. Vol.274.

² Extract of Pub. Letter from Fort St. George, 21st Oct. 1807, Board's Coll. Vol.274.

³ Court of Directors to Mad. Govt. 25th April 1806, Mad. Desp. Vol.37

⁴ Chief Secy. Bengal Govt. to Chief Secy. Mad. Govt. 10th Dec. 1806, Beng. Pub. Cons. 11th Dec. 1806, Range 6, Vol.36, No.2.

of our possessions, to that of the Calcutta mint". They further agreed with Roebuck that the value of the coins should approach as near as possible to the usual average value of the bullion from which they were made. But they could not support Bentinck's views as to the disadvantages of introducing one general currency all over India and advocated the future adoption of such a measure.¹

Bentinck's currency reforms, though not drastic in nature, placed the debased, complicated currency system of Madras on a new footing. But these measures hardly touched the important problem of the scarcity of circulating medium in Madras. In this respect therefore, Bentinck's endeavours to reorganise the banking system of Madras and the issue of paper currency deserve special attention.

India's indigenous banking system may be traced to a remote past when the bankers were very influential as a class and were generally connected with the imperial powers and local governments. The bankers of Madras, however, in comparison with their counterpart in Bengal, were always less influential and less wealthy. The British, though they established their power in South India,

¹ Madras Despatches, 10th Feb. 1807, Vol.39.

failed to establish peace there up to the end of the 18th century. The Anglo-French hostilities, the Mysore wars, and the Maratha conflicts during the last quarter of the 18th century and the beginning of the 19th century compelled the British authorities in Madras to borrow extensively from the private bankers and the Agency Houses at an exorbitant rate of interests.¹ To remedy this situation, Bentinck planned to establish a Government Bank in Madras. Such a bank, he believed, would not only increase the circulating medium but would also lend money to the Government at minimum rate of interest.

The banks ^{that} had existed in Madras before Bentinck's arrival were the Carnatic Bank, established in 1798 and the Madras Bank created in 1795. Both these banks used to issue bank notes acceptable to the Government treasury. But the credit of these two banks were generally insufficient and the government derived very meagre benefit out of them.² The pecuniary difficulties led Clive's Government to appoint the Committee of Finance in 1798, to enquire into the currency system. At the completion of their

¹ "Laissez faire in Madras ", S. Ambhirajan, Indian Economic and Social History Review, July 1965, Vol. II, No. 3, pp. 238-9.

² Report of the Comm. of Finance, 26th Oct. 1805, Beng. Sec. & Pol. Cons. 6th March 1806, Vol. 186, No. 98.

enquiry, the Committee recommended the issue of a paper currency on the basis of "sound principles of political economy" as a great solution to the scarcity of the circulating medium.¹ But at that time, the Madras Council was not unanimous on this point. Two members, Petrie and Smith, opposed the introduction of paper currency.² And the other two, Cockburn and Kindersley, supported the recommendation by concluding that "nothing has more tended to improve and augment the industry, trade and wealth of the countries of Europe than the establishment of well-regulated banks and the consequent introduction of paper currency."³

Nothing really came out of these discussions. The question of banking attracted Bentinck's attention in 1804 when the Asiatic Bank was established in Madras. The new bank represented to the Government that they had raised a considerable amount as capital (250,000 pagodas) and that their notes should have the credit of acceptance of the Government treasury like the other two banks.⁴

¹ "Laissez faire in Madras", S. Ambhirajan, Indian Economic and Social History Review, July 1965, Vol. II, No. 3, pp. 238-44.

² Petrie's Minute, 27th Nov. 1799, Home Misc. Ser. Vol. 456.

³ Joint Minute of Cockburn and Kindersley, 1st March 1799, Home Misc. Ser. Vol. 456.

⁴ Asiatic Bank to Gov. in Coun. Mad. 20th Sept. 1804, Mad. Pub. Cons. 16th Oct. 1804, Vol. 68.

Though the Madras Councillors were favourable to the petition of the new bank, Bentinck decided to reject it. He was, at this point, thinking in terms of establishing a Government Bank. Bentinck's decision was upheld by the Supreme Government who were not in favour of the Madras Government accepting the notes of other two banks of Madras.¹ The Court of Directors were similarly against encouraging the Government to accept bank notes.² Thus Bentinck's action with regard to the Asiatic Bank was fully in conformity with the policy of the higher authorities. Bentinck meanwhile was thinking in terms of reorganising the banking system of Madras under government control. This seemed to him a reasonable solution of the problem. In June 1805, Bentinck asked the Committee of Finance to investigate the possibility of establishing a Government Bank in Madras. After prolonged deliberation, the Committee submitted their report in October 1805, The Committee observed that the scarcity of specie had become more serious than before. They admitted that the existing banks

¹ Gov. Gen. in Coun. to Gov. in Coun. Mad. 9th Nov. 1804, Mad. Pub. Cons. 16th Oct. 1804, Vol. 68.

² Extract of Pub. Letters to Fort St George, 23rd Oct. 1805, Board's Coll. Vol. 197.

were insufficient to redress the scarcity and that the establishment of an efficient banking system was necessary. The Committee believed that the foundation of a new bank would increase the circulation of paper currency which would ultimately solve the difficulty of circulating medium. "The establishment of a general bank at this place," they concluded, "would be of great public and private benefit." They further stated that such a new bank was essential "to the prosperity of this settlement".¹ The circulation of the paper currency, the Committee recommended, should be the first function of the general bank.

While unanimously advocating the formation of a general bank, the Committee distinctly opposed the idea of a Government Bank. They preferred a well-organised private bank under the general control rather than under the direct management of the Government. "Any pecuniary benefit", the Committee observed, "which the Company could derive from holding an immediate share in the proposed bank, could not compensate the inconvenient effects, which might be expected to follow from an extensive government engagement in detailed concerns of that nature."² Quoting Montesquieu!

¹ Report of the Committee of Finance, 26th Oct. 1805, Beng. Sec. & Pol. Cons. 6th March 1806, Vol.186, No.98.

² Ibid.

The Spirit of Laws, the Committee concluded that commerce should be run by the people and not by the Government. The East India Company, being a sovereign power in India, should not undertake such activities.

Bentinck's views on the establishment of a Government Bank, therefore, were not corroborated by the Committee. On 6th December, 1805, Bentinck produced his elaborate scheme for a bank controlled and operated by the Government. Apart from financial considerations, from the military point of view, too, Bentinck thought the establishment of a new bank as a matter of urgency. At that point the apprehension of the French re-appearance on the Madras coasts was alive in Bentinck's mind and he favoured the adoption of some measures against it. But due to the poor state of the Madras finances, the Court of Directors directed the Government of Madras to stop spending money on defence charges. This, Bentinck believed, was dangerous for the safety of Madras. The territories of Madras Presidency were large and the military forces scattered. Bentinck was apprehensive about the difficulties of encountering an emergency. In case of sudden French attack, Bentinck argued, it would require much time and money to collect and despatch forces to the war front. Bentinck, therefore, wanted

to maintain a considerable financial reserve for defence purposes by means of the issue of paper currency payable on demand. Simultaneously, with the issue of paper currency, Bentinck wrote, "the circulating medium would be increased without any addition to the actual amount of specie in circulation."¹ Bentinck did not agree to the Committee's suggestion for the establishment of a private bank under Government supervision. He reasoned that the credit of a government was superior to that of a private banker. With such advantage a Government Bank would be able to issue greater quantity of notes quite safely. As regards the ratio of notes to be issued against the specie reserved in the bank, Bentinck suggested, "three of paper to one of specie". This would give an initial advantage of an increase of four lacs of circulated currency with the possibility of getting ten lacs at the end.

A Government Bank, as Bentinck saw, would have other advantages. He was extremely critical about the financial transactions of the bankers of Madras Presidency. Unlike the English bankers the Madras bankers "act as merchants engaged in deep speculations with money not their own but belonging to their constituents." The

¹ Bentinck's Minute, 6th Dec. 1805, Beng. Sec. & Pol. Cons. 6th Mar. 1806, Bol. 186, No. 99.

Madras bankers, Bentinck noticed, were owners of Agency Houses, who by means of monopolistic practices were trying to raise the rates of interest. He was convinced that "no measure will tend so effectually to destroy that agency as that of a Government Bank."¹ Bentinck did not accept the prevalent views of Montesquieu on commerce. He thought that "commerce should be carried on with perfect freedom, that the industry of all should have equal encouragement and that no privileges of exemption of duties, etc. as has been given in this and in all other countries where trade has not been well understood, should be granted to individuals to the manifest disadvantage of the community, embarked in the same pursuit."² The Government Bank, Bentinck argued, would protect the community against individuals and would introduce state control over the commerce and economy in Madras to the benefit of the people. The establishment of the Government Bank would enable the Government to earn the confidence and allegiance of the people. "I should be happy also to see that the notes of the Government Bank in general circulation in the interior (of Madras)

¹ Bentinck's Minute, 6th Dec. 1805, Beng. Sec. & Pol. Cons. 6th March 1806, Vol. 186, No. 99.

² Ibid.

as the notes of the bank of England are generally current in Britain."¹ As for the benefit of getting loan from the bank at low interest, Bentinck thought that "the interest on money will almost immediately fall" with the inauguration of the Government Bank.²

Bentinck's scheme for the immediate institution of the Government Bank was opposed inside his Council. Petrie, the senior member of the Council, who had in 1799 favoured a Government controlled bank,³ now opposed the measure on the ground that banking system should remain free from the government interference.⁴ Petrie and the Commander in Chief, Cradock, were against the adoption of an important measure like this without the prior sanction of the higher authorities. Only James Strange, the third member of the Council, supported Bentinck on the ground of an imminent danger of French invasion and the consequent necessity of having sufficient financial reserve.⁴⁵ With such divided opinion

¹ Bentinck's Minute, 6th Dec. 1805, Beng. Sec. & Pol. Cons. 6th March 1806, Vol.186, No.99.

² Bentinck to Castlereagh, 20th Feb. 1806, B.P.

³ During the discussions in 1799, Petrie gave a qualified support to a government controlled bank. Petrie's minute,, 27th Nov. 1799, Home Mis. Ser. vol.456.

⁴ Petrie's Minute, 7th Dec. 1805, Beng. Sec. & Pol. Cons. 6th March, 1806, Vol.186 No.100.

⁵ Extract of Pub. Letters from Fort St. George 12th Feb. 1806, Board's Coll. Vol.197.

among his colleagues, Bentinck had hardly any hope of getting the approval of the Supreme Government and the Court of Directors. At the same time he was greatly concerned at the acute shortage of the circulating medium and was against any further delay in effecting a change. The plan of a Government Bank seemed to him to be "very urgent". He argued with the dissenting members of his Council that the delay in obtaining sanction from the superior authorities would "defeat the aid and benefits of which we are so much in need."² He, however, assured the Councillors that he would close the working of the proposed bank if higher authorities refused to sanction the measure. "If it *should* fail", he observed, "nothing will be lost. If it succeeds, the resource will be immense. It must produce in any case a result of advantage."²

Thus it was on the sole initiative of Bentinck that the Government resolution for the establishment of the bank was passed on 4th January 1806, "Considering the great advantage to the public for the receipt and deposit of specie and for the issue of Promissory notes payable on demand, the Governor in

¹ Bentinck's Minute, 13th Dec. 1805, Extract of Pub. Cons. Fort St. George, Board's Coll. Vol. 197.

² Ibid.

in Council has been resolved to open a bank on 1st February to be denominated the Government Bank. " The Governor himself became the Director and General Superintendent of the bank. A Sub-director, a Treasurer, a Sub-treasurer and a Secretary were appointed to manage the detailed business of the bank with the assistance of a Cashier and a Deputy Cashier.¹ On 10th January Bentinck drafted the Regulations of the bank.² The bank started functioning on 1st February 1806 and on the 16th February, its Regulations were finally passed by the Board of Revenue. It was settled, that the Governor in Council should possess an overall control over the bank. He should go through the quarterly statement of the receipts, disbursements and profits of the bank. Further, he should be well-informed about the extent of its capital and should decide the proportion of notes to be issued by the bank. The issue of notes should never exceed the amount of specie in the bank to a greater extent than in the proportion of 3 to 1 (1 lac of star pagodas in specie = 3 lacs of currency in the Bank Notes). The present capital of the bank was fixed at 8 lacs of pagodas, which could be augmented

¹ Govt. Advertisement for the establishment of a Govt. Bank, 4th Jan. 1806, Extract of Pub. Cons. Fort St. George, Board's Coll. Vol.197.

² Bentinck's Minute, 10th Jan. Board's Coll, Vol.197.

by the consent and approval of the Governor in Council. For competent management of the bank, the Director was empowered to make bye-laws or rules not contradictory with the principles of the bank. The amount of loans made to the Government would entirely depend upon the recommendation of the Director.¹

When informed about these developments in Madras, the Supreme Government became sceptic. They had "great doubts whether the bank established at Fort St. George can be productive of public benefit in any degree which will compensate the heavy expense of its establishment." They were afraid of the risk of a commercial nature and thought it better to leave such uncertain enterprise in the hands of private merchants. They also predicted that the bank would not raise the public confidence, an essential requisite of its success. However, as the bank had already been established, the Supreme Government reluctantly allowed it to continue.² Thus Bentinck won his ground. He was also fortunate in other way. The specific orders from the Court of Directors forbidding him such a venture came very late. In a despatch of

¹ Regulations for the Madras Bank, Bentinck to the Board of Rev. 16th Feb. 1806, Board's Coll. Vol.197.

² Gov. Gen. in Coun. to Gov. in Com. Mad. 28th April 1806, Beng. Sec. & Pol. Cons. 1st May, 1806, Vol.188, No.36.

23rd October, 1805, the Court of Directors specially objected to the issue of paper currency under the present condition of India and wholly disapproved of the idea of a Government Bank. They were convinced that the management of such a bank would be "attended with various difficulties and hazards". Over and above, the Court felt that the Government as the manager of the bank would be tempted to extend the issue of paper "to answer state necessities" and even if they did not, they would be suspected of doing so. They even ordered the Madras Government not to issue too many Treasury Bills "to form an instrument of banking operations".¹

Bentinck, however, was fully satisfied with the progress of the bank. At the end of the first quarter he submitted to the Council an estimate of the receipts and disbursements of the Government Bank. The estimate showed a clear profit of 14224 pagodas for the first quarter.² Emboldened by this initial success Bentinck decided to reason with his superior authorities as to the justifiability of his measure. He desired to stand "at the bar of the Court of Directors" to defend himself. Pointing at the preliminary success

¹ Madras Despatches, 23rd Oct. 1805, Vol.36.

² Bentinck's Minute, 5th May 1806, Board's Coll. Vol.197.

of the bank he waived the apprehension of the Supreme Government that the public would lack confidence in the bank. He had no doubt that "every merchant of Madras is directly interested in maintaining the credit of the bank and in preventing the embarrassment of the circulating medium." Bentinck also pointed out the best mode in which the profits of the bank could be utilised. The profit would be accumulated in the bank and on the basis of it the Company's paper could be employed for public services. By this means the bank would become so powerful as to pay off the national debt.¹ On the financial grounds Bentinck implored the Court to allow the functioning of the bank. He assured them (the Court of Directors) that the bank notes would not only act as good supplement to the shortage of circulating medium, but would meet the deficiency in the Madras finances in the subsequent years.² He also lured the Court with the future profit of the bank. "The experiment will cost the Company nothing" he wrote to Bosanquet, a member of the Court of Directors, "and it may, I maintain will, give them lacs of pagodas."³

¹ Bentinck's Minute, 27th May 1806, Board's Coll. Vol. 197.

² Ibid.

³ Bentinck to Bosanquet, 24th Feb. 1806, B.P.

Bentinck's financial expectations were based on good grounds. The report he submitted before the Government at the completion of one year was quite satisfactory. This financial success of the bank, according to Bentinck, further proved that the apprehension of the Supreme Government as to the want of public confidence in the bank notes was utterly unfounded.¹ He claimed that the working of the bank resulted in a considerable increase in the circulating medium of the Presidency.² But Bentinck's exertions to convince the Court of Directors of the uprightness of his banking measure were of no avail. The Court, when it learnt all about the establishment of the Madras Bank, sent specific direction to the Government "to wind up and terminate the concerns of the bank with all convenient expedition

¹ Bentinck's Minute, 6th May 1806, Board's Coll. Vol. 197.

² According to the estimate of the bank, 57,66,902 bank notes were issued against 26,02,732 specie. From the point of view of the Government the real disbursement of specie by the bank was only 14,35,634, as the amount of 11,67,098 specie came back to the Government treasuries from the bank in different forms, e.g. specie paid to the provincial treasuries for the cheques on the bank etc. Thus in reality 57,66,902 bank notes were issued against only 14,35,634 specie in the bank for circulation.

Bentinck's Minute, 3rd March 1807, Board's Coll. Vol. 198.

and to put an end to that institution with no other delay that may be necessary to prevent too sudden a shock to the circulation and business of the Presidency."¹ Nothing in fact was done to close the bank as long as Bentinck stayed in Madras. But in 1809, the displeasure of the Court of Directors reached such an extent on the whole issue that the Madras Government had to curtail the functions of the bank drastically. The bank, however, existed up to 1843.

The inauguration of a Government Bank and the issue of systematic paper currency were pioneer measures in the administration of Madras finances. Bentinck, the founder of the Government Bank in Madras, had hardly any background of a good financier. Neither he possessed any practical experience in the matter of finances nor was he well versed in the theory of public finance and banking. But his practical nature coupled with a clear understanding of the financial situation of Madras, enabled him to adopt measures "apparently true and incontrovertible."² He resolutely dealt with the opposition in the Council and objections raised by the Supreme Government. It was a pity

¹ Madras Despatches, 6th Nov. 1807, Vol.40.

² Bentinck to Charles Grant, 11th May 1806, B.P.

that the Court of Directors stubbornly insisted on the nullification of the measure regardless of all its beneficial results. The establishment of the bank was undoubtedly an achievement of Bentinck in Madras.

Bentinck was fully in favour of the state control over the banking business in Madras if it could afford relief to the financial difficulties of the Government. He was guided by the same consideration on the question of the salt monopoly of the Government. In Madras the salt trade was carried on by the private Indian manufacturers. A revenue from the monopoly of the salt trade was a lucrative opening to the Company's Government in Madras. The Government of Bengal was already enjoying a monopoly over the salt trade. For Madras the question was first raised by the Supreme Government in 1799. They desired the Nawab of Arcot to relinquish to the British Government his right to manufacture salt in lieu of the payment of his debts to the Government.¹ But this was not pursued by the Government at that time. Again, in 1802, the Government of Madras contemplated acquiring the right of manufacturing and selling salt in the Madras

¹ Extract of letter from Bengal, 21st Dec. 1799, Board's Coll. Vol. 240.

Presidency. The Special Commission appointed in 1802 to investigate into the matter was of the opinion that if the Company could possess the control of the manufacture of salt, from Ganjam to Camorine, it would be "practicable to establish a revenue therefrom without oppression to the people."¹ The Commission calculated a net increase of revenue of 29,440 pagodas per annum from this source. No further progress in this matter was made till 1805, when Bentinck took up the issue in right earnest. With the purpose of increasing the revenue, Bentinck's Government decided to monopolise the trade and manufacture of salt in all the districts of the Madras Presidency, temporarily excluding Malabar and Kanara. Accordingly, on 13th September 1805, a Regulation was passed prohibiting the Indian salt manufacturers to manufacture, sell, transit, export or import salt without the permission of the Government. It was further stipulated that the manufacture and sale of salt shall be conducted by the Collectors in association with the General Salt Agent, under the orders of the Board of Revenue.² A new salt department of the

¹ Extract of the Proceedings of the Special Commission of Fort St George, 16th Oct. 1802, Board's Coll. Vol.240.

² Regulations and Acts in force in the Madras Presidency relating to Revenue matters from 1802 to 1882, Compiled by F.J.Dawes, pp.37-45.

Government was created under a General Salt Agent and the selling price of the salt was fixed at 20 pagodās per garce (4800 maunds).¹ Bentinck's Government was satisfied with the inauguration of salt monopoly. "A continuance of vigilance and judgment in the management of that branch of revenue", they believed, "would render a valuable and improving part of the public resources of this government."²

In early 1806 the General Salt Agent of the Government, R. Fullerton, advocated an extension of the salt monopoly in Malabar and Kanara. He further expressed the view that the Government should not intervene in the hereditary rights of the private manufacturers. In the manufacture of salt the manufacturers should act entirely upon their discretion and the Government should fix up a fair price of the produce. The Board of Revenue accepted the proposals of the Salt Agent and recommended that as a preliminary to the introduction of salt monopoly, in Malabar and Kanara, the Government should allow the salt Agent to buy from the private manufacturers as much salt as possible.³ The

¹ Extract of the Report of Board of Rev. Fort St. George 5th Oct. 1806, Board's Coll. Vol.240.

² Extract of Letters from the Board of Rev. 18th June, 1806, Board's Coll. Vol.240.

³ Report of the Board of Rev. 5th Oct. 1806, Board's Coll. Vol.240.

principal collectors of Malabar and Kanara supported this recommendation of the Board of Revenue. They further suggested a change in the prevailing system of salt manufacture (the building for salt manufacture was usually constructed in the vicinity of the residence of proprietors), by establishing commodious and large warehouses near the salt pans. Further, to cover the expense of monopolising the salt in Malabar and Kanara, the Board of Revenue suggested an increase in the price of salt from 20 pagodas to 22 pagodas per garce.¹ All these recommendations were placed before the Government of Bentinck who accepted them without reserve. At the completion of these arrangements, the Board of Revenue estimated an increase of 42,32,11 pagodas as revenue to the Government.² Finally, on 10th July 1807, the Government completed the monopoly of salt, trade in Madras, by extending it to Malabar and Kanara.³ Bentinck was happy to note that "a considerable augmentation of revenue has been secured to the Government and no new burdens were

¹ Report of the Board of Rev. 5th Oct. 1806, Board's Coll., Vol.240.

² Extract of Rev. Letter from Fort. St. Geor. 21st Oct. 1806, Board's Coll. Vol.240.

³ Regulations & Acts in force in the Mad. Pre. relating to Revenue matters from 1802 - 1882, Compiled by F.J.Daws, p.46.

imposed on the inhabitants."¹ Thus, Bentinck put into effect a proposition on which his predecessors merely contemplated. The Supreme Government and the Court of Directors were satisfied with Bentinck's measure when they found that the salt monopoly yielded substantial revenue to the treasury of Madras.²

Though he favoured Government supervision in banking and salt business Bentinck did not like Government interference in trade and commerce. He believed in the advantages of the development of free commerce in Madras. And it was out of this consideration that he turned his attention towards the widely prevalent town duty in Madras. The town duty was an indirect tax imposed on goods coming into or going out of the town market. Though the merchants paid the tax initially to the Government, it ultimately came upon the consumers. The town duty or Octroi (as it was generally called) was an old levy current in all Indian towns. However, it was always unsystematically collected and its collection often inter-

¹ Extract of Letter from Mad. Govt. to the Board of Rev. 28th Oct. 1807, Board's Coll. Vol. 240.

² Net Rev. in 1805 = 156,545 pags. 24 fanams, 78 cash.
 Net Rev. in 1806 = 175,798 pags. 5 fanams, 28 cash.
 Total Increase = 19,252 pags, 22 fanams, 30 cash.
 Extract of Report of the Board of Rev. Mad. 25th Feb. 1807, Board's Coll. Vol. 240.

ferred with the normal flow of trade and commerce. Bentinck was dissatisfied with the outcome of this tax in the towns of Madras Presidency. In his opinion it was injurious to the commerce and unsatisfactory from the point of view of its yield. He thought that town duty should be replaced by a direct house tax imposed on the householders in towns. A direct tax seemed to him more advantageous and just than an indirect one. Such replacement, according to him, "would be less oppressive and vexatious".¹ He had no doubt that the house tax would yield more revenue to the Government than the town duty.

The imposition of the house tax was neither approved by the members of the Board of Revenue nor by the home authorities. The objections to Bentinck's proposal were immediately raised from different quarters. The house tax being identical with a ground rent, house rent and 'quit rent',² it was apprehended that the introduction of such a new tax in the unsettled districts would appear to be an addition to the land rent already paid by the proprietors. This in consequence would be injurious to the improvement of the country.

* Bentinck's Minute, 8th March, 1805, Pub. Dept. Cons. B.P.

² It is a rent reserved in grants of land, by payment of which tenant was quitted from all other services.

Though the Government had the right to levy an additional impost, the Board of Revenue thought it wise to refrain from "adopting a measure which would be received as an infringement to the tenure".¹ Bentinck invited the opinion of the collectors of different districts on the subject. The majority of the collectors admitted that some sort of house tax in some form existed in their respective districts. In the Ceded Districts almost all the people excepting few communities like the Brahmins, Mohammadans and Rajputs, had to pay a certain amount on their residential property. In Malabar, Kanara and the Carnatic the house tax was imposed only on the merchants, manufacturers and craftsmen. Tanjore alone of all the unsettled districts was exempted from its operation.² Thus Bentinck's proposal of a house tax - as it turned out - was not altogether a new imposition but modification and extension of one that already existed. The collectors, however, sharply differed in their opinion as to the wisdom of introducing a general house tax. The collectors of Tanjore, Malabar and Kanara spoke in favour of introducing house tax, while the collectors of the Ceded Districts, Coimbatore and the

¹ Board of Rev. to the Gov. in Coun. Mad. 18th Oct. 1805, Extract from Board of Rev. Cons. 27th June 1806, Board's Coll. Vol.240.

² Ibid.

Carnatic opposed it. Wallace, the Collector of Tanjore advocated house tax and denounced the town duty. "The abolition of the town duties" he concluded "would be a relief to commerce and thereby ultimately conduce to the general good."¹ Munro, the Principal Collector of the Ceded Districts, on the other hand, argued, that a house tax would not be fair. "A tax, to be properly a house tax, should be composed of the rent of the ground occupied by the house and of a tax on the rent, for which the house can be let." Munro refused to believe that houses in the interior, excepting some big towns, yield any real profit to their owners. According to him, the town duties could force only rich merchants and manufacturers to contribute while a house tax would fall on everybody, rich or poor.² Munro's arguments were forceful. But he overlooked the ultimate effect of town duty on the consumers. In this respect the Board of Revenue understood Bentinck's proposal better. They sympathised with Bentinck's desire of relieving inland commerce from the pressure of town duty. But at the same time the Board stood firm in their decision that the proposed house tax would be "inexpedient".³ Similar was the

¹ Board of Rev. to the Gov. in Coun. 18th Oct. 1805, Extract from Board of Rev. Cons. 27th June 1806, Board's Coll, Vol. 240.

² Ibid.

³ Ibid.

reaction of the Court of Directors who also objected to Bentinck's proposal. In the opinion of the Court a tax levied on articles of general consumption would be less objectionable than any direct taxation on individual's personal property. "Its operation and effect", the Court apprehended, "will be more injurious because they will be more generally and immediately felt by all classes of ^{the} community."¹ The Court of Directors and the Board of Revenue accepted Bentinck's comments on the abuses of town duty. They were thus willing to accept the abolition of town duties in the Madras Presidency but not ready to introduce house tax in its place.² It was exceedingly difficult for Bentinck to move any further with his proposal of a house tax against the strong opposition. He therefore gave up his idea of introducing house tax, but at the same time went ahead in abolishing the existing Octroi duty. "No new tax is required", he announced, "to keep up our receipts to their former scale and the general poverty of the country pleads strongly in favour of every possible remission of burdens."³ The deficit resulting from the abolition

¹ Madras Despatches, 23rd July 1806, Vol.37.

² Ibid.

³ Bentinck's Minute, 20th Aug. 1806, Board's Coll. Vol.240.

of town duties did not bother him much. He was pleased with the financial success of the salt monopoly. Besides, he felt that an increase in export and import duties would amply counter-balance the loss of town duties. In October 1806, therefore, Bentinck's Government directed the Board of Revenue to stop collection of the town duties without delay and to raise the export and import duties to $7\frac{1}{2}$ per cent.¹

The abolition of the town duties, though beneficial to the internal trade, did not improve the fiscal position of the Government at that moment. But the reductions in military establishments as proposed by Bentinck in 1806 relieved the Government treasury to a considerable extent. Financially, the reduction of military establishment was an important measure and Bentinck proceeded on the subject with the backing of the Supreme Government and the Court of Directors. In the days of rapid expansion of British authority in India, the military expenditure was the primary source of Government's financial stringency. Even Wellesley admitted this fact and in 1804 urged Bentinck to look out for the possibilities of army reduction.² Bentinck personally was also eager to carry out

¹ Extract of Revenue letter from Fort St. George, 21st Oct. 1806, Board's Coll. Vol. 240.

² Wellesley to Bentinck, 29th May 1804, W.P.

reductions in view of the depressing position of Madras treasury. But the tense political situation of the country, the apprehension of a French offensive and the pressure of the Maratha wars refrained him from making any drastic cut. With the termination of the Maratha wars, the political situation of Madras showed signs of improvement. In January, 1806, Bentinck finally stated that the British territory in India was secured against internal or external attacks.¹ Hereafter, Bentinck was encouraged to pay more attention to the problems of internal reorganisation. The curtailment of expenditure through army reduction became a matter of great importance to him. "Although it is true that the greater our army the greater our safety," he wrote, "yet our finances and common prudence forbid our maintaining a greater number of troops than are considered absolutely necessary."²

In January 1806, Bentinck proposed a reduction in three regiments of Native Infantry. He further decided upon the complete disbandment of two more regiments of Native Infantry,

¹ Bentinck's Minute, 2nd Jan. 1806, Beng. Sec. & Pol. Cons. 3rd July 1806, Vol.191, No.78.

² Ibid.

but to be effective only after peace was concluded between England and France. Another proposal of curtailing the subsidiary forces of Madras at Hyderabad and Travancore was put forward by him.¹ The Commander in Chief considered the measure as unwise.² Petrie argued that the security from foreign attack was not sufficient "to warrant the measure of diminishing the strength of our military establishment."³ Bentinck was surprised to find that the Commander in Chief and Petrie had failed to see the real implication of his proposition.⁴ However, he was determined to adopt all practicable means "to limit the military disbursement of the Presidency to a lowest scale."⁵ On 20th February 1806, Bentinck wrote to Castlereagh that the termination of the Maratha war would reduce the military charges of the Government of Fort St. George and save 20 lacs of pagodas.⁶ Bentinck was firmly expecting that

¹ Bantinck's Minute, 2nd Jan. 1806, Beng. Sec. & Pol. Cons. 3rd July 1806, Vol.191, No.78.

² Cradlocks's Minute, 28th Jan 1806, Beng. Sec. & Pol. Cons. 3rd July 1806, Vol.191, No.83.

³ Petrie's Minute, 30th Jan. 1806, Beng. Sec. & Pol. Cons, 3rd July 1806, Vol.191, No.83.

⁴ Bentinck's Minute, 9th Feb. 1806, Beng. Sec. & Pol. Cons. 3rd July, 1806, Vol.191, No.83.

⁵ Gov. in Coun. Mad. to Gov. Gen. in Coun. 16th Jan. 1806, Beng. Sec. & Pol. Cons. 16th Feb. 1806, Vol.85. No.21.

⁶ Bentinck to Castlereagh 10th Feb. 1806. B. P.

the Supreme Government would approve his reduction proposal. The Court of Directors at that point upheld Bentinck's view and described the general reduction of civil and military expenses as "an object of the first importance."¹ The Supreme Government, too, appreciated Bentinck's zeal to tackle the financial problem through the reduction of military expenditure and promptly sanctioned the decrease of the subsidiary forces in Hyderabad and Travancore. From the reduction of Hyderabad forces Bentinck estimated a saving of 419,316 pagodas per annum and from the Travancore forces he anticipated another 25,053 pagodas every year.² In August 1806 the Supreme Government further agreed to the disbandment of the three Native Infantry Regiments as Bentinck had proposed. The net saving from this measure was calculated to be 377,184 pagodas.³

Bentinck had to abandon the plan of reducing the European establishment of Madras army for the time being. When in July

¹ Madras Despatches, 30th July 1806, Pub. Letters, Vol.38.

² Gov. Gen. in Coun. to Gov. in Coun. Mad. 21st Feb. 1806, Beng. Sec. & Pol. Cons. 3rd July 1806, Vol.191, No.77.

³ Gov. Gen. in Coun. to Gov. in Coun. Mad. 7th Aug. 1806, Beng. Sec. & Pol. Cons. 7th Aug. 1806, Vol.193, No.63.

1806, a violent mutiny of the Indian sepoys broke out at Vellore, the British distrust of the sepoys increased and led the government to rely wholly on the European section of the army. The question of general British safety appeared to Bentinck more important than the consideration for economy.¹ The Supreme Government also advised him to make no further material change in the army establishment of Madras Presidency.² The Vellore mutiny thus put an end to Bentinck's efforts to further reduction in the military expenses. But the partial success he achieved in this direction was a great relief to the Madras treasury.

All of Bentinck's financial measures - the introduction of several Government loans, the reforms of coinage and issue of paper currency, the establishment of Government Bank, the acquisition of Government monopoly of salt and the reduction of military expenses were calculated to meet the deficit of Madras treasury. Bentinck himself was satisfied with the outcome of his

¹ Bentinck's Minute, 6th Nov. 1806, Beng. Sec. & Pol. Cons. 24th Dec., 1806, Vol.198, No.54.

² Gov. Gen. in Coun. to Gov. in Coun. Mad. 7th Aug. 1806, Beng. Sec. & Pol. Cons. 7th Aug. 1806. Vol.193, No.63.

measures. As regards the estimate of the Madras Government for 1806/7, he wrote to Castlereagh, "... our pecuniary embarrassments are at an end and the estimate of this year will present a picture ^{much} more pleasing than those which your Lordship has been accustomed to read."¹ Besides, in June 1806, the Supreme Government allowed the Government of Madras to open a new 10 per cent loan which Bentinck had persistently advocated for long.² From this loan Bentinck happily anticipated a contribution, not only to meet any probable deficit of the treasury for the year 1806/7, but also to increase the investment and to diminish the drafts on Bengal. He further expected to pay off the old 10 per cent decennial loan falling due in May, 1807, "without creating any additional debt."³

But Bentinck's expectations did not fully materialise due to a calamitous season. A serious draught at the close of 1806 resulted in a complete failure of crops and threatened the treasury with a deficit of 92,98,715 pagodas for the year 1807/8,⁴ To Grenville,

¹ Bentinck to Castlereagh, 31st May 1806, B.P.

² Gov. Gen. in Coun. to the Court of Dir. 7th June 1806, Pub. Letters recd. from Beng. vol.49.

³ Bentinck's Minute, 15th Nov. 1806, Beng. Pub. Cons. 5th Feb. 1807, Range 6, Vol.39, No.2c.

⁴ Gov. in Coun. Mad. to Gov. Gen. in Coun. 21st Feb. 1807 Beng. Pub. Cons. 2nd April 1807, Rang. 6. Vol.41, No.4.

the member of the Board of Control, Bentinck wrote: "We have a melancholy season before us and the loss of revenue (due to crop failure) which I estimated at 800,000 sterling is the least part of the calamity."¹ He, however, faced the situation bravely. The Government of Madras requested the Supreme Government to allow them to extend their drafts on Bengal up to six lacs of pagodas more. In this adverse situation Bentinck relied heavily on the credit of the paper circulation which, according to him "has constituted and will constitute a very great resource". Further, he calculated a considerable yield from the subscription of the 10 per cent loan. With this amount at hand he proposed to open another 8 per cent loan in the Presidency. Taking all these into account, Bentinck hoped to keep down the deficit within 26,25,309 pagodas for the ensuing year. To meet this ultimate deficit he decided to draw more Bills on England and Bengal.²

The measures were proved to be beneficial. In a minute of 26th August 1807, Bentinck expressed his satisfaction with the

¹ Bentinck to Grenville, 11th Jan. 1807, B.P.

² Bentinck's Minute, 20th Feb. 1807, B.P. and Gov.in Coun. Mad. to Gov.Gen. in Coun. 21st Feb. 1807, Beng.Pub.Cons. 2nd April 1807, Range 6, Vol.41, No.4.

present condition of the public treasury of Madras.¹ His Government even readily agreed to the request of the Supreme Government to provide them with treasures from the Madras treasury.² The improvement of the finances of Madras was also corroborated by the report of the Governor General. In July 1807 the Governor General wrote to the Court of Directors, that "the balance in the Treasury of Madras in cash and bank notes amounted on the 1st June to pagodas 16,94,000, to arcot rupees 56,46,000 and the balance on the 1st July, is expected to increase."³

¹ Bentinck's Minute, 26th Aug. 1807, Beng. pub. cons. 11 Sept. 1807, Range 6, Vol.50, No.11.

² Bentinck to Minto, 2nd Aug. 1807, B.P.

³ Gov. Gen. in Coun. to the Court of Dir. 4th July 1807 Letters Recd. from Beng. Vol.52.

CHAPTER V

THE VELLORE MUTINY

The mutiny of the Indian sepoy's at Vellore in July 1806 was a significant event in Bentinck's career at Madras. It led to his abrupt removal from the Governorship of the Presidency in September 1807. It was the first major uprising of the Indian sepoy's against the British. The episode, though short lived, was remarkably organised and raised various questions regarding the general British administration in the Southern Peninsula, the British attitude towards the Indian people and the organisation of the British forces. The existing accounts of the mutiny¹ are mostly partial, often based on the narratives of the European survivors of the disaster and on scanty official documents. Consequently, these accounts are incomplete, and sometimes, unreliable. In this and the following chapter an attempt is made first to trace the circumstances leading to the mutiny, then to ascertain its causes and nature and finally to assess as to who were and in what extent responsible for the uprising.

¹The important among the accounts are:-

Lt.Col. W.J.Wilson, History of the Madras Army. Vol. IV, Chapter XVIII; Kaye and Malleon, History of the Indian Mutiny. 1857-58, Vol.1, Book II, Chapter 1; James Mill, History of British India Edited by Wilson, Vol. VII, Chapter 2; H.M.Vibart, The Military History of ^{The} Madras Engineer and Pioneers, Vol.1, Chapter XV; Arthur Stanley. Gillespie of Vellore, Army Quarterly, Vol. 22, April - July, 1931.

The mutineers of Vellore were the Indian sepoy and their Indian Officers. The sepoy had a long association with the East India Company beginning in the middle of the 18th century. The British Military activities in Madras assumed importance with the commencement of the Anglo-French hostilities in Europe in 1744.¹ The rivalry with the French, made the English to realise the great necessity of having a considerable supply of man power in India. The limited number of the Company's troops in India was not found sufficient to fight the Company's wars in Madras and in Bengal. A further supply of English soldiers was difficult to obtain from home at this time when England was engaged in the war of Austrian Succession (1740-48). Besides, the Company was unwilling to hazard the unprofitable venture of importing and maintaining a huge number of expensive English soldiers. Among the peoples of India, therefore, the Company looked for fighting materials - cheap but dependable.

In the perspective of the Anglo-French conflict, the irregular Peons of Fort St. David (12 miles north of Pondicherry) had been first armed by the British in 1744 to protect the territory around the Fort. These sepoy commenced their active service in 1746

¹ Vibart, Maj.H.M. The Military History of Madras Engineers and Pioneers. Vol. 1, pp. 5-6. ^{The}

and took part in the defence of Fort St. David against a French attack.¹ Then in 1748, the Company, following the example of the French, raised a small body of regular sepoy troops at Madras.² For the next ten years the number of sepoys was small and they were not trained on European lines. The clash between the Nawabs of Bengal, Sirajuddaulah, and the English in Bengal led in 1756 to the sudden capture of Calcutta by the Nawab. In such a crisis the Madras forces of the Company was called to Bengal to recover Calcutta. With the departure of a large force from Madras, the Presidency became unsafe and exposed to the danger of a French invasion. In this critical situation, the authorities of Fort St. George became conscious of the advantages of giving the sepoys better training and of increasing their numbers. In August 1758 the sepoys were formed into regular companies each of 100 men. Several low ranking Indian officers like Subadar, Havildar, Jamadar and Naiks were

¹ *Vibart. Maj. H. M. The Military History. p. 7.*

It should be noted here that the sepoy corps in Bengal were raised later than that of Madras. In Bengal the sepoy recruitment first started before the battle of Plassey. (Kaye and Malleson. History of Indian Mutiny, Vol.1, pp.148-49). However, under the administration of Clive, the Bengal sepoys soon developed into an admirable fighting force.

² Chesney. Sir J. Indian Polity. p.205

appointed under one European officer at the top in each Company. Some regulations were also passed in respect of their pay and promotion.¹ In January 1766, these regulations were formed into a code and were published for the information and guidance of the European officers.² The number of the sepoys in the Company's service steadily increased making a total of sixteen battalions in 1767. Meanwhile, the sepoys, together with the English soldiers, had taken part in two of the Company's significant campaigns - the battle of Plassey in 1757 and the battle of Wandiwash in 1760. It may be pointed out, however, that the battle of Plassey was a poor military action and that the sepoys played only an insignificant role in the British success of Wandiwash. Yet the sepoys' performances commanded respect and appreciation among the English and by 1767 it was believed that "the Madras Native Infantry" had been transformed from a rabble of peons, to a disciplined body worthy to stand in line with the British troops."³ By 1770 the sepoy element of the Madras army was further enlarged. The Madras military establishment in 1772 contained about 3000 European Infantry

¹ Wilson W.J. History of the Madras Army Vol.1, p.10.

² Orders, Rules and Regulations to be observed respecting the troops on the Coast of Coromandel in 1766. Published in Madras by the Governor and the Commander in Chief in 1766.

³ Wilson W.J. History of the Madras Army. Vol. 1, p.19.

and 16000 sepoy with a body of more than 600 officers.¹ The sepoy contributed immensely to the success of the British power in the Southern part of India throughout the last quarter of the 18th century. From 1765 onwards hostilities broke out between the British and the powerful kingdom of Mysore - under Hyder, followed by the British conflicts with the Maratha Chiefs in 1778. Apart from these actual military involvements there continued the apprehension of a French invasion on the Madras settlement. The South Indian wars reached a climax when Tipu, the arch enemy of the English, succeeded Hyder in 1782 as the ruler of Mysore. By that time the sepoy formed the majority of the Company's forces in the Southern Peninsula, consisting of nearly three battalions of European troops and twenty-one sepoy infantry battalions.² Thus during the last quarter of the 18th century the British authorities employed the sepoy as their principal combative force in all their vital military operations. The sepoy on their part bore the brunt of warfare and earned reputation for their courage, bravery and faithfulness to the Company. They endured all the hardships and privation of the

¹ Chesney Sir G. Indian Polity, p.208 and Singh, Brig. Rajendra History of the Indian Army. p.72.

² Rivett Carnac, Col.S. The Presidential Armies of British India p.306

battle field without a murmur. But the conditions of the sepoy materially remained unchanged. They were poorly paid and they did not enjoy any dignity. A sepoy's status was generally much inferior to his counterpart in the English forces of the Company. The qualified sepoy and Indian Officers were always placed under the command of a Britisher, even if he was incompetent.¹

Such was the organisation of the sepoy force in Madras when Bentinck reached in August 1803. Though the Mysore wars were over the conflict with the Marathas were renewed in August 1803 and the apprehension of a French attack on the Madras coasts still loomed large. In view of the state of belligerency Bentinck felt the necessity of increasing the numerical strength of the Madras army. To Wellesley he wrote that the defence of Madras "would be a subject of much anxiety and consideration".² On the 10th April 1804, the Government of Madras issued an order to raise additional infantrymen for the Presidency. It was resolved that a native corps of 750 rank and file with a due proportion of native commissioned and non-commissioned officers be raised and maintained by the Government.³

¹ Kaye and Malleon, History of the Indian Mutiny Vol.1, pp 160-61

² Bentinck to Wellesley, 30th September 1803. B.P.

³ Wilson, W.J. History of the Madras Army, Vol 111, p.164

The Governor himself took the command of the new corps. In addition to this expansion of sepoy corps Bentinck arranged for some additional financial help to the sepoys and their families. Subsequent to the conclusion of peace with the Marathas, his Government granted to the nearest heir of every native officer and soldier who had died or was injured in the battlefields - the half pay of his rank.¹ This measure, though well intentioned, was not adequate. The sepoy army in 1804-5 virtually formed the bulk of the Company's forces in Madras, comprising 23 infantry regiments of 2,000 each, 8 cavalry regiments of 400 each and over a thousand European officers. But financially such a huge force remained sadly neglected. A sepoy, after serving the Company successfully all through his life, could not rise higher than the rank of Subadar. Degradation of native officers from their ranks on the slightest pretext was very common. While a sepoy should always help an English officer by carrying his arms, an English soldier could pass an Indian officer of the highest rank without showing respect. "Most European officers in native regiments", Cradock wrote, "... looked on the native officers with contempt - the native officers were aggrieved and possibly were

¹Wilson, W.I., History of the Madras Army, Vol.III, p.165.

the first to become corrupted in conspiracy."¹ Moreover the pay scale of the sepoys was very low and they often complained that "the sipahis of the Nizam and the Maratha chiefs are better off than our Subadars and Jamadars."² In comparison with the low ranking English officers like Lieutenant and Ensign who received 45 and 32 pagodas per month, the monthly pay of Indian officers like Subadar and Jamadar was only 12 and 7 pagodas. While an English soldier received 12 pagodas in a month a sepoy used to get only 2 pagodas.³ Even this meagre amount was not regularly paid. In Bentinck's own words, "the sepoys have *now* fought with us for ~~near a century~~ and under every hardship and in arrears for many months."⁴ But the sepoys were never loud in protest against the insufficient pay and British ill-treatment. Their devotion to their masters remained unwavering as long as their bare subsistence was maintained and religious sentiments were respected. But the situation altered considerably in 1805.

¹ Cradock's Minute, 2nd Oct. 1806. Home Misc. Ser. Vol. 10.

² Kaye and Malleon, History of the Indian Mutiny, Vol. 1, p. 161.

³ The new arrangement with respect to the rank and promotions of the army in the East Indies resolved by Board of Control. p. 38. 1796. and Wilson, W. J. History of the Madras Army, Vol. III, p. 93.

⁴ Bentinck to Minto, 1st Oct. 1806, B.P.

In February 1805, Sir John Cradock succeeded Major General D. Campbell as the Commander in Chief of the Madras Army. Soon after the assumption of office, Cradock found that there was no well defined code of military regulations in the Madras establishment. He immediately planned to draw the numerous scattered regulations of the army in Madras into a systematic code. The Deputy Adjutant General, Major Pierce, an officer of considerable experience in India, was entrusted with the task of drafting the code. Following on 14th November 1805, the Commander in Chief issued an order for the use of a new turban in place of the old head dress of the sepoy in infantry and artillery. The traditional turban of the sepoy was considered clumsy and old fashioned. The new turban devised by the Madras military authorities was made with the same materials like the old one, from a broad cloth and in iron frame, with the exception of a cotton taft "made to resemble a feather and a leather cockade."¹ The new turban was believed to be "lighter, less expensive, fitting firmly on the head" and its appearance was recommended as "military".² Cradock further ordered the sepoy of Madras to wear, as a rule, black stockings and white jackets. Perhaps these changes in the dress

¹ Report of the Enquiry Commission appointed by the Govt. at Vellore. 9th Aug. 1806, P.P. Vol.42, 1861, pp.689-93.

² Adj. Gen. P.A. Agnew to Commander in Chief, 18th July 1806, Home Misc. Ser. Vol.507.

were intended to bring semblance between the sepoy and the English soldiers. In January 1806 the draft Military Code of Regulations, including the introduction of a new turban, was submitted for the Government's approval. The 10th paragraph of the XI section of the Code effected a further innovation and forbade the sepoy to wear their caste marks or religious signs. "It is ordered by the Regulations that a native soldier shall not mark his face or denote his caste or wear earrings when dressed in uniform. It is further directed that at all parades and duties every soldier shall be clean shaved on the chin... and uniformity should be preserved in regard to the quantity and shape of the hair upon the upper lip.¹ On 13th March 1806, the Code of Military Regulations of Madras establishment was duly sanctioned by the Governor in Council.

The new turbans were sent to each regiment at different stations in the following months of April, May and June of 1806, with the directives to the Commanding Officer to issue them to the sepoy. But the sepoy sternly resisted to accept the new turban. The first act of defiance on the turban issue took place at Vellore. On 6th May 1806, Lt. Col. J. Darley, the Commanding Officer of the 2nd battalion of 4th regiment at Vellore, ordered 29

¹ Extract from the Code of Regulations, standing orders, 13th March 1806. Home Misc. Ser. Vol. 507.

sepoys of his battalion to wear the new turban. The sepoy's openly refused to carry out the order even though they were threatened with imprisonment. Consequently, some were arrested. On the 7th May, when the sepoy's were asked to put on the new turban during their morning parade, they disobeyed the command by putting handkerchiefs on their bare heads and abusively calling the English officers as "dogs". During the evening parade on the same day the sepoy's refused to carry their side arms in protest against the introduction of the new turban and the imprisonment of some of their comrades. The new turban, they declared, had an offensive resemblance to the hat or cap worn by the Firingees (meaning the men of European origin) and it was also objectionable to their caste and religion.¹ Col. Fancourt, the officer commanding at Vellore, was infuriated at the behaviour of the sepoy's and suggested that rigorous steps should be taken against the offenders. He promptly reported the incident to Cradock, the Commander in Chief, adding that the objection to the new turban was based solely on the "lively prejudice" of the sepoy's.²

¹ Report of the Court of Enquiry at Vellore, 7th May 1806, Home Misc. Ser. Vol. 507.

² Fancourt to Cradock, 7th May 1806, Home Misc. Ser. Vol. 507.

Cradock supported Fancourt's views and directed him to confine the agitators in the 2nd battalion of the 4th regiment and to send them to Madras to face trial before a court-martial.¹ The court-martial took place on 9th June 1806. The military court received evidence from two authentic representatives - one each from caste Hindus and Muslims. They confirmed Col. Fancourt's opinion that the new turban was not offensive to the religions of the sepoys.² The court-martial inflicted severe punishment on the defiant persons. Two Havildars, one Muslim and the other Hindu, who still refused to wear the new turban, were sentenced to receive 900 lashes each and to be discharged from the service. The remaining men were all sentenced to 500 lashes each. Those who regretted their defiance and promised good conduct in future were spared dismissal from the army.³

A month after the incident of Vellore, information reached Cradock in the middle of June about an agitation among the sepoys stationed at Wallajabad in North Arcot. When the Grenadier

¹ Agnew to Fancourt, 7th May 1806, Home Misc. Ser. Vol. 507.

² Evidence before the Native Court-Martial, Bentinck's Memorial, p. 56.

³ Court-Martial Verdict, 11th June 1806, Home Misc. Ser. Vol. 507.

Company of the 2nd battalion, 14th regiment wore the new turban on 10th June, the public taunted them for accepting the European fashioned "Topis" (hats). Consequently, the sepoys at Wallajabad grew excited, threw away the new turbans and abused those who still wanted to wear them.¹ Subadar Venkata Nair, formerly in the service of Tipu, was suspected as the instigator.² The Subadar was promptly arrested and the situation was brought under control soon after he was despatched to Madras for trial. The incidents at Vellore and Wallajabad led Cradock to suspect for the first time the growth of some "universal objection" among the sepoys against the new turban. At that point he was further informed by Lt. Col. James Brunton, the Military Auditor General, and another military officer of Seringapatam that the new turban had caused widespread resentment among all the sepoys.³ Brunton even attempted to impress upon Cradock of the necessity of rescinding the new turban order.

Cradock, being considerably concerned at the developments, decided to seek the government's advice on the matter. From the

¹ Col. G. Harcourt, Commanding Officer at Wallajabad, to Agnew, 13th June 1806, Home Misc. Ser. Vol. 507.

² Bose, Commanding Officer, 2nd batt. 14th reg. to Harcourt, 10th June 1806, Home Misc. Ser. Vol. 507.

³ Com. in Chief to the Gov. in Coun. 29 June, 1806. Home Misc. Ser. vol. 507.

point of military discipline he felt that the new turban order, once issued on the advice of the Adjutant General and the Deputy Adjutant General, should not be withdrawn. But at the same time he found that the order had stirred the superstition of the sepoys as well as the rumour that they would soon be forced to become Christians. Under these circumstances he was hesitant in enforcing the order. On 29th June he informed Bentinck all about the turban affair and sent him the letter of Lt. Col. Brunton.¹ Bentinck and his Council paid more attention to upholding the authority than making a proper estimate of the situation. They were convinced that the findings of the court-martial and the opinion of the Hindu and Muslim religious authorities had proved that the new turban could not offend the religious sentiments of the sepoys. In the eyes of the government the sepoy agitation was, therefore, based solely on superstition without any religious foundation.² Bentinck did not think it proper to change

¹ Commander in Chief to Gov. in Coun. 29th June 1806, Home Misc. Ser. Vol. 507.

² It should be noted here that Bentinck and the Councillors who had already passed the Code of Regulations, hardly examined the code in detail. Consequently, they were aware only of the issue of new turban and ignorant of any other dress regulations like banning the caste marks, whiskers, etc.

the resolution of the Government.¹ To Cradock he wrote, "... that if marks of discontentment ... should still continue no time should be lost in interposing the authority of the Government."² But Bentinck had no wish either to be misunderstood or to appear to hurt the feelings of the sepoys. A General Order was written on 4th July 1806 by his Government to pledge to the sepoys explicitly that the former had neither the desire "to interfere in the religious faith of the sepoys nor any intention to force them to accept Christianity".³ Bentinck instructed Cradock to endorse and circulate the General Order as soon as practicable. Cradock was obviously relieved with the Government support and resolved to stand firm on the turban issue. Meanwhile he came to know that perfect discipline prevailed among the sepoys at Vellore and they had started wearing the new turban.⁴ Cradock felt so composed that he ^{thought} it unnecessary to circulate the General Order.⁵

¹ Gov. in Coun. to Comm. in Chief, 4th July 1806, Home Misc. Ser. Vol.507.

² Benfinck to Cradock, 4th July 1806, B.P.

³ Draft of the General Order of the Govt. of Mad. 4th July 1806, Home Misc. Ser. Vol.507.

⁴ Commanding Officer, Darley to Adj. General, 3rd July 1806, Home Misc. Ser. Vol.507.

⁵ Bentinck's Memorial, p.4.

In their own way Bentinck and his colleagues were justified in enforcing the military discipline and strengthening the hands of the Commander in Chief. But the Government of Madras did make no attempt to enquire into the origins and depth of the sepoy discontent. The unprecedented act of defiance by the sepoys was thus treated rather casually by the Government. A thorough enquiry was not made into the turban affair and the last opportunity of averting a tragedy was lost. As it was proved later on, the agitation of the sepoys was quietened only superficially but it never actually subsided. Soon it received additional stimulus and even a political objective. At this juncture the descendants of Tipu entered into a combination with the sepoys.

After the fall of Seringapatam in 1799, the large family of Tipu consisting of twelve sons, (six of whom were minors), six daughters and several hundreds of their relations and followers were kept in captivity in the former palace of the Nawab of Carnatic, inside the Vellore fort. They were granted handsome allowances to live pompously in the palace. They were even permitted to draw around themselves "a swarm of needy adventurers and vagrant mendicants."¹ Most of these people belonged to the frustrated

¹ Mill's History of British India, edited by H.H. Wilson, Vol. VII, p. 116.

Muslim nobility who had lost their prosperity and strength with the fall of Mysore and the liquidation of the Carnatic. Lt.Col. Marriott was entrusted with the charge of supervision of the princes and the payment of their pensions. He also discharged all the civil and political duties of the fort and the adjoining town of Vellore.¹ The outer gates of the palace were guarded by the Indian sepoy only. Generally, no European officer could enter the palace without the prior permission of the princes. Thus the Mysore princes were allowed by the English authority to live under a relaxed vigilance.

Bentinck, however, had very little to do with these arrangements. Vellore was selected as the place of residence for the princes before Bentinck's arrival in Madras and their allowance and security details were determined during the regime of Bentinck's predecessor, Clive. Personally, Bentinck was satisfied with these arrangements and found nothing objectionable in them.² Whatever might be Bentinck's views about the Vellore fort arrangements, the political situation in South India at this point remained unstable for the British authority.

¹ Bentinck's Memorial to the Court of Directors, p.15.

² Ibid., p.16.

Only six years had passed since the downfall of Tipu and the British Raj in South India was still young. The loyalty of the people towards the Raj was uncertain. The dispossessed nobles and the disinherited princes were decidedly resentful to the Company's Government. In the event of any outbreak of rebellion against the British the sons of Tipu could naturally become the rallying point for the rebels. A stricter control over them, therefore was desirable.

At a later date, Bentinck himself came to know about the existence of a disgruntled section of the native population. He wrote to Maitland: "From the overthrow of the Governments of both Mysore and of the Carnatic it must be evident that the country will abound in hostile (to the English) people ... ready to join any standard."¹ Such standard could most profitably be hoisted, if at all, by the sons of Tipu provided they got an opportunity. Most of Tipu's sons were either minors or imbeciles. The oldest son, Futtah Hyder, was cruel, haughty, superstitious and sensual. Abdul Khalik - the second son- was mean-minded, miserly and weak. Both, in fact, were thoroughly incapable of becoming popular leaders of

¹ Bentinck to Maitland, 3rd August 1806, B.P.

men. But such was not the case with the third and the fourth sons of Tipu. Mohiuddin, the third son was amiable, gentle and judicious - "the best specimen of Tipu's descendants". The fourth son, Muizuddin, resembled Tipu very much. He was a man of fury and passion, as easily calmed as inflamed. He was an extrovert, good natured, lively, affable and generous.¹ Thus at least two of Tipu's sons were capable of raising the standard of their father. The English in Madras did not seriously consider this eventuality. They failed to conceive a liaison between the princes and the sepoys.

The sepoys, who alone guarded the princes, had an easy access to the palace. In the circumstances a secret contact between the sepoys and the princes was most likely to develop. As the later events showed, the princes - specially Mohiuddin and Muizuddin - were aware of the sentiments of the sepoys on the turban issue and other dress regulations. The princes exploited the revolting spirit of the sepoys through their numerous palace attendants. The palace attendants turned the sepoy's concern for the sanctity of his religion into a feeling of rebellion and thus

¹ Character sketch of the Mysore princes by Lt. Col. Marriott, April 1804, Home Misc. Ser. Vol. 508.

laid the foundation of a secret but well-laid plot. It was believed that Alauddin, a foster brother of Prince Muizuddin, acted as a link between the sepoy and the palace. Alauddin's endeavours resulted in frequent secret meetings at the sepoy barracks attended by the Indian officers, sepoy and the agents from the palace. The sporadic agitation of the sepoy was thus given a political purpose, namely, the extermination of the Europeans and the restoration of the rule of Tipu's family in Mysore. The sepoy were led to believe that if they could destroy the English at Vellore and set the princes free, a victory over the English would be certain. Prince Muizuddin would thereafter lead the rebellion with the support and reinforcements arriving from different quarters of South India. In fact, Muizuddin had asked for assistance from the poligars of Venkatagherry and Kalastree. It was further believed that numerous soldiers serving Mysore state under Purniah were still faithful to the family of Tipu and willing to serve under them. The sepoy were also assured by the prince that if they could occupy and keep the Vellore fort only for eight days, 10,000 men from Gorramcondah would certainly reach to join them by that time.¹ Besides, the princes and their

¹ Confession of SK. Cassim, a leader of the mutiny at Vellore, to Col. Forbes, 31st July 1806, Home Misc. Ser. Vol.508.

men believed that once the fort was freed from the English, people from all over the south would turn up to help them.

Subadar Sheikh Adam and Jamadar Sheikh Hussain soon assumed the leadership of the sepoy's respectively as the first and the second in command. The sepoy's were initiated into the plot through an oath taking ceremony. Each was required to drink milk and to swear by his sword and the Koran to maintain absolute secrecy about the plot of destroying all the Europeans at Vellore and of re-establishing the Government of Tipu's descendants in Mysore.¹ As the Europeans at that time generally constituted the artillery of the Company's army, the sepoy's lacked sufficient knowledge about the use of the guns. To overcome this difficulty the organisers secretly contacted the gun lascars (Indian naval artillery) in the Vellore town who had considerable knowledge about the use of the guns. Absolute secrecy was maintained about the whole plot and the scene was all set for a surprise attack. It was first resolved by the mutinyers that their action would take place on 17th June 1806. But the date of commencement was postponed when the leaders of the mutiny

¹ Evidence of Sk. Ahmed, a sepoy, 21st July 1806, Proc. of the Court of Enquiry at Vellore. Home Misc. Ser. Vol. 507.

learnt that Mustafa Beg,¹ a sepoy of the 1st battalion, 1st regiment had divulged some of the plans of the mutiny to Lt. Col. Forbes, the Commanding Officer of the 1st battalion, 1st regiment.² But Forbes had so great a reliance on the fidelity of the sepoys that instead of making a secret enquiry into Mustafa's allegations, he sent for the Indian officers to comment on the information. All the Indian officers solemnly affirmed their innocence of any secret design against the British. They further convinced the Colonel that Mustafa was an odd, eccentric man in the habit of inventing fumours. They, therefore, advised Forbes to punish him for spreading such a damaging and confounded allegation against other sepoys. Forbes believed them so much that he lost no time in sending Mustafa to confinement under chains.³

One Mrs Burke, a widow of an European official, also volunteered to give the Commanding Officer, Col. Fancourt some secret information

¹ Mustafa Beg was a destitute boy given refuge by European army officers and later on recruited as a sepoy. For his attempt to give the British prior intelligence about the plot of Vellore Bentinck's Government rewarded him 2000 pags. cash and a life pension of a Subadar after the mutiny. General order by the Govt. 7th Aug. 1806, Home Misc. Ser. Vol. 508.

² Evidence of Lt. Col. Forbes, 22nd July 1806, Proc. of the Enquiry Commission. Home Misc. Ser. Vol. 508.

³ Evidence by Lt. Col. Forbes, 24th July 1806, Proc. of the Enquiry Commission, Home Misc. Ser. Vol. 508.

regarding the sepoy. But being known as a disreputable woman, she did not receive a serious hearing.¹ Thus the last chance of discovering the sepoy conspiracy was callously overlooked.

After deceiving Forbes, the leaders of the mutiny further delayed their action to enable the sepoy to receive their payment of the month. Finally, Sheikh Hussain, the second in command of the mutineers, fixed the early hours of 10th July as the time to start violence.² On the night of the mutiny the garrison in the Vellore fort consisted of four companies of His Majesty's 69th regiment, six companies of the 1st battalion, 1st regiment and the whole of the 2nd battalion, 23rd regiment. The latter force had recently been recruited from the followers of the deposed poligars of Tinnevely and Pundalum.³ The total number of the sepoy at Vellore fort was approximately 1800 and the Englishmen were nearly 400 in number.⁴ The situation at the fort seemed so normal that on the

¹ Evidence by Mrs Burke, 23rd July 1806, Proc. of the Enquiry Commission, Home Misc. Ser. Vol. 508.

² Confession of Sk. Cassim to Lt. Col. Forbes, 31st July 1806, Home Misc. Ser. Vol. 508.

³ Evidence of Lt. Col. Coombe of 2nd batt. 23rd reg. 26th July 1806, Proc. of the Enquiry Commission, Home Misc. Ser. Vol. 508.

⁴ Gillespie of Vellore, A. Stanley, The Army Quarterly, Vol. 22, p. 338.

night of 9th July the European officers did not even wish to go out on their routine round. Instead they requested some Indian officer to do the job. Sheikh Cassim at once volunteered to carry out the duty of night inspection on their behalf.¹ In the palace, Prince Muizuddin on 8th and 9th July requested the permission of Col. Marriott to allow him to spend the nights in his public room and to retain his servants there. He further requested Col. Marriott to permit his cousin, Hyder Hassain Khan, to stay during the night with him. All these requests were granted. Besides, Muizuddin, just before the mutiny, wanted to purchase an attractive horse. Marriott, however, did not approve of this but allowed the prince to keep the horse for a couple of days.²

As midnight struck, the moon rose above the ramparts and the whole barracks seemed to be fast asleep. At 2.00 a.m. of 10th July, the mutineers started their action. A secret message passed throughout the sepoy barracks that the time had come to exterminate the Europeans. The sepoys came out of their barracks, broke the arsenal and armed themselves with swords and guns.³ As it was

¹ Evidence of Rarnoo Sepoy, 19th July 1806, Proc. of the Committee of Enquiry, Home Misc. Ser. Vol. 507.

² Evidence of Col. Marriott, 25th July 1806, Proc. of the Enquiry Commission, Home, Misc. Serv. Vol. 508.

³ For a detail position of the fortress of Vellore see the map of *the* Fort. Appendix. 3.

planned, their next move was to kill the English sentinels of the main gateway and to take possession of the magazine. Between 2 and 3 a.m. the sepoys surrounded the European quarters and made a co-ordinate attack on the European main guards and on the European barracks. They kept up a steady fire on the quarters of the European officers to prevent them from joining the English soldiers in the barracks. Then "volleys of musketry were poured in through every opening and guns brought up from the magazine were turned against the barracks of the 69th."¹ The quiet peaceful night was thus pierced by gunfire and shrieks. The unprepared Europeans, men and officers, became completely bewildered and started running for shelter in panic. They were chased and mowed by the shots of the sepoys. Once let loose the horrors of massacre knew no bounds. More than half of the men of the 69th regiment were either killed or wounded in the first onslaught. The quarters of the English officers were ransacked and men massacred. It is important to note here that the sepoys generally spared the women and the children from massacre.²

¹ Gillespie of Vellore, A. Stanley, The Army Quarterly, Vol.22, p.338.

² In all the official and non-official accounts there was no mention of a single death of an European woman or child. There is a very pathetic account of the two wives of European officers describing how their husbands were massacred and how their and their children's lives were spared. Possibly to the Indian sepoy it was still very unchivalrous to kill women and children. Report of the Committee of Enquiry, July 180 Home Misc. Ser. Vol.507.

Col. Fancourt, the Commanding officer at the Vellore Garrison was shot dead at the point blank range. The Commanding Officer of the 23rd regiment, Lt. Col. Kerras was also killed when he was rushing towards the parade ground. Some officers, however, managed, with the assistance of their Indian servants, to hide themselves. At the dawn they made their way to the devastated European barracks, creeping under the shadows of the walls. There they rallied the survivors and forced a passage through the mutineers to the ramparts. Then they took a cover under the main gateway of the fort and stuck to their shelter under the incessant fire of the sepoys. In spite of injury and death they successfully held their position until help came.¹

So far the sepoys were successful in carrying out their programme with the exception of letting some Europeans to survive on the ramparts. The fort was captured and a large body of English were killed. During the whole operation the palace attendants joined the sepoys and the servants of the princes were distributing sherbut (drinks) and sweetmeats to the Hindu and Muslim sepoys for refreshment.² Following the preliminary success a group of sepoys

¹ A detailed account of the mutiny, especially from the point of view of its victims and survivors, can be traced in Wilson's History of the Madras Army, Vol. IV, Chapter XVIII; and Mill's History of British India, Vol. VII, Chapter II.

² Evidence of Mooty Sepoy, 13th July 1806, Proc. of the Committee of Enquiry, Home Misc. Ser. Vol. 507.

met Prince Muizuddin in the palace, informed him of the massacre of the Europeans and requested him to assume the leadership of the sepoys at this point. The prince readily agreed to this proposal.¹ It was rumoured that the prince promised the sepoys to double their monthly salary if the mutiny became successful.² Muizuddin also handed over the flag of Tipu Sultan (the flag decorated with a sun in the centre with tiger stripes on a red and green background) which the sepoys promptly hoisted on the fortress of Vellore.³ Up till now, the progress of the mutiny had been steady. But once the massacre ended and the fort occupied the sepoys began plundering the scattered possessions of the Europeans. In the course of ransacking the quarters of the European officers and the paymaster's office, the sepoys found treasures and other valuables. Their greed for wealth overshadowed the object of the mutiny and ^{They} started a scramble for the booty.⁴ Their leaders at this point could hardly exercise any control and implored Prince Muizuddin to take charge of the distracted sepoys.

¹ Evidence of Sk. Imam, 9th Aug. 1806, Proc. of the Enquiry Commission Home Misc. Ser. Vol. 508.

² Evidence by Sk. Nutter, 9th Aug. 1806, Proc. of the Enquiry Commission. Home Misc. Ser. Vol. 508.

³ Report of the Enquiry Commission, 9th Aug. 1806, P. P. 1861, Vol. 42, pp. 689-95.

⁴ Confession of Sk. Cassim to Col. Forbes, 31st July 1806, Home Misc. Ser. Vol. 508.

One English officer, Major Coates, lived in a quarter outside the Vellore fortress. When he sensed an outbreak inside the fort he decided to convey at once the awful news to the nearest British military station at Arcot. Robert Rollo Gillespie, a very successful and gallant British officer, was at the command of a regiment of British Dragoon at Arcot, 14 miles away from Vellore.¹ At about 6 o'clock in the morning of 10th July, Major Coates reached Arcot and informed Gillespie of the outbreak at Vellore. Within a short time Gillespie set out on his way to Vellore with a squadron of 19th Dragoons under Captain Young and a strong force of seven cavalry under Lt. Woodhouse. Soon he was followed by Col. Kennedy with further reinforcements from Arcot.

While Gillespie was approaching the Vellore fort, confusion among the insurgents persisted inside. The sepoys were still occupied in plundering and sharing the pillage and their leaders stood helpless. A large number of sepoys had started running away from the fort with as much spoils as they could carry. The mutiny of Vellore thus began to collapse before the British started restoring. At last Muizuddin^{himself} decided to rally round the dispersing sepoys.²

¹ Gillespie of Vellore, A. Stanley, The Army Quarterly, Vol. 22, p. 337-8.

² Evidence by Sk. Imam, 9th Aug. 1806, Proc. of the Enquiry Commission Home Misc. Ser. Vol. 508.

But it was too late and soon Gillespie's forces arrived on the scene at 9.00 a.m. in the morning. Gillespie found the three outer gates of the fort opened and he had no difficulty in getting into the fort. But the fourth or the last inner gateway was completely under the command of the sepoys. Gillespie at first wanted to wait for the arrival of guns with the reinforcement from Arcot. Considering the urgent necessity of help to the Europeans who were still resisting under the cover on the other side of the gateway, Gillespie however decided to get through at once. He alone swarmed up a rope to the top of the gate and reached the other side to the survivors. Hurriedly rallying the men he found there, Gillespie led them in his final bid to capture the canons, so long held by the sepoys inside the fort. After a pitched battle with the insurgents the guns were seized and instantly turned against them. The mutineers stood firmly against this set back and fought until their supply of ammunition was exhausted.¹ At that moment reinforcement from Arcot under Col. Kennedy arrived with galliper guns. The gateway was burst open by the first shot but the steady fire of the sepoys made entrance dangerous. To clear the way, Gillespie

¹ Gillespie to Bentinck, 11th July 1806, Home Misc. Ser. Vol. 507.

at the head of the remaining soldiers of the 69th regiment, charged through it. Many of them fell from the shots of the sepoys but the battle was won. Firing suddenly ceased and the panic-stricken sepoys started running in every direction. The recovery of the fort was soon followed by horrible retribution. "Hundreds fell beneath the sabres of the Dragoons ... Hundreds escaped over the walls of the fort, or threw down their arms and cried for mercy."¹ But mercy was certainly a forgotten word at the moment. Some of Gillespie's men ran to take reprisals on Tipu's sons in the palace. It was Col. Marriott who saved the princes by appealing earnestly to Gillespie to spare them.

In the course of the mutiny and its suppression 14 European officers and approximately 100 European soldiers were killed by the sepoys.² According to Gillespie's official estimate, the number of casualties following the suppression of the mutiny was 14 European officers, 9 Indian officers and 168 European soldiers,³ besides about 76 Europeans were seriously injured during the mutiny. On the number of casualties among the sepoys, no official

¹ Kaye & Malleon, History of the Indian Mutiny, 1857-58, Vol. I, p. 168.

² Ibid.

³ Wilson in his book "History of the Madras Army Vol. III, p. 187, gave the following number as dead: - 9 officers, 90 men of the 69th regiment and 15 soldiers - who died subsequently due to their wounds. Gillespie to Bentinck, 11th July 1806, Home Misc. Ser. Vol. 507.

account is available and other sources are hardly unanimous. According to one account not less than 350 sepoys died in the Vellore outbreak.¹ Another account stated that: "Eight hundred bodies were carried out of the fort, besides those who were killed outside."² The whole affair lasted approximately eight hours, starting at 2.00 o'clock in the morning and ending at 10.00 o'clock during the day. The recovery of the fort was as fast as its fall in the hands of the mutineers. Gillespie arrived at the gate of Vellore fort at 9.00 o'clock in the morning and by 10.00 o'clock he was "in full possession of the fort and of the family of the race of Tipoo."³

Gillespie was highly praised for his prompt action. His swift move and quick decision were characterised by the Commander-in-Chief as military-wonder. Bentinck also considered it as a salutary example. "I cannot let a second day pass," he wrote to Gillespie, "without offering to you my thanks for your most prompt and gallant conduct and for the great service which you have performed to this government."⁴ At first Bentinck was upset at the news of the

¹Wilson, W.J., History of the Madras Army, Vol.III, p.186.

²Vibart, H.M., The Military History of ^{The} Madras Engineers & Pioneers, Vol.I, p.409.

³Gillespie's private letter preserved in the war office records. Quoted in Gillespie of Vellore, A.Stanley, The Army Quarterly, Vol.22, p.339.

⁴Bentinck to Gillespie, 12th July 1806, B.P.

mutiny at Vellore, but soon he restrained himself and decided to act coolly. He refused to make any comment on the incident and appointed a Special Commission of Enquiry on 12th July 1806, to investigate into the mutiny.¹ In the meantime on 11th July, Gillespie had instituted a Military Committee of Enquiry, composed of the European officers then present at Vellore. From some of the evidence given before this committee, Gillespie concluded that Tipu's sons had a clear hand in the outbreak. He asked Col. Harcourt, who succeeded the late Col. Fancourt as the Commanding Officer of Vellore, to take prompt and severe measures against the princes.² Bentinck, however, was reluctant to take hasty measures against the princes until the Enquiry Commission completed its report.³ To Col. Marriott, Bentinck clearly expressed his unwillingness to change "the arrangement for the safe custody of the princes."⁴

¹The Commission consisted of Maj. Gen. Pater, Lt. Col. Dodsworth, N. Webb, J. D. Ogilvie and Maj. Dowse. Gov. in Coun. to Secret Committee, 30th Sept. 1806, Sec. Letters from Mad. Vol. 2, 2nd Series.

²Col. Harcourt to Chief Secy. Govt. of Mad. 12th July 1806, Home Misc. Ser. Vol. 507.

³Chief Secy. Mad. Govt. to Col. Harcourt, 14th July 1806, Home Misc. Ser. Vol. 507.

⁴Bentinck to Marriott, 17th July 1806, B. P.

However, Bentinck was willing to deal with the turban question promptly. In course of reconsidering the turban affair, he was astonished to discover for the first time in the Military Code of Regulations the section prohibiting the caste marks, whiskers and earrings. Bentinck's Government sanctioned the Code as a whole without scrutinizing it in detail and were unaware of the existence of this section.¹ This discovery gave the government a new perspective into the sepoy grievances. The apprehension of the sepoys that the English first took away their caste marks and whiskers, then introduced a turban resembling the hats only to make them Christians - did not seem to Bentinck altogether illogical. He wrote to Cradock, "I confess that combining all these circumstances together, I am not surprised by the general apprehension of the sepoys that their religious customs are no longer to be respected. Under these circumstances the clause (regarding dress and turban) becomes a bad one and true policy and wisdom appear to require that it should be immediately abandoned."² On 17th July 1806, the Government of Madras declared that all the orders which were

¹ Bentinck's Memorial, p.9.

² Bentinck to Cradock, 14th July 1806, B.P.

contrary to the usages of the Indian troops should be rescinded. In accordance with it a General Order was duly passed on 26th August by which the new turban was withdrawn and the sepoys were given permission to wear the caste marks at all times and in any manner they thought proper. The same liberality was accorded to keeping whiskers and wearing ornaments.¹

The revocation of the dress regulations soon after the mutiny clearly expressed the revised view of the Government, that the sepoy agitation resulted from some unwise military orders. If the Government knew all about the military code they might not have sanctioned the dress regulations. The military authorities, however, did not accept this view. The Commander in Chief asserted that the mutiny was not as simple as a mere case of insubordination, on the contrary, it was due to a well-laid out plot to reinstate the overthrown ruling family of Mysore. He demanded the immediate removal of the princes from Vellore.² This was followed by a collective petition of the high military officials (Col. Harcourt, Col. Gillespie, Lt. Col. Kennedy and Maj. Gen. Munro) to the Governor urging him to take

¹ Publication of the General Order by the Government, 26th Aug. 1806, Home Mis. Ser. Vol. 509.

² Cradock to Bentinck, 15th July 1806, B.P.

strong steps against the princes.¹ Bentinck in his turn expressed his lack of confidence in the findings of the Military Committee of Enquiry and insisted on the propriety of dealing carefully with the prisoners and on the expediency of restraining passion against the princes.² His council offered him full support.³ Thus in course of a week following the mutiny the relations between the civil and the military authorities became strained.

Bentinck promptly sent a full report of the Vellore mutiny to the Supreme Government, together with an explanation of the measures adopted by the Government of Madras.⁴ The Bengal Government appreciated Bentinck's views and approved his measures. Regarding the Mysore princes, however, the Governor General thought that they were involved in the outbreak of Vellore.⁵ In view of recovering the cordial relationship with the sepoys, so

¹ A petition from the military officers to the Governor, 15th July 1806, B.P.

² Bentinck's Minute, 17th July 1806, See & Pol. Cons. B.P.

³ Petrie's Minute, 17th July 1806, Sec & Pol. Cons. P.B.

⁴ Gov. in Coun. Mad. to Gov. Gen. in Coun. 18th July 1806, Home Misc. Ser. Vol. 508.

⁵ Gov. Gen. in Coun. to Gov. in Coun. Mad. 1st Aug. 1806, Home Misc. Ser. Vol. 508.

essential for the interest of British empire in India, Bentinck decided to treat the insurgents leniently. He was even willing to grant full pardon to the men of the 2nd battalion of 4th regiment who had confessed their crime.¹ "Too many unfortunate, brave soldiers, both European and native", he wrote, "have lost their lives and I wish that all those who have not been actually guilty of murder should be forgiven and all past transactions^{to} be forgotten."² He was eager to restore mutual reliance and good faith between the sepoy and the British Government. It was mainly at Bentinck's initiative that the Government of Madras passed a General Order on 24th July clarifying the Government's opinion about the mutiny. It stated that the mutiny took place only at Vellore and only the sepoy of the 2nd battalion, 23rd regiment participated in it. Hence the Government had no reason to doubt the fidelity and attachment of the sepoy in general.³

At the end of July 1806, fresh developments created a situation in which Bentinck's policy of moderation became difficult to be maintained. Suddenly the extent of sepoy unrest appeared

¹ Bentinck's Minute, 20th July 1806, B.P.

² Bentinck to Col. Daily, Commanding Officer, 2nd batt., 4th reg. 21st July 1806, B.P.

³ General Order published by the Govt. of Mad. 24th July 1806, Home Misc. Ser. Vol. 508.

to him very wide. Further sepoy agitation occurred at Hyderabad and at Wallajabad. The British subsidiary force stationed at Hyderabad contained approximately 10,000 men.¹ The sepoys of Hyderabad, like the Vellore sepoys, also became strongly suspicious at the new turban and the abolition of the caste-marks etc. Consequently, a spirit of dissatisfaction grew among them. Immediately after the Vellore mutiny on 11th July 1806, Col. Montessor, the Commanding Officer of Hyderabad, was informed of a growing resentment among the sepoys of the 11th regiment. It was further stated that the taunting remarks of the neighbouring people regarding the new turban made the sepoys more agitated.² On 12th July the sepoys of the 11th regiment created great tumult over the new turban. A riotous situation prevailed in the camp for the next few days and the sepoys categorically refused to comply with the dress regulations. The 2nd battalion of the 15th regiment refused to wear the new turbans and abused their officers. The Indian cavalrymen announced that the spirit of unrest among the sepoys was so general that they would not take up arms to suppress the

¹ *Petrie's Minutes on Hyderabad. June 1803. B. P.*

² Sydenham to Gov. Gen. in Coun. 23rd July 1806, Home Misc. Ser. Vol. 509.

infantrymen, if the latter rose into rebellion.¹ At this situation, some Indian officers advised Col. Montessor not to enforce the new turban. After consulting Sydenham, the British Resident in Hyderabad, Montessor considered it expedient to suspend the dress regulations. Without wasting time in obtaining the prior sanction of the higher authorities in Madras, Montessor on his own responsibility issued an order on 23rd July suspending the dress regulations at the Hyderabad station.² The decision brought admirable result and tranquility soon restored in the camp.³ The ring-leaders of the agitation in Hyderabad were spotted out and kept under close watch. When Bentinck was informed of all these proceedings on 23rd July, he readily approved the independent and wise decision of Montessor and Sydenham and called for an immediate enquiry.⁴ An enquiry was accordingly carried out by Montessor and Sydenham themselves. Together with the new turban and dress

¹ Montessor to Sydenham, 21st July 1806, Home Misc. Ser. Vol. 509.

² Montessor to Sydenham, 23rd July 1806, Home Misc. Ser. Vol. 509.

³ Sydenham to Gov. Gen. in Coun. 23rd July 1806, Home Misc. Ser. Vol. 509.

⁴ Chief Secy. Mad. Govt. to Sydenham, 31st July 1806, Home Misc. Ser. Vol. 509.

regulations, Sydenham strongly suspected the existence of interested political parties behind the incident. After an enquiry he became convinced that certain prominent members of the Nizam's Court were involved in inciting the sepoys. These nobles wanted to use the dissatisfied sepoys to serve their own purpose of dethroning the Nizam, an English protégé, and then to set up a rival prince of the family (Faridun Jah) in his place. The sepoys, Sydenham believed, held regular meetings in the camp and had regular communications with the insurgents of Vellore.¹ Montessor, too, thought that the unrest of Vellore *was* "~~was~~" industriously spread here".² But Sydenham and Montessor could not substantiate their findings with reliable evidences. However, on 14th August, the three ring-leaders of the sepoys of Hyderabad were sent to prison and the rest were subsequently pardoned.³ Thus, like Vellore, in Hyderabad also, the new turban and the dress regulations were the direct issues of the sepoy agitation.

¹ Sydenham to Bentinck, 14th Aug. 1806, Home Misc. Ser. Vol. 509.

² Montessor to Chief Secy. Mad. Govt. 17th Aug. 1806, Home Misc. Ser. Vol. 509.

³ Sydenham to Bentinck, 14th Aug. 1806, Home Misc. Ser. Vol. 509.

The unrest at Hyderabad was soon followed by a serious commotion among the sepoy's stationed at Wallajabad. In the last week of July 1806, the sepoy's at Wallajabad assumed a mutinous attitude and threatened to kill their European officers. This time they especially complained ~~of~~ ~~against~~ the poor pay, the excessive physical labour and the rigorous discipline they were subjected to. Their objection to the long hours of drill, parade and cleaning their weapons was first manifested on 24th July. The sepoy's protested angrily when they were ordered to clean their arms in the evening after a hard day's labour. In utter desperation, some of them declared that they would kill their oppressive officers rather than submit to this inhuman labour.¹ The matter took a worse turn on the following day. The sepoy's of the 1st battalion, 23rd regiment, abused their European officers and praised the act of violence of the Vellore sepoy's. They openly said that they should do what the sepoy's had done at Vellore and put every European to death.² One Mrs Revier, the wife of an European officer, said that she had overheard the sepoy's expressing strong displeasure at their meagre pay and were talking

¹ Adj. Gen's Report, 27th July 1806, Home Misc. Ser. Vol.507.

² Evidence of a maid-servant of an European officer to Cradock, 28th July 1806, Home Misc. Ser. Vol.507.

of throwing away the few coins of their pay-packet in the face of their Officers.¹ At this outburst of sepoy discontentment, the Commanding Officer, Col. Lang, became extremely panicky and called for immediate help from Gillespie at Arcot. Simultaneously he despatched a detail report of the situation to the Commander in Chief.² Col. Gillespie hurriedly came to Wallajabad with his troops but did not find any visible signs of mutiny. As a precautionary measure he, however, disarmed the sepoy battalion and arrested the Indian officers and men of the suspected regiment.³ The Commander in Chief also personally proceeded to undertake an investigation on the spot. After a short enquiry Cradock found that the apprehension of violence at Wallajabad was imagined by the panic-stricken European officers. He could not find the existence of any serious disaffection among the sepoys and therefore recommended no severe punishment for the sepoys or for their native officers. The Government of Madras was relieved with the report of the

¹ Evidence of Mrs Revier, to Cradock, 28th July 1806, Home Misc. Ser. Vol. 507.

² Col. Lang to Comm. in Chief, 25th and 26th July 1806, Home Misc. Ser. Vol. 507.

³ Gov. in Coun. Mad. to Sec. Committee, 30th Sept. 1806, (Wallajabad incident) See. Letters from Mad. Vol. 2, 2nd Series.

⁴ Comm. in Chief to the Gov. in Coun. Mad. 31st July 1806, Home Misc. Ser. Vol. 507.

Commander in Chief and agreed with him that the sepoy at Wallajabad should be spared of harsh treatment.¹ Petrie, the senior member of the Government, criticised Col. Lang and his subordinate European officers for their injudicious behaviour in subjecting the sepoy to unnecessary labour and hardship.²

Soon after the news of the disturbances of Hyderabad and Wallajabad reached Madras, Bentinck received the information that Sheikh Cassim, one of the important leaders of the Vellore outbreak, had made a voluntary confession to Col. Forbes, the Commanding Officer of his battalion. This confession revealed for the first time to the Government that there lay an extensive preparation behind the Vellore mutiny and that it had a political object.³ Hereafter, the realisation that the sepoy unrest was not confined to Vellore only and that the Vellore mutiny was a well-planned operation guided by the Mysore princes, alarmed Bentinck. He believed now that the possibility of the existence

¹ Chief Secy. Mad. Govt. to Chief Secy. Beng. Govt. 1st August, 1806, Home Misc. Ser. Vol. 507.

² Petrie's Minute, 29th July 1806, Home Misc. Ser. Vol. 507.

³ Confession of Sk. Cassim to Col. Forbes, 31st July 1806, Home Misc. Ser. Vol. 508.

of a confederacy against the vital interests of the British Government in South India should be taken seriously.¹ The confession of a Subadar in the Ceded Districts further revealed that the native cavalry of whom the Government had no suspicion so long, was no less affected by the mutinous spirit than the infantry.² Bentinck's unprejudiced disposition thus gave way to extreme fear and this was reflected in much of what he said and did until he regained his judgment. To Minto, Bentinck confessed later on; "For many nights together after the mutiny at Vellore, I and every individual went to bed in the uncertainty of rising alive."³ Suddenly he felt that the situation was very critical and wrote that "no dependence can be placed upon any of our native troops."⁴ He dropped his previous non-committal attitude as regards the involvement of the Mysore princes into the mutiny. He warned Col. Munro that "the adherents of Tipu's family have been most active below and above the Ghauts (the Carnatic area)."

¹ Gov. in Coun. Mad. to Gov. Gen. in Coun. 3rd Aug. 1806, Home Misc. Ser. Vol. 508.

² Statement of a Subadar of the Native Cavalry to Munro, 1st Aug. 1806, Sec. Letters from Mad. 30th Sept. 1806, Vol. 2, 2nd series.

³ Bentinck to Minto, 20th Oct. 1806, B.P.

⁴ Bentinck to Maitland, 3rd Aug. 1806, B.P.

He was amazed at the extent of the conspiracy and stated:

"... the conspiracy has extended beyond all belief and has reached the most remote parts of our army."¹ Bentinck's fear was clearly manifested in the measures he pursued at the beginning of August 1806. On 3rd August he implored the Governor General to send immediate reinforcements to Madras Presidency and proposed to detain the 19th and 94th European regiments, scheduled for embarkation for Europe.² Next, he sought help from Maj. Gen. Maitland, the Governor of Ceylon. After giving an account of the acute shortage of European troops in Madras, Bentinck observed to Maitland, "You will perceive ... that we possess the most feeble means of suppressing any insurrection which might arise." The immediate transportation of European troops from Ceylon, he believed, would safeguard the British possessions in Madras Presidency.³ He cautioned all the important officials of the Presidency against the eventuality of a widespread upsurge. He asked the Resident of Mysore to

¹ Bentinck to Munro, 2nd Aug. 1806, B.P.

² Gov. in Coun. Mad. to Gov. Gen. in Coun. 3rd Aug. 1806, Home Misc. Ser. Vol. 508.

³ Bentinck to Maitland, 3rd Aug. 1806, B.P.

keep vigilant eyes on any sort of connection between Prince Muizuddin and the inhabitants of Mysore.¹ As a precaution against further troubles in the Carnatic, Bentinck's Government decided to remove Tipu's sons to Bengal.² Accordingly on 20th August the princes were brought to Madras and were transferred to Bengal after ten days under Col. Marriott's supervision. Prince Mohiuddin and Muizuddin, who were directly implicated with the mutiny, seemed to be relieved by such moderate punishment.³ The princes safely reached Bengal and were accommodated near Calcutta on the premises of former Persian Ambassador. The Magistrate of the 24 Pargonas was instructed to keep strict vigilance on the princes.⁴

The terror which overtook Bentinck was shortlived and soon he recovered his confidence. He thought it necessary to restore the mutual trust of the sepoys and the Government. He realised that it was not the sepoys enmity but their prejudices which made them hostile towards the British authority. With the abrogation of

¹ Chief Secy. Mad. Govt. to Wilks, 3rd Aug. 1806, Home Misc. Ser. Vol.508.

² Chief Secy. Mad. Govt. to Harcourt, 3rd Aug. 1806, Home Misc. Ser. Vol.508.

³ Gov. in Coun. Mad. to Sec. Committee, 30th Sept. 1806, Sec Letters from Mad. Vol.2, 2nd series.

⁴ Gov.Gen's Minute, 14th Aug. 1806, Home Misc. Ser. Vol.509.

"the obnoxious orders", therefore, he anticipated the restoration of the sepoy's loyalty.¹ If the Government could once induce the sepoys to believe in their policy of religious non-interference there would not be any further difficulty. "I am convinced", Bentinck wrote to Grenville, "that with time and common good management the fever (of the sepoys) will subside and the sepoys will look back with shame and horror upon their conduct."² To Minto he revealed that his confidence in the sepoys was "as strong as ever" even after the mutiny at Vellore.³

Some factors at this point helped Bentinck to recover from his fright and sense of insecurity. The first was possibly Bentinck's realisation that the incidents of Hyderabad and Wallajabad, however disturbing in themselves, were not intimately connected with the Vellore mutiny. These incidents might have been inspired by the example of Vellore but not engineered by the Vellore mutineers. In his minute of 23rd September, Bentinck clearly expressed his belief that the insubordinate sepoys of Hyderabad had no direct connection with the mutineers of Vellore.⁴

¹ Bentinck's Minute, 3rd Sept. 1806, Home Misc. Ser. Vol. 509.

² Bentinck to Grenville, 1st Dec. 1806, B.P.

³ Bentinck to Minto, 11th Oct. 1806, B.P.

⁴ Bentinck's Minute, 23rd Sept. 1806, Home Misc. Ser. Vol. 509.

Similar was his conclusion about the case of Wallajabad.¹

Secondly, he felt confident with the report of the Commission of Enquiry, submitted on 9th August 1806. The Commission stated that the dress regulations, the introduction of the new turban and the prohibition of caste marks and earrings, seriously impinged ^{on} the religious prejudices of the sepoys and constituted the primary cause of the mutiny of Vellore. As a secondary cause, the Commission pointed out that the discontent of the Sepoys was "caught up and incited by some interested persons like Tipu's sons, who were looking for an opportunity to regain their power and prestige."² These findings fully confirmed Bentinck's views as to the primary cause of the mutiny and obviously satisfied him. He commented that the report of the Enquiry Commission "has the entire concurrence of my opinion."³ But the Council members were not happy with the findings of the Commission and both the Commander in Chief⁴ and the senior member of the Government, Petrie⁵

¹ Chief Secy. Mad. Govt. to Chief Secy. Beng. Govt. 1st Aug. 1806, Home Misc. Ser. Vol.507.

² Report of the Enquiry Commission, 9th Aug. 1806, P.P. Vol.42, 1861, pp.689-93.

³ Bentinck's Minute, 15th Aug. 1806, Home Misc. Ser. Vol.508.

⁴ Cradock's Minute, 21st Aug. 1806, Home Mis. Ser. Vol.508.

⁵ Petrie's Minute, 21st Aug. 1806, Home Misc. Ser. Vol.508.

disapproved the report as an outcome of inadequate investigation. Finally, Bentinck was encouraged by the views of Governor General, Barlow. The Supreme Government readily conceded Bentinck's proposal to remove the Mysore princes from Vellore to Bengal. But they firmly turned down Bentinck's request for the despatch of European troops from Bengal to Madras.¹ It would be a manifest indication, Barlow cautioned Bentinck's Government, that the Government (of Madras) had lost its confidence in the native troops and that the European troops are introduced to coerce or overawe them. Such an indication on the part of the Madras Government, Barlow believed, would only help to grow adverse feelings between the European and the native troops, which would be harmful for future pacification.² Barlow's views prompted Bentinck to shake off the sense of insecurity and to rely on a judicious appraisal of the situation and a policy of moderation. From September 1806, Bentinck followed a policy of moderation on all issues connected with the Vellore mutiny.

¹ Gov. Gen. in Coun. to Gov. in Coun. Mad. 11th Aug. 1806, Home Misc. Ser. Vol. 509.

² Ibid.

Though the agitations of Vellore, Hyderabad and Wallajabad quietened, the British official circles in Madras Presidency was still suffering from severe psychological strain. Apparently there was little ground for apprehension. The insurgents had been taken prisoners, absolute tranquility prevailed among the sepoy of the Presidency and the dress regulations including the new turban had been rescinded. There was no evidence that interested parties were any longer plotting against the British authority and the Government measures seemed to have produced desired effects on the sepoy. Yet rumours among the British officials were rampant and the alarm of a new outbreak was haunting all the British military establishments. In his memorial to the Court of Directors, Bentinck recalled that even after six months of the mutiny: "The officers were tortured by the conviction of a general plot."¹ In December 1806, Bentinck described this situation as "frenzied". He further reported to Grenville that the European Community were convinced of the fear of another sepoy outbreak without any ground whatsoever.² Such unusual apprehension often led to measures bearing serious consequences and one such incident developed at Nandidroog.

¹Bentinck's Memorial, p.35.

²Bentinck to Grenville, 1st Dec. 1806, B.P.

The fortress of Nandidroog was situated in the heart of the Mysore territory where four companies of Indian sepoy were stationed. In the middle of October, a rumour spread that the Nandidroog garrison made a plan to repeat the massacre of Vellore and that the Hindu and Muslim sepoy had sworn to act jointly against the British on 18th October. The rumour alarmed the Commanding Officer there to such an extent that he lost no time in calling for immediate reinforcements from Bangalore. On the night of 18th October the English, in fact, awaited an attack of the sepoy in a barricaded enclosure with arms and ammunition. Nothing however happened and on the following day the 22nd Dragoon reached Nandidroog from Bangalore under Col. Davies to find undisturbed peace in the area.¹

Following the case of Nandidroog, Col. Ogg, the Commanding Officer of Bangalore, came across a rumour that the sepoy of the 2nd batalion of 1st regiment under him were involved in a plan of insurrection. The Subadar of Bangalore, a relation to Purneah Dewan, was suspected to be the leader of this plot.² The Subadar was

¹ Gov. in Coun. Mad. to Sec. Committee, 2nd Dec. 1806, Letters Recd. from Mad. Vol.3, 2nd series.

² Resident of Mysore to Gov. in Coun. Mad. 15th Nov. 1806, Beng. Sec. & Pol. Cons. 5th Feb. 1807, Vol.200, No.8.

promptly arrested and suspended from his duties. An enquiry following the arrest of the Subadar soon revealed that there was neither substantial evidence against the Subadar nor any existence of disaffection among the sepoys. Bentinck at once ordered the reinstatement of the Subadar and punished the British officer by removing him from the Command of Bangalore.¹

The development that took place at Palamcottah in Tinnevelly district in November was even more serious. In the middle of November 1806 the Commanding officer at Palamcottah, Major Welsh, had sensed the existence of a mutinous spirit among the Muslim sepoys under his command. Being terrorised, he did not bother to waste time by verifying the grounds of his suspicion. On 19th November, he decided to disarm the Muslim sepoys by separating them from the Hindus and then expelled them from the fort. Even after this he did not consider himself safe, and promptly despatched the news to the Commanding Officer of the British subsidiary force at Travancore and to the Governor of Ceylon seeking assistance.² In his letter to Maitland, the Governor of Ceylon, Welsh stated that he had detected a widespread

¹ Bentinck's Memorial, pp.35-7.

² Gov. in Coun. Mad. to Sec. Committee, 2nd Dec. 1806, and 1st Jan. 1807, Sec. Letters from Mad. Vol.3, 2nd series.

conspiracy among the Sepoys all along the coastline and that the security of the Company's possessions would be in jeopardy without immediate arrival of European troops from Ceylon. Maitland, in his turn, arranged for the despatch of troops and forwarded the intelligence to the authorities in England instead of breaking the news to Bentinck.¹ In his letter to Col. Grant, the Commanding Officer of Travancore, Welsh cautioned him against the dangerous disposition of the sepoy serving the subsidiary force. Col. Grant at once followed the example of Welsh and disarmed the sepoy of his own establishment. While effecting this he confessed that he himself did not find any cause to suspect the fidelity of his sepoy.² When Bentinck's Government came to know about all these inexpedient proceedings of the British officers, they promptly asked the Commanding Officer of Tinnevely, Col. Dyce, to visit Palamcottah and to investigate into the whole situation. To his utter surprise Col. Dyce discovered that there was no cause of apprehension whatsoever, and that Welsh's actions were rash, erratic and extreme. Dyce at once decided to restore arms to the disarmed sepoy - a decision

¹ Bentinck's Memorial, p.38.

² Gov.in Coun. to Sec. Committee, 1st Jan. 1807. See Letters from Madras, vol.3, 2nd Series.

which was immediately confirmed by Bentinck himself.

The bewildered sepoys resumed their duties.¹

The attitude of Bentinck's Government to all these incidents was one of restraint and moderation. Possibly they realised that it was dangerous and unreasonable to alienate the best part of the Company's army, who had so long fought with the British with unexampled loyalty. Thus the policy of the Madras Government subsequent to the mutiny of Vellore was to regain the confidence of their fighting machine and not to break it up through groundless suspicions and rumours. About the then prevailing apprehension and suspicion among the British, Bentinck remarked: "As long as this feeling continues it will be fatal to the great object of reconciliation."² Obviously Bentinck not only disapproved but also censured the inexpedient actions of the military officials. The case of Nandidroog was a clear example of such disapproval. However, the Madras Government could not take any step against the Commanding Officer there, as the Commander

¹ Gov. in Coun. Mad. to Sec. Committee, 1st Jan. 1807, Sec. Letters from Mad. Vol.3, 2nd series.

² Bentinck to Grenville, 1st Dec. 1806, B.P.

in Chief defended him and the Supreme Government supported the Commander in Chief in the case.¹ But in Palamcottah, Travancore and Bangalore, Bentinck had no hesitation in punishing the officers in command for their irresponsible behaviour.

If the incidents of Palamcottah, Travancore, Bangalore and Nandidroog illustrated Bentinck's forbearance, the reorganisation of the rebellions battalions by the Government showed his liberality. The Commander in Chief, Cradock, who was in favour of punishing the mutineers most severely, proposed before the Madras Council on 2nd September 1806, of a total erasure of the guilty regiments from the army list.² The proposal received the approbation of the majority of Bentinck's Council.³ But Bentinck himself was wholly against such a drastic measure. He argued that a total extinction of the regiments would only keep alive the recollections "which it was our wisdom to extinguish as soon as possible."⁴ He refused to believe that such extreme measures

¹ Gov. Gen. in Coun. to Gov. in Coun. Mad., 4th Dec. 1806, Bentinck's Memorial, pp.120-22.

² Cradock's Minute, 2nd Sept. 1806, Bentinck's Memorial, pp.31-2

³ Petrie's Minute, 12th Sept. 1806, Home Misc. Ser. Vol.509.

⁴ Bentinck's Minute, 11th Sept. 1806, Home Mis. Ser. Vol.509.

would set a desirable example before the Indians.¹ A large number of Indian commissioned and non-commissioned officers and sepoy of both the mutinous battalions (1st and 23rd) were arrested following the outbreak. In view of this Bentinck proposed to amalgamate the 1st and the 23rd battalions of the 1st regiment into the 1st battalion only. He further suggested that those Indian officers who actually participated in the mutiny, should under no circumstances be allowed to resume their service. But those officers, who merely had a knowledge about the disaffection, should be permitted to take up their military duties.² This arrangement was fully accepted by the Madras Government and Bentinck reported that "the justice of our opinion (as opposed to the Commander in Chief's) had received the confirmation of the Supreme Government."³

Bentinck's liberality and moderation were glaring in his treatment of the prisoners of the mutiny. The Commander in Chief from the beginning insisted on inflicting the severe punishment of general exile on all the prisoners irrespective of their guilt.⁴ He

¹ Cradock's Minute, 6th Sept. 1806, Home Misc. Ser. Vol.509.

² Bentinck's Minute, 23rd Sept. 1806, Home Misc. Ser. Vol.509.

³ Bentinck to Bosanquet, 2nd Oct. 1806, B.P.

⁴ Commander in Chief's Minute, 14th Sept. 1806, Home Misc. Ser. Vol.509.

considered any pretence of justice in this respect quite superfluous. Bentinck was always against such a measure. He preferred to appoint a Special Commission to classify the imprisoned sepoy, "some of whom were leaders, some participants, and some ignorant of what was happening", and then to bring them before a native court-martial.¹ Bentinck pointed out that a great number of unarmed Vellore sepoy were arrested after the mutiny in the outlying villages. There was thus a positive necessity to specify their guilt. The Council supported him and resolved that all the sepoy arrested after the Vellore mutiny should appear before a court-martial and be given an opportunity to prove their innocence.² Bentinck had no doubt that only a proper trial of the prisoners would conform to the principles of justice.

But before the trial by native court-martial held, Col. Coombs and Lt. Col. Forbes were asked to investigate into the guilt of the prisoners and to classify them according to their misdeeds. The report of these two officers was discouraging as they concluded that all the sepoy, without any distinction, took

¹ Bentinck's Minute, 23rd Sept. 1806, Home Misc. Ser. Vo. 509.

² Ibid.

more or less active part in the mutiny. They did not find a single person who was ignorant of the mutinous proceedings. Even the sepoy on guard outside the fort came and joined the mutineers. Some of the sepoy were less active, but nonetheless, encouraged the insurgents.¹ However, Col. Coombs and Lt. Col. Forbes recommended three alternative courses to deal with the prisoners: (a) to punish with death the most guilty by Court-martial and to transport others; (b) to punish with death the most guilty and to grant an amnesty to all; and (c) to punish with death the most guilty and to keep the remainder in confinement.

Bentinck was obviously disappointed with the findings of Coombs and Forbes. As regards their propositions he discarded the first alternative. A mass transportation of prisoners for life would not make any distinction between punishment for murder and punishment for resistance against an order. 'Such exile of 600 persons without trial', according to Bentinck, would alienate the sepoy as a whole and confirm the allegations of injustice.²

¹ Report of Lt. Col. Forbes and Col. Coombs, 6th Sept. 1806, Home Misc. Ser. Vol. 509.

² Bentinck's Minute, 13th Sept. 1806, Sec. Cons. B.P.

He considered the second alternative as "the most desirable if it could be adopted safely." But he felt that to set free people who were implicated in the massacre might be an act fraught with future danger. He probably realised also that in an atmosphere of tension, suspicion and alarm^a general amnesty to prisoners would not receive much support from his colleagues. So he pleaded for the adoption of the third alternative, namely, the confinement of the prisoners for the time being. Such a measure would provide the Government with sufficient time to enquire fully into the charges against the sepoys and to determine their future. At the same time the measure would relieve the Government from the accusations of injustice, severity and leniency. Bentinck therefore recommended that the court-martial should try only the most guilty ones and the rest be confined until their case was reconsidered by the Government.¹

Bentinck's proposal was hotly debated in the Council and the Commander in Chief strongly opposed its acceptance. In the treatment of the mutineers he was more in favour of propriety than legality and advocated summary trial for them. General banishment of the sepoys seemed to him the only right treatment. Cradock

¹ Bentinck's Minute, 13th Sept. 1806, Sec. Cons. B.P.

believed that both the punishments, the indefinite confinement and the outright banishment, would be painful to the sepoys. But confinement would do more harm to them than transportation for life by keeping alive their agitation and revengeful disposition.¹ Petrie supported Bentinck's proposal.² Oakes, the other Council member, though doubtful whether a delay would be conducive to prove the guilt of the sepoys convincingly, had no hesitation in opposing the exile of a large body of men without trial and justice.³ Bentinck's decision was thus accepted by a majority of the Council. The ring-leaders of the mutiny were promptly brought before a Court-Martial which was dissolved after pronouncing verdict on them. On 23rd September 1806, 6 of the principal leaders of the mutiny were blown away by guns, 5 were shot dead and 8 were hung.⁴ And the fate of the rest of the prisoners was still left undecided.

¹ Commander in Chief's Minute, 14th Sept. 1806, Home Misc. Ser. Vol. 509.

² Petrie's Minute, 16th Sept. 1806, Home Misc. Ser. Vol. 509.

³ Oakes's Minute, 16th Sept. 1806, Home Misc. Ser. Vol. 509.

⁴ Col. Harcourt to Adj. Gen. Agnew, 23rd Sept. 1806, B.P.

In December 1806, the Supreme Government of Bengal called Bentinck's Government for a prompt decision on the whole issue and expressed their distinct preference for the transportation of prisoners as opposed to their imprisonment.¹ Bentinck was determined not to give up his policy of justice and moderation. He appealed to the Governor General not to insist on banishment of the prisoners without ascertaining their guilt.² At this point a change took place in the Government of Bengal. In July 1807, Lord Minto came as the Governor General in place of Barlow and concurred with Bentinck's view on the entire problem.³ Regarding the treatment of the prisoners, the Supreme Government finally decided to allow full discretion to the Government of Madras. Following this, Bentinck appointed two Special Commissions, - one at Vellore and the other at Madras - for a final decision about the Vellore prisoners.⁴ According to the recommendations of these Commissions, the Government of Madras resolved not to call for any further court-martial. They also decided to liberate the majority

¹ Extract of a letter from the Gov. Gen. in Coun. to Gov. in Coun. Mad. Dec. 1806, Bentinck's Memorial, pp.123-4.

² Bentinck's Minute, 8th Jan. 1807, Sec. Cons. B.P.

³ Gov. in Coun. to Sec. committee, 21st Oct. 1807, Sec. Letters from Mad. Vol.3, 2nd series.

⁴ Ibid.

of the prisoners with the exception of those whose active participation in the mutiny was proved beyond doubt.¹ The Indian officers involved in the mutiny were to be dismissed from the army. Bentinck, however, proposed to give them some financial assistance for their future. He suggested that the cases of the Indian officers and sepoys who were found implicated in the massacre, should be transferred to a regular Court of Circuit. He believed that such transfer would give the accused persons the benefit of usual legal procedure. Lastly, he wanted to release the rest of the prisoners in succession.² All the liberal proposals of Bentinck received the consent of his Council. In accordance with the decision a number of Subadars and Jamadars of the Vellore garrison were dismissed from their military duties with an allowance of three and four pagodas per month respectively. The innocent prisoners were released by batches and they began to settle down peacefully.³

Such was the end of the story of Vellore mutiny and the anguish, distrust and dismay accompanying it. The cruelties of the revolt and the reprisals following the incident left a distressing memory in the history of the Madras Presidency.

¹ Resolution of the Gov. in Coun. Mad. 19th July 1807, Sec. Cons. B.

² Bentinck's Minute, 20th Sept. 1807, Sec. Cons. B.P.

³ Gov. in Coun. Mad. to Sec. Comm. 21st Oct. 1807, See Letters from Mad. Vol. 3, 2nd series.

CHAPTER VI

THE VELLORE MUTINY : SOME OBSERVATIONS

The mutiny of Vellore led to lengthy and controversial discussions among the contemporaries as to its causes. The discussion was initiated by the Commission of Enquiry, which the Government of Madras instituted to enquire into the incidents at Vellore. The Commission found two factors responsible for the outbreak. The primary cause was the introduction of the new turban and dress regulations for the sepoy. The religious fanaticism among the Muslim and Hindu sepoy, the Commission observed, had strongly prejudiced them against the new turban which unfortunately resembled the hats of the Feringhees (Europeans). The sepoy took it as a deliberate attempt on the part of the British to "Europeanise" them and consequently they were alarmed. The other factor, the Commission stated, was the plot hatched by the Mysore princes. Tipu's sons were responsible for instigating the dissatisfied sepoy to fulfil their own object, namely, the restoration of the rule of Tipu's family in Mysore.¹

Bentinck was satisfied with the findings of the Commission, mainly because they corroborated his opinion to a great extent.

¹ Report of the Enquiry Commission, 9th August 1806, P.P. Vol.42, 1861, pp.689-93.

He had no doubt that the turban and the dress regulations issued by the military authorities in Madras were the real causes of the mutiny. Hence the Vellore uprising, according to Bentinck, was essentially a mutiny of the sepoys. "I have as yet seen nothing to induce me to believe that the orders in question (concerning dress and turban) were not the original cause of the disaffection of the sepoys."¹ The Commander in Chief, Cradock, however, refused to accept what he called "the inadequate findings" of the Enquiry Commission. Cradock's views about the causes of the mutiny were totally different from those of Bentinck. He believed that the turban and the dress regulations were of mere secondary importance. The outbreak at Vellore was not a simple mutiny of the sepoys but an uprising symbolising the general disaffection of the people. "The Commission treated the mutiny as an upsurge of the sepoys who were discontented", he wrote, "but the mutiny was due to ^{far} graver causes."² In Cradock's opinion the novel changes introduced by Bentinck's Government in the civil administration of the Presidency, especially the revenue and judicial reforms had

¹ Bentinck's Minute, 5th Sept. 1806, Home Misc. Ser. Vol.510.

² Cradock's Minute, 21st Aug. 1806, Home Misc. Ser. Vol.508.

created disaffection among the people.

Maitland, the Governor of Ceylon, went further in emphasising the political causes of the mutiny. According to him the expansionist policy of Wellesley and the overthrow of the Indian rulers caused political unrest. The resultant suspicion and vengeance of the native ruling class incited the sepoys to rise in revolt. In Maitland's view the turban and the dress regulations were nothing more than mere pretexts for the mutiny.¹ There was also considerable discussion on the role of the Mysore princes in the mutiny. Cradock believed that the princes really engineered the outbreak by playing on the sepoys' fanaticism.² Others like Bentinck believed that Tipu's sons were not strong and active enough to engineer a revolt, but they might have participated when it did take place.³ Such also was the view of the Governor General, Barlow.⁴ Petrie, the senior member of the Council, felt that Tipu's family, the traditional enemy of the British power in South India, fomented and led the mutiny at Vellore. Petrie, however, admitted that the mutiny

¹ Maitland to Minto, 21st Sept. 1806, Home Misc. Ser. Vol.510.

² Cradock's Minute, 2nd Oct. 1806, Home Misc. Ser. Vol.510.

³ Bentinck's Memorial, pp.13-14.

⁴ Barlow to Bentinck, 24th Sept. 1806, Home Misc. Ser. Vol.509.

would not have taken place had there been no dissatisfaction among the sepoys on account of the dress regulations.¹ Oakes, the other member of the Council, similarly believed that the Mysore princes took advantage of a situation which was rendered explosive by the introduction of the new turban.²

According to some views current in England and in India, the real cause of the mutiny was the activities of the Christian missionaries and evangelical chaplains.³ Missionary activities, it was alleged, had made the sepoys suspicious about the motive of the British Government in introducing the new turban. The hardships of the sepoys - their poor pay and their ill-treatment by the European officers and men - were considered as additional causes of the mutiny.⁴

Thus the people at the helm of affairs in Madras Presidency held a number of factors responsible for the outbreak. These factors, though varied in importance, were the dress regulations, the Christian missionary activities, the startling changes in the civil administration, the material sufferings of the sepoys, the prevailing

¹ Petrie's Minute, 1st Aug. 1806, Home Misc. Ser. Vol. 510.

² Oake's Minute, 24th Aug. 1806, Home Misc. Ser. Vol. 510.

³ Charles Grant to Bentinck, 17th April 1807, B.P.

⁴ Bentinck's Minute, 11th Oct. 1806, Sec. Cons. B.P.

political unrest and the plot of the family of Tipu. It must be remembered, however, that these contemporary views were likely to be influenced by personal considerations. Bentinck, for example, was eager to prove that the mutiny was mainly due to the innovations in the dress of the sepoys. Such a conclusion would spare him and his administration from much of the blame leaving the responsibilities with the military authorities. Similarly, Cradock's interest would be fulfilled and the responsibility of his department shifted to executive authority if the mutiny could be ascribed to more general causes. It is necessary, therefore, to examine all the factors and determine their respective magnitudes.

Most of the sepoys, Hindus and Muslims, came from the rural areas where society was generally conservative and narrow. It was only natural that such men would possess strong religious sentiments and scruples as well as ignorance and superstition. The introduction of the new turban and the dress regulations raised serious doubts in their mind as to the sincerity of the Government's secular policy. Their suspicions were not altogether ill-founded. It was proved that the new turban had no connection with the

religions of the sepoy. But there is no doubt that the dress regulations interfered with the religious customs of both the Muslim and Hindu sepoy. While the prohibition of the whiskers was against the Muslim custom, the prohibition of caste marks and earrings was opposed to the Hindu practices. Nevertheless, the authors of the dress regulations had no intention to hurt the religious feelings of the sepoy. But they could not prevent the sepoy from reading in the new army directives a clear encroachment upon his sacred religion.¹ Rumours soon spread and the passions were aroused. In his evidence before the Enquiry Commission, Col. Marriott observed: "... the sepoy said that they had worn boots and gloves and now only a hat was needed to make them Feringhees."² The situation soon became frenzied. Bentinck had no doubt that the mutiny would not have occurred at all if the religious feelings of the sepoy were not hurt by "the obnoxious" regulations. He substantiated his views by pointing out that the rising completely subsided when the dress regulation and the turban order were revoked.³ Same was the view of the majority of Bentinck's Councillors. The Supreme Government

¹ Marriott's evidence before the Enquiry Commission, 25th July 1806, Proc. of the Comm. Home Misc. Ser. Vol. 508.

² Ibid.

³ Bentinck to Minto, 11th Oct. 1806, B.P.

also felt that the orders respecting the dress of the sepoy's
"constituted the active and vital principle of the whole plan
(of mutiny) and were the real causes of the existing danger."¹

A number of mutinous sepoy's outlined in their evidence before the Enquiry Commission the widespread resentment of the native battalions against the new turban, According to Sheikh Cassim, the sepoy's generally believed that it was an infringement on their religions and as such they were willing to die rather than submit to it.²

The argument loses some weight when it is known that restrictions on the sepoy's dress had been introduced prior to March 1806. In order to maintain uniformity in dress and appearance the military authorities in Madras had in practice in the past been opposed to caste marks without arousing any hostility among the sepoy's. However, they had not passed any regulation in this direction. The introduction of changes in the turban of the sepoy's was in fact not new in the Presidency army. Several changes in the turban style resembling the new one had already been experimented

¹ Barlow to Bentinck, 24th Sept. 1806, Home Misc. Ser. Vol.510.

² Confession of Sk. Cassim, 31st July 1806, Home Misc. Ser. Vol.508

without any resistance from the sepoy^s.¹ The enquiries following the initial turban agitation proved that neither the shape nor the materials of the new turban had anything to do with the religious faith of the sepoy^s.² It may further be observed that only the sepoy^s of Wallajabad, Hyderabad and Vellore resisted the new turban. The native battalions in the Northern Circars, in the Ceded Districts, in Mysore, Malabar, Kanara and Southern Divisions manifested no apparent dislike for it.³ The agitations at Wallajabad, Hyderabad and Vellore, therefore, did not represent the general sentiments of the whole body of sepoy^s in Madras Presidency. It may again be noted that the mutiny at Vellore did not immediately follow the turban agitation. Normalcy had returned between the turban agitation of Vellore and Wallajabad in May and the outbreak of mutiny at Vellore in July. This strongly suggests that the mutineers were not acting fanatically on the spur of the moment. The mutiny was carefully planned and absolute~~ly~~ secrecy was maintained with regard to its elaborate preparations.⁴ Such

¹ Cradock's Minute, 2nd Oct. 1806, Home Misc. Ser. Vol.510.

² Proc. and Report of the Court of Enquiry at Vellore, 17th May 1806, Home Misc. Ser. Vol.507.

³ Madras Despatches, 29th May 1807, Vol.39.

⁴ Confession of Sk. Cassim, 31st July 1806, Home Misc. Ser. Vol.508.

an organised move could not be the outcome of mere prejudices. It is true that the dress regulations and the new turban considerably alarmed the sepoys. But it would be oversimplification to call these the sole causes of the mutiny.

The sepoy's suspicion about the Government interference in his religion brought into discussion the works of the Christian missionaries in India. The question was first raised in India by Cradock. Soon after the mutiny he observed that "the advancement of Christianity played a role behind the outbreak."¹ Later on this view was taken up by some prominent persons in England. Some of the Company's Directors (Francis Baring, Swanzy Toone, Thomas Turney, and William Elphinstone) believed that commotion among the sepoys in the Carnatic had links with the activities of the European Christian missionaries.² Some other Directors like Charles Grant and Edward Parry had to battle against such opinions.³

From the beginning of their rule it had been a settled policy of the Company's Government "in no way to meddle with the religious and social customs of the Indians."⁴ The missionaries

¹ Minute of Commander in Chief, 25th July 1806, Home Misc. Ser. Vol.508.

² Philips, C.H., East India Company, 1784-1834, p.160.

³ Embree, A., Charles Grant and British rule in India, pp.241-45.

⁴ Philips, C.H. East India Company, p.158.

entered into the Indian territories but they never received any encouragement from the British Government. In November 1804 the Court of Directors advised the Government of Madras not to treat the missionaries with any special favour.¹ In 1807 Buchanon, the Company's Chaplain in Bengal, was censured by the Government for his attacks on Indian religions.² Carey, the Baptist missionary at Serampore in Bengal, was similarly criticised by the Government for the same reason.³ In May 1807 the Court of Directors made it further clear that in allowing the missionaries into India they had no wish to be associated with the missionary activities.⁴ Without any Government patronage, therefore, the Christian missionaries were hardly a force to be reckoned with. In Madras Presidency the number of missionaries was small and they were "sadly neglected" by the Government.⁵ In the Carnatic there was only one missionary at the time of the mutiny and none near Vellore.⁶ There is no evidence to show that missionary

¹ Letter of the Court of Directors to the Govt. of Mad. 6th Nov. 1804. Madras Draft Despatches, Vol.11.

² Embree, A., Charles Grant and British rule in India, p.240.

³ Gov.Gen. to Gov. of Serampore, 1st Sept. 1807, Cited in A.Embree, Charles Grant and British rule in India, p.240.

⁴ Madras Despatches, 29th May 1807, Vol.40.

⁵ Report on the various sects of the Church of Christ by Rev. Dr. Kerr, 4th Nov. 1806, P.P. Vol.IX, 1812-13, p.442.

⁶ Embree, A. Charles Grant and British rule in India, p.241.

propaganda had any effect on the public mind in the neighbourhood of Vellore. Neither any responsible person other than Cradock in Madras mentioned or discussed it as a probable cause of the mutiny nor any sepoy spoke of the missionaries trying to convert them. It appears that the sepoy's refusal to accept the new turban was caused not so much by their fear of being converted to Christianity but being ridiculed and looked down upon by the members of their communities.

Apart from their objection to the dress regulations and the new turban the sepoys had long suppressed grievances as to their pay and conditions of service. The hardships of the sepoys during the British wars at the close of the 18th century brought them no benefit.¹ They were generally treated very harshly by their European officers. The service of the Indian officers like Subadars and Jamadars was not attractive from the point of view of power and influence and they were regarded as "the down-trodden among officers."² Cradock himself admitted that the European officers ill-treated the sepoys and antagonised the Indian officers through insolent behaviour.³ It may be recalled that the mutineers

¹ See Chapt. V. pp. 288-89

² Bentinck to Minto, 15th Oct. 1806, B.P.

³ Cradock's Minute, 2nd Oct. 1806, Home Misc. Ser. Vol. 510.

of Vellore were not only the sepoy^s but also the Indian officers. The Court of Directors sadly noticed this fact and they had no doubt that the Indian officers were alienated from the British by the humiliation they suffered at the hands of the European officers.¹ To this was added the grievance of the sepoy^s for poor pay.² In evidence given before the Enquiry Commission the sepoy^s themselves attested that inadequate pay was a factor providing incentive to their uprising. The Government records bore testimony that the Mysore princes attempted to rally the sepoy^s by promising to double the amount of salary they received from the Company.³ The sepoy^s at Wallajabad explicitly mentioned that poor pay, excessive labour and rigorous discipline were their main complaints.⁴ In view of these it may be observed that there was a general resentment among the sepoy^s based on the grounds of their insufficient pay and humiliating conditions of service.

Cradock, however, believed that not only the sepoy^s but also the people of the Presidency were discontented due to some

¹ Madras Despatches, 29th May 1807, Vol. 40.

² See Chapt. V, p. 289.

³ Confession of Eusuf Khan, Havildar, 13th Aug. 1806. Campbell, Comm. Officer, Trichinopoly to the Govt. of Mad. 13th Aug. 1806, Home Misc. Ser. Vol. 508.

⁴ See Chapt. V, p. 321.

hasty and radical reforms introduced by Bentinck's Government. Indians were strongly attached to their ancient laws and usages and were averse to rapid changes. Without considering this fact, Cradock alleged, Bentinck introduced a new system of land revenue and established District Courts to reform the laws of the country. The people thus were "exasperated by a sudden introduction of a system of revenue, property and judicature unknown . . . and adverse to their disposition."¹

It is noticeable that while questioning the revenue and judicial measures of Bentinck, Cradock did not attempt to substantiate his criticisms. He never clarified what he meant by the measures unknown and adverse to the disposition of the people. Bentinck's introduction of the Zillah courts reversed the previous administration of justice by the collectors of revenue and separated judiciary from the executive. In effect the measure offered security to the people against what Cradock mentioned "the oppression of Government officials". Bentinck did not effect any drastic reform in the laws of the Presidency. The Regulations passed in 1802 were mainly based on Cornwallis's reforms of 1793 in Bengal and they were not

¹ Cradock's Minute, 21st Sept. 1806, and 2nd Oct. 1806. Home Misc. Ser. Vol.510.

Bentinck's creation. The Madras Government on the whole retained the old system in which Muslim criminal law was administered to all, Hindu civil law to the Hindus and Muslim civil law to the Muslims.¹ In matters of land revenue Bentinck favoured the Rayatwari settlement which was not entirely new in the Presidency. The rayats of Southern India were familiar with the direct system of land revenue. Besides, Bentinck wanted to introduce Rayatwari system only in the newly acquired unsettled districts of Madras. He did not interfere in the settled areas like Northern Circars, where the Zamindari system was in existence. The official documents have no evidence of any resistance on the part of the people of Madras either against the revenue arrangements or against the judicial regulations of the Government. It is no wonder that neither the Court of Directors nor the Supreme Government nor the Councillors in Madras enquired into these factors as possible causes of the Vellore mutiny. None of the sepoys at any stage of the agitation or confession before the Enquiry Commission raised these issues as causes of the outbreak. The vague accusations of Cradock, therefore, cannot be considered as causes of the sepoy mutiny.

¹ Bentinck's Memorial, pp.19-23.

Though there was no popular discontent against the Government on the questions of land revenue and judicial system, there existed elements hostile to the Government. Bentinck admitted the presence in the Presidency of a small minority of interested persons who are disaffected.¹ Cradock maintained that a large section of the Indian aristocracy was badly affected towards the British Government.² The Court of Directors also believed that "disgruntled elements" were active in Madras.³ It is not difficult to specify these disgruntled elements in the context of the political situation of South India at the beginning of the 19th century. Wellesley's expansionist policy resulted in the general weakening and gradual extinction of the Indian princes. Consequently their dependents and followers became powerless. In South India these dependents and followers included the relatives of the royal families and the members of the royal courts. This aristocracy witnessed with deep concern the fall of Mysore, the absorption of Arcot and Tanjore and the humiliation of Travancore. The nobility in Mysore and in the Carnatic

¹ Bentinck to Minto, 1~~st~~ Oct. 1806, B.P.

² Cradock's Minute, 2nd Oct. 1806, Home Misc. Ser. Vol.510.

³ Madras Despatches, 29th May 1807, Vol.40.

suffered materially by the change of Governments in these places. They lost position, power, wealth and privileges and consequently became hostile to the British Government.

The aggrieved elements of Mysore generally flocked around the family of their master. In Vellore town alone 3,000 adherents of Tipu's family settled together.¹ The Enquiry Commission of Vellore observed this fact and commented that "the interest of Seringapatam was transplanted in the Carnatic."² This large number of "outsiders" at Vellore were always eager to foment excitement on any pretext. They were undoubtedly active in spreading the rumour that the sepoys would become Christians if they wore the new turban.³ One Lieutenant Erving of Vellore garrison recorded that on the night of the mutiny the bazaar (market) people at Vellore were excited and seemed to know what was going to take place.⁴ The British resident at Hyderabad suspected that the nobles of Nizam's Court corrupted the sepoys of the subsidiary force stationed in the

¹ Madras Despatches, 29th May 1807, Vol.40.

² Report of the Enquiry Comm. 9th Aug. 1806.

³ Evidence of Allegury sepoy before the Court of Enquiry instituted by Gillespie, 16th July 1806, Home Misc. Ser. Vol.507.

⁴ Evidence of Lt. Erving before Court of Enquiry, 13th July 1806, Home Misc. Ser. Vol.507.

Kingdom.¹ Rumours were current in Hyderabad that the Europeans were intending to massacre the natives in order to obtain hundred heads to lay the foundation of a Church.² In this context it is also necessary to take note of the Poligars - the Hindu and Muslim military chieftains of Southern and Western part of Madras Presidency.³ These powerful Poligars maintained private armies and bitterly resisted the extension of British authority at the end of the 18th and at the beginning of the 19th centuries. When Bentinck arrived in Madras, most of the Poligars were subdued. By 1806 the majority of them were either in confinement, expelled by force or deprived of authority.⁴ These humiliated Poligars naturally detested the British rule in India and promised to assist Prince Muizuddin in course of the mutiny.

There is no doubt as to the existence of anti-British elements in the Presidency. Though they constituted a small minority among the whole population, their grievances against the British Government were deep-rooted. The role of Tipu's sons may be judged in

¹ See Chapt. V, p. 320;

² Madras Despatches, 29th May 1807, Vol.40.

³ See Chapt. II, p. 106.

⁴ Madras Despatches, 29th May 1807, Vol.40.

this context. The contemporaries are unanimous as to the involvement of the two sons of Tipu (Muizuddin and Mohiuddin) in the mutiny. There was, however, some difference of opinion with regard to the importance of their part in the mutiny. According to the army authorities in Madras the Mysore princes took advantage of the sepoy agitation over the new turban, exploited the situation and "led the conspiracy".¹ Army officials generally believed that the Mysore princes engineered the mutiny.² Similar was the view of the Court of Directors, who believed that "behind the religious prejudices political factors were working" at Vellore under Tipu's sons.³ Others, like Bentinck and Barlow, were not in favour of laying so much importance on the role of Tipu's sons.⁴ They were of the opinion that Tipu's sons were prisoners and powerless. Consequently they were unable "to debauch the minds of the sepoys". Bentinck thought that the sons of Tipu would have loved to see the British Government in trouble, but they themselves had no capability to create it.

¹ Cradock's Minute, 2nd Oct. 1806, Home Misc. Ser. Vol.510.

² Harcourt and Gillespie to Ch. Secy. Govt. of Mad. 12th July 1806, Home Misc. Ser. Vol.507.

³ Madras Despatches, 29th May 1807, Vol.40, Para.17.

⁴ Bentinck to Gen. Macdowall, 3rd Jan. 1807, B.P. and Barlow's Minute, 11th Aug. 1806, Home Misc. Ser. Vol.509.

About Muizuddin, the most prominent among the princes, Bentinck wrote that he was "a weak and foolish young man" incapable of leading a rising.¹

The facts, however, do not support the views of Barlow and Bentinck. Numerous evidence proves the involvement of Tipu's sons, especially of Muizuddin, with the mutiny. Muizuddin organised and directed the sepoy for the mutiny through his attendants and agent - Alanddin.² It was Muizuddin who attempted to obtain help for the mutineers from the poligars and allies in Mysore.³ Before the mutiny he publicly disclosed that he would soon be out from his captivity.⁴ According to the plan of the mutiny, Muizuddin was also supposed to lead the mutineers and his favourite horse was found ready inside the palace gate.⁵ There is no doubt whatsoever as to the complicity of the palace people in the massacre of the Europeans at Vellore. It may be recalled that neither Mohinddin nor Muizuddin were exactly "weak or foolish young men". In fact Col. Marriott, who knew them intimately, entertained a different opinion.⁶ A genial,

¹ Bentinck's memorial, pp.13-14.

² Confession of Sk. Cassim, 31st July 1806, Home Misc. Ser. Vol.508,

³ See Chapt. V, p. 301.

⁴ Evidence of Syded Churadmund Ally, former servant of Mysore Govt. 23rd July 1806, Proc. of Enquiry Comm. Home Misc. Ser. Vol.508.

⁵ See Chapt. V. p. 305

⁶ Ibid., p. 300.

impulsive prince of the esteemed family of Tipu was therefore quite capable of assuming the leadership of an uprising.

Two other facts further demonstrate the entanglement of Muizuddin and his associates in the mutiny. One was the object which the mutineers promised to achieve, namely, the destruction of the English and the restoration of Tipu's family to the throne of Mysore. The other was the use of Tipu's family flag in course of the mutiny. A group of mutineers led by one Inam Khan replaced the British flag at the top of the fortress by Tipu's flag.¹ Muizuddin's later explanation that the sepoys forcibly took away the flag from his possession² was not supported by other evidence and was made probably for his own safety. No direct evidence, however, could be obtained against Muizuddin and Mohiuddin to charge them for plotting against the Government. They were neither seen during the actions, nor appeared in the secret meetings nor openly preached rebellion.

From the above discussion it may seem clear that of all the alleged causes of the mutiny some are tenable while others have

¹ Evidence of Inam Khan, 9th Aug. 1806, Proc. of Enquiry Comm. Home Misc. Ser. vol. 508.

² Evidence of Col. Marriott, 25th July 1806, Proc. of Enquiry Comm. Home Misc. Ser. Vol. 508.

no foundation at all. The activities of the Christian missionaries and the judicial and revenue measures of Bentinck are not even the remote causes of the mutiny. The dispossessed aristocrats and the disinherited sons of Tipu formed together a political factor in the Presidency. The Muslim nobility and the Poligars were aggrieved at the loss of their estates and privileges. With the hope of recovering their former position they supported Tipu's sons in their bid for regaining control over the Kingdom of Mysore. The princes who had not forgotten the power and glory of their house found in the sepoy disaffection an opportunity to rise against the British authority. The sepoys and their Indian officers were generally dissatisfied on account of their inferior position in the British army, their meagre salary and the insolent behaviour of the British officers. Their general dissatisfaction needed a cause for an outburst which was provided by the dress regulations and the new turban. Alarms of "religion in danger" were soon raised by the interested parties and the sepoy's fears were aroused. At this point the princes took the active lead and the rebellion was planned.

The uprising of Vellore was thus not a mere mutiny of the sepoys. It was secretly planned and carefully organised. Recruits

to the plot were selected with great caution and every new member was required to take an oath before joining the conspiracy. In the presence of at least two ring leaders of the uprising the new entrant had to drink milk and take oath on the Koran that he would fulfil the object of the plot, namely, the overthrow of the British power in Madras.¹ The object definitely imparted a political character to the rebellion. The sepoy leaders, in fact, were moving with a political programme. Men like Sheikh Adam, Sheikh Hussain, Sheikh Cassim, Sheikh Ahmed, Inam Khan had no confusion in this regard. But it is doubtful whether the common sepoys fully understood the object of the mutiny and acted for its implementation. The efforts of the sepoy leaders and the palace attendants to keep alive the sepoy's apprehensions with regard to the new turban and the dress regulations prove that they relied heavily upon the religious prejudices of the sepoys.

It was the prevalent tendency among the British officials to characterise the Vellore mutiny as an uprising of the

¹ Confession of Havildar Eusuf Khan, 1st Aug. 1806, Campbell, Comm. Officer, Trichinopoly to the Gov. of Mad. 1st Aug. 1806, Home Misc. Ser. Vol. 508. The oath taking on the Koran obviously applied to the Muslim sepoys. The Hindu sepoys, presumably, were required to take oath on their religious texts. However, this cannot be confirmed.

Mohammedan sepoy. Bentinck himself referred to the mutiny as an operation of "numerous moormen."¹ Cradock believed that the mutiny was the product of a Muslim conspiracy.² Important military officials, too, adopted the same view.³ As a result of such belief in November 1806 the Muslim sepoy at Palamcottah were disarmed following the rumour of a disaffection and were separated from their Hindu counterparts.⁴ However, the evidence of the Vellore mutineers proves that this opinion is not correct. There is no doubt that the sepoy of the troubled spots of Vellore, Wallajabad and Hyderabad were predominantly Mohammedans. But the Hindu sepoy also joined hands with them and played a significant role during the mutiny. Alleygurry, a Hindu sepoy was one of the ring leaders of the Vellore mutiny. It was alleged that in the course of the mutinous proceedings he shot dead a prominent British officer, Major Armstrong.⁵ Col. Marriott,

¹ Bentinck to Minto, 20th Oct. 1806, B.P.

² Cradock's Minute, 2nd Oct. 1806. Home Misc. Ser. Vol. 510.

³ Petition of the Military Officers to the Governor, Home Misc. Ser. Vol. 507.

⁴ See Chapt. V. p. 332.

⁵ Evidence of Col. Forbes, Comm. Officer, 1st Batt. 1st Regt. 22nd July 1806, Proc. of the Enquiry Comm. Home Misc. Ser. Vol. 508.

in his evidence before the Enquiry Commission, named a Rajput sepoy - Ram Singh - who incited the sentries of the palace to join the mutineers.¹ There is evidence to show that the palace people made separate arrangements for the distribution of betels, sweetmeats and drinks among the Hindu and Muslim sepoys during the mutiny.² There is further proof that some Hindu sepoys like Muthuswamy Naik, Muthulingam and Juggernath Naik, actively participated in the massacre of the Europeans.³

Though all the sepoys, both Hindus and Muslims, took part in the mutiny; they were not supported by the common people. The excitement, preceeding and succeeding the mutiny, made little impression upon the inhabitants of the locality. The mutiny did not demonstrate any great flaw in the economic or political policies of the Company's Government. It did not voice any grievance of the people or raise any great enthusiasm in favour of the Mysore princes. Even the question of religion did hardly move

¹ Evidence of Col. Marriott, 31st July 1806, Proc. of the Enquiry Comm. Home Misc. Ser. Vol. 508.

² Evidence of Moorty, 13th July 1806, Proc. of the Court of Enquiry, Home Misc. Ser. Vol. 507.

³ Confession of Havildar Eusuf Khan, 10th Aug. 1806. Campbell, Comm. Off. Trichinopoly to the Govt. of Mad. 10th Aug. 1806, Home Misc. Ser. Vol. 508.

the populace to action. Hence once the sepoy were crushed, the revolt, having no mass involvement, subsided. Tension died soon after the transfer of the Mysore princes to Calcutta, discipline restored and daily life returned to normalcy. Only five months after the mutiny, Bentinck wrote without hesitation: "the empire is safer in my opinion than ever it was in any former period".¹ The aim of restoring Tipu's dynasty in Mysore by destroying the British authority in Madras was politically very lofty. But an isolated uprising of the sepoy at Vellore, however prepared, was too insufficient a means to attain this ambitious end. A series of sepoy mutinies in all the military establishments of the Presidency, a simultaneous rising of the Poligars and the allies of the princes and widespread popular support for Tipu's sons might have seriously threatened British authority. Bentinck was relieved to find that no such great combination or connection of interests acted behind the outbreak of Vellore.² The imprisoned princes, as the facts bear out, failed to make such a great move. With several hundred sepoy and vague promises of securing help

¹ Bentinck to Maitland, 8th Dec. 1806, B.P.

² Bentinck to Grenville, 1st Dec. 1806, B.P.

they desparately gambled against the consolidated might of the British in South India.

The lack of popular sympathy and the conspiratorial pseudo-religious nature of the mutiny were its greatest weaknesses. To this was added the general confusion of the ordinary sepoy who had no clear idea as to the aim of the mutiny. The inevitable result was the ultimate failure even after initial success. Soon after the fort was captured the sepoy found enormous wealth scattered in the paymaster's office and in the quarters of the European officers. Greed overwhelmed them and unrestrained scramble for looting began. The Commission of Enquiry noted this fact and observed "the eagerness with which the sepoy and men of the palace betook themselves to plunder. . . . and to escape out of the fort with their booty, tended to weaken the general effect of insurrection".¹ The plundering converted the professional soldiers into an indisciplined horde and the high command of mutineers completely failed to control the sepoy. On the following morning a good number of sepoy had deserted and the

¹ Report of the Enquiry Commission. 9th August 1806, p. p. 42, 1861, p. p. 692

remaining were in no state of mind to be organised to offer resistance. In his confession Sheikh Cassim bitterly lamented over this failure. He was of the opinion that the plundering and the defection of the sepoys were the main factors that contributed to the failure of the mutiny.¹

Bentinck's main concern, after the suppression of the mutiny, was to soon inform the Court of Directors of the outbreak and the measures he had taken to overcome the great trouble. The first news of the mutiny, Bentinck determined for obvious reasons, must reach the Directors from the Madras Government. The intelligence was accordingly sent to the Court of Directors in August 1806. But that was not considered enough. Bentinck decided to despatch a special ship to England carrying the full official reports and documents and an officer of the Madras Government who could explain the details and reinforce the Madras Government's version of the causes and nature of the mutiny. The special ship Sara Christiana sailed from the Madras shore in the middle of October 1806 with Major Leith, who was well acquainted with "the late transaction of Vellore and generally conversant in our military, revenue and judicial systems."²

¹ Confession of Sheikh Cassim. 31st July, 1806 Home Misc. Ser. Vol 508

² Bentinck's Minute 15th Sept. 1806. Home Misc. Ser. Vol. 509.

The news of the Vellore Mutiny reached England at the end of December 1806 and as it was apprehended the Court of Directors shocked and panic-stricken at the first intelligence.¹ However, after going through the documentary materials which arrived later in April 1807, the Court was able to form its own opinion on "the most brutal and murderous incident". In their despatch to the Madras Government dated 29th May 1807, the Court stated their conclusion that the sepoy disaffection was produced by the innovations of dress which was utilised by the captive sons of Tipu and their adherents. The extravagancies of the mutiny at Vellore the court stated, "did not proceed solely from religious zeal but were fomented by the political views of the family of Tipu."² However, in the Court's opinion, the most alarming part of the whole episode was not the existence of a plot but an absolute lack of its knowledge on the part of the Government. The Directors were astonished to note that the mutiny originated and developed so secretly that it was not noticed even by a single English officer. "The country people", the Court of Directors observed, "who knew well of the mutiny preparations, never cared to convey any alarm to the Government."³

¹ Allen, W.H.^{8th ed.}, Lord William Bentinck's Administration, Calcutta Review. Aug. 1844, Vol.1, No.1, p.344.

² Madras Despatches, 29th May 1807, Vol.40, p.p. 31-153

³ Ibid. para. 5

From their examination of the incidents leading to the outbreak of Vellore, the Court inferred that not only the military authority but also the Government of Madras and their civil officials were indifferent to and unaware of the feelings of the natives of India. The Court thus censured Bentinck's Government for carelessness and indifference in their dealings with the initial agitation of the sepoys.¹

An analysis of the facts leaves no doubt that the failure to prevent the mutiny is to be borne by all engaged in the civil and military administration of Madras. As the head of the Government Bentinck certainly possessed immense responsibility for what was happening in Madras. In the military administration, the Commander in Chief and his advisors had more specific responsibilities. Military officers like the Adjutant General, Col. Agnew, (who was in charge of the overall military establishment) and the Deputy Adjutant, General Major Pierce, (who framed the dress regulation) were directly responsible for the growth of sepoy discontent. Similarly, the Paymaster Col. Marriot, the Supervisor and in charge of Tipu's family at Vellore, could be charged for his failure to detect the conspiracy between the princes and the sepoys. In fact all the European officers, who

¹ Madras Despatches, 29th May, 1807, vo. 40, pp 31-153

were unable to discover the plot of the sepoy, should be accused for lack of vigilance and negligence of their duties. Petrie, the senior member of the Government, who had long experience in Indian affairs, likewise failed to furnish the Government with the benefit of his judgments at the hour of crisis. In order to decide, therefore, that on whom and in what extent lay the responsibility of the mutiny, the conduct of the individual officials should be examined.

As the head of the military establishment of Madras, Cradock had his own share of responsibility. It was he who authorised the new turban, In spite of the initial resentment of the sepoy against the new turban, Cradock compelled them to wear it. Moreover, after the first show of sepoy resentment, he did not care to pass the General Order as advised by Bentinck to assure the sepoy of their religious sanctity. The Court of Directors took an adverse view of Cradock's conduct. Consequently he was suspended from his service and was recalled from India in September 1807. Cradock, however, does not stand defenceless. He was a newcomer to India and ignorant about the Indian character and customs. He introduced the new turban on the sole ground of its being an improvement on the old one.¹ When

¹ Extract from Deputy Adj. Gen's. letter. Sec. Letters from Mad. 30th September 1806. Vol. 2, 2nd Series.

he found that the sepoy agitation on the issue was formidable he lost no time in seeking the advice of the civil authority. He imposed the new turban on the sepoys only when he was authorised by the Government to safeguard the military discipline. As regards the dress regulations Cradock personally was not responsible. Not being himself conversant in Indian affairs, he authorised Pierce and Agnew to draft the Military Code of Regulations. Both these officers had more than twenty years of service experience in India and Cradock relied on them as Indian experts. He found nothing objectionable in the regulations prohibiting caste-marks, earring and whiskers, which were drafted by these two officers. All these prove Cradock's ignorance which in itself is no defence. In spite of the errors of his advisors, Cradock could by no means avoid the responsibility for the new turban and dress regulations. The Court of Directors, too, admitted this fact.¹ Perhaps Cradock's greatest blunder lies in his negligence to make a thorough investigation into the whole matter after the first sepoy agitation. He was too eager to shift his responsibility to the Government by informing them of the turban issue. Even at this point he did not mention to the Government of other dress regulations except the new turban.

¹Madras Despatches, 29th May 1807, Vol. 40.

He himself, too, did not take care to find out to what extent the changes introduced in the dresses and appearance of the sepoy had affected their religious practices. He considered the new turban only and did not assess the implications of the dress regulations.

Cradock might have been ignorant about the superstitions and prejudices of the sepoy but such was not the case with his advisors. Deputy Adjutant General Pierce was given the charge of drafting the Code of Regulations especially for his long experience in Indian affairs. But he turned out to be equally ignorant of the religious feelings of the sepoy. Otherwise, he would not have incorporated the notorious dress regulations in the code. Similarly, Adjutant General Agnew, who had a long association with the Indian people, designed the new turban without thinking of its probable consequences. Even after the first agitation against the new turban neither Agnew nor Pierce realised their mistakes. Agnew, on the contrary, treated the sepoy resentment as a trifle and commented that "it (the agitation) was merely a momentary effort of insubordination, which just a degree of rigour was adequate to quell, and had, in fact, completely suppressed."¹ The truth is that both Agnew

¹Bentinck's Memorial, p. 4.

and Pierce had no idea that the dress regulations were contrary to the policy of religious non-interference of the Company's Government. This was why these two officers did not draw the attention of the Government when the Military Code was discussed and passed by Bentinck's Council. According to normal practice the Civil Government was not supposed to examine all the clauses and sub-clauses of a military code unless specially mentioned by the military administration. Bentinck and his colleagues, therefore, came to know about the existence of the dress regulations in the Code only when the mutiny was over.¹

If Cradock lacked initiative and Agnew and Pierce failed to appreciate the feelings of the sepoys, the military officers at Vellore grossly neglected their duties. The callousness among the officers at Vellore was symbolised in the way in which Col. Forbes ruled out the information supplied by Mustafa Beg and Col. Fancourt paid no heed to one Mrs. Burke, who was eager to convey news about an atrocious plan.² Petrie was right when he complained that "the plan, object and preparations for the revolt had been commonly talked of in the barracks of the sepoys and in the Pettah of Vellore for a month before the mutiny, without

¹ See Chapter V, p. 314.
² See Chapter V, pp. 303-4.

its ^{having} coming to the knowledge of even a single officer." ¹ The officers were even careless in performing their routine duties. On the night before the mutiny the European officers, out of sheer indifference, shifted their responsibility of going on a final round in the barracks to the native officers. ² If the European officers had meticulously carried on their duties they might have either suspected something unusual or actually detected the plot.

Among all the officers of Vellore Col. Marriott's failure to obtain information was most conspicuous. Being entrusted with the sole charge of the Mysore princes, Marriott was in the most advantageous position to discover a coalition between the palace people and the sepoys. Knowing well all about the turban agitation he failed to perceive any political conspiracy in the palace. He knew the princes intimately, but never doubted them of any complicity with the sepoys. He seemed unperturbed even when prince Muizuddin, on the eve of the mutiny, suddenly decided to buy a good horse, desired to pass the nights in his public room on the 8th and 9th July, and finally asked his permission to allow his personal attendants and one of his cousins to stay with him during the night of the

¹ Petrie's Minute, 21st August, 1806. Home Misc. Ser. Vol. 508.

² See Chapter V, p. 305.

mutiny.¹ Petrie seriously took up the point and said that Marriott's proceedings on the eve of the mutiny should be investigated thoroughly.² In fairness to Marriott it could be stated that the behaviours of the princes though unusual were not sufficiently significant to make him suspicious of a treasonable plot. This, however, could not relieve Marriott of his share of the responsibility of the mutiny. According to him two of the Tipu's sons were quite capable and worthy to keep the name of their father.³ In that case after the first turban agitation he should have become more cautious and vigilant about the movement of the princes. Neither Bentinck, nor Cradock, nor the Enquiry Commission took any notice of Marriott's laxity.

Petrie's own conduct is not beyond question. Among all the members of the Government Petrie was the most experienced and well versed in Indian affairs. He was absolutely right, when immediately after the mutiny, he observed that it was better to concede to the prejudices of the sepoys than to allow the disaffection to grow.⁴ But Petrie did not express such a view in May 1806, when the Commander in Chief consulted the

¹ See Chapter V, p. 305.

² Petrie's Minute, 21st August, 1806, Home Misc. Ser. Vol. 508

³ See Marriott's Character Sketch of the princes, Chapter V, pp. 299-300

⁴ Petrie's Minute, 14th July, 1806, Home Misc. Ser. Vol. 510

Government on the turban question. Petrie's moderation at that point might have been most effective. The Court of Directors seized this lapse and censured Petrie for not advising the Council in time against the enforcement of the new turban. His advice, the Court believed, "would have properly restrained the Government's zeal for discipline."¹ In February, 1808, Petrie stated in his defence that he refrained himself from expressing his personal views in May 1806 for fear of misrepresentation. He thought that his colleagues would misunderstand him as a promoter of native superstition against the Governmental authority.² Whatever might have been the reason, the Government of Madras did not receive the benefit of Petrie's wisdom.

Bentinck as the Governor of the Presidency was held responsible by the Directors for several specific mistakes which in effect helped the growth of a mutinous situation. In the first place, he was blamed for the choice of Vellore fortress situated at the heart of the Carnatic, as the residence of Tipu's captive sons. According to the Court of Directors such a prominent place of residence like Vellore could easily be turned into a centre of rebellion.³ Bentinck was also criticised for treating the Mysore

¹ Madras Despatches, 29th May 1807, Vol.40, para.20.

² Petrie's answer to the Court of Directors, February 1808, B.P.

³ Madras Despatches, 29th May 1807, Vol.40.

princes leniently by allowing them handsome grants and the services of their numerous attendants. In the second place, Bentinck was accused of his initial ignorance regarding the "obnoxious" dress regulations. Bentinck and his Government duly sanctioned the new Military Code of Regulations for Madras without caring to know its full contents. In the third place, Bentinck was severely criticised for his failure to institute adequate investigation into the origin of the first sepoy disaffection at Vellore and Wallajabad. A thorough enquiry would have brought the dress regulations to the notice of the Government and induced them to treat the turban agitation more seriously. The Board of Control alleged that the decision of Bentinck's Government on 4th July 1806 to enforce the new turban was based on inadequate information derived from the Court-Martial proceedings against the accused sepoys and not on the grounds of thorough investigation.¹ Lastly, Bentinck was censured for not rescinding the unpopular turban order at the right moment. The objection of the sepoys to the new turban, however, ill founded, was sincere and formidable. In the circumstances its withdrawal

¹ Report of the Board of Control on the Vellore Mutiny
April, 1807, B.P.

might have convinced the sepoy of the Government's tenderness towards their religious scruples. The Court of Directors believed, that had Bentinck ordered the withdrawal of the new turban following the first manifestations of sepoy disaffection at Vellore and Wallajabad in May, there would have been no mutiny on 10th July, 1806.¹ When the news of Vellore outbreak reached England, the Court of Directors decided without delay to recall Bentinck. Their decision was conveyed to the Government of Madras by the despatch of 15th April, 1807, and Bentinck was removed from his position with effect from 11th September, 1807. The Court further censured three other responsible persons in Madras in connection with the Vellore mutiny. The Commander in Chief also was recalled and Agnew and Pierce were dismissed from their services.

For nearly two decades after his recall in 1807, Bentinck vigorously defended all his decisions and actions relative to the Vellore outbreak.² It is necessary to examine into the justifications of Bentinck's recall on the grounds of Vellore mutiny and also to ascertain whether the Court had any reason other than the mutiny to inflict such a severe punishment on him.

¹ Madras Despatches, 29th May 1807, Vol. 40, para. 11

² Following his recall Sir John Cradock also attempted in England to defend his actions during the mutiny without much success.

On the first charge of housing the Mysore princes at Vellore Bentinck seems to bear little direct responsibility. The sections of the Vellore fort as the residence for the princes was made by Wellesley himself before Bentinck came to India. The elaborate arrangements for the supervision of the princes were made by Clive's Government in Madras following the fall of Seringapatam. Bentinck only let the arrangements continue. He in-fact, had no reason to suspect that Tipu's sons would take advantage of the locality of their residence.¹ On the question of Bentinck's leniency towards the princes, it may be observed, that the Government had no grounds to suddenly tighten their control over Tipu's sons. During their stay in the Vellore fortress for six year previous to the mutiny, the princes had done nothing to arouse the suspicion of the authorities. Besides, as Bentinck believed, some amount of generosity towards the princes was necessary to keep them satisfied and inactive. A rigorous treatment would have irritated the princes and their well-wishers and thus encouraged them to organise sedition.

Theoretically, Bentinck can be charged for his ignorance about the dress regulation as he and his colleagues had duly

¹ Bentinck's Memorial. p.p. 9-12.

² Ibid. p.13

sanctioned the Military Code. Had he known he would have attached greater importance to the turban agitation. The ignorance was unfortunate but not inexcusable and its responsibility was not wholly Bentinck's own. Usually the Governor in Council did not scrutinize military documents clause by clause when they were agreed in principle to its general tenor. In this particular case only special reasons (doubts regarding the propriety of dress regulations) would have prompted them to thoroughly examine 150 folio sheets, the document ran into. Even the Court of Directors admitted that it was not unpardonable on the part of the Governor in Council, if they were unable to read the Code very minutely. It was the duty of the Adjutant General to point out to the Government all the important clauses the document contained.¹

Bentinck was accused of not instituting a thorough enquiry into the turban agitation soon after he came to know of it from Cradock. His difficulties in this respect may also be appreciated. The introductions of the new turban and dealing with the consequent sepoy agitations at Vellore and Wallajabad fell

¹ Madras Despatches. 29th May 1807, Vol. 40, paras. 9 - 10

strictly within the jurisdiction of military administration. The military authorities call for a Court-Martial to deal with the matter and the enquiry made by them revealed that the disaffection of the sepoys was unreasonable and baseless.¹ Normally, the civil authorities did not interfere in the details of military administration unless the issue was of great importance. Bentinck, who at this point was unaware of the regulations prohibiting whiskers, castemarks and earrings, regarded the turban issue as trifle and groundless. Moreover, up to the end of June the Commander in Chief did not ask the Government to take any step in this direction.

Finally, on 29th June, Cradock drew the attention of the Government on the turban question. He explained the whole situation (but did not mention anything about other dress regulations) and even wanted to withdraw the new turban in face of widespread sepoy opposition. This change in his attitude was not due to the discovery of any new facts but to certain information he had received from some military officials.² The disaffection of the sepoys was still considered as irrational by the army authorities and they stood by the opinion of the Court Martial.

¹ See Chapter V, p. 293 .

² See Chapter V, p. 295

Bentinck, too, believed in the findings of the Court-Martial and considered the turban agitations as irrational, based on the sepoy's ignorance and superstitions. In such a case he followed the most normal course of action. Bentinck assured the Commander in Chief of his support and advised him to reinforce discipline among the sepoys, and to continue the new turban. But at the same time he wanted Cradock to issue a General Order to the sepoys positively stating that the Government had no intention to interfere in their religion. The General Order drafted by the Government of Madras, if published, might have produced a quietening effect on the sepoys and the populace. But unfortunately, the Commander in Chief in the meantime had changed his mind. Encouraged by the reports from subordinate officers - that tranquillity had returned among the sepoys - Cradock wrote to the Government: "the disinclination to the turban (among the sepoys) has become more feeble, or perhaps that the reports have been exaggerated. Under that view it may be judicious to postpone the publication of the Order... as no longer the interposition of the Government is required."¹

¹ Cradock to Gov. in Coun. 7th July 1806, Bentinck's Memorial p.59.

The proposition was therefore dropped. However, when the mutiny did take place at Vellore and Bentinck came to know all about the dress regulations he lost no time to withdraw the new turban and the regulations regarding castemarks, whiskers and earrings.¹ Thus Bentinck could not be accused for imposing the new turban only for the sake of upholding Governmental authority against genuine grievances. In fact, he had no special connection with the mutiny except the general responsibility as the head of the Government. On the grounds of the Vellore mutiny, therefore, Bentinck's recall was uncalled for and an exceptionally harsh measure. Even the Court of Directors themselves expressed satisfaction at Bentinck's intelligent handling of the mutiny affairs.² After all the mutiny was promptly crushed, mutineers were properly dealt with, agitation subsided and the conspiracy did not survive. These were by no means insignificant achievements.

In recalling the Governor of Madras the Court of Directors either neglected a thorough examination of the circumstances of the mutiny or were influenced by their previous dissatisfaction

¹ See Chapter V, p. 315.

² Madras Despatches, 29th May, 1807, vol. 40. paras 26 - 30

with some of Bentinck's measures. In their despatch dated 15th April 1807, the Court of Directors took the decision to remove Bentinck from his position in Madras. But at that moment the Court hardly knew all the details of the mutiny, as Major Leith with all his official documents concerning the outbreak was still on his way to England. In April 1807, the Court's knowledge ~~of~~ about the mutiny was inadequate and they were not in a position to express their considered opinion before 29th May, by when Major Leith arrived. The despatch of 29th May 1807, however, did not arrive at Madras until Bentinck left in September 1807. In their resolution, originally drafted on 7th April 1807, the Court had decided to remove Bentinck on the grounds of "the unhappy incidents - which have lately taken place at Vellore" and also of some measures "in the other parts of his Lordship's administration" which have come before the Court.¹ The Board of Control was not satisfied with this draft of the Court, as they realised that their knowledge ~~about~~ of the mutiny was still too inadequate to make a specific charge against Bentinck. In their amended despatch of 15th April, the home authorities preferred not to mention the Vellore Mutiny but to

¹ Madras Despatches, 7th April 1807, Vol. 39.

refer vaguely to the "circumstances which have recently come under our consideration." ¹ The despatch of 15th April points to the fact that Bentinck's removal was decided by the Court before they were furnished with the full information of the mutiny. This is further clear from the most important despatch of the Court to the Madras Government dated 29th May 1807. In that despatch the Court wrote about Bentinck: " ... we have had pleasure in expressing our satisfaction with different measures of his (Bentinck's) Government, but others which we felt ourselves obliged, in the course of the last year to disapprove, impaired our confidence in him, and after weighing all the considerations connected with the business of Vellore, we felt ourselves unable longer to continue that confidence *in* him - which it is so necessary for a person holding his situation to possess." ²

Thus there were certain factors apart from the mutiny of Vellore which had displeased and antagonised the Court against Bentinck. The question of the increase in expenses of the Madras administration and Bentinck's defying attitude towards the home authorities were probably two such factors. In several

¹ Madras Despatches, 15th April 1807, Vol. 39.

² Madras Despatches, 29th May, 1807, Vol. 40 Para. 24

of their despatches to Madras the Directors had sternly criticised some of Bentinck's financial measures which in their opinion had increased the expenditure of the Government. One such measure was the increase of the salaries of Government officials of different categories. On 9th April 1806, the Court of Directors warned Bentinck against his policy of financial extravagance:- "We must here repeat what had been so often pressed on your attention . . . that the situation of ^{the} finances in India requires an earnest and unremitting regard to economy and to the retrenchment of all superfluous and unnecessary expenses." Bentinck was also criticised for making "improper additions" to the Commander in Chief's allowances.¹ The Court's great concern for economy in administration was often disregarded by Bentinck. In April 1807, the Court repudiated the cost of collection of revenue in certain districts of Madras Presidency and warned Bentinck against any increase of expenditure. On the same ground they also rejected Bentinck's proposal for the enhancement of the allowances of the revenue officials. Finally, the court severely criticised the expensive nature of some of the Bentinck's judicial measures.² Bentinck's defiance to some of the

¹ Madras Despatches, 23rd July, 1806, Vol. 37.

² Madras Despatches, 7th January, 1807, and 15th April, 1807, Vol. 39.

directives and warnings of the Court had further aggravated their feelings against him. At least on three occasions Bentinck's behaviour led to very unpleasant situations. In June 1805, the Court censured Bentinck's visit to Calcutta to discuss the question of revenue settlement of Madras with Wellesley and rebuked him for not submitting before the home authorities any report of his discussions with the Governor General.¹ The Directors always disapproved of Bentinck's measure of appointing military officers for the collection of revenue, even if these officers were of Munro's calibre. They were displeased with Bentinck's refusal to remove some of such officers and they deplored his defiant attitude and tone of reply.² In connection with the judicial administration of the Presidency, the Directors similarly accused Bentinck for introducing certain changes in the Sadar Diwani Adalat without their prior sanction.³ These incidents had led the Court to believe that Bentinck deliberately ignored their command and followed an independent policy of his own.

The Court, being thus annoyed with their principal officer in Madras, were most likely to view the mutiny as a proof of

¹ Madras Despatches, 10th Feb. 1807, Vol.39.

² Madras Despatches, 15th April 1807, Vol.39.

³ Ibid.

Bentinck's personal failure. Once decided in favour of Bentinck's removal on 7th April 1807, the Directors stuck to their decision and felt that Bentinck's Government "did not exercise the discernment and vigilance which all the circumstances of the time required."¹

It may be noted here that on 7th April the Directors were not unanimous in deciding Bentinck's recall. There was no difference of opinion on the question of recalling Cradock, but a considerable debate took place on the propriety of Bentinck's removal. Some of the prominent members like Charles Grant and Bosanquet deeply regretted the harsh decision. "I am extremely sorry for what has occurred", Bosanquet wrote to Bentinck, "and am still more sorry for the terms in which the recall is worded. The latter particularly, I think, was neither necessary nor called for ... nor am I of opinion that it has been wise or prudent to erect a temporary Government (in Madras)."² Charles Grant, the then Deputy Chairman of the Court, also deeply regretted the recall and stated that he was not a party to the decision.³ A debated decision like Bentinck's dismissal could have been reached

¹ Madras Despatches, 29th May 1807, Vol.40, Para.22.

² Bosanquet to Bentinck, 15th April 1807, B.P.

³ Charles Grant to Bentinck, 17th April 1807, B.P.

after a careful consideration of what Bentinck had to say. But the Court were reluctant to give Bentinck such an opportunity. This shocked Bentinck to a great extent. In 1809, he wrote bitterly; "My removal was effected in a manner calculated to make it peculiarly mortifying and disgraceful." ¹

Thus ended ingloriously in September 1807, the career of Bentinck in Madras. His concern for maintaining the Government policy of religious non-interference, his confidence in the Indian soldiers, his precautions against the repetitions of Vellore mutiny and his liberality in the treatment of the mutineers were all sadly neglected. Bentinck's firmness in dealing with the panicky military authorities at Nandidroog, Palamcottah and Travancore were overlooked. It was also forgotten that at the beginning of 1807, Madras Presidency recovered quite satisfactorily from the effects of the mutiny and that none of the administrative measures of Bentinck's Government proved to be unpopular. Bentinck was accused of mistakes made collectively by all and suffered an unjust punishment. It was only natural that Bentinck resented his recall as an injustice. "Whatever have been my errors," he wrote, "they ^{surely} have not merited a punishment, than which a heavier could hardly have been

¹ Bentinck to the Court of Directors, 7th February, 1809, Bentinck's Memorial, p. I

awarded to the most wretched incapacity, or the most criminal negligence." ¹

¹Bentinck's Memorial, p. 49.

CONCLUSION

The mutiny of Vellore was the most unfortunate incident during Bentinck's tenure of office in Madras. It was one of such occurrences over which the head of the Government had no control. The administration of the army was the special responsibility of the Military Board and the Governor in Council were not supposed to interfere in the details. None of Bentinck's measures of reform had any bearing on the outbreak. He had little opportunity to avert the crisis. His behaviour and policy during and after the mutiny were vindicated by the circumstances. He did nothing in connection with the mutiny which could justify his recall. To hold Bentinck responsible for the Vellore outbreak in 1806 is like accusing Lord Canning for the uprising of the sepoys in 1857. If Bentinck's dismissal is not justified on account of his incompetence in relation to Vellore mutiny, it may then be, as it can be argued, for his failures in dealing with other administrative or political problems. Was it so? A critical review of his administration provides a negative answer.

At the time of Bentinck's arrival in Madras the Presidency was confronted with two major political problems, the war with the Marathas and the apprehension of a French invasion in South India.

From the point of view of policy both were matters for the Supreme Government to deal with. In connection with the Maratha wars, Bentinck as a Presidency Governor played a subsidiary but useful role. He effectively assisted with men and money, the British campaigns against the Marathas outside the Presidency limits (in Central and Western India). Simultaneously, he took adequate steps for the security of Madras Presidency against sudden Maratha invasions. In insuring Southern India against a French menace, Bentinck carried out elaborate precautionary measures and arranged for the safety of the coastal lines. He was aware of the necessity of preventing any coalition between the Marathas and the French. Similarly, Bentinck was vigilant against the growth of any combination between the protected Indian princes, the Marathas and the French. In his dealings with the Indian Kings he attempted to harmonise the necessity of British intervention in their states with the justice of respecting their jurisdictions. On the whole, Bentinck's performances in relation to the Marathas and the Indian princes and the French menace were satisfactory. At times, however, he appeared to be too much committed to Wellesley's policy of expansion and

of subsidiary alliance. Expansionism and expensive wars at this time were straining the Company's resources in India and the Court of Directors disagreed with Wellesley's policy and decided to replace him by Cornwallis. Bentinck did not appreciate this change in policy and disliked Cornwallis's moderation as manifested in his treaty with the Marathas in November and December 1805. Again, at the beginning of the same year he took advantage of an internal trouble in the friendly state of Travancore to impose a harsh and unnecessary subsidiary alliance on the Durbar. But the Court of Directors never censured him for this.

The settlement of land was the most important question which Bentinck faced and it is in this field that he made one of his important contributions. Though an admirer of Cornwallis's system, he believed that the land policy should be based on thorough investigations. What was good for Bengal might not necessarily be good for Madras. Hence the Supreme Government's policy of extending Permanent Zamindary settlement in other British territories should be re-examined in the light of regional variations. He therefore approached the question with an open mind and persuaded the Supreme Government to withhold official decision and to keep the question wide open until his own investigations were

completed. He initiated elaborate enquiries into the Village system and became convinced that the Permanent Rayatwari system was the best for Madras Presidency. It was then that he put his whole weight on the side of the Rayatwari settlement which in due course was implemented in Madras Presidency. As regards the day to day administration of revenue he came across cases where the Company's collectors were guilty of corruption, negligence and oppression. By instituting thorough enquiries in such cases and by inflicting exemplary punishments on the culprits, Bentinck was able to arouse the confidence of the people in the fairness of the British administration. It appears, however, that Bentinck's treatment of Garrow was too severe. But the Court of Directors did not oppose him in this case. Also they never opposed or censured Bentinck's advocacy of the Rayatwari Settlement in Madras.

Bentinck attempted to systematise the irregular administration of justice in Madras. He extended the Regulations of 1802 throughout the Presidency and introduced the Zillah courts in all the unsettled districts. He abolished Collectors Cutcherry and put an end to the abuses arising from the unlimited use of the judicial powers by the Company's executive officers. In order to separate judiciary from the executive he dispensed with the Governor's judicial authority which he exercised as the President of the Sadar Adalat. Here he

followed the principles of Cornwallis's judicial reforms. Bentinck was also able for the first time in the history of Madras Presidency to establish a regular police force to maintain law and order in the country. Bentinck, however, could not implement some of his favourite judicial ideas, e.g. reorganisation of the Company's courts, appointment of men of considerable legal experience in the courts of the Presidency, establishment of a uniform legal system, the abolition of the Supreme Court and the withdrawal of English law from Madras Presidency. These were too far-reaching changes to be undertaken locally by a Presidency Governor. His opposition to the Supreme Court was possibly motivated to some extent by his personal relations with Justice Gwillim. Though the conflict between Bentinck and Gwillim was mainly due to the unreasonable behaviour and malice on the part of the latter, Bentinck did little to ease the tension. His initial refusal to sanction the expenses for the appointment of Indian law assistants in the Supreme Court, his establishment of the police force in Madras without consulting the judges previously, and his selection of a military official (from among his body-guards) as Superintendent of Police of Madras - all only added fuel to the fire. But there is no evidence to show that the authorities at home took any notice of these. Once the quarrel

was started by Gwillim, Bentinck appears to have had no desire to come to a settlement. Yet on none of the issues of conflicts with Gwillim Bentinck exceeded his authority or override the jurisdiction of the Supreme Court. This stand enabled him to emphasise that the judge, instead of co-operating with the Government, was villifying and resisting it from the performance of its duties. Bentinck's argument obviously had its effect and the home authorities subsequently recalled Gwillim.

Bentinck inherited a depressed Madras treasury and worked relentlessly for its improvement. He was zealous in reducing the budget deficits. His economy in military expenditure and his currency reforms were praiseworthy endeavours. His successful experiment with the creation of a Government Bank in face of opposition from the advocates of Laissez Faire was unique in the history of finances. At the same time he opposed the town duties which interfered with the free trade of the country. He also favoured the introduction of a direct house tax much to the opposition of his superiors and associates. These financial measures left the Madras treasury with better prospects in 1807 than what it had in 1803.

The above review of Bentinck's administration does not reveal any glaring failure. There is also no proof that any of the

major reforms effected by Bentinck were ever disapproved by the home authorities. The only exception was the creation of the Government Bank which the Court of Directors persistently opposed. As facts bear out the Court of Director's decision to dismiss Bentinck was neither justified on the grounds of the mutiny nor on account of administrative failures.

Why^{then} was Bentinck recalled? . Some minor acts of defiance on his part had displeased the Court and made them sceptical about him. However, these in themselves could not have led to his recall. The Court was bewildered at the sudden outbreak of the Vellore mutiny and became alarmed. The uprising coincided with the defeat of England's allies by Napoleon and the introduction of the Continental system. While Napoleon threatened the English trade in Europe, the Vellore mutiny, as it might have appeared to the Directors in the heat of the moment, threatened their precious Indian possessions. In this circumstance they probably felt that somebody must be held responsible for this alarming episode. Also, in order to convince themselves that they were taking a drastic step to set things right in Madras, the Court resolved to make Bentinck a scapegoat for the mutiny. In this the then President of the Board of Control George Tierney, an enemy of Bentinck's father, might have played

an important role.¹ The Court realised later on that they were not right in dismissing Bentinck. Their offer of the Governorship to Bentinck in 1819 and his appointment as Governor General in 1827 certainly point to this direction.

With the Governors General and the Supreme Government Bentinck, on the whole, was able to maintain good relations. He usually received on all questions the approbation and support of the Supreme Government. Wellesley was generally satisfied with Bentinck. At one point in 1804 however, misunderstanding developed on the issue of the actual state of deficit of the Madras Government and the measures that Bentinck adopted without prior sanction of the Supreme Government. The estrangement did not last long and cordiality was soon restored. Bentinck did not hesitate to acknowledge the support and advice he received from Wellesley.² Bentinck personally had great respect for Cornwallis who succeeded Wellesley. As regards Madras, Cornwallis's short second term was not disturbed by any friction. Bentinck also enjoyed full understanding with Barlow, the successor of Cornwallis.

¹ Bentinck's Journal, 1807, B.P.

² Bentinck to Wellesley, 27th May, 1805, B.P.

On all issues concerning the Vellore mutiny he received full support from the Governor General. Minto, who arrived at the end of Bentinck's Governorship, gave him full discretion in the disposal of the Vellore prisoners.

The members of Madras Council always co-operated with Bentinck. Apparently Bentinck did not like one of his colleagues, Oakes, whose nomination to the Council he had opposed without success.¹ In his turn Oakes was not favourably disposed towards the Governor. There is no proof, however, that personal factors affected their public conduct. Oakes never opposed Bentinck in his various measures. He, in fact, supported the Governor during the troubled days of the mutiny and held similar views with Bentinck on different aspects of the uprising. Petrie, the senior member of the Council, was generally helpful to Bentinck. But he stood against Bentinck on the questions of Government Bank and paper currency. This opposition even led to some misunderstanding between the two and Bentinck even imagined that Petrie and Oakes had formed a faction against him.² The fear was unfounded and the

¹ Boulger, D., Lord William Bentinck, pp.27-8.

² Bentinck to Petrie, 27th Feb. 1806, B.P. and Petrie to Bentinck 28th Feb. 1806, B.P.

misunderstanding was shortly settled. It could be pointed out here that the establishment of the Government Bank was the only point on which Bentinck decided to override the Council. Bentinck also encountered a divergence of opinion on the mutiny with the Commander in Chief Cradock. But he had no difficulty in dealing with Cradock's predecessors, Stuart and Campbell, With John Chamier, whom Oakes succeeded, Bentinck had excellent relations.¹

Bentinck's record in Madras on the whole was satisfactory. Without being brilliant he proved himself to be an able and effective Governor. From time to time his measures were appreciated by his superiors,² by the European community in Madras,³ and by the eminent Indians.⁴ But even without testimonies, Bentinck's Governorship will be notable for his endeavours to preserve the British Raj through good government and to strike a balance between the considerations of economy and efficiency in administration. His success was in no standard small.

¹ Bentinck to Chamier, 22nd Feb. 1806, B.P.

² Wellesley to Bentinck, 18th Nove. 1805, B.P.

³ Walter Grant to Bentinck, 25th Sept. 1807, B.P.

⁵ Nawab of Arcot to the Court of Directors, 6th Oct. 1807, B.P.

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(A) Private Papers:

- 1 Papers of Lord William Bentinck, Madras Period 1803-7, Portland Collection, Manuscript Department, Nottingham University Library, Nottingham.

This collection contains private and official communications between Bentinck and others. A substantial portion of these papers are loose and kept in bundles, files and boxes. The Manuscript Department of Nottingham University Library has performed a commendable job by classifying and detailing every single letter and document. Some new acquisitions have recently been added to the Portland Collection of which a few relate to Madras. In this thesis an extensive use has been made of all the papers listed below:

(a) In volumes:

- 1 General correspondence, P.W.J.B. 1-51 (1803-7)
- 2 Financial Department Correspondence, Memoranda etc., P.W.J.B. 52-56 (1798-1805)
- 3 Military Department Correspondence, Memoranda etc. P.W.J.B. 57-65 (1806-7)
- 4 Political Department Correspondence, Memoranda etc., P.W.J.B. 66-69 (1804-5)
- 5 Miscellaneous Correspondence, Memoranda etc., P.W.J.B. 70-87 (1798 - 1808).

(b) In file boxes:

- 1 General Correspondence etc., P.W.J.B. 88-342 (1797 - 1812)
- 2 Bentinck's letters to Petrie, P.W.J.B. 343-584 (1803-7)

- (c) Loose:
- 1 Correspondence, P.W.J.B. 585-649 (1788-1809)
 - 2 Memoranda, Reports, Minutes, etc. P.W.J.B. 650-701 (1786-1810)
 - 3 Miscellaneous, P.W.J.B., 702-721 (1798-1807)

- (d) Letter books :
P.W.J.B. 722-728
- 1 Bentinck to Wellesley and Castlereagh, 1803-4.
 - 2 Bentinck to various persons, 1804-7.
 - 3 Bentinck to various persons, 1805.
 - 4 Bentinck to Wellesley and Castlereagh, 1805
 - 5 Bentinck to Governor General and President, Board of Control, 1806-7.
 - 6 Bentinck to various persons, 1806-7.
 - 7 Military letters of Bentinck, 1807.

- (e) Minutes:
P.W.J.B. 729 - 736 (1803-7)
- Secret Department
 - Political Department
 - Military Department
 - Revenue & Judicial Departments
 - General, Commercial and Law Departments

- (f) Recent acquisition on Madras Period
Madras Police, 1806-7

2
2 Wellesley Papers, Manuscript Department British Museum.
Correspondences between Wellesley and Bentinck during the latter's stay in Madras are contained in the following three letter books, arranged chronologically:

- (a) Draft and copies of letters from Wellesley to Bentinck, 4th December 1805 - 11th April 1805. Additional Manuscript 13633

- (b) Letters from Bentinck to Wellesley, 11th September 1803 - 2nd May 1805. Additional Manuscript, 13634.
- (c) Letters from Bentinck to Wellesley, 30th December 1803 - 30th June 1805, Additional Manuscript 13635.

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Appendix I

List of the Governors General, Presidents of the Board of Control and Chairmen and Deputy Chairmen of the East India Company, 1803 - 1807.

Governors General

1798 to July 1805	Lord Wellesley.
July to Oct. 1805	Lord Cornwallis.
1805 to July 1807	Sir Geo. Barlow.
1807 to 1813	The Earl of Minto.

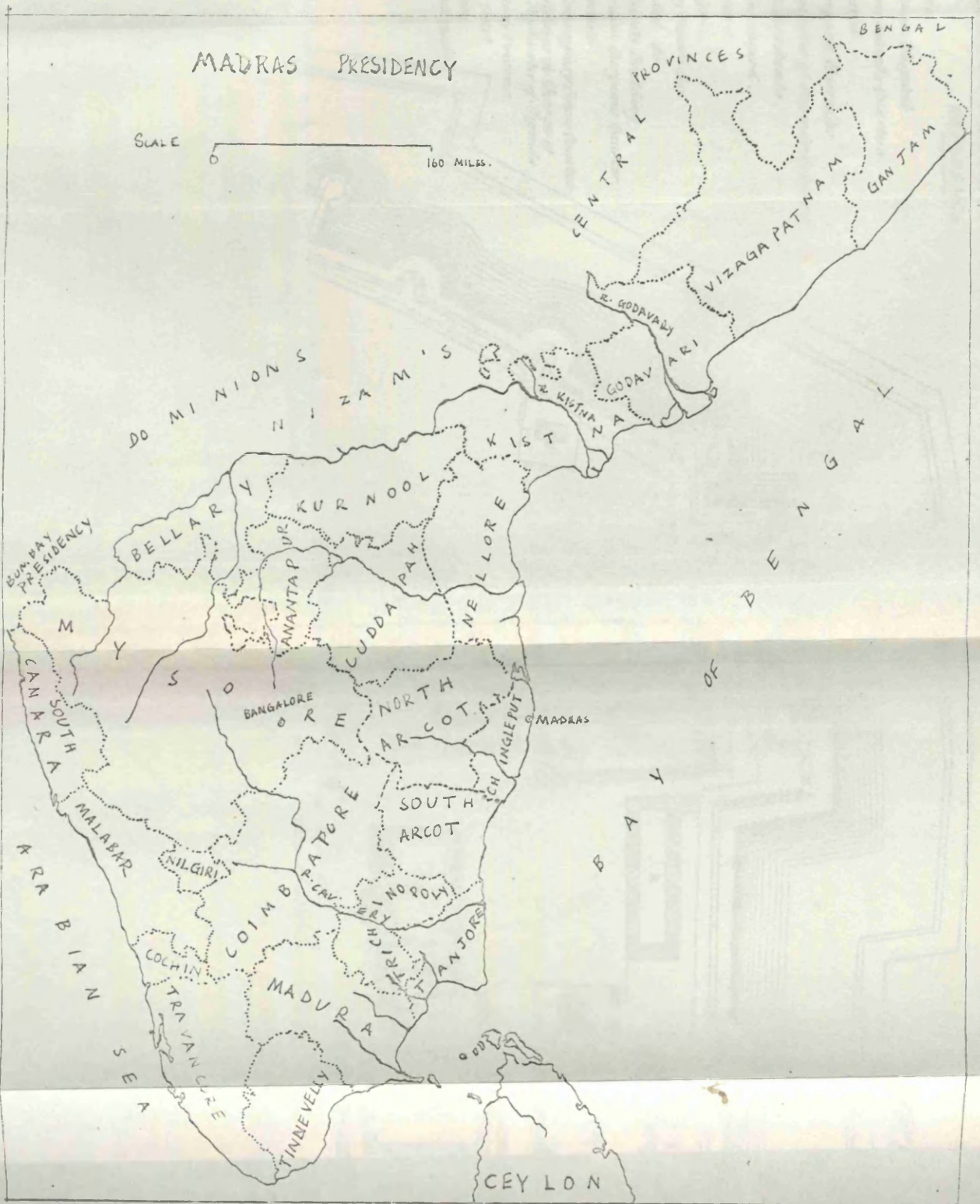
Presidents of the Board of Control

6 July, 1802 - 10 Feb., 1806	Viscount Castlereagh.
11 Feb., 1806	The Earl of Minto.
15 July, 1806	Right Hon. Thomas Grenville.
30 Sept., 1806	Right Hon. George Tierney.
4 April, 1807 - July, 1809	Right Hon. Robert Dundas.

Chairmen and Deputy Chairmen of the East India Company

1803 - Jacob Bosanquet,	Jn. Roberts.
1804 - Wm. Elphinstone,	Chas. Grant.
1805 - Chas. Grant,	Geo. Smith.
1806 - Wm. Elphinstone,	Edw. Parry.
1807 - Edw. Parry,	Chas. Grant.

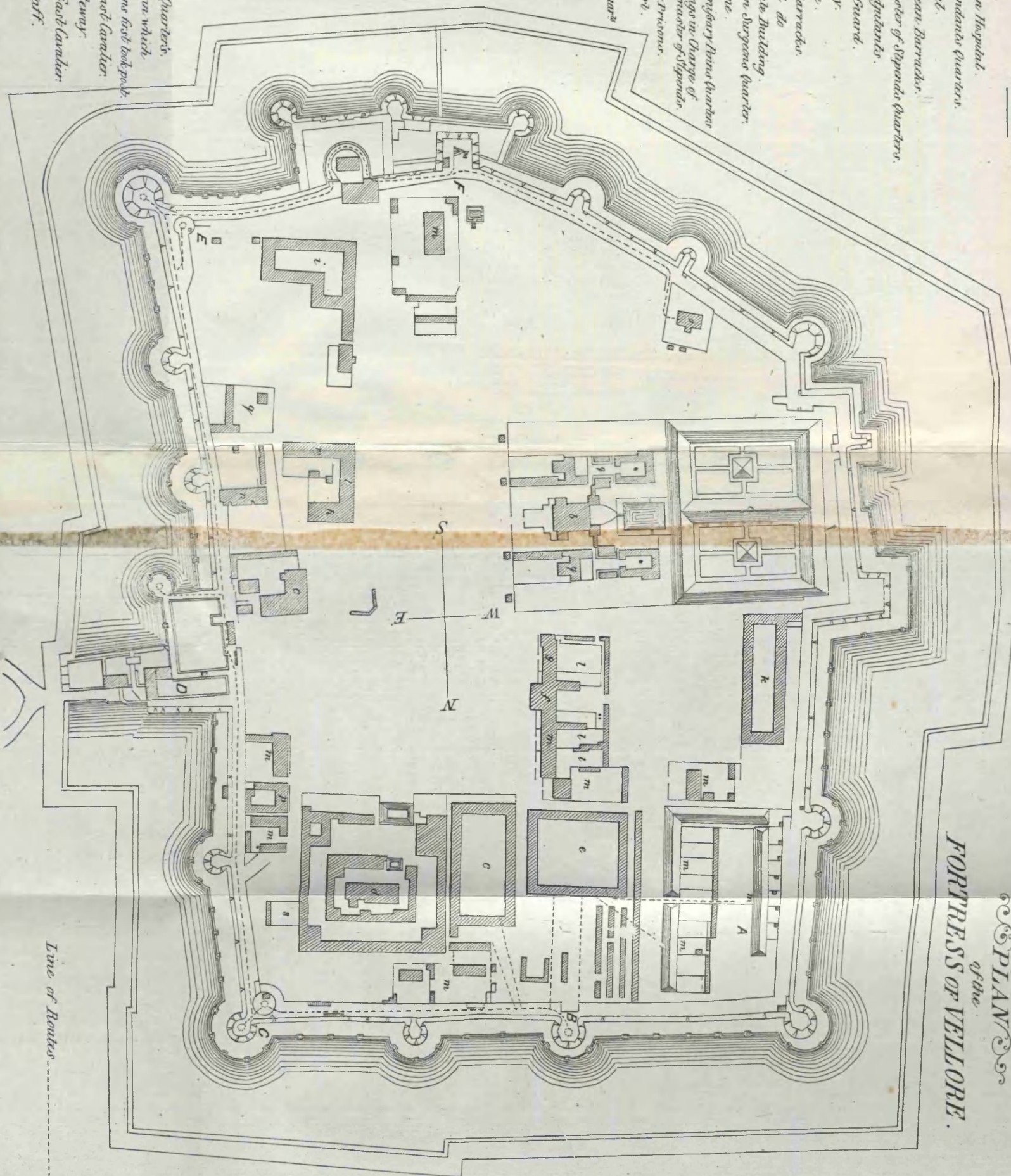
APPENDIX 2.



REFERENCE

- a Palace.
- b European Hospital.
- c Commandants Quarters.
- d Arsenal.
- e Surgeons Barracks.
- f Paymaster of Sepoys Quarters.
- g First Adjutants.
- h Main Guard.
- i Granary.
- j Mosque.
- k Signal Barracks.
- l Cavalry do.
- m-m Private Building.
- n Garrison Surgeons Quarters.
- o Magazine.
- p Mr Comptrolers House Quarters.
- q Buildings in Charge of the Paymaster of Sepoys.
- r Solitary Prisoners.
- s Rivers Court.
- t Barrack.
- v Sepoys Quarters.

- A Officers Quarters.
- B Barrack in which Europeans first took post.
- C North East Cavalry.
- D The Gateway.
- E South East Cavalry.
- F Flag Staff.



PLAN of the FORTRESS OF VILLORE.

Line of Routes