A

VIEW

OF

THE POLICY

OF

SIR GEORGE BARLOW,

AS EXHIBITED IN THE ACTS OF

THE MADRAS GOVERNMENT,

IN THE

LATE UNHAPPY OCCURRENCES ON THE COAST OF COROMANDEL.

IN A SERIES OF LETTERS.

BY INDUS.

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ADVERTISEMENT.

THE discontents of the Coast Army, and the unfortunate events to which they progressively led, have been shewn to the Public, in detail, through the ordinary channels---the newspapers of the metropolis. It therefore appears unnecessary, that the Editor of the following Letters should give a particular account of the rise and course of the disaffection, and the consequences which it entailed. These have been traced with much minuteness in various publications, taking distinct views of the transactions, according to the different notions entertained by the writers of the causes in which they originated. Some, favouring the administration of Sir G. Barlow, ascribe the unhappy events that have occurred, to the mad and mutinous spirit of the army; while others, owning a contrary sentiment, impute every act of the Army to the

endless provocations of the Governor. The different partisans, as might be expected in such a contest, maintain their several opinions with warmth at least, if not with prudence.

The writers on the part of the Government may be supposed to have had access to all the official documents, on which its defence must depend; but they have hitherto produced but little proof, beyond what had been previously submitted, without apprehension as to its effect, on the popular side of the question. It is remarkable, that no authorized paper of Sir G. Barlow, except occasional orders of Government, has yet been communicated to the public. It is said, that the Court of Directors even, are not possessed, at this remote date, of the official details having reference to the interesting acts that have passed at the Presidency of Madras. This circumstance will create some surprise with those who know that Mr. Petrie has been removed from his seat in the Council of Fort St. George; in the absence of authenticated documents. It is not usual with the Court of Directors to come to decisions of this extremity on such defective information; nor has it been now practised, without the solemn protest of several most respectable Members of that Body. The effect of

this mode of judging in general cannot be very favourable to those who judge; and it is reasonably feared that, in this particular instance, it may give rise to conclusions most unpropitious to the interests of the East India Company. Unanimity in the Council may be a desirable thing, but justice is indispensable, and never can be abandoned, without producing an universal sentiment, infinitely more important to allay, than the squabbles of a partial Body.

But though no public record has been produced by the Government, some copies of papers have accidentally found their way to this country, which are believed to be authentic; shewing the opinions conceived in India, and by a high and venerable authority, on the principal acts of the Government of Sir G. Barlow---namely, a Statement of Facts, presented by Mr. Petrie to Lord Minto on his arrival at Madras, and a reply of the same Gentleman to a minute of Sir G. Barlow. These papers, from the candid and able manner in which they are written, and the information in which they abound, give much importance and weight to the statements and the arguments with which they are enforced, on the behalf of the Army.

The Editor of the succeeding Letters, which,

with the exception of two, now for the first time published, appeared originally in a popular Evening Paper,* has availed himself, wherever he could, of the statement and minutes of Mr. Petrie, considering that such an authority must be serviceable to the view, presented by the Author, of the measures and the principles embraced in them, of the Government of Sir G. Barlow.

The interest excited by the different party-publications, has induced, at length, a motion in the House of Commons, for the production of papers elucidative of the late Indian occurrences; and an order has been made to that effect: so that it might be expected that the time is not distant, when the Public will be able to form, on full and competent testimony, a correct judgment of events, that have so deeply and justly agitated the general feeling. The proposed inquiry promises a fair and impartial decision; which will not be stayed or impeded, it may be hoped, by any personal or party bias to the one side or the other. But this rising hope is

* The PILOT—to which Paper the Editor is indebted, in common with the Public, for the most early and authentic accounts of Indian events, Political and Domestic, together with the most faithful details of FOREIGN INTELLIGENCE in general.

somewhat checked in its birth, by the apparent intemperance in which the discussion has been commenced, and the eager spirit betrayed in the defence of the Asiatic Governor. Whatever opinions different men may form of the proceedings in India, it is trusted that they will have the full means of forming them for themselves, from the best procurable sources.

It has been proposed already, to keep some of the correspondence reserved, out of a seeming tenderness to the writers. But if this sentiment had operated where it ought, with the Authors of the act of the general Amnesty, and consistently with their own policy, this correspondence would not have been transmitted to this country, to make an impression injurious to individuals, and in a place where it is most to be deprecated. The mischief has been already done.

The same disposition, unhappily, has been demonstrated in this, as in other important questions of late, of one party retorting on the other, in alternate attack, the charge of undue and improper motives; in publishing inflammatory statements to prejudice the public mind. Out of this evil practice, one accidental good has arisen —the people have been convinced, by an uncon-

tradicted assertion in the House of Commons, that no advantage has been taken of the absence of Sir G. Barlow, as it has been shewn that he has an accredited Agent* in this country, for the anticipated purpose of his justification, maintained (it is presumed, at the expense of the company) at a price, suitable to the difficulty of the object, of 4000l per annum.

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* This gentleman, as stated by Mr. Creevy, is a Mr. Buchan, the late Secretary to the Government of Madras, and a near relative of Mr. S. Dundas, President of the Board of Control.

LETTERS, &c.

LETTER I.

THEY who have felt an anxiety respecting our Indian possessions, from the complexion of the accounts lately received from Madras, are utterly unable to form an excuse for the silence or inactivity of the Court of Directors at this extraordinary crisis. The times demand the most explicit declaration of that body, expressive of its opinion on the events which have occurred on the Coast, as well as of the measures that have been suggested by a deliberate consideration of the state of its local affairs.* The absence of this would leave men to conjecture, that a policy has been adopted, un-

* Though the COURT OF DIRECTORS have not expressly declared their sentiments on the Proceedings of the Madras Government in the late unhappy events on the Coast, they have sanctioned an act, since these Letters were originally published, which hints significantly the opinion they entertain. The circumstance alluded to is the removal of Mr. PETRIE, who publicly dissented from the questionable policy of Sir G. BARLOW, from his seat of Senior Member in the Council of Fort St. George; after a zealous and faithful ministry in the Company's service of more than *forty* years. *Cadit et* RIPHEUS!—THE EDITOR.

certain in its scope or application, or dubious and questionable in principle; or, what is worse, that an indifference or insensibility has been evinced, on an occasion so perilous and alarming, as to move the inconsiderate, and shake the most intrepid and undaunted courage: yet, in Leadenhall-street, all is hush and quiet, whilst, beyond its precincts, every thing is in dismay, lest the season may pass when even the interposition of wisdom may be ineffectual.

It is impossible for the Court of Directors, or for any other official body, to doubt of the transactions that have happened, or the causes that have induced them. The communications of the Indian Government on the subject have been long in their possession; or, if they had not, must have raised a presumption, undeniable in its operation. And besides these, the statements of the adverse parties, with their several views of the respective cases, are fully before the public, so as to assist them and others in forming a proper judgment of the events now under consideration. A conclusion, therefore, in the premises, must have been drawn, one way or other, by every mind that has taken any interest in the proceedings. It had been otherwise, if the information had been less complete, or the subject had been more intricate. But here the principal circumstances are admitted on both sides; there is no difference about facts, whatever distinctions are made in the inferences drawn from them.

It is not controverted, but acknowledged universally—that the tenour of Military Inquiry has been

interrupted, by the Executive Power, though in a state of progress, on the prosecution of responsible parties, and in a known and established course—that the representations of the army, submitted and recommended through the Commander-in-chief, have been stopped in their legitimate route to the hands of the Court of Directors—that officers have been suspended from high offices and rank, for ministerially publishing the lawful orders of their superiors—that others, to a much greater number, have been suspended the Military service, and from their respective commands, for alleged offences of uncertain import, not only without trial, but without a previous communication —that Civil as well as Military Servants have been dismissed from their offices, and suspended from their functions in the same summary manner; and that some of these have been compulsorily sent to a distant Indian settlement, and subsequently to this country, without carrying along with them a specific knowledge of their supposed offence, or of any of the circumstances from which it has been inferred; and left to find it out, by what means and how they can, in a place remote from their friends, and possibly from the testimony requisite to their defence. These are all grievous things, and would seem to demand a most imperative justification from those who have been concerned in them; or must leave the actors of them under an obloquy not otherwise to be removed. These acts have been followed by a mutiny of a large portion of the army on the coast of Coromandel, en-

dangering in its consequences the most valuable possessions of the Company.

Though there be no doubt of the facts that have been stated, very opposite motives have been ascribed to them. On the one side, it has been argued, that they were so many arbitrary exercises or abuses of power, unnecessary in resort, and indefensible in practice; whilst, on the other, it is contended, that they were justifiable in themselves, or called for by the necessity of the season. The latter positions may be examined first, since whatever way they may be disposed of, it will obviate the necessity of entering largely into a consideration of the preceding assertions.

The release of Lieutenant-colonel Munro from his arrest, ordered by the Commander-in-chief, and the refusal of the Government to transmit the Memorial of the Commanding Officers of corps to the Court of Directors, recommended by the same authority, stand on grounds distinct from other matters.

It is assumed, and it may be admitted, that the entire Civil and Military Government of the Presidency of Fort St. George and its dependencies, is vested in the Governor in Council. But though his authority is supreme, it is not arbitrary.

In the act of the liberation of Lieut.-colonel Munro by the Commander-in-chief, the power of the Governor in Council is directly acknowledged. It does not however follow, that the exercise of the authority in that instance was either legal or expedient. Ques-

tion may be very rationally entertained, that it was neither the one nor the other.

The Governor in Council had deputed the Military Government of Fort St. George to other hands—to those of the Commander-in-chief; and it is clear, that a Principal and an Agent cannot exercise the same powers at the same time and place. To the time of the release of Colonel Munro, the acts of General M'Dowall were authorized by the Government, in as much as he was the agent of Government for the general affairs of the army; and in respect to the administration of Military Justice, he was the only organ through which it could flow, appointed by a special commission. In pursuance of his office, he had placed Colonel Munro under arrest; not of his own mere motive, but on a regular complaint, in the form of Military charges, at the instance of a body of officers under his command. So that the release of the individual was not a question affecting the Government and the Commander-in-chief alone, but attached to the officers, who were prosecuting their complaints against the party arrested, in the course prescribed by an Act of Parliament and the Articles of War. It was therefore the interruption of a Military suit, lawfully commenced and entertained by an authorized and unquestioned authority at the time of the institution of it. And it would seem to require no argument to shew, that this could not be done in a wholesome state of things.

It is unnecessary, in the present view of the case, to advert to the subject of the charges, and the possi-

ble defence or excuse of Colonel Munro; though these have been much dwelt upon by the advocates on the different sides of the question; as these might have been urged before the Court, and could only there have been urged, having jurisdiction over the charges.

It is plain, that the interference of the Government, here, was not a common interference; and must, therefore, rest on some extraordinary circumstance for its justification. It may be pronounced also, that the denial of the Government to forward the Memorial of the Commandants of Corps to the Court of Directors, is an act of a like description; as it is prescribed by law, that the complaints of all classes of the Company's servants are to be so submitted, in the event of their being dissatisfied at any act of the Governments of India. If there were any thing offensive or objectionable in the Memorial, it might afford a reason for the refusal of the transmissal of the paper; but it is incumbent on the Government to shew this. It does not, in the present case, appear.

On the instances of the suspension of the Civil and Military Officers of the Presidency, it has been stated and argued by some, that they could not be tolerated on any ground, as the Government of India have no lawful power to that effect. But if they have clearly such a power, it must be deputed to them by the Court of Directors, to be exercised to the extent, and in the manner in which it is prescribed. It cannot be used at will, and in an

arbitrary way.* It is shewn to be of the latter description by the advocates of Sir G. Barlow, who have satisfied themselves with mentioning, but not sustaining the propositions by any argument, that these acts are sanctioned by the view which he had taken of facts, on inquiries or considerations instituted and confirmed by his own judgment, without reference to, or with, the parties principally affected by the result. These summary proceedings cannot be endured on any notions applicable to the common concerns and incidents of life. To condemn without hearing or defence, is an outrage on the very term of justice. But the practice is not only inconsistent with all the principles of right and equity; it is

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* The annexed opinion of Mr. WEDDERBURN, afterwards Lord Chancellor, would seem to be decisive in this particular.—THE EDITOR.

"Mr. Mac Pherson is still in the Company's service. The act of the Governor and Council, on the 23d January, 1776, ought to be of no effect; for they have exceeded their authority in proceeding against Mr. Mac Pherson, without a charge in writing delivered to him, and time given to make his defence to it. The instructions of the Company in this respect require no more than reason and justice demand in all cases of censure. It is singular, and but for this instance one should have thought it unnecessary to establish so obvious a principle, as a matter of positive regulation; but fortunately the regulation exists in this case, and it renders the act of the Governor in Council, not only reversible because of the injustice committed, but void for want of authority. The power to dismiss in the manner they have done, is not committed to them; and Mr. Mac Pherson's case requires only a signification of the displeasure of the Directors at so plain a breach of the Company's orders, and direction, to restore to him the emoluments of his station, of which he may have been deprived by the irregular attempt to dismiss him.

"*7th March*, 1777." (Signed) "A. WEDDERBURN."

directly in the teeth of the instructions and positive directions of the Executive of the East India Company, which are binding and conclusive on all the Eastern Governments. These peremptorily declare —"That before any Company's servant be removed "from any office, the party be made acquainted in "writing with the accusation preferred against him: "—that he be summoned, and have a reasonable "time for his defence—and that the Government "should proceed on all occasions with the greatest "tenderness and circumspection."

It is not pretended by the advocates of Sir G. Barlow, and it is absolutely denied on the other behalf, that any of the parties were allowed an opportunity either of knowing the precise ground of accusation, or the means of personal defence—The extreme measure of suspension was extended to some of them, under the most aggravated circumstances, and attended by succeeding acts of unprecedented severity. It is even possible, that the primary and the subsequent acts may be justified, in the particular cases, or by the condition of affairs: the one might be so plain, as to admit not of defence or palliation, whilst the urgency of the times, and the situation of surrounding things, might not have allowed of ordinary forms and rules. It was only proposed in this place, to consider whether these transactions are in themselves warrantable; and it has been shortly shewn that they are not. In a further letter it will be examined, whether they are to be sustained on the peculiarity of the cases, or the necessity of the season.

Harley-street, April 6. INDUS.

LETTER II.

IT was shewn in my last, that if the Governor in Council of Madras had an authority vested in him to suspend Civil or Military Officers from the East India Company's service, it was derived from the Court of Directors, and therefore restricted by the limitation, which they had thought fit to impose on the grant of such authority. The limitation also was described and explained, and was shewn to be in conformity with the first principle of natural justice —that the authority should not be used, so as to affect the parties over whom it was to be exercised, without a thorough communication of the offence, and the circumstances connected with it; and without allowing the accused a sufficient time and opportunity for his defence. But cases might arise, as admitted, so flagrant in themselves, or so imperious in point of circumstance, when the Governor in Council would be justified in having recourse at once to the extreme Act of Suspension without the form of the Inquiry, ordered by the Court of Directors, as applicable to general affairs. It is now proposed to examine, whether the summary suspensions of the

Military servants of the Company by Sir G. Barlow were cases of this clear or necessitous nature to authorize him to dispense with this just and wise restriction imposed by the Court of Directors on the general exercise of the right.

The several instances of the summary suspension of Military Officers at this juncture, and the causes assigned for the extraordinary exertion of power, may be collected from the Orders of Government of the 31st of January, the 1st of February, and the 1st of May. To these it will now be necessary to refer, in the order in which they present themselves, to ascertain whether the cases are so simple and so plain in their respective circumstances, as not to admit of any dispute.

The Orders of the 31st of January embrace the cases of the Commander-in-chief, General M'Dowall and the Deputy Adjutant-General, Major Boles. The first, on account of its singularity and importance, I shall not consider with the great body of the ordinary cases, though I may speak of it hereafter by itself.

The suspension of the Deputy Adjutant-General, is declared in the Orders of the 31st of January, for that Officer's having circulated, under his official signature, a paper of an illegal *offensive description*, which is stated to have been in direct violation of his duty to the Government, inasmuch as he *must* have known the import of the paper, and that it was obviously illegal. If all this was so clear as the Government assert, on the face of the official paper circu-

lated, it would appear unnecessary, or of very little use, to have called on the Deputy Adjutant-General for a defence, though it might have required some proof or acknowledgment as to his subscription of the supposed obnoxious paper. But it is not meant to be denied, that the paper in question was signed and circulated by that Officer, though it may be doubted, and admit of contention, whether it will bear the construction and character given to it by the Madras Government.

To see what the imagined offence is, it will be right to refer to that part of the Order, circulated by Major Boles, which is thought to be of so reprehensible a nature, as to call for "the highest displeasure of the Governor in Council."

The objectionable passage appears to run in these words:—

"The immediate departure of Lieutenant-general M'Dowall from Madras, will prevent him from pursuing the design of bringing Lieutenant-colonel Munro, Quarter-master-general, to trial, for disrespect to the Commander-in-chief, for disobedience of orders, and for contempt of military authority, in having resorted to the civil government in defiance of the officer at the head of the army, who had placed him under arrest on charges preferred against him by a number of officers commanding native corps; in consequence of which appeal *direct* to the Honourable the President in Council, Lieutenant-general M'Dowall received a positive order from the Secretary to Government to liberate Lieutenant-colonel Munro from his confinement."

Lieutenant-general M'Dowall proceeds then to reprimand Lieutenant-colonel Munro in respect of the premises.

Now it may be asked of every candid and impartial man, whether he sees any thing in the passage quoted (and there is no other part of the Order in which the name or act of the Government is alluded to) that conveys disrespect towards the Governor in Council; so open and so obvious, that the Deputy-adjutant-general must at all events have known it? The answer cannot be otherwise than to acquit Major Boles of all possible offence.

To look a little more intimately into the Order—What is it? What does it purport to be?—A *reprimand*, in express terms, on a member of the Madras army, of the immediate staff of the Commander-in-chief. Is there any man in this case, that can doubt the authority of the Commander-in-chief to reprimand a person of this description? It may be possible, however, though the right itself be clear, and the exercise of it by a lawful party, yet there may be illegality in the manner in which it is exercised; but evidently the present case is not of that kind. The reprimand is for matters purely Military—is given to a Military officer—is confined solely to him—and is passed through the usual channel. It is not an indistinct censure, but is peculiarly discriminative, and is made on precise grounds, and in plain language, applicable to three several Military offences:—1st, For personal disrespect to General M'Dowal; 2d, For disobedience of orders; 3d, For contempt of Military authority; and this latter is described and defined in its circumstance, namely, for Lieutenant-colonel Munro having forwarded an

appeal *direct* to the Civil Government. Not wishing to pronounce any opinion one way or the other on the case of Lieutenant-colonel Munro, it may be said, without the fear of contradiction from any Military man, who alone can judge of the subject, that every branch of the charge is strictly Military, and every one of them denotes a Military offence; for which an officer is justly censurable, if the facts be truly stated. Of the truth or falsehood of the facts, the Deputy-adjutant-general could take no cognizance; nor was he bound to inquire. As a Ministerial Officer, on the contrary, he was obliged to give circulation to the orders of his Commander-in-chief, be they what they might; unless, perhaps, they had been so manifestly illegal in their view, that the State, or some important branch of it, might be immediately endangered by the publication of the order. It is hard to fancy a case strong enough to justify such an officer in disputing the order of his Commander.

The two first reasons assigned for the reprimand are so manifestly clear, that it would be trifling to offer an observation upon them. The latter is equally obvious to every one, who is acquainted with Military concerns. In no instance is an officer to apply for relief, if he considers himself aggrieved, but through the accustomed channel, and through his immediate Commanding Officer. If the latter refuse to give relief, or forward his application to a higher authority, the individual is then, and not till then, entitled to apply *direct* to such authority. I shall not trouble myself here in inquiring, whether Colonel Munro

had, or had not, made such previous application. It is nothing to the puspose; it has nothing to do with the conduct of the Deputy-adjutant-general. All that concerns him is, whether the matters contained in the orders of reprimand, taking them as stated by his Commander-in-chief, were not of that alarming illegal tendency so as to endanger the public interests, or to work some enormous private wrong. In any other view he was compelled, *ex officio*, to obey them. But it has been shewn that they contained nothing but matters of mere course, and of ordinary occurrence. It is difficult to conjecture, how by any possibility the orders could be construed to reflect on the dignity or authority of Government. By an extraordinary effort of ingenuity they have, however, been so construed.

In the Order of the 31st of January, the Government construction of the Order of General M'Dowall is stated; it is described to be "in the highest degree disrespectful to the authority of the Government; as, in it, General M'Dowall had presumed to found a public censure on an Act, adopted under the immediate authority of the Governor in Council, and to convey insinuations grossly derogatory to the character of the Government, and subversive of Military discipline, and of the foundation of public authority." This would be all very well, if there had been any foundation for such a cry, but, as it is, it is idle rant!

Is there any mention made of the *Government* at all in the Order of General M'Dowall, except that he

had been ordered by it to liberate Lieutenant-colonel Munro, in consequence of his direct appeal? How is the Government supposed to be implicated in the censure, or reprimand, of Lieutenant-colonel Munro? Why, in this fanciful manner.—It chuses to identify itself with the last-mentioned Officer; so much so, indeed, that it cannot allow him to be reprimanded, without feeling, in an uncommon tenderness, that its dignity is wounded through his side.

But giving credit to this strange sensibility, and that it was not caught at as a pretended cause, much coveted, for quarrelling with General M'Dowall; it may then be asked, whether the Deputy-adjutant-general could be reasonably supposed to own the same nice feeling, the same delicate sense, the same quick eye to descry the far-fetched and hidden intent of his Commander-in-chief in this calumniated order? His plain intellect might have discovered, what was not apparent to the Government, that there possibly might have been very just cause of censure against Lieutenant-colonel Munro; though the Government, from any thing said in the Order, might not only have been uncensurable, but praiseworthy. He might have haply discovered that the favourite of government could be wrong, without imputing any part of his blame to the Government itself. In liberating Colonel Munro (from any thing suggested by the Order of General M'Dowall), the Government might have been completely defensible, though the means taken by that Officer for his liberation might have been unjustifiable in the extreme. Suppose for

instance, that he had made a false representation of his case. But why have recourse to a supposititious case, when the real fact will bear the argument out in its full extent? The appeal *direct* to government, which the Deputy-adjutant-general was bound to take for granted in the statement of the Order, was a sufficient cause of itself for what was asserted by Lieutenant-general M'Dowall; and it might have been acted on by the Civil Government, without any knowledge of the Military regulations. All this may be acceded without any offence to Government. But what am I arguing? Why in defence of an act, enjoined by positive duty; obedience to the will of a Military superior. Does it need any reasoning to support such a doctrine? Was it ever before called into question by any Government, which felt the necessity, and knew the value of the principle to all legitimate authority? It would be useless to dwell on a subject so universally settled, and on which, perhaps, I have already been too diffuse. But what has been above noticed, applies, in some measure, to the suspension of General M'Dowall, and altogether to the case of the Adjutant-general of the Army, suspended under the next Government orders of the 1st of February.

If either of these Officers had been admitted to the presence of the Governor in Council,* or had been

* Colonel CAPPER went to the Council Chamber, and actually solicited an audience of Sir G. Barlow, but was not permitted to enter the Penetralia, where the system was then brooding, which was to throw a fair portion of the Country into flame. The Adjutant-general was commended to the Secretary in the outer Hall, to make his explanation or remonstrance through the grateful medium of official lips.—EDITOR.

allowed a hearing, it is possible that they might have saved the Government from the imaginary necessity of publishing the orders of the 31st of January, and the succeeding day. At all events, I will conclude, that the constructive offences of these principal Officers of the Staff were not so glaring, as to spare the Government the trouble of all form or figure of inquiry, which the Directors had commanded in all ordinary cases. I must defer the consideration of the suspensions under the order of the 1st of May, and which is the last on this head, until my next letter.

INDUS.

Harley-street, April 10, 1810.

LETTER III.

HAVING demonstrated that the several acts of suspension, announced to the army in the orders of the 31st of January, and the 1st of the ensuing month, proceeded not on such simple and indisputable premises, that it was impossible for the Parties affected by them, to offer any thing in excuse or palliation; I shall pass to the other cases noted in the orders of the 1st of May. These are numerous, and for distinct and various causes. Four officers, by the effect of this single instrument, are wholly suspended from the Company's service; and an equal number removed from profitable employments, and the principal Staff of the army. One of them is stated to have framed, in conjunction with a superior officer, a memorial of an alleged objectionable character, intended to be forwarded, through the usual channel, to the Governor-general of India: two others to have been "active in promoting the circulation of that paper;" and a fourth to have signed an address of certain officers of the army to the Deputy Adjutant-general, on the event of his suspension, which address is charged to be of a dangerous tendency. A fifth Officer, Command-

ant of Artillery, is removed from his command for promoting the circulation of the latter paper. Two Lieutenant-colonels, each commanding a body of troops in different provinces, are, at the same time removed from their respective stations, because, as the orders state, they "appear to have taken no steps to repress or report to the Governor the above improper proceedings," as they are termed. Nay, an eighth is removed from his office of Assistant Quarter-master-general, in Mysore, on this clear and intelligible ground, "having been *concerned* in these reprehensible proceedings."

Now it may be asked of any one, capable to form a judgment, whether the different alleged offences, set forth in the orders of the 1st of May, are not exactly of that sort and degree, to admit of the most ample defence or explanation? It cannot be said, that any one of these Officers could not have had some substantive and substantial ground of defence. One might say, that he did not write either of the papers in question; or if he did, that they were not of the quality described: others, that they did not circulate them, nor were in any other respect active about them. A third party might say, and with truth, that they knew nothing of these proceedings, and that therefore no blame could attach to them for not having repressed or reported them to Government. The fourth party surely could not have been required to say any thing, from the vague and general nature of the offence imputed to him: yet all these Officers, with the exception of one, were

at distant and different stations of the army, several hundred miles from Madras, when they were judged in a summary manner, behind their backs, and heaven only knows on what sort of information.

I have briefly stated, from the order itself, the sum and front of the imputation against each Officer, and more will not be demanded to shew, that there was not so bold, undeniable, and strong a description of crime, that it was not possible for the party accused to shape any excuse against it. In any other situation the orders of the Court of Directors were not to be disobeyed, founded, as they are, on the plainest principles of justice, naturally suggesting themselves to the mind in every case, when fair and equitable proceedings are meditated, and where sanity is observable in the constitution of things. As long as these shall continue, so long will it be fit and necessary that men should be made acquainted with their offences in a specific way, and not only be furnished with the information on which they are supposed to depend, but admitted to the benefit of an ample and full defence.

It is not denied, that seasons may unfortunately occur, when established principles and forms must give way to the necessity of things, when justice itself must be administered, not in the usual course, but after a manner suitable to the exigency of the times. But the necessity must be imperious and evident to justify a departure from practice and custom, originating in wisdom and justice, and confirmed by the experience of ages. Of those who stray

from the even path marked out for them, a complete excuse is required for the aberration; as convincing in its reason and effect, as the case to which it applies is shewn and admitted to be necessitous. The eulogists of the administration of Sir G. Barlow, have felt the burthen imposed on them, and have therefore endeavoured to prove, that the season of his Government was stormy, when common means would be unavailing and inefficacious for the preservation of the vessel of the state: that the times were so much out of joint, as to demand the use and application of strong and desperate remedies. Whether they have made out the only apology that can be offered, remains to be examined.

Two volumes of some length or bulk (and a third is threatened), have already been published in explanation and praise of the conduct of the Madras Government, as referable to the late disorganized state of the army on the coast of Coromandel.

The Authors of these books have commenced their services, by making an extensive display of their local knowledge, and of Indian History, in tracing the progressive enlargement of the Company's territories, and the consequent increase of their establishments: but for what purpose this voluntary labour has been undertaken it would be arduous to decide, unless it should have been prosecuted with a zealous view to shew that every acquisition was attended by its peculiar evil—that every successive conquest was provocative of a new cause of hostility—one embarrassment begetting another, in rapid succession,

until the Company's affairs had been plunged into so dangerous and alarming a state, that it was impossible to extricate them from irretrievable ruin, but by a paltry and pitiful economy in that branch of their establishment which had produced their insubstantial aggrandizement. If this were the business and the design of these writers, they have laboured very hard, if not very successfully, in making out their case; and for which, I dare say, the principals of Sir G. Barlow, and probably of the writers themselves, the Directors of the East India Company will be as thankful as they ought.

It is stated, in the publications alluded to, that from a long and unremitted series of warfare, not only the whole revenue of the territories subject to, the Presidency of Madras, had been exhausted, but that enormous sums had been drawn from Bengal, and applied to the exigences of the subordinate Government: that although these aids were obtained from Calcutta, there was still a large debt behind, and a general deficit existed not only here, but at all the Presidencies; and hence, it is said, the Court of Directors and successive Governors of Madras, had felt a necessity for making some immediate reductions in the military and civil branches of their service, not in the pay or allowance of the different classes of servants, but by curtailing only, as it is described "the expences attending unnecessary establishments."

I shall not stop to inquire here, whether a fit cause has been assigned for the reduction of the charges of

the two establishments; for if the acquisitions of the Company be worth any thing, it might reasonably be supposed, that in time of peace they would supply the means for defraying the immediate expences of conquest, and all incidental consequences. Neither will it be worth the while to ask, whether the reductions afterwards determined on, were judicious or otherwise? But I would go farther in this respect even than the apologists of Sir G. Barlow, for I would contend, if there were any useless establishment, that under the circumstances supposed, it would not only be right to reduce it, but to abolish it altogether; putting in only this reservation, that the circumstance of the inutility of the institution should in the first place be clearly proved. The merits or demerits of the reductions need not be canvassed in a place, where it is proposed particularly, and almost solely to consider their effects. Much has been said by the favourers of the policy of Sir G. Barlow, in respect to reforms in general, and about the clamour universally made against those, who are appointed to carry them into effect. But this must be more or less experienced from the nature and necessity of the reform, and the mode in which it is proposed to be effected. If it shall appear reasonable in itself, or mild in the manner of its enforcement; it cannot be expected, at all events, that the Officer, deputed to carry it into effect, shall encounter any extraordinary opposition. If, as here, he should not himself be the author of it, he will have less proportionate ill will in carrying it into execution; if the method of effect-

ing it be not peculiarly offensive in itself. To fancy that the whole body of two distinct services would rise up in arms to resist a reasonable and necessitous measure, would be to libel societies in the wholesale, by ascribing to them a motive which does not usually influence the actions of men. Yet this motive and this conduct is unsparingly and unreservedly imputed by those liberal writers, without qualification and exception, to the whole range of the Civil Service, and throughout the entire ranks of the Army. These large and important bodies are not only described as in a condition of clamorous irritation, on account of an alleged lenient and well-digested reform, but in a posture so repulsive as to induce the Government, to have recourse to a system, applicable to that calamitous state, when power usurps the ordinary functions of the law.

Before it be admitted, that things were in this unhappy situation, it may be necessary to require some evidence of the fact. For civil broils and mutinies of the army are not to be taken merely upon trust, to be inferred from grounds, which, by possibility, may lead to them, or to be collected from arguments, however specious and ingenious, that presuppose the facts on which they are wholly built. It may be broadly asserted, for it cannot be controverted, that to the date of the 31st of January, when Gen. M'Dowall and the Deputy Adjutant-general of the Madras Army, were suspended by the order of Government, not one act is stated by these writers that gives even a colour for the position which they

are anxious to establish. It is the undisguised aim of these publications to excuse the Government of Madras from using arbitrary and extreme measures contrary to the orders of the Court of Directors, and the common principles of justice; and I must therefore give them credit for employing due diligence in the prosecution of their work. If they do not state the circumstances, which amount to an excuse, I must conclude, in justice to their understandings, that such circumstances do not exist. And I boldly challenge the pages of these publications to shew any solitary instance of disaffection either in the Civil or Military service, at the melancholy period of which I am speaking, when not only the forms, but the essence of justice were violated, under a plea of necessity, that could have existed only, as it has been shewn, in a heated or infatuated imagination: when the first precedents were made for judging men *un*heard—and afterwards pursued, with unrelenting severity, to an extent and degree, hardly to have been anticipated even of arbitrary power at the beginning of the practice. But to these acts I shall refer more properly in another place; and shall endeavour, as well as I am able, to shew the effects of them. I would now confine myself to the proposition—that there was no visible or discernible reason for these acts, much less such a reason as these publications would insinuate.

However they parade it, and talk of mutiny and rebellion in big and solemn tone, at subsequent

stages, their proof at this moment* is limited to a few windy words, or at most one or two written memorials, not the murderous cannon, but a few harmless paper-crackers. Terrific as they would affect or make the general picture to be, it loses all its force when you look into its parts. Instead of a simple story, plainly told, the eye can recognize nothing but a confused multitude, where not a figure is so brought out on the canvas, that you can perceive what he is about; except, indeed, the grand actor in this miserable scene, fancifully tricked out in garish and flaring colouring, agreeable to the bad and vitiated taste of the painter.

But if full and implicit credit be given to the statement in the pamphlets now under consideration; if the things described in them, though absurdly

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* "Till the publication of the Orders of the 1st of May, although alarming symptoms of an organized determination to compel government to grant a redress of grievances had been formed in most of the principal stations of the Army, yet I believe a very great majority contemplated measures of violence with horror; and, although unanimous in their complaints, by far the greater number, and probably all the seniors and most respectable Officers were determined to await the decision of superior authorities, rather than attempt, by illegal and unconstitutional means, to wrest justice from the hands of the executive Government. Some divisions had broken out into very intemperate personal attacks upon Sir G. Barlow; they considered him as the origin and cause of all their grievances; and demanded, in terms not less reprehensible than the object, his immediate recall. But I believe the wild, extravagant, and foolish attempt received no support from the general sentiments and approbation of the Army."—STATEMENT of Mr. PETRIE.

viewed and improperly called, had actually existed, as these writers have pretended, I will venture to say, because I hope I shall hereafter plainly shew, that a policy the very reverse of that adopted by Sir George Barlow, would have governed any mind, intelligent of human events, or sensible of human passions.

INDUS.

Harley Street, April 11.

LETTER IV.

CONSIDERABLE pains have been taken by the admirers of Sir G. Barlow's policy, to evidence the necessity to which it was adapted, and to which it is alleged to have been applied. The publications, before noticed, repeatedly assert, that he took charge of the Government of Madras at a most inauspicious moment, and under circumstances of peculiar difficulty.* That to *him* it was committed to give effect

* The inauspicious dawn of Sir G. Barlow's administration, arose out of the temper in which it was commenced, rather than the state of things around him, to which it is ascribed in the publications sanctioned by his supposed authority. Of the spirit in which it proceeded, some opinion may be formed from the subjoined passage of Mr. PETRIE's statement.—THE EDITOR.

"BEFORE I left the presidency, in the month of May last, on account of my health, Sir George Barlow had become very unpopular; and, in the following month, when at Cuddalore, I heard of considerable discontents in the army. The causes, as correctly as I could trace them, appeared to be more in the manner, than in the measures of his government. His cold and repulsive manners gave very general offence, and his wishing, in almost every case, to make Bengal the standard or criterion for conducting the affairs of this government made an unfavourable impression on the service, and gave an appearance of prejudice, or partiality, which ought to have been studiously avoided on the commencement of his administration."

to an extensive scope of reductions, devised by preceding Governments, and commanded by his immediate superiors. To these, in pursuance of the same *necessitous* system, he was obliged to suggest an inferior number of his own; and that the time was most unfavourable to the introduction of the indispensable reform.

Of the nature of the proposed reductions, it will not be necessary to treat, or to state further, than they are thus described in the publications under consideration. "It was impossible," say these, "that such measures should not be productive of dissatisfaction, and should not unite in *hostility* to the Government most persons who had suffered under their operation."

That ordinary reforms, judiciously planned, and temperately executed, have not always this effect, it may be safely advanced. It must, therefore, be supposed, that the reform of Sir G. Barlow was of a different description. But in proportion to its extent and difficulty should have been the address, or the *studied* address, of the Reformer. If it were expected, and the anticipation is avowed, that the intended reductions would create much ferment in the public mind, the obvious policy was to conciliate public opinion, so far as it was practicable, in the *manner* of the introduction of them. A contrary course could only be favoured by one, ignorant or careless of human action or opinion. No one with a sane intellect could have imagined, that this was the season, of all others, for the exercise of the extremities of power for the purpose of correcting the temper of the times.

Though the publications do not condescend on any precise time or ground, when and on what account the public dissatisfaction had principally shewn itself; they agree in the detail, namely, that throughout the army there was an open spirit of disaffection: that the same sentiment pervaded the Civil service: and that the contagion spread to all around them, though they belonged not to either of the classes stated to have been affected by the reductions. Now the same cause could not operate on all alike, for they did not all stand under similar circumstances. Though the Civil and Military servants were interested in the reductions, persons unconnected with the service could not in any way be moved by them. Some other cause must be looked for, that set all these descriptions of men in formidable array against the Government, as they are unhappily described. This may be very plainly discovered in considering subsequent acts. But at present I confine myself to the history which these writers have given of the period under contemplation.

It is to be wished, that instead of branding two great associations of men by the imputation of motives which might not have existed---instead of libelling our very nature for the purpose of screening Sir G. Barlow, by ascribing qualities to it which it does not own; i. e. that it is according to its *usual course* to be sensible of interests, and to be *in*sensible of plain equitable considerations---(I know not where the authors have imbibed their opinions of our common nature, but I thank Heaven that mine are not drawn

from the same source)---It is to be wished, I repeat, instead of these, that some distinct account had been given of the acts which are said to have been dictated by the alleged inducements; that men might have formed some judgment of them for themselves, and not be obliged to take them for granted, merely because they were anticipated, and are afterwards alleged to have occurred, according to a foreboding, expressed not *before*, but, in the reverse of prophecy, *after* the events had happened.

It is impossible to conclude, that the general society could have been in that shocking and alarming state, depicted in these publications, from the simple causes assigned: for in what light is the Reader requested to view the condition of things? Why, that the whole body of the army, on account of the abolition of certain offices, or duties somewhat profitable in the discharge, was so agitated in its feelings, that it was necessary to dispense with all ordinary regulations for its Government: that the Civil body was not less violently stirred than the Military, and from the same cause: that a neutral estate partook equally of the spirit, but without any apparent reason, of the two former. But of this wide estrangement of the minds of all men from the Government, what proof is stated, even in these publications? None whatever, as far as respects the army, except it rests on one or two representations, in writing, to the Government, on the subjects of the Bengal allowances, and not a single act, even of this inoffensive character, on the part of

the civilians. In respect to the public, indeed, and some branches materially connected with it, these publications are not so silent.

The great mass of the people are represented, at this fatal period, to have been in this melancholy situation---as incapable of receiving or doing justice to each other, or to the Government.---That, out of the whole British population, no impartial persons could be found who would decide with equity on any public or private act, though the decision was enjoined by the solemnity of an oath; that the Sheriff, though the office is an advantageous one, and considered as an appointment of patronage by the Government, could not find, in the whole settlement, twelve men to form a proper Jury:---that successive Juries, grand and petty, special and common, returned several verdicts, contrary, as it is implied, to their oaths---contrary to the justice of the case, and contrary to the direction of the Chief Justice---that the Supreme Courts of Law "had degenerated in a great degree, as stated in these publications, into a place chosen for the exhibition of indecent violence, and for a struggle of faction, in opposition to lawful authority." So that, "many deluded and well-intentioned persons were impressed with a belief, that justice had deserted the Supreme Court, and that protection was no longer to be expected from the Government."

I shall not seek, in this place (and none are shewn in the publications), for an adequate or specious reason for so calamitous a state of things. It would be hard to *fancy* one, if a *real* cause had not existed, to save us

that trouble, and which will sufficiently account for all.

It has been hitherto the pride of the British Constitution, let whatever distemper subsist in other parts, that within the sacred walls of a Court of Justice the heat of party has not entered, but that the laws have been administered in the same purity in which they were framed. The reproach here is not in the laws themselves, nor in the institution of the Court, but in the unfortunate plight of external affairs.

If the writers of these publications had shewn things, even in a more exaggerated light than they have, the more grounds would they have adduced for the condemnation of the policy of Sir G. Barlow. In proportion as the public mind was distempered, so in proportion should have been the care of the Government, not to irritate it further by needless provocations; and in so much the more was it bounden to abstain from acts which, instead of conciliating preceding differences, should afford new causes of complaint, so monstrous and galling in themselves, as to make all former grievances forgotten in the biting aggravation of the new. So that giving implicit faith to the statements on the side of Government, and assuming the disease of the general body of the State, to have been so universal and violent as it is alleged, the practice to be adopted became so simple, as not to be misunderstood by the merest empyric in the science of Government. The last of all prescriptions surely should be that, which would

further inflame the body, and so increase the dangerous symptoms of the malady. But what, it may be asked, was the practice of Sir G. Barlow? Instead of pursuing the course recommended by common prudence and common usage, he applied a violent nostrum, peculiarly his own, and what he found a fever, by rash and inconsiderate treatment, he converted into delirium.

INDUS.

Harley-street, April 17.

LETTER V.

THE whole drift of the defence, offered by the advocates of Sir George Barlow, amounts to this—that he was required to take the reins of Government under the most disparaging circumstances—that even his first office was most ungracious, demanding the introduction of an obnoxious reform, which was likely, according to his supposition, to alienate the affections of men at the commencement of his administration. But it is stated by those, who urge this defence, that the reform was not his own, but his predecessor's, and at the instance of the authorities at home: so that the unpopularity of the measure could not be referable to him, and the opposition, if any could be expected, would be rather against the measure itself, or the authors of it, than the person appointed to execute it; if he conducted himself with ordinary prudence and moderation. If the justice of the principle, declared in the new regulation, were not plainly observable, a temporary ill-will, but nothing more, might have been engendered, and possibly continued until the reform had

been better understood. But this disposition could not have been felt towards the person of the new Governor, who was no party to the suggestion of the reform, but the mere machine or instrument to carry it into effect. No one, it must be admitted, can execute a reforming system so happily as he who is free from the recommendation of it. And it would be to scandalize the Civil and Military service here, if it could be imagined, that, in a pitiful mercenary spirit, they could act in contrariety to principles, which actuate the bosoms of every other description of their countrymen. None can entertain such an opinion of respectable societies, unless from indisputable evidence. Vast and *wayward* pains have been exhibited to raise an impression of this kind; but not one circumstance has been shewn conducive to the establishment of the fact: and where such care has been unsuccessful, it must be presumed, that the pursuit was vain. The failure of this experiment is open to this further observation, that the advocates of Sir G. Barlow felt, most truly, that it was impossible to excuse his subsequent measures, except by making out this primary position; in which, it has been shewn, they have miserably failed.

The policy of Sir G. Barlow is unfortunately too obvious, and cannot be obscured by the contrivances of his apologists. It is, and has been my endeavour to discover what it was; and it may be described in a few words; and reference to his numerous acts of Government may be made in support of the description. It may be shortly stated to have been a Go-

vernment of authority or power, influenced by an arbitrary will, and stirred by a meddling and mischievous spirit, that could leave no object untouched within the circle of its range, and at every occurrent point of contact.

As I mean not to rest my position, like the panegyrists of Sir G. Barlow, on a loose assertion, I shall summarily advert to facts in proof of what I advance: they are many and manifest.

Sir G. Barlow took charge of the Government of Madras in December, 1807, or early in January, 1808, and was occupied, for several months, in the arrangement and execution of the reform, suggested by the preceding Government. The business was completed in June or July, and from that date to the end of the year, time was afforded for ascertaining the effects, and the expected consequences of the measure. No opposition had been raised, nor any meditated, further than the construction of a Memorial to be presented through the usual channel to the authorities whence the reform had been recommended. So that every thing breathed profound peace and quiet, except an almost involuntary expression of regret from the army could be construed into an interruption of the general tranquillity. At this moment Sir G. Barlow thought proper to develope the principle of that conduct, which was to mark his future government.

The first measure which I am disposed to notice, is his interference with the course of Military justice, in the liberation of Lieutenant-colonel Munro from

the arrest imposed on him by the Commander-in-chief of the King's and Company's forces. It seems not necessary for me to inquire into the merits of the charges preferred against that Officer, they have been amply discussed by others.* It will be sufficient to shew, be the merits what they may, that the interference was unauthorized.

The entertainment of the charges and the arrest, it cannot be denied, were the acts of a competent power, under the joint warrant of the King and the Company. I will venture to affirm, under the support of written law, that this was the only power having jurisdiction over the subject; the Commander-in-chief of the King's forces, having the sole right, by virtue of his warrant, of holding plea of Military offences and incidental matters, without impediment or obstruction from the local Government in the pursuit of his office. The Civil Government is expressly excluded from jurisdiction, where such an Officer resides.†

Whether the supposed offence were properly set forth or not; whether it were controvertible or justifiable, from the circumstance of its commission,

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* These are satisfactorily treated in a work published by Messrs. *Cadell and Davies*, under the title, "An Account of the Origin, Progress, and Consequences of the late *Discontents* of *the Army* on the *Madras Establishment*," addressed to the Court of Directors; to which the EDITOR professes himself indebted for several facts and elucidations.

† See the 27th Geo. IId.; the Act regulating Courts Martial, to be holden in India and St. Helena.

were fit considerations for the Court Martial, and not for the Government. The latter, with the King, had deputed the right of jurisdiction in these things, and all necessary acts appertaining to them, to the Commander-in-chief, and until that was revoked, he had the sole cognizance of the subject.

It is contended in the publications in favour of the Governor in Council, that the Civil Government had control over Military as well as Civil affairs; and, to a certain extent, I admit the doctrine; but not to the alarming degree contended for by the defenders of arbitrary power.

The Government, it may be acceded, have a general and ultimate control, so as to prevent final injustice, or excess in the subordinate exercise of any authority under it; but it has no power, having deputed that to other hands, over incipient or inchoate acts, to stop proceedings in their lawful course, which it has left to others to conduct to their legitimate end. Under the wild pretence of the advocates for Sir G. Barlow, he might next have assumed to interpose in the release of parties, arrested by the process of the Civil Courts, to the injury of individuals interested in the suit. The proposition needs only be stated to shew the absurdity of the pretence. In any other construction, it would be impossible for any Military suitor to obtain redress; but under the sufferance of Government, to the utter defeat of his rights, small as they are, under the positive rule of Martial Law.

Nothing is so adapted to rouse the indignation of mankind, as to tell them that they shall not have

redress as of right, but on the permission and indulgence of authority. The disgust excited by this singularly unwise measure was not confined to the numerous Commanding Officers of Corps, who preferred the charges against Lieutenant-colonel Munro, but extended to the whole Military Body.

The transition from this to the succeeding act of the Government, is consistent with the principle adopted: from the impediment of the course of Military Inquiry, the step is not far to the denial of Military Appeal. I shall merely state, and leave the fact to make its own impression, that the Officers, suffering from the release of the Quarter-master-general, forwarded a Memorial to Sir G. Barlow, addressed to the Court of Directors, through, and with the recommendation of the Commander-in-chief, which the Governor refused to transmit.

The next arbitrary measure of Sir G. Barlow, the suspension of the Commander-in-chief, and the Deputy-adjutant-general, requires some explanation, and demands a more particular notice. In a Government Order of the 31st of January, this unprecedented act is announced to the army, and the reason is assigned for this extraordinary exertion of the civil power. The suspension of the immediate head of the army is declared to be occasioned by a public reprimand passed by that Officer, in his capacity of Commander-in-chief, on Lieutenant-colonel Munro; and the Deputy-adjutant-general is suspended, on the avowed ground of having circulated the reprimand of the Commander-in-chief, under his official signature.

The supposed culpability of the principal and his agent, depend alike on the order of reprimand; which must be conceived to impute no very common offence, since it is punished in so unusual a manner. I shall place this very black and threatening paper, with all its features of criminality, in the hands of the reader. It is in tenour as follows:—

GENERAL ORDERS BY THE COMMANDER-IN-CHIEF.

Head-quarters, Choultry Plain, January 28, 1809.

"The immediate departure of Lieutenant-general Macdowall from Madras will prevent him from pursuing the design of bringing Lieutenant-colonel Munro, Quarter-master-general, to trial, for disrespect to the Commander-in-chief, for disobedience of orders, and for contempt of military authority, in having resorted to the civil government in defiance of the officer at the head of the army, who had placed him under arrest, on charges preferred against him by a number of officers commanding native corps; in consequence of which appeal *direct* to the Honourable the President in Council, Lieutenant-general Macdowall received a positive order from the Secretary to Government to liberate Lieutenant-colonel Munro from his confinement. Such conduct on the part of Colonel Munro being destructive of subordination, subversive of military discipline, a violation of the sacred rights of the Commander-in-chief, and holding out a most dangerous example to the service, Lieutenant-general Macdowall, in support of the dignity of the profession, and his own station and character, feels it incumbent on him to express his strong disapprobation of Lieutenant-colonel Munro's unexampled proceedings, and considers it a solemn duty imposed on him to reprimand Lieutenant-colonel Munro in General Orders, and he is hereby reprimanded accordingly.

"T. BOLES,

"Deputy-adjutant-general of the Army."

I may fairly ask the reader, now the Order is fresh in his memory, whether he has discovered, in this

simple reprimand, so signal an offence against the dignity of the Government, as to demand such an extreme example, as the suspension without inquiry of the Commander-in-chief, and one of the principals of his staff? I should ask him rather, whether he does not observe, in this imputed libel on the Government, the most delicate attention in the Commander-in-chief, the most evident and minute care not to involve the name of the Government in his just censure on the conduct of the object of the reprimand? The cause of these Officers might be rested on the very natural answer which the reader may be expected to return to these direct questions. But the demeanour of the Commander-in-chief is represented in this and other instances to have been so offensive to Government, so violent in itself, and so dangerous in its consequences to Military discipline, that I shall be excused in dwelling a little longer on this part of the subject.

If one were studying a circumstance of eulogium to the memory of Lieutenant-general Macdowal (for, alas! he is no more), he might refer, perhaps, to this very Order, as an instance of the victory of a well-regulated mind over impetuous feeling and passion. What might be the mingled sentiment, under which, he wrote this reprimand, may be easily imagined, by referring to the circumstances which drew forth the censure.

In the prosecution of the even course of his prescribed duty, dictated by the legislature of his country, General Macdowall had received charges against an

Officer of his Staff, the Quarter-master-general of the Army, whom he had placed under arrest as a preparatory step to trial. It would seem almost unnecessary for me to state, that the Commander-in-chief, by a positive Act of Parliament, is required to receive the complaints of all persons subject to his command, and to speed them through the intermediate stages to a Martial Court: that he alone in India is vested with this duty and authority. In the immediate discharge of his office, and in the first step to the inquiry directed by the law, an Officer of his Staff impeaches the exercise of his office, imputing blame; remonstrating against the conduct of his superior; and appealing, as it is absurdly called, to the Civil Government, for redress. The General acquaints the Quarter-master-general with the irregularity and injustice of his demeanour, and that he will be obliged to prefer an additional charge against him for his unmilitary behaviour, in questioning and arraigning his acts. The latter, nevertheless, perseveres, applies to the Government, who, strange to tell, orders the Quarter-master-general from his arrest, though informed by the General at the instant that he intended to found a public complaint against the accused for personal disrespect to himself.

Under these provocations, of no very slight nature, Lieutenant-general Macdowall thought himself obliged to reprimand an Officer, thus slighting and despising his authority, and to explain to the suitors prosecuting the charges, and the army in general interested in the transaction, the manner in which

the Quarter-master-general had been liberated from his arrest.

Thus called upon to vindicate his own dignity, and the power confided to him by his Majesty and the Legislature, as well as the rights of those submitted to his protection, he issued the reprimand in question: and a more cautious and more guarded composition could not have been penned, so as to assert his own power within its province, and not to infringe on the due authority of the Civil Government. Clear, however, as the intent of General Macdowall is in this instrument, evident as it is in expression, yet the Government and its apologists have scrutinized this paper with an evil eye, and pretend to say that they have found in it the most mischievous design of agitating the minds of the army, and of subverting the civil administration of affairs.

In order to establish that evil intent in the reprimand, the Government identifies itself, most needlessly, not to say foolishly, with the Quarter-master-general, and presumes that he cannot be blamed without implicating it. The weakness of such a supposition has been shewn in an early letter. But, however desirous the Government be to share the reprimand with their favourite, it is evident that the General has forborn to impute any censure to it. This observable deference ought to have convinced the Government of his respect, rather than have been violently construed into designed contumely. But the patience and silence of the Commander-in-chief, on the treatment of Government, which is not defen-

sible on any principle or argument, is most dignified and instructive. He alludes not to any act of the Government, further than it had ordered the release of Lieutenant-colonel Munro, by the hand of the Secretary; but makes not a single comment, where one, with less temper and moderation, might have been justified in urging many.

The apologists of Sir G. Barlow defend the act of the release of Colonel Munro, as arising out of a legal *appeal*, as it is termed, of that Officer, to the Civil Government; and so it is preposterously stated by the Judge-advocate-general of Madras; and it is argued, that it was competent for Colonel Munro to apply direct to Government, on the refusal of General Macdowall to forward the supposed appeal. But whoever heard of an appeal before the case had proceeded into the Court of original jurisdiction? If such a course were tolerated, it would be a very trim method of getting rid of a complaint, without the tedious form of investigation. Whoever heard, it may be asked, of an appeal from the formularly acts of a Commander-in-chief, in receiving and proceeding on charges, lawfully preferred to him? Did any Government, before this, allow a public Officer's conduct to be impugned by others, and condemned by itself, without the shadow of imputation on his *motives?* Let the apologists answer these questions, and defend Sir G. Barlow if they can.

I therefore contend, that the suspension of General Macdowall, was a most unauthorized act, rendered more obnoxious and odious, from the manner in

which it was effected. If the assumed reason for the act were sufficient to bear the Government out, what necessity was there to bruit and blazon indefinite and vague offences in the Order of the 31st of January?*

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* Of the impolicy of this Order Mr. PETRIE speaks in the most irresistible terms; and admirably ridicules the manner in which it was attempted to be enforced. It may not be unseasonable to remind the reader, that when General MACDOWALL had left the Roads of Madras, and was nearly out of sight of the Garrison, that several angry shots were fired, and the thunder of the whole artillery on the ramparts was let loose to bring back the ship in which he sailed. This extraordinary noise terrified and alarmed, as might be expected, the entire Settlement, and called it to the beach to witness the cool and contemptuous departure of the General, and the sneaking and impotent resentment of the Government. But to return to Mr. P.'s Statement.

"By a vain and impracticable attempt to recall the ship which had sailed with General Macdowall on board, we lowered the respectability of Government in the eyes of the Settlement; and by formally dismissing him from a command he had in fact resigned; and after his departure for England, we exposed our councils to the imputation of weakness, undisguised resentments, and an useless unavailing display of rigor. If the Commander-in-chief had been allowed to depart without these useless manifestations of resentment,—without, in a manner, implicating the Army in his cause, he and the order would have been forgotten in the course of a few weeks.

"Did we improve the subordination of the Army, by the removal of the General? Did we draw tighter the bonds of obedience? Did we add greater lustre to the dignity of government? Did we impress the minds of the Officers with higher and more just ideas of our power and authority? And did this measure of impracticable coercion tend to suppress the temporary discontents, and remove every cause of complaint from the mind of the Army?"

Why talk of his inflammatory conduct on *other* recent occasions, never expressed to the General himself, nor explained to the army? Why hoard up circumstances of imputation, in order to pour them forth in an aggregate form on some available occasion, sought and found, and proclaimed—safely proclaimed, behind the back and the hearing of the party? It calls up an involuntary indignation to reflect on such proceedings, and hear them dignified with the Eastern terms of energy and magnanimity, at the expense too of the memory of a man who had fair pretensions to

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Speaking afterwards of the Order of the 31st of January, Mr. Petrie asserts:—

"The publication of this Order gave an universal impulse to the army, and led to discussions of infinite danger to the firmest principles of established authority. If we had overlooked the conduct or misconduct of these Officers (Colonel Capper and Major Boles) no one will seriously affirm that the authority of Government would have been weakened, the discipline and subordination of the Army relaxed, or the security of the State endangered; but, by the suspension of these Officers, we have called forth feelings and passions in the Military mind, which have shaken the authority of Government to its centre, disorganized and convulsed the army,—and, to the conviction of all, have now at this time brought our best and most valuable interests into imminent danger, and, I fear, insuperable difficulties.

"The offence came from the General, and he was punished for it; but to suspend from the service the mere instruments of Office, for the ordinary transmission of an Order to the Army, was universally condemned as an act of inapplicable severity, which might do infinite mischief, but could not accomplish any good or beneficial purpose. It was to court unpopularity, and add fuel to the flame, which was ready to burst forth in every division of the Army."

these qualities, and an universal acknowledgment of them, except from the mouths of those who have breathed calumniously on his fame. In justice to the assailed and vilified character of the departed General, I shall feel it right to resume this subject in my next.

INDUS.

Harley-street, April 19.

LETTER VI.

HAVING explained the circumstances that led to the reprimand of Lieutenant-colonel Munro, having offered, as I consider, a complete justification of Lieutenant-general M'Dowall in publishing that reprimand to the army, and having defended him against the offence imputed by the Government; I shall proceed to the refutation of the general calumnies, spread far and wide, by the partizans of Sir G. Barlow, on the memory of the departed Commander-in-chief. It is not surprising that they who panegyrize the measures of the local Governor, should endeavour, in humble imitation, to walk in his footsteps. It must be treasured in the mind of the reader, that until General M'Dowall had removed from Fort St. George, never to return, the Government abstained from the manifestation of that vigour and magnanimity demonstrated in the order of the 31st of January. It might be an effort of prudence, perhaps, to avoid a conflict between two contending authorities, each powerful in its sphere, and await for the favourable season, when the one should be withdrawn, and the field left open to the possession of the other, where

it might bluster, and command, and condemn, without the fearful presence of an opponent. But though this measure of the Government may be thought by some to have a claim to the reputation of worldly wisdom, it has so many disrecommendatory qualities about it, as not to render it a precedent and fair example of imitation. It has, however, been servilely copied by those, who would support the administration of Sir G. Barlow. There is a certain squeamishness, an affectation of reluctance about them, when they first commence their labour. They are loth, they would have us believe, to assail the character of the dead; but justice leaves them no other means, but to dig into the grave of the hero, for the defence of their patron; as if the ashes of General M'Dowall should be disturbed because Sir G. Barlow must, at all events, be defended. But these men, even while thus employed in profaning the sacred sepulchre, still feel, or pretend to feel, the worth or virtue of the principle which they are directly violating. They talk it bravely of justice, and shew what it strictly demands: nay, they promise too, most liberally, that they will conduct themselves according to its dictates; that they will be guided in all they say by the unerring voice of truth; that they will speak from record, or proof of equal credit: and if their practice and doctrine had been consistent; had they confined themselves to facts, or seeming facts, I should not have censured their conduct, merely because it had violated that respect which is usually shewn to the deceased. But while these words are on their tongue, their hands

offend against every rule they have themselves prescribed for their guidance. They sin with their eyes open, and in face of their own precepts, and their condemnation proceeds even out of their own mouths.

The late Commander-in-chief, as the publications favouring the local Government would have men think, was covered with offences of so deep a die, so peculiarly marked and striking, that it was impossible not to discern, and discerning not to condemn them. And yet the wisdom and energy of Sir G. Barlow, which he well knew how to exert on an after occasion, and without any delicacy or regard to persons, suffered this scarlet sinner to fill the measure of his guilt, before he thought proper to interfere; nay, he allowed him to turn his back on the Government, before the hue and cry was magnanimously raised against him.

Let us examine, a little closely, the matters of which General M'Dowall is accused. It is said—

That he intimately knew the crying distresses of the Company, and the consequent necessity of reductions—

That he expressed himself satisfied to the Government with the liberality of its arrangements, and discountenanced the pretensions of the army, while he fomented privately the grievances of that body which he affected to condemn.

That he pressed on the Government a multiplicity of correspondence, tending to embarrass its operations and injure its authority.

That he interfered in the complaints of the Civil

Service, and particularly shared in the contentious proceedings in the Supreme Court.

That he was frivolous, forsooth, and cowardly in the choice of time for the publication of his reprimand.

That he repented slowly, but seriously of his conduct; which he thereby admitted to be erroneous.

This is a limited account of the crimes placed on the General, enough certainly to weigh down the strongest body. But, before they are allowed to rest there, it must be considered whether such a load of offence existed, and next, whether it was applicable to his back. It is not because Sir G. Barlow, and his advocates wish to relieve him of a weight, that it is consequently to be thrown on the ready shoulder of the unfortunate Commander-in-chief. What "official document," it may be asked, what, "information of unquestionable authority" is there produced to sustain the long catalogue of crimes? Where are the proofs on which we are called upon to condemn, and to the production of which the partizans of Sir G. Barlow stand pledged?

It is no where shewn that General M'Dowall had other knowledge, than any indifferent individual in India, of the state of the Company's finances, which these writers describe to be in so ruinous a condition as to demand a reduction in the pay or perquisites of the army. On the contrary, it is every where apparent, and it is the constant endeavour of the publications in question to demonstrate, that he did not live in confidence with the Government, or scarcely in

ordinary communication; and therefore, unless we may be expected to swear or judge on the bare dictum of these ex-parte writers, we have nothing to rely on for this the primary position.

But admitting the circumstances of the Company to be as ruinous as these gentlemen contend, and that the General was convinced, as much as they, of the truth of that lamentable fact, where does it appear, which was undertaken to be proved, that the Commander-in-chief had represented himself to be satisfied with the arrangements which Sir G. Barlow, or his predecessor, had recommended in the necessity of things? It is not to be found, most undoubtedly, in the General's letter of the 16th of May; for in that he says—

"The abolition of the Bazar Fund first, and lastly, "the degradation of the military character, from the "Commander-in-chief to the youngest Ensign; the "late reductions, and especially the abrogation of the "Tent Contract, are among other prominent features; "and I much lament the expediency which occasioned "these disgusting measures."

This is no direct proof, it should seem, of the satisfaction of the General at the liberality of Sir G. Barlow's measures. It is necessary to inquire a little farther about the place where it is to be found, since on this the principal fault of the General must depend. He is charged, it is to be recollected, that he was well content with the acts of the Government; that he had considered them most liberal; and that while he professed such an impression outwardly,

he was pursuing the uncandid and unmanly conduct underneath, of aggravating the fancied grievances of the army, and promoting its complaints. Before we can give credit to such a motive in *him*, who is now incapable of defending himself, we must demand some evidence of the fact. The authors of the publications before us, not only say they have such evidence, but have the audacity to refer to it. They fearlessly advance the fact, and point, in a note, to the supposed written letter of the General, in corroboration of their assertion.

"General M'Dowall, (say they) in a letter which "was received from him on the subject of this ar-"rangement, expressed his satisfaction at the libe-"rality of Government, and his opinion that the "army had cause to be satisfied." And a reference is thereupon made to C and D in the Appendix: leaving us no room to doubt, on the first reading, that such a letter was inserted among the annexed papers. Many readers might not have been as anxious and interested as myself in the character of the General, so as to take the trouble of turning to the Appendix for the confirmation of the circumstance asserted—but if they had, what must have been their indignation on discovering, that no such letter existed; and that the whole seemed a low artifice, a paltry trick, to cajole the reader and to blacken the memory of the accused? Will they be inclined, after such a specimen, to give a willing faith to facts, hanging on no other testimony, than the credit of such men's assertions?

It is clear, from the passage already quoted from General M'Dowall's letter of the 16th May, that he did not consider the army to have been liberally dealt with—the whole tenour of it is to that effect. But it is said, by these defamers of the *deceased* General, and the eulogists of *living* authority, that he discountenanced, in this letter, the pretensions of the army. But I must own, perhaps from dulness of comprehension, that I cannot see any such tendency in it.

The General, in this letter, seems desirous of checking the *mode* by which the army was seeking to redress their grievances, by the preparation and prosecution of a Memorial to the Governor-general; but though he finds fault with the manner of urging them, he by no means pronounces an opinion as to the substance or nature of the grievances themselves, except, indeed, as I have before explained, that they were well founded in point of fact. It is not to the alleged grievances, but the course of redress, that the Commander-in-chief objects. This circumstance will explain a subsequent part of his conduct, which is reproached with the character of inconsistency; because it favours the transmissal of a Memorial to the Court of Directors from the Officers of the Coast army. This second Memorial is not submitted in these publications; so that there are no means of ascertaining in what it differed from the paper which the General, in the first instance, disapproved, not so much in substance, as it has been shewn, as the manner of it. Representation from the army to the

Court of Directors, it is well known, is not very rare; and it is to be observed, that the General himself, in the letter of the 16th of May, states, that many points have been gained by it; so that precedent, at least, was in favour of such application, if properly pursued. It is fair to presume that it was rightly made here, if there be nothing to prove the contrary; for the presumption is always on the behalf of a public officer. None could be supposed so competent to judge of the time, the circumstance, and the manner of a representation of this sort, as the Commander-in-chief; and it must be obvious to the meanest capacity, that what might be improper at one season, and in one way enforced, might, at another period, and under another form, be fit and prudent. Circumstances must always govern in points of this nature; it being impossible to prescribe a general rule to embrace every occurrent case. To say that representations from the army, cannot be made to the Court of Directors by the body of the army; and yet that they proceed thither, and are attended to, would seem strange in the extreme. And as they must be taken, when they pass thither, as so many appeals from the proceedings of the local Government, it is to be assumed that they can seldom reach there, attended by the approbation of the constituted authorities of India.

But I have lamented before that the two papers are not produced, in order that the different features of them might be examined. But even supposing that they were pretty much alike, it is not impossible or

unlikely that in process of time, the General, without imputing any great inconsistency to him, might have considered differently of the subject than he did on first thoughts. The agitation of the army might have been such at this moment that he conceived it more wise to overlook the circumstance of the public discussion of grievances, and to let it pass unobserved, that the ill humour of the army might be disburthened in a way less dangerous to the State, and ultimately subside and pass off in the interval of the reference to England, than repress it with the hand of authority. This he would have an additional reason for doing, if he felt himself, as I have demonstrated that he did, that there was abundant cause for the discontent of the army, and little enough disposition in the Government to attend to its representations. Thus the distinct acts of the General, at two distinct æras, may be well reconciled to each other, without involving him in the charge of inconsistency: nay, what is worse, of a deficiency in that candour and sincerity, which are the lively and lovely characteristics of the soldier.

This seems the only interpretation that can be entertained of the Commander-in-chief's conduct, in our present information, unless we be disposed to take our view of it from the partial, garbled, and misrepresented statements of his adversaries, and their crude and indigested deductions from them. In such a spirit the British public never judges in any case, and will not, most certainly, in one, hallowed as it were, from the unseemly attack of enmity, and the touch

of interested baseness, in the sanctuary of the grave.

Hitherto, it may be remarked, that the calumniators of the memory of General M'Dowall have pretended to have some document of his own, or some notorious admitted fact, on which they have dared to utter their reproach. But they have not even the flimsy pretence of an alleged official paper, or acknowledged fact for the support of any one of the latter propositions, which they have unblushingly laid down. He must be Credulity personified, who, after what I have stated and shewn, shall take an unaccredited and unsupported assertion in these publications, as the ground of his belief, yet on nothing but this airy and visionary foundation does every other allegation stand. There is no evidence whatever, notwithstanding the sounding professions and promises of these writers, of embarrassing correspondence, of interference with the Civil and Juridical questions; of frivolity of demeanour; of timidity in action; or of ulterior repentance. These accumulated accusations hang on the offensive breath of defamation; seeking to taint a reputation gained by toil, and sustained by honour. His worthy assailants are not satisfied with attempting to murder or mangle his memory, but call him back again to human action, to make him the suicide of his fame. They represent him, shamefully represent him, in the sad condition of a malefactor, giving the last proof, from his own lips, of the guilt for which he is condemned. It is impracticable to carry malice further: it has

seldom, thank Heaven, proceeded hitherto so far. Let these men enjoy a precedency, which none will ever dispute with them; let their glory shine alone, and may the world stand aloof to gaze on it.

If General M'Dowall had occasion to heave a reluctant sigh, as connected with his public conduct, it must have sprang from the contemplation of the unfortunate, but unforeseen, and, I may add, improbable consequences that have resulted from the publication of his lawful orders; which have overwhelmed his Staff, and natural adherents, in his imputed personal offence. A heart like his, genuine and manly, might feel, without shame, for others, while it was wholly indifferent about itself. But that it could accuse itself of faults it could not own, nor at this time imagine, requires, in order to ensure our belief, stronger evidence even than the oath of a declared and avowed agent, though the favourer and favourite of an Eastern Government. The best refutation of the insinuations against the courage of the General, in the prosecution of his purpose in the reprimand given to the Quarter-master-general, is the conduct of his detractors—none of whom have ventured to utter their censures in his presence. And some have waited for months, until accounts have been received of his death, before they attempted to blast his memory. But it is, happily, beyond the reach of such assaults! it is too much revered, to demand any additional commendation—it might suffer while it could receive no fresh lustre from the praise of

Harley Street, April 25. INDUS.

LETTER VII.

THE orders of the Government of St. George, under date the 31st January, embraced the case of Major BOLES, as well as the Commander-in-chief. Sufficient has already been observed in respect to the former Officer; all, indeed, that has been remarked in application to the suspension of General M'DOWALL, necessarily serves to the justification of Major BOLES. But if the defence of the Commander-in-chief had been less perfect than it is, it would not follow that the Deputy Adjutant-general was culpable in giving currency to the express orders of his superior; unless such orders had glaringly exceeded the scope of the Commander-in-chief's authority, or the execution of the object of them would infringe on the positive law of the State.

It has been clearly shewn, that the general orders of the 28th January, were within the limit of the legal powers of the Commander-in-chief, and affected not, on the most fanciful interpretation of them, any lawful regulation; I shall, therefore, decline any further observation on the case of the Deputy Adjutant-general, except in pointing out a principle which

seems peculiarly adapted to it, and which will be the more readily granted by the advocates of Sir G. Barlow, since it has been by him extended to a case supposed to be similar, though some of its features are evidently of another family.

Another Gentleman of the Commander-in-chief's Staff, the Quarter-master-general, had committed an act, it is said, under the orders of his principal, or at least under the seeming cover or protection of his name, which had worked a real or imaginary evil to several Members of the Army, who, consequently, preferred charges, sanctioned by the Supreme Military Authority, against that Staff-Officer, which led to his arrest. He was liberated instantly by the arm of the Government (the *Madras* Government), because, forsooth, it could not tolerate the idea, that a subordinate Officer should suffer for his obedience to the commands of his Chief. In defending the Quarter-master-general, this doctrine is solicitously and warmly pressed:—" It would have been inconsistent " (says Sir G. Barlow) with the evident principles " of justice, that a public Officer should be liable to " the *obloquy* of a *trial*, for an act not *his*, but that ' of his *superiors*." Was this, it may be asked, the measure meted out to Major Boles? But the Deputy-adjutant-general, was not, perhaps, in such good odour at the Government-house as his brother Officer on the Staff!

On the day following the publication of the orders, for the suspension of Lieutenant-general M'Dowall and Major Boles, another exertion of supreme ven-

geance was made, to the astonishment of the army, in the like removal from office and the service, of Colonel Capper, the Adjutant-general of the army; because the order of the Commander-in-chief had gone through that medium to the hands of his Deputy. It was not possible that mercy should connect itself with any sharer in the black offence of the 28th of January.

Colonel Capper, in the liberal spirit, which always marked and characterized his actions, brought this punishment on himself, by an attempt to exonerate his Deputy from all participation in the currency given to General M'Dowall's orders.—He represented that the blame, if any blame had been incurred, in the publication of the orders in question, was exclusively his own; as he had particularly directed the Deputy-adjutant-general to issue that paper, who had confined himself strictly to the line of his duty. If any one therefore ought to suffer, he could not but consider himself the object, being the principal in the Adjutant-general's Office. Neither the candour nor the liberality of this avowal, nor the Government's own principle, alas! could save the person once denounced by the infuriated Government, though it drew fresh anger on the head of another victim. The reader will feel no difficulty in judging, whether the occasion demanded all this demonstration of revenge.

The conduct of Colonel Capper is censured in the publications on the behalf of the Government, as being froward and contumacious. His manly declaration in favour of his Deputy—his appropriation of

the imputed crime to himself, is styled in these as a "direct and *exulting* avowal of participation in the "offence." He is stated, among other things, to have said, "in a tone wide of regret" (but what regret was necessary?), "that he was the responsible "person; that it would not rest with Sir G. Barlow, "but with his Sovereign, to decide on his case; *and* "*if he should be dismissed, he should* GLORY *in dismis-*"*sion on such an occasion.*" The order for the suspension of Colonel Capper became in consequence (it is added) an unavoidable measure.

If it were supposed to be *unavoidable* from the bold tenour of his declaration, I shall not scruple to advance, without the dread of contradiction, that no vain glorious representation, such as that just noticed, was ever made by Colonel Capper. It may suit the defenders of Sir G. Barlow's arbitrary acts, to put such words into his mouth; but they are *theirs* and not *his* words. If even the Secretary to the Government, to whom the Address or the supposed Address was made, were to vouch officially for the authenticity of the statement, mentioned in these anonymous publications, I should decline his authority, and retain my own opinion, formed as it is on the account of Colonel Capper himself, reduced into writing at a time when his actions and his words were fresh and unfaded on the memory.

If it should be supposed for an instant that he could have given a colouring to his conversation with the Secretary, it must have been consistent, it is to be imagined, with his temper at the time.—Had he been

courting popular opinion—had he been desirous of appearing a willing martyr to the cause of General M'Dowall, or the army—he would have been studious, in his description of what he communicated to the Secretary for the ear of Government, to preserve the exulting character and tone in which he is said to have spoken. There could be no reason in dissembling it—since it would have shewn what he must have most wished to be understood. But he has subdued, in his modest account of the transaction, the boastful and self-important pretensions attributed to him; and has laid claim to nothing more than a manly discharge of his duty in a plain and unostentatious way, placing himself, with a gallantry natural to him, between his brave companion and the danger which threatened to consume him; devoting himself (unhappily) to destruction, without the parting consolation of having saved his friend. Though the Government had no fancy for the approbation of so noble a disinterestedness, it ought to have protected the actor from the censure of its partizans.

In the usual strain of their bravery and public spirit, these Gentlemen have contemned the principles sanctioned by the general voice, and have offered up another *lifeless* victim,* regardless of the universal

* This gallant officer, (Colonel Capper) not less noticeable for the urbanity of his manners, than the activity of his service, and for contempt of ease and gain, in the consultation of professional honour, embarked in the same ship with General M'Dowall, which freighted with the best and brightest hopes of the Indian army, unhappily foundered at sea.—The Editor.

indignation at the shrine of an implacable Deity. While these generous souls "*war* only with the "*dead*;" it is truly whimsical to perceive with what a delicate courtesy they treat the *living* who fall accidentally within their notice; and who possibly might not sit easy under the tenour of their observations. The practice may have in safety what it unfortunately wants in spirit.

The bold, unusual acts of the 31st of January, and the 1st of the succeeding month, summarily dispensing with the services of the Commander-in-chief, and of two principal Officers of his Staff, filled the Army, as it may be supposed, with indignation and disgust. The expression of this latter sentiment was so explicit, that it escaped not the attention of the Government, and made it forego, for a moment, the exercise of the high authority which was to be the rule and reason of its conduct.

Delighting in extremes, its littleness became now as distinguishable as its preceding pride. Seeing that Major Boles, the only remaining Officer of the condemned Staff (for General M'Dowall and Colonel Capper had then sailed for England), would not make any solicitation to be re-admitted to his station, wantonly taken from him; the Government, in the true spirit of its proceedings, sent two dignified Commissioners, a member of the Council and the new Commander-in-chief (Major-general Gowdie), to treat with the honest, but refractory, Deputy-adjutant-general, and to endeavour to purchase, with the price of his lost place, an apology from him, even of his

own dictation, for the offence which Sir G. Barlow had been pleased to take at his conduct, in the due discharge of the functions of his office. As a gratuitous act of benevolence it was graciously hinted, what the partisans of Sir G. Barlow have repeated in their publications, that the suspension was a pure matter of sport—and meant to be done away, on the merest form of an excuse. "They did but jest," as Hamlet says, "poison in jest, no offence i'th' world." But Major Boles not exactly comprehending or relishing the joke, did not come into the lenient and merciful views of this *playful* Government, choosing rather to suffer the effect of this new sort of pleasantry, than to establish a precedent, through his submission, for the repetition of the droll. For this bad taste in him, he was not only precluded from the finished society of the Government, but was excommunicated altogether, and his comrades were afterwards banished from Madras, if it could be called a banishment, for having dared to receive him within their thresholds, and were suspended from the Army List and their Staff appointments, because, in a sense of his *imaginary* sufferings, they had voluntarily subscribed for his support.

While rendered thus an outcast, and deprived of the means of existence from the charitable sentiment of his brethren, will it be believed, that this stubborn and hardened offender, of whom we should conceive that the Government would be glad at any rate to get rid, was detained to starve in India, and was not allowed ultimately to have a purchased passage to

Europe, until after several months solicitation, and then by an intermediate transportation to Bengal?—If this incontrovertible and admitted statement shall have made any impression on the reader—what sentiment must the knowledge of these sufferings have created, on the scene where they were passing under men's immediate eyes? I shall not state it—for it cannot be misconceived.

Foiled in shaking the admirable constancy of an individual, the next attempt of the Government was, to pervert the plain understandings of the Army, by giving a false gloss to the act, which had induced all the mischief of the reprobated Orders of the 31st of January and the 1st of the next month.

This absurd attempt was made through the medium of a public Order of the 6th of February, in which the Government condescends, in an unaccustomed good humour, to explain most minutely the motives of its previous act, and to reason calmly and considerately with that body, whose feelings it had before despised. It defends itself, and Lieutenant-colonel Munro, at the same moment, (for he is always a near object) and sets up, without meaning it, perhaps, a most ingenious and ample defence for Major Boles; thus treating the judgment of the Army, even in the instant of addressing it, with a most pointed contempt; since it was not practicable for it to separate in principle one of the cases from the other, as it was chosen to be represented by the Government: though it was liable in point of fact, and to their conviction, to a very distinct consideration.

There never was so bungling an appeal directed to the common sense of reasonable creatures—and none ever made at so truly an unseasonable moment—as if the army were to be deluded out of their understandings, and their feelings, then violently moved, were to be preached down by a few soft unmeaning words, to the forgetfulness of their injuries, and to the expected admiration of those, from whose hands they had newly proceeded. This is the happy policy of him, who had manfully condemned Lieutenant-general M'Dowall, as guilty of an act subversive of Military discipline and the foundations of public authority, in addressing the Army on the case of Lieutenant-colonel Munro—little reflecting at the time, that the same dangerous practice should be followed by himself, and should be related with the self-same miserable subject. What a charm, a bright charm is consistency, and more especially in our Rulers!

This second experiment at conciliation was as little successful as the first; and left the public mind, just as it found it, in a heated and exasperated state; so that other instant means were to be invented for soothing it, if possible, into a more healthful temperament. None were so ready to the hand, as the witchcraft of hospitality; and cards of invitation were dealt around in such plenteous profusion as to take in the whole extensive circle of the Presidency; backed with the persuasive and easy eloquence, nay, even in some instances, with the absolute orders of the new Commander-in-chief. Yet these invitations

do not appear to have produced half a dozen red-coats at the Governor's board, and these covering the backs of his own domestic Staff. What a mortifying contrast is here, where the luxurious entertainment of the Governor, with all the radiance and attraction of his authority, cannot procure him the attendance of a guest; while the object of his oppression is so much courted in society, that punishment must be denounced and inflicted in order to drive and scare men from him?

The petty ill-will that these successive disappointments stirred, I shall not dwell upon, nor the provocations to which they gave rise; these are shewn at large in other works,* dealing more in detail, than

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* The spleen and minor vengeance of the local Government, as exemplified in its acts, is particularly shewn in a publication of Messrs. Cadell and Davies, on the discontents of the Madras Army. That they are not exaggerated, may be collected from the subjoined extract from Mr. Petrie's minute.

"I shall at present only advert to the very injudicious, indiscreet, and frivolous disputes, which, for the last six or seven months, have taken place with respect to toasts, invitations, and other circumstances of the same nature, in the private societies of the settlement. The power and influence of Government on one side, and the general unpopularity of its measures on the other, produced parties in society, which very extraordinary talents might have reconciled, but which authority could not suppress. In the commencement of the discontents, the Military in general at the Presidency, declined accepting of the Governor's invitations to dinner. This was taken up in a manner which gave importance to a circumstance of no moment in itself, and, by making the refusal a breach of Military discipline, it increased the spirit of resistance; and many Officers preferred incurring the severest displeasure of Government, rather than give this involuntary test of obedience.

mine is permitted to indulge. These produced, among other things, the removal, with one exception, of the entire class of the members of the Junior Military Institution, the dislocation of several Officers from their appointments, and the dispersion of battalions from the Presidency, to distant Military situations: and finally, to the mischievous orders of the 1st of May.

This last public act completed the full measure of vengeance, discovering to the army that neither numbers, rank, nor respect, could withstand, at this juncture, the uncontrolled power of the Governor; that the most esteemed persons, the best established principles were to fall at pleasure, before the presence of arbitrary authority. In this unexampled order, the particular offence and offenders do not appear to have been weighed with a shew of discrimination, but to have been dealt with by the gross; where the deficiency of one, it was possibly thought, might be made

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The young men of the institution were ordered to their corps, because they would not attend a ball of Lady Barlow's. A battalion of sepoys was sent across the peninsula to Goa, because the Officers refused to dine with the Governor: this was certainly undignified and injudicious, and shewed little knowledge of the world, or of the human character; at no period could it have been more requisite to seek, by every conciliatory expedient, to heal the sores which, for some time past, had been festering in the Military mind,—to bury in oblivion the causes of irritation, and to allow the passions to subside into their usual course; but, on the contrary, every occasion appeared to be anxiously sought for to provoke, tease, and exasperate, the feelings,—to keep alive the recollection of their first grievances, and to confirm them in the opinion, that they had still farther to fear from the displeasure of Government.

up, in a curious computation, by the supposed superabundance of its neighbour. In looking over the blood-red letter of accusation, it is hardly practicable, in some cases to form any distinct notion of the charge, and in none to draw a safe opinion of the grounds, on which it was imagined to depend; while it is manifest to all, that no less than eight officers, mostly of high rank, and all of unsullied character, are condemned and suddenly punished on secret information, and without the pretence of trial.* One of them but a few short hours before, in the face of the whole army, had received the thanks of this capricious government for his highly distinguished services, which are now more than countervailed, on some uncommunicated and unknown cause, by the unqualified reprobation of his character. At the very instant that his reputation was blasted, it was universally known, that his sound and determined judgment had been exercised, with no less conspicuous zeal, than his preceding courage had been exerted, to save the Government, condemning him, even at his

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* Of the orders of the 1st of May, Mr. Petrie, who may be understood from his official situation, to be acquainted with the proofs on which they rested, thus pithily expresses himself.

"I was convinced they would do infinite mischief: that the *charges* appeared to be *loose*, *irrelevant*, and *indefined*; some of them *incapable* of *evidence*, and others founded on *information*, that *cannot* be *produced*; and that the punishment of so many officers without trial or a hearing in their defence, would be universally condemned, as a most dangerous departure from the first and most invaluable principle of British liberty."

personal peril, from the destructive effects of its rash and infatuated policy.*

Can any one doubt, on the examination of these successive acts of violence, of the causes that produced the very melancholy crisis lately deplored? Can the blindest flatterer of the system of Sir G. Barlow persuade himself that the bloody events that occurred, originated in a pitiful question of private gain? It would be ascribing gigantic effects, to the most pigmy and insignificant causes.

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* The Hon. Colonel Sentleger, who, is here alluded to, by a singular promptitude in council and action, put a period to the war with the *King* of *Travancore* within the period of ten days—having, in that short interval, stormed the lines, imagined to be impregnable, having driven the enemy from his strongest holds and fastnesses, dispersed his troops, and menaced his capital. His judgment appears not to have been inferior to his courage, which was no where more undauntedly exercised, than in suspending the orders of his government for putting a civil servant of the company into the management of the districts surrendered to the army, on faith of a Government proclamation issued by this officer, in which he pledged himself to protect them in their internal polity, against all interference. To the wisdom of which unauthorized act, the government itself was compelled to bear testimony, by rescinding its own orders; which, if carried into effect, as it was prudently foreseen by Colonel Sentleger, would be productive of a rash and desperate effort of the inhabitants to defend their possessions, not in a sense of interest only, but in a religious madness and fanaticism, that would risk every thing, rather than submit its antient institutions to foreign profanation. The responsibility of this officer will be better understood, when it is known that his services, able as they are, were unwillingly called into action, and when he might have felt an impression, that the government would

It is every where apparent that, not the reductions * in the pay or emoluments of the Military, but the aggravated injuries and insults, heaped upon them by the unsparing hand of the Government, without mercy or remission, first alienated their affections, and then unhappily subverted the course of duty and allegiance. If interest had a temporary dominion in the early acts of the army, its influence was short-lived, and passed away before the mighty power of passions which allow no equals, and seldom acknowledge a superior.

INDUS.

Harley-street, May 1, 1810.

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not be disposed to view his acts with an indulgent eye. But the love of country will warm the heart, however, chilled by the neglect of its rulers.

This brilliant exploit was performed, for it was one rapid and continued action, while the troops and their gallant leader were partaking, bitterly partaking of the sufferings, wantonly accumulated on the army; giving in the energy and devotedness of their service, the best and most unerring test of their reverence for that authority, which they are libellously said, by the imputation of a most mercenary motive, to have been intent on subverting. Needs there any stronger proof of the falsity of such insinuation, than the speedy and effectual manner in which the service was accomplished?—The Editor.

* The absurdity of the supposition, that the reductions excited the general discontent, is completely exposed in a Contributory letter to the Pilot Newspaper, which the Editor has taken the liberty to add to the Letters of Indus. The subject is treated with a masterly hand, and the conclusion deduced from the premises, briefly bnt happily stated, is irresistible.—The Editor.

LETTER VIII.

THE favourers of the Administration of Sir George Barlow have been equally industrious and unfortunate, in hunting for pretences which may account for his public acts. In the main particular they agree with the writer of this letter, though they dissent from the conclusion to which he has come. It is admitted by them, that the body of the community was irritated, almost universally, against the person or government of Sir G. Barlow: but this effect is said to have been created by the temper of parties, impatient of necessary regulations, and not by the fault of the Government itself. Whereas I have endeavoured to shew that the extreme measures of Government, and not the moody humour of any set or bodies of men, were the causes of dissatisfaction.

It is not denied, that Sir G. Barlow, when he entered on his office, found the settlement in harmony and quiet; nor is it questioned that it shortly afterwards became the scene of general outrage and uproar. In seeking for the alleged causes of it, we must examine if they be adequate or not to the end supposed. It is unnatural to think, that this melancho-

ly contrast of things can be satisfactorily accounted for by a few trivial reductions, necessarily introduced and devised by a former government: yet so the partisans of Sir G. Barlow contend. We must therefore discard so improbable a supposition, unless no other better reason should present itself, as explanatory of the Evil. It is but too manifest, that a hundred more natural causes existed which shew to what the unhappy consequences were clearly owing. To prove that they were not ascribable to the narrow fact stated on the part of the local government, namely, the reform effected by them, it would be only necessary to advert to this indisputable fact; that the bulk of society, not subjected to, or affected by the reform, was as loud and explicit in its exclamations against the government of Sir G. Barlow, as the Civil or Military branch of the service. Hence something more than the mere reformation must be adduced to explain this admitted circumstance. I have partly shewn what this was, especially as it regarded the army; *i. e.* a busy interference of Sir G. Barlow, with its rights; an exercise of an arbitrary authority over it; a neglect of its representations; a punishment of its members without a lawful or any trial; and an insult of its feelings in requiring a degrading submission to its caprice even in unmilitary relations.

The same interfering troublesome spirit, locomotive and restless, transfused itself throughout the civil as well as Military range of the service. In this also, as in the other body, the wild exercise of power was

resorted to, employed in the like extent, and was productive almost of the same unhappy results. Several Civilians, whom it is not particularly requisite to name, were removed, as it is admitted in the publications above referred to, from their established appointments, and sent, heaven knows where, without being openly questioned, and contrary to usage and law, without being allowed to defend themselves: nor would they in all probability be able to conjecture at the cause of this extraordinary proceeding, (the Government disdaining all explanation) until they should learn it from the pages of these demi-official publications; where they, who have survived the interval, may have the pleasure at last to understand, that their removal has been occasioned by other circumstances, than the defective discharge of their duty in their appointed stations. It may be collected from these sources, that some of these gentlemen were removed, for the strange offence of being parties or jurors in a cause, not grateful, in its issue, to the government of Sir G. Barlow. Nay, he himself acknowledges that one of them was sent to a remote place, "in which it was supposed his exertions "might be better employed" for promoting a suit, or proceedings connected with it, in which his dearest interests were concerned, because the event affected the *protegées* of this susceptible government.

Not here alone, but men *without* the fence of the service, and seemingly beyond the influence of the whirlpool of the government usurpation were drawn within its gaping vortex, and hurried out of their

unoffending course. Mr. Maitland is excluded from his half-judicial and half-municipal office—and a dead *letter de cachet* is revived, after having slept quietly for a night of nearly seven years duration, to bear another individual from the seat of his ordinary concerns.

All these various descriptions of persons, having different business, and owning interests as distinct as their several occupations, are all incited, as the partisans of Sir G. Barlow, would inculcate, by a common and uniform inducement, to a common opposition against his government. But what communion of interests and of feeling can two separate bodies of men have with each other, hitherto not very distinguishable for their agreement? What common cause could a third class of individuals have to prosecute with the other two, placed under different masters and authorities, and having no feature in common with them? These questions have been answered, by the partisans of the local government, by the short words of reduction and reform! but might be more truly solved by two other not less significant though opposite terms, intolerance and tyranny.

I have already observed, that the advocates of Sir G. Barlow, have gone a great way for his cause. They have calumniated the Commander-in-chief, the greater part of the military and civil service, and the sum of the Indian public. There is scarcely any institution, as it has been shewn, to which the busy finger of their patron has not extended itself, and the

extension of which they are not ready and eager to defend. There is but one organ, the ark as it were of the constitution, that is not already proved to have been defiled by his interference—and even here, the last act of profanation, his hand may be directly traced, as in the numerous specified instances in other parts. A British court of justice, the palladium of our rights and liberties has not escaped the reach of his long extended grasp.

It is avowed by Sir G. Barlow, and defended by the advocates of his government, that he lent the assistance of the law officers of the company, to defend persons accused of crimes against the public good—dangerous to the safety and destructive to the interests, of individuals. That in the spirit, if not the letter of maintenance, he supported men in their suits, who appear to have no better pretension to his protection than that they were useful to his views, or instruments in his hand, for favouring his policy or passions: that he visited others with his vengeance, because they had the hardihood to attack those, between whom and the assailants, the protective shield of Government was interposed; nay, to complete the climax of this outrage on British justice and feelings, the jurors who had pronounced on their oaths the guilt of these abetted criminals, were thrust from out their offices by the Government, whom they had offended, through the persons of its favourites.

In defence of these acts, for they have found defenders, it is stated, not only that the Government

was pure, but that the entire body of the public was corrupt. Indeed, it is impossible to shape an excuse at all, unless by shewing, as it is attempted here, that the whole round and mass of society, with the exception of the members of Government and their associates, was in so polluted a state as to be incapable of the discharge of the common relations of life. To this end, it is argued, that the settlement was up in arms to sustain the cause of half a dozen individuals, in opposition to two or three other private persons, without any reasonable or visible preference; unless in that spirit which usually leads to the defence of the weak, against the overwhelming power of the strong. What inducement, it may be soberly asked, could the public have to adhere to one man rather than to another, having no preponderating interest in either? What reason could successive juries have to forswear themselves, as they are accused, in convicting them of crimes, not related with their particular rights? It would be as difficult to answer these plain questions in a favourable manner towards Sir G. Barlow, as it would be, to account for his conduct, in wishing to check the progress of these trials, when the anticipated events of them were to discharge the Company of a debt which they would otherwise be liable to; and when he declares that it is the interests of the Company that he is studious of maintaining. This would seem rather a novel way of protecting them: but not only the public, the parties, and the jurors, but even the judge himself is not allowed to

escape the implied censure of these publications, advocating the Government cause.

Is it possible to read the following passage without wondering where the authority of the Court must have slept, while the flagrant and disgusting scenes were acting, that are there enumerated? Not all the suspicious compliments afterwards passed in these publications, on the magnanimity, wisdom, and integrity of the Chief Justice, in refusing to give effect to the verdicts of the successive juries, can do away the force of this more than indirect condemnation.

"The legal questions which had been brought be-
"fore the Supreme Court, became, in fact, only a
"branch of the more extended questions relative to
"the affairs of the Government, which were then
"agitating the public mind, and which, being art-
"fully blended with the legal discussions, the Su-
"preme Court degenerated, in a great degree, into
"a place chosen for the exhibition of indecent vio-
"lence, and for a struggle of faction in opposition to
"lawful authority. By inflammatory addresses, and
"by all the artifices which the ingenuity of factious
"men can devise, the public mind was worked up
"nearly to a state of frenzy, and there can be little
"doubt that many deluded, but well-intentioned
"persons were impressed with a belief that justice
"had deserted the Supreme Court, and that pro-
"tection was no longer to be expected from the
"Government."

Willing and desirous to think that the Chief Justice

not only from his high office, but from the integrity with which I have ever believed him to discharge it, has at all times preserved the dignity of the court over which he has been appointed to preside, and administered the laws in the same temper in which they have been made; I cannot but consider this, and it must be so considered by every impartial mind, as a bold and impudent calumny, calculated to injure his fame, and to traduce the character of the only Indian Institution which stands between a British public, and the oppression of Asiatic tyranny.

I may venture solemnly to vouch that there must be some serious cause, other than a mere discrepancy of opinion in matters, which it was the peculiar province of the juries to decide, that could have induced Sir Thomas Strange to suspend the sentence of the law on criminals, condemned by the repeated verdicts of the country.

I am confirmed in this opinion by the manly testimony borne by the Advocate-general of the Company to the integrity of the jurors. In Mr. Anstruther's Report to the Government, under date the 14th of March, he thus expresses himself;

"Great emphasis is laid in these memorials upon "the characters of the jurors in the late trials, as if "it had been attempted to call in question the purity "of intention of the juries in any of them, I trust that "it will ever be impossible to believe, that a body of "twelve British jurymen can act from improper mo-"tives, or give a verdict, contrary to what in their

"conscience, they believe to be right. To impute "such motives to the late juries,* here, composed as "they are known to have been, would be excusable "only in a madman."

If the Advocate-general's opinion be worth anything, what must be the feelings of the partisans of Sir G. Barlow on reading it? I leave it for their digestion.

I shall close what I have to add on this most extraordinary and mortifying subject, by a further reference to an authentic paper,† proceeding from a source to which I am largely indebted for various valuable matter, in support of what I had already written;† and which, on the present occasion, will

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* That the Indian reader may form some judgment of the respectability of the juries, he is informed that they consisted of the following names:

Grand Jury.—*Civilians*—Andrew Scott, (Foreman) J. H. D. Ogilvie, F. A. Grant, W. Thackery, G. Strachey, J. H. Peile, J. Dacre, J. Munro, C. Wynox, A. Brooke, J. Taylor, G. Moore, W. Wayte, J. Babington, F. H. Bruce; *Free-merchant*, George Hay.

Special Jury on the trial of Batley.—A. Falconar, W. Hawkins, R. Machonice, W. Oliver, H. G. Keene, J. Macdonall, *Civilians*; W. Watts, J. Tulloh, M. Jolly, J. F. Collis, W. W. Weston, and E. Dent, *Free-merchants*.

Special Jury on the Trial of Reddy, Row, and Batley.—James Balfour, W. Hawkins, J. Gwatkin, G. G. Keble, J. Macdonall, W. Oliver, *Civilians*; J. Tulloh, M. Rowarth, M. Jolly, J. F. Collis, E. Dent, and W. W. Weston, *Free-merchants*.

† In the Reply of Mr. Petrie to the minute of Sir G. Barlow,

give an authority to what I advance, which I know not how sufficiently to estimate.

INDUS.

Harley Street, 2d May.

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published by Stockdale, Pall Mall, he glances at these transactions in the following pointed terms :—

"The Hon. the President is perfectly correct in imputing to the trials, verdicts, and proceedings in the supreme Court relative to the forged bonds of the late nabob, the very general agitation and interest which appeared to affect the community, and to produce, not the *clamour* of a *faction*, as it is termed by the President, but a *sentiment nearly unanimous* THROUGHOUT *the* SETTLEMENT, not in its *origin* or *object* manifesting either *opposition* or *disrespect* to the *government*, which certainly *ought not* to be considered as a *party* in these trials, as we act merely for the company, and should have no other interest in the investigation of the claims, than to prevent the misapplication of the fund they had gratuitously granted to the creditors of the late nabobs; and it should have been the same to us whether frauds and forgeries were detected by the *talents* of Mr. *Marsh*, or by the *ability* and *labours* of the *Company's Counsel* and the *Commissioners*.

"The subject of the trials was a struggle and contest not only for the division of *property*, but, in the course of the proceedings, questions of great moment and importance, upon more *general rights* and *principles*, were brought into discussion, in which, in my opinion, Government ought to have remained perfectly *neuter*.

"That *three* successive verdicts, of as *respectable* juries as were ever empanelled at Madras, should *prove* the *misguided state* of the *public feelings*, appears to me a most extraordinary mode of establishing the fact, which is *assumed*, but not *proved*. To an *English* mind I apprehend the *premises* would lead to the *opposite conclusion ;* at any rate, whatever might be our private feelings or opinions on this singular case, a variety of reasons existed at that time, which should, in my judgment, have prevented the *open interference* of Government in *those trials ;* it was from that interference, and in some instances not a *common interference*,

that the Settlement expressed an alarm at the Executive Supreme Authority having thrown its influence and power into the scale of one of the parties. It is necessary, for my defence, that I should explain the grounds of my opinions more fully than I have hitherto done.

"In the *unlimited support* which we gave to the Commissioners for investigating the Carnatic debts, it appeared to me that we were unnecessarily interfering in discussions of *private property*, and, in the measures we adopted for *supporting* the *persons* CONVICTED of CAPITAL OFFENCES, by means which were generally understood to have a direct tendency to *influence the juries*, and to mark the displeasure of Government in cases where the EXECUTIVE POWER should NEVER be SEEN or FELT. Is it not more probable that the AGITATION in the PUBLIC MIND was PRODUCED by the VERDICTS, and the SUBSEQUENT MEASURES, than that the VERDICTS were INFLUENCED by the CLAMOUR of the SETTLEMENT, and the MISGUIDED FEELINGS of the JURIES? I thought we acted *unconstitutionally*, and involved the Company and ourselves in an unnecessary and weighty responsibility."

LETTER IX.

I HAVE shewn, I hope satisfactorily, that the busy policy of Sir G. Barlow could not be restrained from intermeddling with any Institution, however sacred, or with any Society, however remote from his general authority; and that whatsoever it touched, such was its baneful influence, it instantaneously inflamed. The effects produced by this universal interference, are unhappily too well known; and require not to be recapitulated. It is sufficient to say, that they have exposed a whole empire to danger, that may be temporarily suspended; but which must still hang over it with a threatening terror, uncertain when it may overwhelm.

The disaffection and the disorganization of the army—the disunion of civil society—and the destruction of the ties which bind our duties and our interests together—are imputed all, by the partisans of Sir G. Barlow, to the evil spirit of the times. But these devastating effects must have had some immediate and traceable cause. The state could not be every where convulsed, without a moving and predisposing principle. It is the business of

these Men to confound, if possible, effects with causes---to consider the acts of the Indian societies as the reasons of his measures, while they are manifestly to all, the nauseous and unsalutary fruits of them. Save the direct means employed by Sir G. Barlow, for the suppression of the mutinous state of the army, his whole severity was exhausted before a single act was committed, having a tendency to deny or to question the authority of the Government. This plain fact I have placed beyond controversy; and it is fortified by the public minutes of a member of the Government, who strove, with a persevering and steady mind, worthy of a happier issue, in the midst of discouraging and appalling circumstances, to inculcate a mild and healing policy, suited to the distemperature of things. If his conciliatory voice had not been drowned in the clamour of contention, we should not now have to deplore the consequence of the strife, though it has terminated in success---pregnant with as little security, we are afraid, as the state which preceded it: that "has *scotched* the snake, not *killed* it."

One of the fatal results of this success, however desirous I may be to turn from the subject, I cannot avoid noticing; I mean the shock which has been given, in the conflict, to the security of the Indian empire, in betraying to the native soldier the power and essentiality of his services. I cannot express myself more forcibly than in the language of the author I have before, and so often quoted.

"By this appeal to the Sepoy," says Mr. Petrie,

"we instruct him in the fatal truth---that on the "support of his arm depends the security of the "Empire in the East. It removes the delusion by "which, for so many years, a *handful* of *Europeans* "has kept *millions* in awe; and for a temporary and "no great national object, endangers the whole "machine of our Indian Government. I consider "this to be the most fatal wound that the public "safety has experienced in the present distracted "contest. Granting us complete success, it will be "found, I fear, at no remote period, that we have "purchased the VICTORY by the RUIN of OUR "COUNTRY."

Who does not feel the force of these emphatic words? Who is there that does not lament the circumstance of the appeal, since it might have been avoided by the most slight and trivial concession? Even at the height of the irritation of the army, it was anticipated (would that the experiment had been tried!) "that an *indication* of conciliation from the Governor-general would be received with raptures by the army—that they would grasp the olive branch with gratitude---and, from the confidence they reposed in his wisdom, justice, and beneficence, that they would place his Lordship in the high and enviable situation of conferring an inestimable blessing on his country, by stopping the effusion of blood, which was ready to flow in this calamitous contest."

That the anticipation was not erroneous, is to be gathered from the concluding paragraph of the statement referred to:

"In this crisis, on this volcanic ground, the army "received the communication of Lord Minto's notifi- "cation to the army of Bengal, and of his intentions of "proceeding to Madras, with enthusiastic pleasure; "every measure of violence, which had been either "adopted or contemplated, was immediately aban- "doned. The force at Hyderabad, and the garrison "at Masulipatam, who had been the first to resist "the orders of Government, took the lead in return- "ing to the allegiance of duty and obedience. Their "submission was unconditional; but to the *Gover-* "*nor-general*, and *not* to the *Governor* of *Madras*."

From the expectation indulged, and from the subsequent efficacy of the Governor-general's personal interposition between the army and the local Government, it is extremely to be regretted, that it was not more seasonably introduced; that the time had been allowed to pass away, when it might have restored tranquillity, without hazarding the foundations on which it ever can long and securely rest. In a deference, perhaps, to the subordinate Governor, he appears to have forborn his control, until the imminent danger of the Empire would admit of no longer forbearance. His presence, then, was not voluntary, but constrained; and when ultimately given, it was given under proportionate disadvantage.

The delay that occurred between the first discovery of the discontents of the Army, and when they shewed themselves in any overt deed, was of long continuation; in which an active policy, if such had

been resorted to, might have had time to reconcile, by wise dispositions and arrangements, the subsisting ill will. But it was not so employed: on the contrary, it was occupied in acts, which tended to excite, and not to allay the passions.

To these acts, one by one, the Governor-general was required, in a cunning foresight, to give his sanction, and which he most unwarily or unluckily lent: so that out of respect to kindred authority, disinclination to interfere, or probably from a desire of ease, Lord Minto was rendered a systematic participator in the policy of Sir G. Barlow. This unfortunate circumstance left him not a free agent when he arrived subsequently at Madras, and had become a witness of the dreadful calamities into which the Settlement had been plunged.

I shall not detain the reader, by requesting his attention to the correspondence and orders of the Governor-general, transmitted from Calcutta; but shall merely observe, that they were consistent with, and confirmatory of the measures of the Governor of Fort St. George. These papers are before the public in several forms, and have been examined by the various parties interested in their contents.

The last order of Lord Minto, declarative of the judgment he had formed on the spot, of the measures of the local Government; of the acts of the Army; and of the agents implicated in them; I cannot but regard as entitled to singular observation.

On his arrival at Madras, his Lordship found, as he has himself described in this order, " that several

important changes had taken place in the affairs of that Presidency, subsequent to the events which had come to his knowledge at the period of his departure from Bengal,"

From the 11th to the 25th of September, it appears, that he was engaged in the investigations of the proceedings of the Government and the Army: and on the latter date he communicated the result of such inquiry to the public in a Gazette Extraordinary. This official communication was addressed particularly to the Army; a long and studied production, giving reason for belief, that the noble author was more anxious of shewing to the Army his scholastic and professional attainments, in the developement of the principles, by which he proposed to govern himself, than of leaving his acts, by the wisdom inherent in them, to speak or denote the policy in which they had been formed. Be this as it will, his Lordship has seldom issued an order, unless it be accompanied by a commentary of the size of a volume.

The order of the 25th of September has two principal and declared objects in view: 1st, the grant of an Amnesty to the offending Members of the Army: 2d, a justification of the Government by the avowal and explanation of principles, operating to the exclusion of certain individuals, from the general benefit of the act. Conformable with such intentions, every topic of course should have been avoided in an instrument, breathing clemency and good-will, that might have a tendency to excite passions, which it proposed to allay, and to call events to recollection, which it

intended to bury in oblivion. In such a paper especially that draws the shades and distinctions of offence, and marks it out for punishment, as being beyond the scope of mercy, the most cautious care is indispensable, lest any thing be pronounced, which may operate on the minds of those who are afterwards to judge whether the offence has been committed, and the extent, if proved, of the penalty to be attached to it. At any time, it would be a most delicate office for the executive power to speak of such matters, but infinitely more perilous, when the observations are not only made before trial, but where the parties to be tried must, of necessity, be submitted to a tribunal where it would seem scarcely possible, from the temper of the times, but that some suspicion of a party bias may be entertained by the most honourable minds, even by the members composing the tribunal itself, or the persons unhappily to be judged before it.

It would be almost insulting to the judgment of the reader to ask, after he shall have examined the order in question, whether it be written in that impartial spirit, which must have been anticipated by him? It talks, it is true, of mercy, of moderation, of oblivion; and it would be uncharitable to conclude, that any thing was intended inconsistent with one or the other of these proposed virtues, which were to be called into direct use; but in vain will be the endeavour to discover the exemplification of these qualities, however good the intention, in the paper under consideration. Not only is the guilt of the

Army pronounced, and placed in the most striking point of sight; not only is it aggravated by a declaration, stating it to be incapable of palliation or excuse; but the return of the offending parties to rectitude itself, is ascribed to private and secret motives, condemned and favoured in the same moment of caprice.

Could any one imagine that the soothing doctrine of oblivion could be inculcated in language such as this?

"I have not neglected to *look back* once more to "the *origin* of these troubles, and I am concerned to "*repeat* the sentiments I have already delivered on "that branch of the subject. Nothing can justify "the revolt of an army; but I have been *disappointed* "in my *search*, even for *circumstances* of *mitigation* "in this revolt. *No injury* has, in my apprehension, "been done to the army in *any* stage of a conflict, "which began in a factious attack on the Govern- "ment. But if in the necessary vindication of au- "thority *any point* may have *arisen* which might be "thought *interesting* to the *military body* at large, "the *regular* and *legitimate recourse* to the *ultimate* "*authorities* was not only OPEN, but was *actually* "in PROGRESS. Seditious combination, therefore, "can find no apology, in the case, neither can pu- "nishments inflicted on *individual* acts of sedition "furnish a just provocation to *general confederacy*."

In such manner and tone, oblivion is not wont to be declared. Happy, indeed, would it have been, if in the wide and general condemnation of the acts of

the army—in the *recollection* of *past events*, and the *repetition* of *former sentiments*, some circumstances had occurred to the Governor-general, which seem wholly to have been over-looked in the eagerness of reprehension. It surely would have abated the severity of the preceding censure, in some of the circumstances of its application, if one or two clear facts had been haply remembered by the Governor-general.—*i. e.* That justice had been *denied*, in its common course to the commandants of corps, through the medium of a court martial: and that the members of this body had been *refused* the *transmissal* of their memorial to their *superiors*, through the channel particularly pointed out by the finger of the law. It would have been too much for the Governor-general to say, if these reflections had suggested themselves, "that if *any point* had *arisen* which might be thought "*interesting* to the *military body* at large, the *regu-* "*lar* and *legitimate recourse* to the *ultimate* autho- "rities was not only *open*, but was actually in *pro-* "*gress.*"

It is difficult even to conjecture to what this passage alludes, unless it relates to the suspended officers, who were truly in progress to England, to find their slow and ultimate remedy at the hands of the court of directors.

Nor was it a natural prosecution of the course of oblivion, to pass an unnecessary and fulsome eulogium on all the measures of Sir G. Barlow, however the Governor-general might have approved of his policy, or have considered himself involved in his con-

duct. It should not have been forgotten that Sir G. Barlow was the principal cause of the discontents, rightly or otherwise conceived, of the army, the temper of which was not at that moment exactly adapted to acknowledge the force of the Governor-general's panegyric; much less could it be supposed capable of joining in the thanks and acknowledgments of Lord Minto, directed as they strangely are in this whimsical order, to the person of Sir G. Barlow, as the proper object "of the devout and fervent grati-" tude of the army!" *not* for any merciful application in their behalf to avert the evils of their situation; *not* for any active solicitude for their safety, but, (will it be believed?) for the extremities he resorted to for counteracting their designs; or as the general order better speaks:

"Their *first obligation* is to the firm counsels and "vigorous measure of that *upright* and *honourable* "*man*, against whom their hand has been so *un-*"*justly* raised. To the fortitude of *his* mind, which "must challenge the respect even of his adversaries, "and to the energy of the Government of Fort St. "George, the officers are *indebted* for their narrow "escape from the guilt of a monstrous and unnatu-"ral conflict with their country."

Can it be credited, that a man anxious of mediating between angry disputants, and willing to assuage their animosities, could use rhetoric such as this? inflaming the one, by allowing them not a single virtue, and inflating the other by a thousand reputed qualities; and yet expect that they should respect-

ively unite in admitting the impartiality of his decision? This is making men kiss the rod with a vengeance; and at a time when his lordship had just stated—

"This *amnesty* is not granted in the *narrow* spirit "of *mere* pardon. It is tendered as an act of *total* "and *sincere oblivion;* it offers on the part of Go- "vernment, a full restoration of confidence and es- "teem; and it invites from those who are the ob- "jects of it not a *sullen* discharge of *constrained* "duty, but *obedience* which comes from the *heart,* "and the cheerful animated service of cordiality, "affection and zeal."

Was such an order, it may be asked, full of reproach as it is, of undisguised sarcasm, of the most odious contrasts, and of the most manifest partiality to one of the parties concerned, likely to ensure or not the desirable objects, which it describes to have in view? It will require no great stretch of genius to answer such a query.

As an act of oblivion, the order is *Felo-de-se*—it destroys its own intent. But it is otherwise exceptionable. It treats the facts assumed, as if they had been solemnly proved.—It speaks of guilt, as if it had been fully investigated and ascertained—and it not only denounces punishment, but admits a commutation of it, without the ostentation of an inquiry, unless in the Governor-general's private closet. A more injudicious course it would demand talent to invent; yet all these things seem most easy, and to succeed in a supposed order, without any intrusive

troublesome idea that none of them had been inquired into, and while some of them were recommended by the Governor-general, to be considered in a judicial way.

The exceptions from the general Amnesty are next set forth in the order; and the reasons, on which they have been made, are in some sort, though not very accurately defined; not so clearly indeed as to impress the mind with all the force of the principle on which they proceed. One great class, altogether exempted from punishment, is described to have had a pre-eminence in guilt, " not only on account of the " lead it assumed in the criminal combinations and " the violent proceedings of the army, but as having " committed open Mutiny in refusing to permit the " March of the 2d Battalion, 10th Regt. to Goa." Yet these, the greater number of the alleged offenders, are all exempted from the punitive principle laid down by the Governor-general, on this truly original ground; because they got a few hours start, in their submission to the Government, of the other branches of the army. A more ludicrous distinction, perhaps, has been never made, nor one more liable to be misconceived.

Lord Minto, in vindicating the selections for punishment, makes this plain declaration. " That such " a choice should neither be *capricious* nor subject " to the *suspicion* of *partiality*, I have adopted *gene-* " *ral* criterions, the principles of which are *mani-* " *festly just*, and the application of which to parti- " cular cases is subject to no difficulty." His lord-

ship then very solemnly proceeds to the exemption, at a dash, of more than one half of the supposed offenders, on the very convincing reason explained. However his Lordship may have satisfied himself in this exemption, it has raised an impression in India, as well as this country, that the Governor-general has been induced to this excessive act of Clemency, more by the strength of the exempted body than the force of the principle displayed in the distinction.

I would not be understood as disapproving of the extension of the Amnesty to the Officers of the Hydrabad Station, while I am noticing only, as an unaccountable circumstance, the departure of the Noble Lord from the principle, which he had just established for the government of his Conduct. But to pursue the purpose and the words of the Order, in respect to the selection made by the Governor-general:

"The Selection is to consist of the Officers in Com-
"mand of Stations, of bodies of troops, Command-
"ants of corps, and persons peculiarly distinguished
"for a forward and violent part in the most criminal
"Acts and Proceedings of the Army."

Of the latter description of persons there are none named in the Order, contradistinguished from the Commandants of Corps: so that the distinction is very simple, being reduced ultimately to the Commanding Officers of Stations, and the Commanding Officers of Corps. The former of these, by an after provision in the Order, are subjected to trial by court martial at all events, and the latter optionally, being

allowed the seeming alternative of dismissal from the service or the issue of a trial.

The governing principle here would seem to be, the danger of the example of the individuals selected to the subordinate ranks under them, and the supposed effect of their authority or influence. But when the list of the Officers selected for punishment, (which in the Governor-general's Interpretation seems only synonimous to trial) is examined more closely, the principle would appear not to have been generally acted on. For in this are observed the names of Officers commanding small, very small detachments of troops, such as the Officers of the two branches of artillery, who could have few, if any Officers subordinate to them; and one Officer of Engineers is also specified, who could have no private soldiers under his control, and probably not an Engineer Officer within some hundred miles. It is observable too, with the exception of two or three names, that the parties selected are none of them arrived at the rank of Field Officer; so that they stood only accidentally in charge of their respective corps, and could not of consequence have any decided influence over their subordinate brother Officers.

It may be possible in these cases, that some reason, unknown to us, may have operated in the selection of these Officers; it is however to be lamented, that it does not appear in the place where it should. But this part of the Order is noticeable on other ground, of more general importance, in so much, as it effects

a large body of Officers, whom it admits are not necessary for any striking example, the primary end of punishment, but who are permitted to make their escape, if they will, without the publicity of trial, by which alone their offence could be established. The obvious effect of this is to make men impeach themselves, contrary to the known principles of justice, or to submit themselves to trial, when their guilt is inferred on the very presumption on which the option is extended. It is a wretched species of torture to a mind, not unusually firm, as it holds out a certain comparative safety opposed to an uncertain and indefinite danger, where it cannot judge impartially and fairly, and in circumstances too, where the party tendering the safety knows every thing, and the person to whom it is offered knows nothing of the particulars connected with the offer. It serves to destroy hope and deaden the confidence which every man ought to have in himself at the hour of trial, convincing him, miserable conviction! that the fountain of mercy is against him, having expressed itself already on his cause: and it is needless to observe, that an opinion from such a quarter must have its influence further than on the judgment of a single individual: it strikes not alone at the breast of the accused, but finds its way to the bosoms of his judges: it must therefore leave him but the shadow of a choice, while it mocks him with the substance. It leaves him too, in this unhappy situation, under all the consequences of confirmed guilt, when the season and his situation preclude a trial, and when he him-

originally actuated by sordid views, and to suppose that disappointed avarice produced their ultimate infatuation, is to view their conduct in the most despicable and inexcusable light; fortunately, however, this imputation (though strongly maintained by the author of the *accurate* narrative before-mentioned) is contradicted by every fact and every circumstance which occurred subsequent to the period at which an irritation first appeared among the Officers at the Presidency; that was, when Lieutenant-colonel Martin was detained by Government (for punishment) on the 28th of January, and when the Deputy Adjutant-general and his principal were suspended on the 31st of January, and the 1st of February, for obeying the orders of their Commander-in-chief. These extraordinary, unprecedented, and tyrannical acts of the Government, produced the first symptoms of lively discontent, and from this time there does not appear in any remonstrance, or in any appeal from the Officers, the semblance of an allusion to allowances, or to any pecuniary grievance; not even after their infatuation had induced the Officers at Hydrabad, Jalna, and other stations, to make specific demands (sufficiently unreasonable) on the Government, did they so much as hint at the reduction of allowances, or the retrenchments which had taken place. Nevertheless these are stated to have been the sole cause of all the commotion that ensued.

Further argument on this part of the subject is perfectly unnecessary, as the merits of the question will be conclusively apparent to every reasonable man, who will peruse the subjoined statement. The abolition of the Tent Contract, has been a favourite theme with Sir G. Barlow, his agents, and advocates; by all of whom it is contended that the loss of the pecuniary advantages derived from that contract, first induced Officers commanding corps to prefer charges against Lieutenant-colonel Munro, the Quarter-master-general, and, in short, brought into full maturity all the discontents that had been occasioned by former reductions. In order to form a judgment regarding the correctness of this inference, it will be proper to examine the actual value of the advantages derivable from the contract, compared with those which Officers commanding corps received from Government after its abolition; these were as follows:—

STATEMENT.

CAVALRY DURING PEACE.

	£.	s.	d.
Amount of the Tent Contract Allowance to an Officer commanding a regiment of cavalry, per annum	897	12	0
For this allowance the Officer drawing it was obliged to provide and maintain, in constant readiness, 25 tents, 48 carriage-bullocks, 16 drivers, and 12 lascars.			
The average expense of which, during peace, allowing that every reasonable attention was paid by the contractor, would amount to, per annum	672	0	0
Leaving to the Officer commanding a regiment of cavalry, during peace, a profit or gain of, per annum	225	12	0

CAVALRY DURING WAR.

Amount of Contract Allowance, as before, per annum	897	12	0
The Establishment to be kept up the same as in peace, but the expense of maintaining it being much increased during war, amounts, on average, to per annum	998	8	0
Producing to the Officer, during war, a loss of	100	16	0

INFANTRY DURING PEACE.

Amount of Contract Allowance for a Battalion of Infantry, per annum	1305	12	0
For this allowance the Officer drawing it was obliged to keep up 36 tents, 70 carriage-bullocks, 24 drivers, and 20 lascars, the average expense of which amounts to, per annum	£. 993	s. 12	d. 0
Leaving to the Officer commanding a battalion of infantry, during peace, a profit or gain of, per annum	312	0	0

INFANTRY DURING WAR.

Amount of Contract Allowance as before, per annum	1305	12	0
Expense of establishment increased in war	1476	0	0
Producing to the Officer, during war, a loss of per annum	170	8	0

The allowance granted by Government to Officers commanding corps, on the abolition of the Tent Contract was as follows:—

	In Garrison.			In the Field.		
To Lieut. Colonels per annum	1.432	0	0	1.297	12	0
To Majors	336	0	0	192	0	0

Thus it appears that the pecuniary advantages of Officers commanding corps were in fact much increased during peace; and instead of a loss during war, they derived a considerable gain from the arrangement which included the abolition of the Tent Contract. But those Officers felt that their honour, and

their characters as servants of the State, were deeply wounded, by the wanton and illiberal insinuation conveyed in Lieutenant-colonel MUNRO's report, and an honourable desire to vindicate themselves, produced the charges against that Officer. The failure of this endeavour to procure an investigation of the subject by legal and constitutional means, and the rejection of the memorial which the Officers addressed to the Court of Directors, are the true causes of the origin of the discontents among the Officers: the successive acts of the Government, in which the sophistical doctrines of the Judge-advocate-general are substituted in lieu of the Articles of War, gradually increased that discontent; and led to consequences already too well known, and which must ever be lamented by all who have any interest in the affairs of India.

The nature of these acts was such, that the bare mention of them will be sufficient to convince the reader that they were peculiarly calculated to produce those consequences. Officers of the most respectable characters were suspended from the service, without trial or investigation of any sort. In some instances, they were detained in India against their will, even after having taken their passages for Europe, and thereby prevented from making an appeal to the Court of Directors, and their friends were severely punished for shewing them attention. In others they were seized as felons, and transported to a distant settlement, where they were without friends, and without any means of providing for their subsistence, except those derived from the credit which their characters produced. The General Order of the 1st of May, by the severity of the punishments which it announces against men hitherto highly respected, who had not been made acquainted with the charges alleged against them, and who have never had an opportunity of offering any thing in their exculpation, may be considered as the climax of irritation to the pride and feelings of the Officers of the Army, who already, much irritated with the previous proceedings, were now exasperated to such a degree, that they forgot the relation in which they themselves stood, as well as the respect, that, under any circumstances, was due to the Constituted Authorities.

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