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No. XI.

The Earl of Mornington to Lieut.-General Stuart.

SIR, Fort St. George, 1st June, 1799.
I learnt with much satisfaction the important intelligence of the safe arrival of the army of Bombay on the frontier of the Province of Canara.

From your several communications it appears that the season is too far advanced to admit of an attempt to reduce the Province of Canara in the event of any resistance being offered to the introduction of our government; but I flatter myself that the orders transmitted from Seringapatam to the Killahdars of the several forts in Canara may enable you to take possession of the country even during the monsoon. I rely on you to make the best distribution of your present force for that purpose.

I now proceed to add such general directions as occur to me with respect to the first settlement of the country if it should fall into our hands. With respect to the policy to be observed upon our entrance into the Government of Canara, our great object should be to reconcile the inhabitants to our authority by the utmost degree of indulgence to their prejudices and customs, and by refraining from any other changes of system than such as evidently tend to alleviate oppression, if oppression were felt by the people under the former government. With this view I empower you to establish such a temporary system of administration of revenue and justice as may appear best calculated to maintain order and tranquillity, and to conciliate the affections of the people.

I am, &c.
MORNINGTON.

No. XII.

The Earl of Mornington to Lieut.-General Harris, Colonel Arthur Wellesley, Honourable Henry Wellesley, Lieut.-Colonels William Kirkpatrick, and Barry Close—Commissioners for the Affairs of Mysore.

GENTLEMEN, Fort St. George, 4th June, 1799.
The Commission which accompanies this Letter* will apprise you of the nature and extent of the powers which I

* See page 23.

have deemed it advisable to entrust to you. These powers necessarily supersede those which I had delegated during the campaign to the Commission appointed to assist Lieut.-General Harris in all matters relating to political negotiation. The favourable situation of affairs in Mysore appearing to render my presence at Seringapatam quite unnecessary; I have again taken the resolution of remaining at Madras, and I, therefore, propose to confide to you such a portion of my authority as may enable you, under my orders, to effect a settlement of the country without my presence. Whatever three Members of the Commission shall be present at Seringapatam, on the arrival of this despatch, will proceed immediately to act under the Commission, and to execute the instructions contained in this letter.

The restoration of the representative of the ancient family of the Rajahs of Mysore, accompanied by a partition of territory between the Allies, in which the interests of the Mahrattas should be conciliated, appearing to me, under all the circumstances of the case, to be the most advisable basis on which any new settlement of the Country can be vested, I have resolved to frame, without delay, a plan founded on these principles; and I hope, in the course of to-morrow, to be able to forward to you the Articles of a Treaty, with proper instructions annexed, for the purpose of carrying the abovementioned plan into effect. In the meanwhile it is absolutely necessary that certain measures of precaution should be immediately adopted in order to facilitate the intended arrangement. These measures relate—

1st. To the satisfaction of the principal Musselman Sardars, and of the Killahdars of the several Forts.

2nd. To the mode of removing the family of Tippoo Sultan from Mysore with the least practicable injury to their feelings. With regard to the first object, I have already forwarded to the Honourable Mr. H. Wellesley a letter to Meer Allum, and a copy of a letter from the Nizam to me, which I trust will enable you to give a complete satisfaction to Kummer ud Deen; and unless you expect any considerable advantage from his influence at Seringapatam in conciliating others of his religion, I desire that you will take the earliest measures to induce him to repair to Gurrumcondah; with the other leading Musselmans you should immediately enter into

such specific engagements as may preclude the possibility of any alarm in their minds with respect to their situation and prospects under any new arrangements of the country. I rely on your discretion to conclude such an arrangement, with as little burthen to the finances of the Company as circumstances will admit. The whole body of Tippoo's Sirdars ought not to become an exclusive charge upon the Company, they must be employed and provided for by the Allies, and by the Rajah of Mysore collectively. The families of the Sirdars, slain during the campaign, must also be provided for in the same manner.

The Killahdars who have surrendered posts, and those who still hold forts in their possession, should be paid their arrears for the month of April, at least, with their pay for the month of May, and for as long a time as we may leave them in charge of their forts. On dismissing any of them, a liberal gratuity should be given them for the purpose of conciliation; all these charges may hereafter be adjusted between the Allies.

As soon as you shall judge that your arrangements with the remnant of the Musselman interest are in sufficient forwardness, you will proceed to take necessary measures for removing the family of the Suldaun. The details of this painful, but indispensable, measure cannot be entrusted to any person more likely to combine every office of humanity with the prudential precautions required by this occasion than Colonel Wellesley; and I, therefore, commit to his discretion, activity and humanity, the whole arrangement, subject always to such suggestions as may be offered by the other members of the Commission. I have appointed Lieut.-Colonel Doveton to take the command of the Fortress of Vellore, which is destined for the future residence of the Suldaun's family. Lieut.-Colonel Doveton is also appointed Paymaster of Stipends to the family; and he has been directed to make every possible preparation for their accommodation at Vellore. After their arrival, no reasonable expence will be spared to render their habitation suitable to their former rank and expectations; and it is my intention to give them a liberal pecuniary allowance. Colonel Wellesley will judge whether it may be necessary to give, either to the whole or to any branch of the family any specific assur-

ance of the exact amount of the sums to be allotted to them respectively, if any such particular explanation should appear necessary for their satisfaction, I authorize you to make the allotment of stipend to each of them, as well as for the establishment of the Zenana, provided that the total sum for the maintenance of the family be not stated at more than three, or at the utmost, four lacs of pagodas. The sons of the late Suldaun may be accompanied by such attendants as they may select, provided the number be not so great as to endanger the public tranquillity, or to form a point of union for the adherents of the late Suldaun. It might be desirable that Alli Reza should accompany the Princes, as he appears to be attached to the interests of the Company, and at the same time to entertain considerable affection for the Princes. The females and children of the several families must follow the Princes as speedily as possible. Colonel Wellesley, in my name, will give the most unequivocal assurances of protection and indulgence to every branch of the family. And at a proper time he will deliver the letters for the four eldest sons of Tippoo, forwarded by the Persian translator to Mr. Wellesley. If Lieut.-General Harris should be at Seringapatam, or within reach of it, I am persuaded that his humanity will induce him to exert every effort to mitigate all the rigorous part of this revolution in Mysore, which I feel myself bound, by every principle of duty towards the British interests in India, to accomplish without delay.

I have learned, with the utmost degree of surprise and concern, that the Zenana, in the Palace of the Suldaun, was searched for treasure some time after the capture of the place. I could have wished, for the honour of the British name, that the apartments of the women had not been disturbed.* In the heat and confusion of an assault, such excesses are frequently unavoidable; but I shall for ever lament that this scene should have been acted long after the contest had subsided, and when the whole place had submitted to the superiority of our victorious arms. If any personal ornaments or other articles of value were taken from the women in that unfortunate moment, I trust that the Commander-in-Chief will make it his business to vindicate the

* See Appendix p. 753, for a satisfactory explanation of this charge.

humanity of the British character by using the most zealous exertions to obtain a full restitution of the property in question.

After this observation, it is superfluous to add my most anxious expectation that the utmost degree of care will be taken to secure the personal property of the Princes, and of the women when the period of their removal shall arrive.

You will, of course, apply to the Commander-in-Chief for such an escort as may be necessary to convey the family of Tippoo to the place of their destination; and you will arrange the time and mode of their departure, so as to preclude the possibility of any commotion or escape. It is desirable that some officer, conversant in the language, manners, and customs of the natives, and of approved humanity, should accompany the Princes, until Lieut.-Colonel Doveton can meet them. His qualifications for the trust which I have reposed in him are too well known to require any illustration.

In exercising the general powers vested in you by the accompanying Commission, I desire that you will not interfere in the management of the Province of Canara, until you shall receive further instructions from me. I have directed General Steuart to make a temporary arrangement for the Government of that Province, and until I shall have received his Report I cannot decide the system of measures most eligible to be adopted in that quarter. You will apprise the Commissioners whose power is superseded by this new Commission of my entire approbation of their services, and you will return them my thanks accordingly.

These regulations are founded on an opinion that the Commander-in-Chief may not always be at liberty to act in a political capacity; and that he may not be able to spare more than one of his confidential staff from about his person; my selection of Lieut.-Colonel Close has been directed, not only by my knowledge of his extraordinary talents, proficiency in the native languages, and experience in the native manners and customs, but by my determination to establish him in the important office of Resident with the Rajah of Mysore, as soon as that Prince shall be placed upon the Musnud.

You will observe that the Commission enjoins all the Commissioners and persons employed under them to take an oath of secrecy previously to entering upon their functions. You will, therefore, communicate a copy of the Commission to any

Member who may happen to be absent from Seringapatam when the despatch shall arrive; but the contents of this despatch must not be communicated by the persons to whom it is addressed to any person who shall not have taken the oath of secrecy prescribed in the Commission, excepting Meer Allum.

It has occurred to me that the removal of your meetings to Bangalore might have an useful effect in drawing the multitude of Musselmans from Seringapatam. This would enable the Commandant of the Fort to commence the repair and improvement of the fortifications, and to proceed in clearing the place, and making it strictly a Military Station. I recommend the earliest possible attention to this measure as being of essential importance to our security in Mysore.

I have the honour to be, Gentlemen,

Your faithful Servant,

MORNINGTON.

[Commission.]

Richard, Earl of Mornington, &c., Governor-General for all the Forces and Affairs of the British Nation in India.

To all to whom these Presents shall come, Greeting:

Whereas, the glorious success of the British and Allied Arms in Mysore, under the favour of Providence, has reduced the territories of the late Tippoo Suldaun to the joint power and authority of the Honourable the English East India Company, and of his Highness the Soubah of the Dekkan, their friend and ally: and whereas his said Highness has given full power and authority to the Right Honourable Richard, Earl of Mornington, Governor-General for all the Forces and Affairs of the British Nation in India, to conduct and order the interests of his Highness in the said possessions, and to conclude such an arrangement thereof as shall appear to his Lordship to be most expedient for the security and welfare of the Country, and for the common benefit of the Allies.

Now know ye, that for the more speedy conclusion of such salutary arrangement, and for the restoration of order and tranquillity by the settlement of the said conquered territories, I, the said Richard Earl of Mornington, Governor-General as aforesaid, do hereby constitute, nominate and appoint _____, or any three or more of them to be Commissioners during my pleasure for the settlement of the territories recently conquered from the said Tippoo Suldaun, and to be and be styled Commissioners for the Affairs of Mysore, with full powers to negotiate and conclude, in my name, all such Treaties, and to make and issue all such temporary and provisional Regulations for the ordering and management of the Civil and Military Government and of the Revenues of the said territories, as may be necessary for the immediate administration

and settlement thereof. The said Commissioners to be nevertheless subject to such orders and instructions as they shall from time to time receive from me, and regularly to report their proceedings to me, keeping an exact diary or daily record thereof under the signature of one of their secretaries: and I do hereby empower the said Commissioners to hold their Meetings at such places, either within the territories of the late Tippoo Suldaun or elsewhere, as they shall judge most convenient, and to adjourn from time to time, and to change the place of their meeting according to the exigency of the public service: and I authorize and direct the said Commissioners to communicate from time to time with Meer Allum Bahaudur touching the objects of this Commission, and I nominate and appoint _____ to be secretaries, and _____ to be Assistant-secretary to the said Commission during my pleasure; and before the said Commissioners or any of them shall proceed to act in the execution of any of the powers or trusts vested in them by this Commission, save only the power of administering the oath hereinafter mentioned, he or they shall severally take and subscribe the following oath, that is to say:

I, A. B. do faithfully promise and swear, that as a Commissioner for the Affairs of Mysore, I will execute the several powers and trusts reposed in me according to the best of my skill and judgment without favour or affection, prejudice or malice, to any person whatever. I will not disclose or make known any of the orders or instructions which shall be transmitted to me, or to the said Commissioners by the Governor-General, or by his order, or any of the proceedings of the said Commissioners, save only to the other Members of this Commission, or to the person or persons who shall be duly nominated and employed in transcribing or preparing the same respectively, or in seconding the proceedings of the said Commissioners, or unless I shall be authorized by the Governor-General to disclose or make known the same. I do further promise and swear that I will not demand, take, or accept, directly or indirectly, by myself or by any other person, for my use, or on my behalf, or on the behalf or for the use of any other person any sum of money or other valuable thing by way of gift, present, or otherwise, and that to the Governor-General in Council I will justly and truly account for, answer, and pay the rents, duties, and other revenues and sums of money which shall come to my hands or to the hands of any person or persons in trust for or employed by me in execution of the powers and authority vested in the said Commissioners by the said Governor-General—
So help me God.

Which oath any two of the said Commissioners shall and are hereby empowered to administer to the others of them or any of them; and the said oath shall be entered by one of the secretaries to the Commission, amongst the acts of the Board, and be duly subscribed and attested by the said Commissioners at the time of their taking and administering the same to each other respectively.

And the several Secretaries and other officers of the said Board of Commissioners shall also take and subscribe before the said Board such

oath of secrecy, and for the execution of the duties of their respective stations, and the integrity of their conduct therein, as the said Board shall direct; and when any three of the said Commissioners shall have taken the said oath, they shall immediately constitute a Board, and proceed to act under the Commission. And I do hereby empower and direct the said Commissioners to take charge and render an exact account to me of such public property as has been or shall be found within the territories of the late Tippoo Suldaun, and also to collect and bring to account all such arrears of revenue and all such sums of money as were due to the Sirkar on the 4th of May, 1799, or have or shall become due, from and after that day to the Government of the Allies, and provided always that this order shall not be construed to prevent or impede the distribution among the Allied army of the prize taken in the Fort of Seringapatam, on the 4th of May according to the general order issued by the Governor-General in Council under date the _____; and provided also that nothing contained in this Commission shall be deemed to preclude the right of captors of any fort or place taken on or before the said 4th day of May, 1799, to obtain from the Commissioners an attested account of the public property contained therein, in order that the claims of all such captors may be heard and determined by the Governor-General in Council or by the Honourable the Court of Directors or by His Majesty in Council according to the nature of the case. And I do hereby authorize and direct the said Commissioners immediately upon entering on their duties under this Commission to issue a Proclamation notifying the restoration of tranquillity, and promising to all the inhabitants of the territories of the late Tippoo Suldaun security of person and of private property, and encouraging them to resume their ordinary occupations under the protection of the Allies. And I further direct that the said Proclamation shall contain the strictest injunctions to all persons within the said territories, under the most severe penalties, to abstain from acts of violence, outrage, and plunder.

No. XIII.

From Lord Mornington to Lieut.-Colonel Kirkpatrick.

SIR,

Fort St. George, 5th June, 1799.

I have given full attention to the draft of the treaty transmitted by you, and although the substance, and many parts of the detail of that draft are perfectly conformable to my ideas, I think the whole transaction would be more conveniently thrown into a different form, from that which you have given to it. I do not see any necessity for ceding the whole Country in the first instance to the Rajah of Mysore, and accepting again as a cession under his authority, such districts as must

be retained by the Allies. I think it will be more convenient, and less liable to future embarrassment, to rest the whole Settlement upon the basis of our right of conquest, and thus to render our cession the source of the Rajah's dominion. For this purpose the proceeding should commence with a treaty between the Nizam and the Company, with power to the Peishwah to accede under certain conditions. The next step should be a treaty with the Rajah, containing all that relates to his connexion with the Company, and to his interior government.

The Rajah after his accession, may be made a party to the general guarantee, contained in my draft accompanying this letter.* The principal points in which I differ with you, are

[Treaty of Mysore.]

- * *Treaty for strengthening the Alliance and friendship, subsisting between the English East India Company Bahaudur, His Highness the Nabob Nizam ud Dowlah Asoph Jah Bahaudur, and the Peishwah Row Pundit Purdhaun Bahaudur, and for effecting a Settlement of the Dominions of the late Tippoo Sultaun.*

Whereas the deceased Tippoo Sultaun, unprovoked by any act of aggression on the part of the Allies, entered into an offensive and defensive alliance with the French, and admitted a French force into his army, for the purpose of commencing war against the Honourable English Company Bahaudur, and its Allies, Nizam ud Dowlah Asoph Jah Bahaudur, and the Peishwah Row Pundit Purdhaun Bahaudur. And the said Tippoo Sultaun having attempted to evade the just demands of satisfaction and security, made by the Honourable English Company Bahaudur, and its Allies, for their defence and protection, against the joint designs of the said Sultaun and of the French; the allied Armies of the Honourable English Company Bahaudur, and of His Highness Nizam ul Dowlah Asoph Jah Bahaudur proceeded to hostilities in vindication of their rights, and for the preservation of their respective Dominions from the perils of foreign invasion, and from the ravages of a cruel and relentless enemy.

And whereas, it has pleased Almighty God to prosper the just cause of the said Allies, the Honourable English Company Bahaudur, and his Highness Nizam ud Dowlah Asoph Jah Bahaudur, with a continued course of victory and success, and finally to crown their arms by the reduction of the Capital of Mysore, the fall of Tippoo Sultaun, the utter extinction of his power and the unconditional submission of his people. And whereas, the said Allies being disposed to exercise the rights of conquest, with the same moderation and forbearance, which they have observed from the commencement to the conclusion of the late successful war, have resolved to use the power which

the necessity of holding certain principal fortresses in absolute sovereignty. I have now limited that demand to the fortress

it has pleased Almighty God to place in their hands, for the purpose of obtaining reasonable compensation for the expenses of the war, and of establishing permanent security and genuine tranquillity for themselves, and their subjects, as well as for all the powers contiguous to their respective dominions. Wherefore, a treaty for the adjustment of the territories of the late Tippoo Sultaun, between the English East India Company Bahaudur, and his Highness the Nabob Nizam ud Dowlah Asoph Jah Bahaudur, is now concluded by Lieut.-General George Harris, Commander in Chief of the Forces of His Britannic Majesty, and of the English East India Company Bahaudur in the Carnatic, and on the Coast of Malabar; the Honourable Colonel Arthur Wellesley, the Honourable Henry Wellesley, Lieut.-Colonel William Kirkpatrick, and Lieut.-Colonel Barry Close, on the part and in the name of the Right Honourable Richard Earl of Mornington, K. P., Governor-General for all the affairs, civil and military of the British nation in India; and by the Nabob Meer Allum Bahaudur, on the part and in the name of His Highness the Nabob Nizam ud Dowlah Asoph Jah Bahaudur, according to the undermentioned articles, which by the blessing of God, shall be binding upon the heirs and successors of the contracting parties, as long as the sun and moon shall endure, and of which the conditions shall be reciprocally observed by the said contracting parties.

Article 1st.—It being reasonable and just that the Allies by this treaty should accomplish the original objects of the war, viz. a due indemnification for the expenses incurred in their own defence, and effectual security for their respective possessions against the future designs of their enemies, it is stipulated and agreed, that the districts specified in the Schedule A, hereunto annexed, together with the heads of all the passes leading from the territory of the late Tippoo Sultaun, to any part of the possessions of the English East India Company Bahaudur, of its Allies or tributaries situated below the Ghauts on either coast, and all forts situated near to, and commanding the said passes, shall be subjected to the authority, and for ever incorporated with the dominions of the English East India Company Bahaudur, the said Company Bahaudur engaging to provide effectually out of the revenues of the said districts, for the suitable maintenance of the whole of the families of the late Hyder Alli Khan, and of the late Tippoo Sultaun, and to apply to this purpose, with the reservation hereinafter stated, an annual sum of not less than two lacs of star pagodas, making the Company's share as follows:—estimated value of districts, enumerated in the Schedule A, according to the statement of Tippoo Sultaun in 1792, Canteria pagodas, 7,77,170; deduct provision for the families of Hyder Alli Khan, and of Tippoo Sultaun two lacs of star pagodas in Canteria pagodas, 2,40,000; remains to the East India Company, 5,37,170.

Article 2nd.—For the same reason stated in the preceding Article, the

of Seringapatam, which I cannot consent to part with. With regard to Chittledroog, Bednore, &c. lying within the terri-

districts specified in Schedule B, annexed hereunto, shall be subjected to the authority and for ever united with the dominions of the Nabob Nizam ud Dowlah Asoph Jah Bahaudur, the said Nabob having engaged to provide liberally from the revenues of the said districts, for the support of Meer Kummer ud Deen Bahaudur and of his family and relations, and to grant him for this purpose a personal jaghire in the district of Gurrumcondah, equal to the annual sum of 2,10,000 rupees, or of 70,000 Canteria pagodas, over and above and exclusive of a jaghire, which the said Nabob has also agreed to assign to the said Meer Kummer ud Deen Khaun, for the pay and maintenance of a proportionate number of troops, to be employed in the service of his said Highness, making the share of his Highness as follows—estimated value of the territory specified in Schedule B, according to the statement of Tippoo Suldaun in 1792, 6,07,332; deduct personal jaghire to Meer Kummer ud Deen Khaun, 2,10,000 rupees, or Conterai pagodas, 70,000; remains to the Nabob Nizam ud Dowlah Asoph Jah Bahaudur, 5,37,332.

Article 3rd.—It being further expedient for the preservation of peace and tranquillity, and for the general security on the foundations now established by the contracting parties, that the fortress of Seringapatam should be subjected to the said Company Bahaudur, it is stipulated and agreed, that the said fortress and the island on which it is situated, including the small tract of land or island, lying to the westward of the main island, and bounded on the west by a nullah, called the Mysore Nullah, which falls into the Cauvery near Chungul Ghaut, shall become part of the dominions of the said Company in full right and sovereignty for ever.

Article 4th.—A separate Government shall be established in Mysore, and for this purpose it is stipulated and agreed, that Maharajah Mysoor Kistna Rajah Oodiaver Bahaudur, a descendant of the antient Rajahs of Mysoor, shall possess the territory hereinafter described upon the conditions hereinafter mentioned.

Article 5th.—The contracting powers mutually and severally agree, that the districts specified in Schedule C, hereunto annexed, shall be ceded to the said Maharajah Mysoor upon the conditions hereinafter mentioned.

Article 6th.—The English East India Company Bahaudur shall be at liberty to make such deductions from time to time, from the sums allotted by the 1st. Article of the present treaty, for the maintenance of the families of Hyder Alli Khaun and Tippoo Suldaun, as may be proper in consequence of the decease of any member of the said families, and in the event of any hostile attempt on the part of the said family, or of any member of it, against the authority of the contracting parties, or against the peace of their respective dominions, or the territory of the Rajah of Mysore; then

tory of the Rajah, the possession of Seringapatam, and the conditions of our subsidiary treaty with the Rajah, will I trust,

the said English East India Company Bahaudur shall be at liberty to limit or suspend entirely the payment of the whole, or any part of the stipend hereinbefore stipulated, to be applied to the maintenance and support of the said families.

Article 7th.—His Highness the Peishwah Row Pundit Purdhaun Bahaudur shall be invited to accede to the present treaty; and although the said Peishwah Row Pundit Purdhaun Bahaudur, has neither participated in the expense or danger of the late war, and therefore is not entitled to share any part of the acquisitions made by the contracting parties, namely, the English East India Company Bahaudur, and his Highness the Nabob Nizam ud Dowlah Asoph Jah Bahaudur; yet, for the maintenance of the relations of friendship, and alliance between the said Peishwah Row Pundit Purdhaun Bahaudur, the English East India Company Bahaudur, his Highness the Nabob Nizam ud Dowlah Asoph Jah Bahaudur, and Maharajah Mysoor Kistna Rajah Bahaudur, it is stipulated and agreed that certain districts, specified in Schedule D, hereunto annexed, shall be reserved for the purpose of being eventually ceded to the said Peishwah Row Pundit Purdhaun Bahaudur, in full right and sovereignty, in the same manner as if he had been a contracting party to this treaty; provided however, that the said Peishwah Row Pundit Purdhaun Bahaudur shall accede to the present treaty in its full extent, within one month from the day on which it shall be formally communicated to him by the contracting parties; and provided also, that he shall give satisfaction to the English East India Company Bahaudur, and to his Highness Nizam ud Dowlah Asoph Jah Bahaudur, with regard to certain points now pending between him, the said Peishwah Row Pundit Purdhaun Bahaudur, and the said Nabob Nizam ud Dowlah Asoph Jah Bahaudur, and also with regard to such points as shall be represented to the said Peishwah, on the part of the English East India Company Bahaudur, by the Governor-General, or the English resident at the court of Poonah.

Article 8th.—If, contrary to the amicable expectation of the contracting parties, the said Peishwah Row Pundit Purdhaun Bahaudur shall refuse to accede to this treaty, or to give satisfaction upon the points, to which the 7th Article refers, then the right to and sovereignty of the several districts, hereinbefore reserved for eventual cession to the Peishwah Row Pundit Purdhaun Bahaudur, shall rest jointly in the said English East India Company Bahaudur, and the said Nabob Nizam ud Dowlah Asoph Jah Bahaudur, who will either exchange them with the Rajah of Mysore, for other districts of equal value, more contiguous to their respective territories, or otherwise arrange and settle respecting them, as they shall judge proper.

Article 9th.—It being expedient for the effectual establishment of Maharajah Mysoor Kistna Rajah, in the government of Mysore, that his Highness should be assisted with a suitable subsidiary force, it is stipulated and

give us a sufficient command over them; but, I cannot consent to allow the Nizam to hold Chittledroog; it would be a very

agreed, that the whole of the said force shall be furnished by the English East India Company Bahaudur, according to the terms of a separate treaty, to be immediately concluded between the said English East India Company Bahaudur, and his Highness the Maharajah Mysore Kistna Rajah Oodiavar Bahaudur.

Article 10th.—This treaty consisting of ten Articles, being settled and concluded this day, the 22d of June, 1799, (corresponding to the 17th of Mohurum, 1214, Anno Higere), by Lieut.-General George Harris, the Honourable Colonel Arthur Wellesley, Honourable Henry Wellesley, Lieut.-Colonel William Kirkpatrick, and Lieut.-Colonel Barry Close, on the part and in the name of the Right Honourable Richard Earl of Mornington, Governor-General aforesaid, and by Meer Allum Bahaudur, on the part, and in the name of his Highness the Nabob Nizam ud Dowlah Asoph Jah Bahaudur, the said Lieut.-General Harris, the Honourable Colonel Arthur Wellesley, the Honourable Henry Wellesley, Lieut.-Colonel William Kirkpatrick and Lieut.-Colonel Barry Close, have delivered to Meer Allum Bahaudur one copy of the same, signed and sealed by themselves; and Meer Allum Bahaudur has delivered to Lieut.-General George Harris, the Honourable Colonel Arthur Wellesley, the Honourable Henry Wellesley, Lieut.-Colonel William Kirkpatrick, and Lieut.-Colonel Barry Close, another copy of the same signed and sealed by himself; and Lieut.-General George Harris, the Honourable Colonel Arthur Wellesley, the Honourable Henry Wellesley, Lieut.-Colonel William Kirkpatrick, and Lieut.-Colonel Barry Close, and Meer Allum Bahaudur, severally and mutually engage, that the said treaty shall be respectively ratified by the Right Honourable the Governor General under his seal and signature, within eight days from the date hereof, and by his Highness the Nabob Nizam ud Dowlah Asoph Jah Bahaudur, within twenty-five days from the date hereof.

Nizam's Seal.

Ratified at Hyderabad, by his Highness the Nizam, on the 13th day of July, Anno Domini, 1799.*

J. A. KIRKPATRICK, Resident.

SCHEDULE A.

1st.—The Company's Share.—The following Districts from Nuggur or Bednore.

Korial, (Mangalore) Bekul and Neliseram, 1,33,662 7½; Karkul, 11,393 2½; Barkoo, 48,389 8½; Khoshaulpoor, 26,361 7½; Bulkul, 9,177 0½; Gairsopah, 9,192 0½; Hunawur (Onore), 17,482 9½; Mirjaun, 8,953 4½;

* Ratified at Fort St. George, by the Right Honourable the Governor-General in Council, on the 26th day of June, A. D. 1799.

inconvenient arrangement in every point of view, and I, therefore, request you entirely to discourage the repetition of any

Ancolah Punchmahl, and Shedasghur (or Soonda Payen Ghaut) 28,332 2; Bilghuy, 18,929 4½.—Total 3,11,874 6½

COIMBATOUR, &c. viz.—Coimbatour, 80,000; Danaigincotah, 35,000; Cheor, 27,000; Chinjerry, 27,000; Darapoor Chuckergerry, 64,000; Settimungalum, 30,000; Undoor, 8,000; Perondoora, 14,000; Vizimungul (Aravarcourchy), 20,000; Errode, 20,000; Caroor, 41,000; Coodgully, 15,000; Caveryporam, 4,000; total 3,85,000. Wynaad, from Amudnuggur Chickloor, from Talooks belonging to Seringapatam; Panganoor, 15,000; Suttikal Alambady and Kodahully, 15,200; Oussore, 18,096; Decanicotah and Ruttungeery, 14,000; Venatigyracotah, 6,000; Ankusgeery and Solageery, 4,000; Bangloor, 3,000; Talmuttah and Talwaddy (half Talooks) of Hurduntrully, 5,000.—Total, 80,296, together 7,77,170 6½. — Deduct provision for the maintenance of the families of Hyder Ali Khan, and of Tippoo Sultaun, star pagodas 2 lacs, in canteria pagodas, 2,40,000.—Remains to the Company, canteria pagodas, 5,37,170,6½

SCHEDULE B.

2nd.—The Nizam's Share.—Gooty—Fyze Hussur Rubal, 15,568; Kona Koomlah, 7,500; Pamri, 11,000; Wurjur Kurroor, 8,998 1; Yurutty Murajcherroo, 5,902; Bheem Rapah, 4,800; Muttoor, 2,700; Pravalli Munnimoorg, 9,426 3; Chunumpilly, 8,951 8; Mulkaira Kootoo, 22,251 8½; Koortunni, 8,800; Yarky, 22,673 1; Pennacoondah, 60,000; Murrug Seera, 8,000; Hundytenantpoor, 16,000; Koorgoor (remainder of), 11,629; Kunchungoody, (remainder of) 10,000; of Gurrumcondah, all the districts not ceded in 1792, 1,85,810; Puttungerry (from Seringapatam), 10,000, Rydroog (6 talooks), 1,02,856; Kurnool Paishcush, 66,666.—From Chittledroog—Terryullah, (1 talook), 7,800.—Total, 6,07,332 1½.—Deduct a personal Jaghire to Kummer ud Deen Khan and relations, 70,000.—Remains to the Nizam, 5,37,332 1½

SCHEDULE C.

Districts ceded to Maharajah Mysore Kistna Rajah Oodiaver Bahaudur, Talooks belonging to Seringapatam.

Puttun Attockrun, 11,000; Mysore Attockrun, or Rahmut Nuzeen, 11,500; Nuzzer Bar, 14,000; Hurdunhully, 15,000; Periapatam, 6,200; Muddoor, 13,200; Hetghur Dewancotah, 8,000; Betudapoor, 7,000; Tyoor, 8,000; Yelandoor, 10,000; Malwelly (Gulinahabad), 9,000; Tulkar Sosilah, 8,100; Nursipoor, 10,200; Yestoorah, 7,200; Bailoor, 15,700; Arkulgoor, 4,300; Chinipatam, 12,100; Bullum Mungezabad, 10,000; Hussen, 7,900; Honawully, 9,400; Nagimungul, 4,700; Belloor, 3,100; Maharage Droog, 10,000; Gram, 3,500; Ramgheery, 7,400; Turkarumb, 7,400; Ahmudagger, Chickloor, 10,000; Kurp, 12,000; Toorwy Khaira, 9,000; Coonydghul, 5,008 9; Hoolioordroog, 4,000;

such proposition on the part of Meer Allum. The question of ceding any part of Soonda to the Peishwah, may be re-

Kirkairy, 4,065; Chennyputtan, 9,138; Nooggairly, 3,000; Mairlatesh and Kishmagepoor, 6,100; Suckynputtan, 6,200; Banorawar, Guradungilly, Huranhelly, 10,000; Boodehall, 7,000; Nidghul, 6,000; Pasghur, 10,000; Hagulwary, 12,000; Goomnairpollum, 10,000; Bangalore, 55,000; Magry, 8,400; Mudgerry, 36,000; Coorgherry, 4,000; Cankanhelly, 8,900; Nulwangle and Doorbillah, 16,000; Anicul, 10,300; Byroodroog, 4,000; Hyhoor, 7,000; Dewankelly, 20,045; Ootradroog, 5,000; Chinroydroog, 8,000; Toomkoor and Devroy, 18,000; Nidgegul and Macklydroog, 16,000; Kundykeera and Chullnaighelly, 16,000; Chota Balapoor, 80,000; Colar, 80,000; Jungumeotah, 13,000; Chuckmoogalum, 8,134 4; Kudoor, 7,129 7/4.—Total, 7,78,321 0/4.

SERRA (Remainder of.)—Serra and Amrapoor, 55,000; Hoosuttah, 50,754; Burra Balapoor, 40,000.—Total, 1,49,754.

NUGGUR above GHAUT.—Kusbah, 29,145 4 2; Coolydroog, 28,818 0 2; Koompsee, 8,094 2 1/2; Kope, 22,864 5 2; Wosthara, 6,818 9; Eckairy and Sagur, 39,41 1 2; Ghooty (Hoably), 11,006 8 1/2; Surbtowanundy, 10,458 1 2; Serryanwitty, 17,424; Shaikarpoor, 11,774 1/2; Annunatpoor, 10,191 9 1/2; Lakouly-danwass, 11,629 6 1/2; Ordgunny, 13,614 1 1/2; Simoga, 16,883 5; Hoolyhonore, 6,533 5 1/2; Biddery, 10,835 5 2; Chingeery Beswapatam, 22,091 1 1/2; Turrykeerah, 14,076 4 1/2; Azempoor, 10,696 2 1/2 3.—Total, 3,02,417 6 6.

CHITLEDROOG (remainder of) 12 Talooks.—Kusbah, 20,874 7 1/2; Beemsumendar, 12,148 4 2; Dodiary, 12,984 9 1/2; Husdroog, 11,936 2 1/2 3; Muttoor, 10,392 3 1/2 2; Murkal Murroo, 12,662 9 1/2 3; Tullick, 11,854 1/2; Burm Sagur, 10,163 6 1/2; Kunkopah, 12,542 1/2 2; Bilchoor, 10,683 1 1/2; Hinoor, 10,010 2; Goodycotah, 11,330 5 1/2 3.—Total, 13,79,076 8 1.

Deduct 2 Pergunnahs of Hurdenhelly, viz, Talmall and Talwaddy, included in the Company's share, 5,000; balance, 13,74,076 8 1.

SCHEDULE D.

The Peishwah's Share—Hagonelly, (6 Talooks), 1,10,030 8 1/2; Soonda (above the Ghauts), 59,377; Annagoondy, 60,101. From Chittledroog, 2 Talooks, viz, Holulkaira, 11,425 4 1/2; Mycoonda, 12,228 9 1/2. From Bednore 1 Talook, viz, Hurryhur, 10,796.—Total Canteria Pagodas, 2,63,257,3 1/2.

Ratified at Hyderabad, by his Highness the Nizam, on the 13th day of July, A.D. 1799.

J. A. KIRKPATRICK, Resident.

Ratified at Fort St. George, by the Right Honourable the Governor-General in Council, on the 26th day of June, A.D. 1799.

Separate Articles, appertaining to the Treaty of Mysore, concluded on the 22nd of June, 1799 (corresponding to the 17th of Mohurram, Anno

served for future consideration. To-morrow, or at farthest on the next day, I hope to be able to forward to you the draft of the treaty with the Rajah. At present, it is not my intention to quit Madras, unless I shall learn from you and my brother, that my presence can be useful in Mysore. My baggage is still on the road, and I could move it at a very short notice.

I cannot at all agree with the Commissioners, that it is necessary to delay our settlement of the Country until Chittledroog shall be surrendered, or taken; and I desire that you will not wait for either event, but proceed forthwith to conclude the necessary treaties, as soon as you shall have taken the necessary precautions suggested in my instructions to the Commissioners for the affairs of Mysore. I fear that the final arrangement is likely to suffer delay, from our having no person on the spot authorized to sign a treaty on the part of the Nizam; perhaps Meer Allum may think himself authorized to do so at my request, under the full powers which I have received from His Highness,—with a view to obviate every difficulty, I have written to Hyderabad to desire that

Higreee, 1214) between the Honourable English East India Company Bahaudur, and the Nabob Nizam ud Dowlah Asoph Jah Bahaudur.

Article 1.—With a view to the prevention of future altercations, it is agreed between his Highness the Nabob Nizam ud Dowlah Asoph Jah Bahaudur, and the Honourable English East India Company Bahaudur, that to whatever amount the stipends appropriated to the maintenance of the Sons, Relations, and Dependants of the late Hyder Ali Khaun, and Tippoo Suldaun, or the personal Jaghire of Meer Kummer ud Deen Khaun, shall hereafter be diminished in consequence of any one of the stipulations of the Treaty of Mysore, the contracting parties shall not be accountable to each other on this head.

Article 2.—And it is further agreed between the contracting parties, that in the event provided for by the Eighth Article of the Treaty of Mysore, two-thirds of the shares reserved for Row Pundit Purdhaun Bahaudur, shall fall to his Highness the Nabob Nizam ud Dowlah Asoph Jah Bahaudur, and the remaining third to the Honourable English East India Company Bahaudur.

(The Nizam's Seal.)

Ratified at Hyderabad, by his Highness the Nizam, on the 13th day of July, A.D. 1799.

J. A. KIRKPATRICK, Resident.

Ratified at Fort St. George, by the Right Honourable the Governor-General in Council, on the 26th day of June, A.D. 1799.

your brother will immediately obtain, and despatch full powers to Meer Allum for this purpose, but I think it would be a far preferable arrangement if Meer Allum could be brought to sign the treaty immediately, and thus enable us to proceed at once to the settlement of the Country.

I am, &c.
MORNINGTON.

No. XIV.

Lieutenant-General Harris to the Earl of Mornington.

MY DEAR LORD,

Camp, 7th June, 1799.

Your Lordship's private letter of the 3rd instant, apprizing me that it is your intention, as soon as you receive an account of the value of the ordnance and stores in Seringapatam, to recommend the whole amount to be granted to the army; was received yesterday, and is a most handsome added proof of the zealous interest with which your Lordship has entered into our concerns. A Committee is ordered for the above purpose, and its report shall be forwarded to your Lordship as soon as finished, but as it will be a considerable time in making out, and as a reference to his Majesty and the Court of Directors is required, you need not be under any apprehension that the amount will be of the least injury to the discipline or efficiency of the army; long before it can be received, the division you have ordered will have been completely despatched.

I am, with great regard and esteem,
My dear Lord,
your faithful Servant,
GEORGE HARRIS.

[The following were the orders issued by the Governor-General for the distribution of the prize money.]

General Orders by Government.

Fort St. George, 2d June, 1799.

The Right Honourable the Governor-General in Council, having received from Lieutenant-General Harris a report of the ordnance, ammunition, military stores, and treasure, taken by the allied army in the fort

of Seringapatam, has much pleasure in anticipating the sanction of his Majesty and of the Court of Directors, for the distribution of prize-money on this memorable occasion.

His Lordship, accordingly, authorizes and directs the Commander-in-Chief to make an immediate distribution of the treasure and jewels to the troops of the allies, in such proportions as may be conformable to the usage of the British service in cases of a similar nature.

In respect to the ordnance, ammunition and military stores, his Lordship directs that they be reserved entire, until the pleasure of his Majesty, and the orders of the Honourable Court of Directors, shall be received.

The Right Honourable the Governor-General in Council feels particular satisfaction, that the happy circumstances, accompanying the glorious and final success of this brilliant campaign, enable his Lordship to afford a substantial proof of the public gratitude towards the army, by bestowing a reward, proportioned to the magnitude and importance of their services, and earned, not more by their labour, courage, and perseverance, than by their exact discipline, regularity, and exemplary subordination.

By order of the Right Honourable the Governor-General in Council,
J. WEBBE, Sec. to the Govt.

No. XV.

The Earl of Mornington to the Right Hon. Henry Dundas.

MY DEAR SIR,

Fort St. George, 7th June, 1799.

Nothing can be more favourable than the state of affairs in Mysore; the accounts which I have received from Mr. Henry Wellesley and from Colonel Kirkpatrick, induce me to believe that I shall effect the settlement of the country with more advantage from this place than if I were to proceed to Seringapatam, and I shall therefore remain here, unless they should be of opinion that my presence upon the spot may be useful. In the meanwhile, the information which I have collected has enabled me to determine the basis and outline of the new settlement of the extensive empire which the glorious success of the war has subjected to our power.

I shall transmit to you, by a more convenient opportunity, an accurate view of the motives which have induced me to adopt the settlement of the country now carrying into effect in preference to any other; for the present, it may be sufficient to observe that, to have divided the whole territory equally between the Company and the Nizam, while it would have

afforded strong grounds for jealousy to the Mahrattas, would have aggrandized the Nizam's power beyond the bounds of discretion, and would have left in our hands a territory, so extensive, as it might have been difficult to manage, especially in the present state of the Company's service at this Presidency. To have divided the territory into three equal portions, allowing the Mahrattas, who had taken no part in the expense or hazard of the war, an equal share in the advantages of the peace, would neither have been just towards the Nizam, politic in the way of example to our other allies, nor prudent in respect to the aggrandizement of the Mahratta empire. To have given the Mahrattas no larger a territory than is now proposed, while the Company and the Nizam divided the whole of the remainder to the exclusion of any central power, would have been liable nearly to the same objection as that stated against a total exclusion of the Mahrattas from all participation. The establishment, therefore, of a central and separate power in the ancient territories of Mysore, appeared to be the best expedient for reconciling the interests of all parties. It would certainly have been desirable that that power should have been placed in the hands of one of Tippoo's sons; but the hereditary and intimate connection established between Tippoo and the French, the probability that the French may be enabled to maintain themselves in Egypt, the perpetual interest which Tippoo's family must feel to undermine and subvert a system which had so much reduced their patrimony and power, added to their natural hatred of the English name, and to the aspiring ambition, indignant pride, and deadly revenge, congenial to the Mahomedan character, precluded the possibility of restoring any branch of the family of the late Suldaun to the throne, without exposing us to the constant hazard of internal commotion, and even of foreign war. Such a settlement would have cherished in its bosom a restless and powerful principle of its own dissolution; we could never have expected harmony or concord, or a spirit of friendship and alliance, where no true reconciliation could grow; even submission must have been reluctant and treacherous, where bitter memory of fallen dignity, wealth, and power, must have united every passion and vice with many of the noblest virtues, in a constant desire to recover an empire, originally acquired by an extra-

ordinary combination of falsehood, cruelty, and courage, and maintained for a long time with eminent policy and vigour, as well in its internal Government as in its foreign relations.

You will observe that, throughout this view of the subject I have assumed the justice and necessity of the late war against Tippoo Suldaun, and consequently the right of conquest under which I conceive the absolute disposal of the territory to have accrued to the Company and the Nizam. In the exercise of this right, if I were to look to moral considerations alone, I should certainly, on every principle of justice and humanity, as well as of attention to the welfare of the people, have been led to restore the heir of the ancient Rajah of Mysore to that rank and dignity which were wrested from his ancestor, by the usurpation of Hyder Ali.

The long and cruel imprisonment which several branches of this family have suffered, the persecution and murder of many of their adherents, both by Hyder and Tippoo, and the state of degradation and misery in which it has been the policy of both those usurpers to retain the surviving descendants of their lawful Sovereign, would have entitled the representative of the ancient family of Mysore to every degree of practicable consideration; but it is also evident, that every motive must concur to attach the heir of the Mysore family if placed on the throne to our interests, through which alone he can hope to maintain himself against the family of Tippoo. Something, perhaps, may also be expected from his gratitude, although that quality is not often found among States in any part of the world, and seldom, if ever, among the native States of India.

For some time I doubted whether this arrangement, however desirable, could be attained in opposition to the Mahomedan interest, which I imagined to be firmly established in Mysore, but I am happy to be able to assure you that the jealous policy of Tippoo, added to the brilliant and rapid success of the war, has left no Mahomedan influence in Mysore from which any serious opposition is to be apprehended. I cannot better explain the actual state of the Suldaun's dominions in this respect than by quoting a passage of a letter received this day from Lieutenant-Colonel Close, which corresponds entirely with all the information which I have collected from other quarters.

"That Tippoo loaded the departments of his Government with dronish Mussulmauns cannot be denied; but the characteristic of his domination was to retain all power within himself, and to allow of no hereditary claims or fixed offices that might in any shape oppose the dictates of his will. Individuals holding the principal offices of the State, doubtless, exercised authority, and from such cause possessed some influence; but of these, how many remain? Buchaun Ooddeen was killed at Sattimungalum. The Binky Nabob fell at Sedaseer, Syed Saheb, Mahomed Saduck, and Syed Ghofar, at the storm of Seringapatam, Purneah is forthcoming, and rests upon our will. Cummur-ud-Dien rests upon our generosity, and is perfectly at our devotion; where then is the Mahomedan influence to embarrass us, or give a turn to our politics? Tippoo's infantry are discharged; his Sillahdar horse are dissolved; his Killahdars pay us obedience; his Asophs, if so disposed, have not means to resist us. The stable horse remain, and look to our pleasure for subsistence; at best, they are but so many loose individuals, connected by no head, and kept apart by separate interests. They are ours for actual service at a nod." The Rajah of Mysore will, therefore, be easily restored to the throne, and maintained on it under the protection of the Company, the Nizam, and I trust also of the Mahrattas, who certainly all have a concurrent and common interest in the exclusion of Tippoo's family, especially since the discovery that Tippoo's alliance with France was directed not only against the existence of the British power in India, but also against the Mahrattas and the Nizam, at least to the extent of recovering the districts ceded to those powers under the treaty of Seringapatam. It is my intention to draw the connection between the Company and the Rajah as close as possible by a subsidiary treaty, under which I mean to retain the general power of garrisoning all his fortresses, such as Bednore, Chittledroog, &c., and I will so clearly define our powers of interference in his internal government as to preclude (if any precaution can preclude) the embarrassments which have occasioned so much distress in the Carnatic, Oude, and Tanjore.

Seringapatam I shall retain in full sovereignty for the Company, as being a tower of strength, from which we may at any time shake Hindostan to its centre, if any combination

should ever be formed against our interests. I shall not at present enlarge upon the advantages which are likely to be derived to the British interests from this settlement, they are too obvious to require any detailed explanation. The Nizam will acquire such an accession of strength, as, with the aid of our subsidiary force, will enable him to maintain himself against the Mahrattas, while he will not only have acquired no strength which can render him formidable to us, but, by our positions at Chittledroog, Seringapatam, and along the heads of the passes, together with the establishment of about seven thousand of our troops in the heart of his dominions, he will depend almost absolutely on our power. If this power be used with moderation, I think it must be permanent; we must abstain religiously from all interference with the Nizam's internal government.

The Mahrattas will receive an accession of territory, the value of which is considerable to them, but cannot render them in any degree dangerous to us or to the Nizam, while we retain the power of garrisoning the forts of Bednore and Chittledroog. As the Mahrattas have no claim of right to any share in this partition, I shall endeavour to connect the cessions made to them with some arrangements which shall tend to give additional strength to our interests.

The French influence in India, thanks be to God, is now nearly extirpated, some adventurers, however, still remain in the service of the Mahrattas; and I shall endeavour to render the cession of territory to the Mahrattas the instrument of annihilating every remnant of a French party in that quarter. I must repeat to you my most earnest and anxious entreaty, that you will never agree to the restoration of any part of the territories of France or of Holland (while connected with France) on the Continent of India. The papers found in Tippoo Sultaun's palace at Seringapatam will sufficiently prove the danger of allowing France to retain even the isles of Mauritius and Bourbon, and if the war should continue, I trust you will strike a blow against those prolific sources of intrigue in peace, and of piracy and buccaneering in war.

I transmit to you by this despatch a set of the French papers found in the palace at Seringapatam; it might appear vanity in me to make any comment upon them, further than

to request that you will compare them with the whole course of my communications with the Court of Directors, the Secret Committee and yourself previous to the war. I confess that, in reading these papers, I could not avoid trembling to reflect on the dangers which we have escaped, and which I trust are now effectually averted. If Tippoo had obtained the aid of two or three thousand French, there is not a doubt that he would have rushed into the Carnatic; and I refer you to all the communications from this quarter during the last summer for an estimate of the consequences of such an incursion; all the officers with whom I have conversed, who served in this campaign, have assured me that, with one thousand French, Seringapatam would have been nearly impregnable, not only from the strength of its own fortifications, but from the difficulty of approaching it through that strong barrier which lies at the entrance of the table land from the Carnatic in the neighbourhood of Kankanhelly, Anicul, &c. Through the whole of that line of forest down to Sultaun Pett, a very small body of good French troops might have checked the progress of our whole army.

You will observe, in the return of ordnance and stores taken at Seringapatam,* the magnitude of the Sultaun's military preparations and resources. I have not yet received authentic accounts of the state of his military establishments compared with that of last war, but I expect accurate information on that subject from the records found at Seringapatam. I understand that the Sultaun's horse appeared in larger bodies, and manifested more discipline, as well as boldness, in this war than in the last; that his infantry appeared to be less numerous, but to be greatly improved in efficiency for service, and that it both attacked and resisted our European troops on several occasions with great vigour, firmness, and resolution. Under these circumstances, I confess that it was a matter of exultation and triumph to me to see the standard of Tippoo Sultaun flying under the colours of Fort St. George on the 4th of June.

A little more eagerness than I could have wished has appeared in the army on the subject of the property captured in Seringapatam; the question would have been very awk-

* See Vol. I. Appendix, p. 707.

ward, if the amount of the property had approached the first statements which had been made by common rumour, and which extended to the enormous amount of eight or ten crores* of rupees. The army conceive that, as the place was taken by storm, they are, of right, entitled to what was found in it; this is certainly an erroneous opinion, and if the principle had been established, and so large a sum as that which I have stated had been seized by the army and distributed, it is impossible to calculate the mischievous effects which would have resulted to our military power in India; no regular return has yet been made to me of the amount of the property taken; but I have every reason to believe that it does not exceed in value thirty lacs of pagodas, a sufficiently large sum. The official return has been withholden from an idea, that the right is absolute in the captors, and that they are not bound to render any account under the peculiar circumstances of the assault. I shall endeavour to persuade General Harris to make an official return of the property, with a view of saving the rights of Government and of correcting the erroneous opinions of the army; but I shall not hesitate to direct an immediate distribution of the treasure and jewels, as I am persuaded that, in so doing, I shall act conformably to your wishes and to those of the Crown, and the Court of Directors. The army would probably become a little impatient were I to propose to them to postpone all distribution until the orders of the Directors and the King could be received. The question is rendered still more delicate by some orders of Lord Cornwallis, admitting the exclusive right of the army to all property captured in places taken by assault. The amount of the ordnance and military stores being very considerable, I shall endeavour to preserve them entire, until I can receive the orders of the Court of Directors and of his Majesty. I entreat you immediately, upon receiving this letter, to procure from the King and the Court of Directors, full powers for me to dispose of the ordnance and military stores, either by granting them to the captors or otherwise, as I shall judge most expedient for the public service.

* A crore is now equal to £1,000,000 sterling; it was then about £1,200,000, owing to the difference of value in the rupee.

You will accompany these powers by a private letter from yourself, stating your wishes on the subject; and I beg that you will despatch these papers by express overland. My opinion is decidedly that, unless the value of the ordnance and stores should amount to an enormous sum, this also should be given to the army. I take this opportunity of requesting that you will take particular care not to permit any allowance which I have found it necessary to make to any of the officers of this army to be curtailed; a great effort was to be made, and it was essential to send the men of the first talents in the army into the field full of zeal and cordiality. For this purpose I made a handsome allowance to Lieut.-Colonel Close, the Adjutant-General (a most able and excellent officer), and to others of General Harris's staff; to their efforts our success is to be attributed; if you reduce their appointments, it will be impossible to carry on government here in great emergencies.

The extension of our territory and revenue in the Peninsula, as well as the command which we have now acquired over the central part of Mysore, will render a revision of the limits of the Governments of Fort St. George and Bombay absolutely necessary.

You ought to endeavour to negotiate with Portugal the cession of Goa, for which you might give Malacca in exchange. This is an important point. The French look to Goa, and will labour to obtain it, either by force or intrigue. Our artillery throughout India is very deficient; we should feel this severely in the event of a French invasion. Has it ever occurred to you that it would be a good plan to incorporate all the Company's European regiments into the artillery in India? I cannot too strongly press the necessity of attention to the artillery in India, if you do not send out ample supplies of proper men and officers for this useful corps, it will soon fall to ruin; it is already on the decay. Indeed the whole army is alarmingly deficient in European officers; a larger annual supply of cadets, and a reduction in the annual export of writers would tend to secure the commercial interests of the Company in India. I believe these doctrines are not popular in London; but if the efficiency of the army in India be once allowed to decline, the territory, revenue and trade will not long survive: we must either be a

predominant military power, or we must be content to suffer the fate of those whose minds are unequal to the magnitude of their fortunes, and who are afraid of their own strength.

Believe me, my dear Sir, ever yours,
Most faithfully and affectionately,
MORNINGTON.

No. XVI.

The Earl of Mornington to the Commissioners for the Affairs of Mysore.

GENTLEMEN,

Fort St. George, 8th June, 1799.

On the 5th instant I forwarded to Lieutenant-Colonel Kirkpatrick, and directed him to lay before you the draft of a Treaty* between the Company and his Highness the Nizam, together with four Schedules, containing a description of the respective portions of the territory of the late Tippoo Sultan to be allotted to the Company, the Nizam, the Rajah of Mysore, and eventually to the Peishwa; this Treaty, or one similar to it, must form the basis of the new settlement of Mysore, on which will be founded the more detailed arrangements to be adjusted with the Rajah, as well as the conditions to be required from the Peishwa; each of these two latter objects will require a separate engagement; that which relates to the Peishwa is not immediately within the province of your commission, but I now transmit a draft of the Treaty to be concluded between the Company and the Rajah of Mysore.†

* See page 26.

† The "Subsidiary Treaty of Seringapatam" is as follows,—it is given here instead of in the Appendix, in order to render the despatch more intelligible.

A Treaty of perpetual Friendship and Alliance, concluded on the one part by his Excellency Lieutenant-General George Harris, Commander-in-Chief of the Forces of his Britannic Majesty, and of the English East India Company Bahaudur in the Carnatic and on the Coast of Malabar, the Honourable Colonel Arthur Wellesley, the Honourable Henry Wellesley, Lieutenant-Colonel William Kirkpatrick, and Lieutenant-Colonel Barry Close, on behalf, and in the name of the Right Honourable Richard Earl of Mornington, K. P. Governor-General for all affairs, Civil

To avoid confusion, I shall for the future style the definitive treaty between the Nizam and the Company the "Treaty of

and Military, of the British Nation in India, by virtue of full powers vested in them for this purpose by the said Richard Earl of Mornington, Governor-General; and on the other part by Maha Raja Mysore Kistna Rajah Oodiaver Bahaudur, Rajah of Mysore.

Whereas it is stipulated in the Treaty concluded on the 22nd June, 1799, between the Honourable English East India Company Bahaudur, and the Nabob Nizam ud Dowlah Asop Jah Bahaudur, for strengthening the alliance and friendship subsisting between the said English East India Company Bahaudur, his Highness Nizam ud Dowlah Asoph Jah Bahaudur, and the Peishwa Row Pundit Purdhaun Bahaudur; and for effecting a settlement of the territories of the late Tippoo Sultaun, that a separate government shall be established in Mysore, and that his Highness Maha Rajah Mysore Kistna Rajah Oodiaver Bahaudur shall possess certain territories specified in Schedule C, annexed to the said Treaty, and that for the effectual establishment of the government of Mysore, his Highness shall be assisted with a suitable subsidiary force, to be furnished by the English East India Company Bahaudur.

Wherefore, in order to carry the said stipulations into effect, and to increase and strengthen the friendship subsisting between the said English East India Company and the said Maha Rajah Mysore Kistna Rajah Oodiaver Bahaudur, this treaty is concluded by Lieutenant-General George Harris, Commander-in-Chief of the forces of His Britannic Majesty, and of the said English East India Company Bahaudur in the Carnatic, and on the Coast of Malabar; the Honourable Colonel Arthur Wellesley, the Honourable Henry Wellesley, Lieutenant-Colonel W. Kirkpatrick, and Lieutenant-Colonel Barry Close, on the part, and in the name, of the Right Honourable Richard Earl of Mornington, Governor-General aforesaid; and by His Highness Maha Rajah Mysore Kistna Rajah Oodiaver Bahaudur, which shall be binding upon the contracting parties as long as the sun and moon shall endure.

Article 1st.—The friends and enemies of either of the contracting parties shall be considered as the friends and enemies of both.

Article 2nd.—The Honourable the East India Company Bahaudur agrees to maintain, and his Highness Maha Rajah Mysore Kistna Rajah Oodiaver Bahaudur agrees to receive, a military force for the defence and security of his Highness's dominions. In consideration of which protection his Highness engages to pay the annual sum of seven lacs of star pagodas to the said East India Company. The said sum to be paid in twelve equal monthly instalments; his Highness further agrees, that the disposal of the said sum, together with the arrangement and employment of the troops to be maintained by it, shall be left entirely to the Company.

Article 3rd.—If it shall be necessary for the protection and defence of the territories of the contracting parties, or of either of them, that hostilities shall be undertaken, or preparations made for commencing hostilities against any state or power, his said Highness Maha Rajah Mysore

Mysore;" and that between the Company and the Rajah the "Subsidiary Treaty of Seringapatam."

Kistna Rajah Oodiaver Bahaudur agrees to contribute towards the discharge of the increased expense incurred by the augmentation of the military force, and the unavoidable charges of war, such a sum as shall appear to the Governor-General in Council of Fort William, on an attentive consideration of the means of his said Highness, to bear a just and reasonable proportion to the actual net revenues of his said Highness.

Article 4th.—And whereas it is indispensably necessary that effectual and lasting security should be provided against any failure in the funds destined to defray either the expense of maintaining the permanent military force in time of peace, or the extraordinary expense described in the 3rd article of the present treaty; it is hereby stipulated and agreed between the contracting parties, that whenever the Governor-General in Council of Fort William in Bengal shall have reason to apprehend such failure in the funds so destined, the said Governor-General in Council shall be at liberty, and shall have full power and right to introduce such regulations and ordinances as he shall deem expedient for the internal management and collection of the revenues, or for the better ordering of any other branch and department of the government of Mysore; or to assume and bring under the direct management of the servants of the said Company Bahaudur, such part or parts of the territorial possessions of his Highness Maha Rajah Mysore Kistna Rajah Oodiaver Bahaudur as shall appear to him, the said Governor-General in Council, necessary to render the said funds efficient and available either in time of peace or war.

Article 5th.—And it is hereby further agreed that whenever the said Governor-General in Council shall signify to the said Maha Rajah Mysore Kistna Rajah Oodiaver Bahaudur that it is become necessary to carry into effect the provisions of the 4th Article, his said Highness Maha Rajah Mysore Kistna Rajah Oodiaver Bahaudur shall immediately issue orders to his Aumils, or other officers, either for carrying into effect the said regulations according to the tenor of the 4th Article, or for placing the territories required under the exclusive authority and controul of the English Company Bahaudur; and in case his Highness shall not issue such orders within ten days from the time when the application shall have been formally made to him, then the said Governor-General in Council shall be at liberty to issue orders by his own authority, either for carrying into effect the said regulations and ordinances, or for assuming the management and collection of the revenues of the said territories, as he shall judge most expedient for the purpose of securing the efficiency of the said military funds, and of providing for the effectual protection of the country, and welfare of the people; provided always, that whenever and so long as any part or parts of his said Highness's territories shall be placed, and shall remain under the exclusive authority and controul of the said East India Company, the Governor-General in Council shall render his Highness a true and faithful account of the revenues and produce of the territories so assumed; provided also that in no case whatever shall his Highness's actual receipt or

From the first to the ninth article of the draft of the Treaty of Mysore no explanation or particular instruction seems to be

annual income arising out of his territorial revenues, be less than the sum of one lac of star pagodas; together with one-fifth of the net revenues of the whole of the territories ceded to him by the 5th Article of the treaty of Mysore, which sum of one lac of star pagodas, together with the amount of one-fifth of the said net revenues, the East India Company engages at all times, and in every possible case, to secure and cause to be paid for his Highness's use.

Article 6th.—His Highness Maha Rajah Mysore Kistna Rajah Oodiaver Bahaudur engages, that he will be guided by a sincere and cordial attention to the relations of peace and amity now established between the English Company Bahaudur and their allies; and that he will carefully abstain from any interference in the affairs of any state in alliance with the said English Company Bahaudur, or of any state whatever; and for securing the object of this stipulation it is further stipulated and agreed, that no communication or correspondence with any foreign state whatever shall be holden by his said Highness without the previous knowledge and sanction of the said English Company Bahaudur.

Article 7th.—His Highness stipulates and agrees, that he will not admit any European foreigners into his service without the concurrence of the English Company Bahaudur; and that he will apprehend and deliver up to the Company's Government all Europeans of whatever description who shall be found within the territories of his said Highness, without regular passports from the Company's Government, it being his Highness's determined resolution not to suffer, even for a day, any European foreigners to remain within the territories now subjected to his authority, unless by consent of the said Company.

Article 8th.—Whereas the complete protection of His Highness's said territories requires that various fortresses and strong places, situated within the territories of his Highness, should be garrisoned and commanded, as well in time of peace as of war, by British troops and officers; His Highness Maha Rajah Mysore Kistna Rajah Oodiaver Bahaudur engages that the said English Company Bahaudur shall at all times be at liberty to garrison, in whatever manner they may judge proper all such fortresses and strong places within his said Highness's territories as it shall appear to them advisable to take charge of.

Article 9th.—And whereas in consequence of the system of defence which it may be expedient to adopt for the security of the territorial possessions of his Highness Maha Rajah Mysore Kistna Rajah Oodiaver Bahaudur, it may be necessary that certain forts and strong places within his Highness's territories shall be dismantled or destroyed, and that other forts and strong places should be strengthened and repaired; it is stipulated and agreed, that the English East India Company Bahaudur, should be the sole judges of the necessity of any such alterations in the said fortresses; and it is further agreed, that such expenses as may be incurred on this account shall be borne and defrayed in equal proportions by the contracting parties.

required. It appears to me, that the ninth, tenth, and eleventh articles contain the most eligible foundation of an arrangement

Article 10th.—In case it shall become necessary for enforcing and maintaining the authority and government of his Highness in the territories now subjected to his power that the regular troops of the English East India Company Bahaudur should be employed, it is stipulated and agreed, that upon formal application being made for the service of the said troops, they shall be employed in such manner as to the said Company shall seem fit; but it is expressly understood by the contracting parties that this stipulation shall not subject the troops of the English East India Company Bahaudur to be employed in the ordinary transactions of revenue.

Article 11th.—It being expedient for the restoration and permanent establishment of tranquillity in the territories now subjected to the authority of his Highness Maha Raja Mysore Kistna Rajah Oodiaver Bahaudur, that suitable provision should be made for certain officers of rank in the service of the late Tippoo Sultan, his said Highness agrees to enter into the immediate discussion of this point, and to fix the amount of the funds (as soon as the necessary information can be obtained) to be granted for this purpose in a separate article to be hereafter added to this treaty.

Article 12th.—Lest the garrison of Seringapatam should at any time be subject to inconvenience from the high price of provisions and other necessaries, his Highness Maha Rajah Mysore Kistna Rajah Oodiaver Bahaudur agrees that such quantities of provisions and other necessaries as may be required for the use and consumption of the troops composing the said garrison, shall be allowed to enter the place from all and every part of his dominions free of any duty, tax, or impediment whatever.

Article 13th.—The contracting parties hereby agree to take into their early consideration the best means of establishing such a commercial intercourse between their respective dominions as shall be mutually beneficial to the subjects of both governments, and to conclude a commercial treaty for this purpose with as little delay as possible.

Article 14th.—His Highness Maha Rajah Mysore Kistna Rajah Oodiaver Bahaudur hereby promises to pay at all times the utmost attention to such advice as the Company's Government shall occasionally judge it necessary to offer to him, with a view to the economy of his finances, the better collection of his revenues, the administration of justice, the extension of commerce, the encouragement of trade, agriculture, and industry, or any other objects connected with the advancement of his Highness's interests, the happiness of his people, and the mutual welfare of both states.

Article 15th.—Whereas it may hereafter appear that some of the districts declared by the treaty of Mysore to belong respectively to the English Company Bahaudur, and to his Highness, are inconveniently situated with a view to the proper connection of their respective lines of frontier, it is hereby stipulated between the contracting parties that in all such cases they will proceed to such an adjustment, by means of exchange or otherwise, as shall be best suited to the occasion.

Article 16th.—This treaty, consisting of sixteen articles, being this day, the 8th of July, A. D. 1799 (corresponding to the 3rd of Suffer, anno

for securing a provision for the family of Tippoo Sultaun.* The general principle on which that arrangement is founded is, that the Company and the Rajah of Mysore shall be charged exclusively with the expense of providing for the family of Tippoo Sultaun, and therefore should hold (over and above their proportion in the general partition) a territory equal in produce to the amount of this charge.

The tenth and eleventh articles are absolutely necessary for the security of the Company against any contingent increase in the expense of maintaining Tippoo's family, as well as against any possible misconduct in any of its branches; the Nizam may perhaps require (under the principle assumed to justify us in taking a larger share of territory than is assigned to him,) that in the event of any diminution of the expense of maintaining Tippoo's family, the amount of the saving should be paid over to his Highness; but this claim is satisfied by the tenth article, which exempts his Highness from any charge on account of any contingent increase of expense on the same head.

Whatever may be the amount of the Jaghire granted to

Hegere 1214, and to the 7th of the month Assar of the 1221st year of the Salluwunt era), settled and concluded at the Fort of Nuzzabar, near Seringapatam, by his Excellency Lieutenant-General George Harris, Commander-in-Chief of the forces of his Britannic Majesty, and of the Honourable Company in the Carnatic, and on the Coast of Malabar, the Honourable Colonel Arthur Wellesley, the Honourable Henry Wellesley, Lieut.-Colonel William Kirkpatrick, and Lieutenant-Colonel Barry Close, with the Maha Rajah Mysore Kistna Rajah Oodiaver Bahaudur, the aforesaid gentlemen have delivered to the said Maha Rajah one copy of the same in English and Persian, sealed and signed by them; and his Highness the Maha Rajah has delivered to the gentlemen aforesaid another copy, also in Persian and English, bearing his seal, and signed by Luchuma, widow of the late Kistna Rajah, and sealed and signed by Purneah, Dewan of the Maha Rajah Kistna Rajah Oodiaver; and the aforesaid gentlemen have engaged to procure and deliver to the said Maha Rajah, without delay, a copy of the same, under the seal and signature of the Right Honourable the Governor-General, on the receipt of which by the said Maha Rajah, the present treaty shall be deemed complete and binding on the Honourable the English East India Company Bahaudur, and on the Maha Rajah Mysore Kistna Rajah Oodiaver Bahaudur respectively, and the copy of it now delivered to the said Maha Rajah be returned.

Ratified at Fort St. George, by the Right Honourable the Governor-General in Council, on the 13th day of July, A. D. 1799.

* These articles formed a part of the draft of the treaty, but were omitted in the treaty itself, and the substance incorporated in the first article of that document.

Cummur ud Deen by the Nizam under the twelfth article, should be considered in allotting the Nizam's share of territory, in the same manner as the charges of maintaining the family of Tippoo Sultaun are considered in fixing the Company's share; so that upon the whole, the territory holden in sovereignty by the Nizam (after deducting the amount for the provision of Cummur ud Deen, and the territory holden by the Company, after deducting in the same manner the provision made for the family of Tippoo), should be equal in value. The remaining articles of the treaty of Mysore do not appear to require any explanation or particular instruction.

In the Treaty of Mysore no stipulation is inserted for providing an establishment for the Sirdars of Tippoo Sultaun, and for the families of such as fell in battle during the campaign. This charge must fall on the Rajah of Mysore, and I am induced to think that it will not amount to more than one lac of pagodas, I leave it to your judgment to insert an article in the Treaty of Mysore, guaranteeing the provision of the Sirdars if you should think it necessary; but it appears to me that it would be more advisable to secure their maintenance in the subsidiary treaty between the Company and the Rajah, as this arrangement will place them more immediately under the power of the Company.

The Draft of the Subsidiary Treaty of Seringapatam* will not require any explanation from the first to the fourth article. In that article the sum of seven lacs of pagodas fixed for the subsidy, is as low as I can venture to rate it: during the Rajah's minority it cannot be felt, and as my present view of the revenues has induced me to refrain from burthening the Rajah with any charge for the expenses of the war, the amount of the subsidy cannot be considered to be unreasonable. The provisions of article 5th are absolutely necessary for the purpose of precluding the embarrassments which have arisen in Oude, the Carnatic, and Tanjore; and I think it a more candid and liberal, as well as a more wise policy, to apprise the Rajah distinctly from the first hour of his accession of the nature of his situation, than to leave any channel open for future ambiguity and discussion. This is a point which I hold to be so essential to the very ex-

* See p. 44.

istence of the new arrangement, that if it should appear objectionable (on grounds of which I am not now aware), I see no alternative but that of dividing the whole territory between the allies. No further observation appears necessary on the drafts of the subsidiary treaty. If it should appear unobjectionable to you, I authorize you to proceed forthwith to the conclusion of it in concert with the Commander-in Chief; I empower you to place the Rajah formally upon the Musnud, and to appoint, in the Rajah's name, Purneah to be his Dewan. The extreme youth of the representative of the Mysore family will render it necessary that his nearest male relation should sign the treaty in his name, and engage for his due performance of its several articles. The fortress of Mysore will be most eligible, and as I am informed, the most acceptable, seat of the Rajah's residence. In the event of your placing the Rajah upon the Musnud, I desire that you will, in my name, appoint Lieutenant-Colonel Close to the office of resident at Mysore.

I request that you will state to me without reserve in your next despatch, whether my presence in Mysore appears to you to be necessary or desirable for the despatch of the public service. My baggage is still upon the road, and I shall either finally recall it, or proceed directly to Ryakottah, according to the suggestions which I may receive from you.

I have the honour to be,

Gentlemen,
your obedient Servant,

MORNINGTON.

No. XVII.

General Order of Lieutenant-General Harris.

Camp, 9th June, 1799.

The Commander-in-Chief notifies in Orders that the Right Honourable the Governor-General with a view of affording to the army the immediate means of lodging their property in security, has been pleased to authorise his directing the paymasters in camp, and in Seringapatam, to receive from individuals such sums of money as they may be desirous of investing in the Honourable Company's funds. For such sums

respectively (of 100 pagodas, or a larger amount), the paymasters will grant receipts to the proprietor, entitling him to a bond of the Government of Fort St. George, bearing an interest of eight per cent. per annum from the day of payment in camp or Seringapatam, and payable in one or two years, at the option of Government. The Commander-in-Chief, who intends to profit by this indulgence himself, recommends to the army in general the adoption of this mode of obtaining immediate security for their property, and placing it to advantage, which, while it obviates all risk attendant on other means of remittance, offers to this army a pleasing occasion to mark that their confidence in the public credit of the state is equal to the zeal and gallantry they have ever shewn in asserting the claims, and defending the rights, of their country.

No. XVIII.

The Earl of Mornington to Colonel Palmer, Resident at Poonah.

SIR,

Fort St. George, 12th June, 1799.

I conclude that under my letter of the 23rd of May,* you will have made any communication which circumstances may have rendered advisable to the Peishwa of my intention to cede a considerable part of the territory of the late Tippoo Suldaun to the Mahrattas under certain conditions, the justice and moderation of which cannot be disputed. I now direct you to take the first opportunity of assuring the Peishwa of my sincere disposition (notwithstanding all that has past), to cultivate his friendship and to promote his interests. You will proceed to inform him that it is my intention, under certain conditions, to make a considerable cession of territory to him, provided his conduct shall not in the interval have been such as to have rendered all friendly intercourse with him incompatible with the honour of the British Government. You will be careful in whatever communications you shall make on this subject to apprize the Peishwa that he has forfeited not only all claim to any portion of the conquered

* See p. 12.

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sition which that letter contains; I send you a copy of it,* and you may rest assured, that no exertion shall be wanting on my part speedily to introduce into practice the system detailed in that letter.

It has not reached me in any authentic form, but I am credibly informed that your Lordship, upon the application of the resident traders in India, has authorized a number of India-built ships to be taken up, for the purpose of bringing home the surplus trade of India. I hope the information is true, both because it is a measure of much wisdom, and because it will bring the point directly to issue, and you need not be under any apprehension as to the result of it.

Although, from the influence I have stated, there may be a contest in the Court of Directors with regard to the subject last mentioned, I do not believe there will be any material objection offered against any of the other measures I have had occasion to treat of in this letter; indeed, one leading principle has already been acted upon to a considerable extent, for the Court of Directors have already sent out to India, bullion to the amount of £759,226, and they have it in contemplation to send more. In short, I make no doubt of their being induced to send out what is requisite for the accomplishment of the commercial plan, I have detailed in the course of this letter.

I have nothing further to trouble you with at present. It is only necessary for me to remind you, that although the opinions I have laid before you, rest for the present merely upon the footing of a private unofficial communication, I trust they, or the substance of them, will speedily be conveyed to you in due official form.

I remain, my dear Lord,
Your's very faithfully,
HENRY DUNDAS.

* See Appendix.

Ms. 37274
No. 10. H. 141

No. XXVIII.
The Right Hon. Henry Dundas, to the Earl of Mornington.

Whitehall, 21st March, 1799.
[Received at Fort William, 5th August, 1799.]

By this conveyance I have troubled your Lordship with a despatch* on the general system of alliance, which we ought to pursue with a view to the security of our Indian possessions, and likewise with a despatch on the subject of our Indian finance and commerce.† In the present letter, I wish to bring under your view a few observations on the interior administration of our different settlements.

On the subject of Bengal, I have much satisfaction in feeling that I have occasion to say very little. The wise system adopted during Lord Cornwallis's administration, and to which I make no doubt you will adhere, leaves me no reason to apprehend any real danger to the wealth and resources of the valuable provinces under your immediate administration. I think, for the last two years I have observed, that the arrears of land revenue were somewhat larger than they used to be; I trust this has been owing to some accident, and not to any defect in the system of permanent security given to the landowners of India. Among the many other important benefits expected to arise from that beneficent plan, a prominent one was the regularity in payment of the stipulated jumma, and nothing has ever occurred to me, or been stated to me which had a tendency to lessen the prospect of that benefit resulting from it. I could not however, refrain from bringing the circumstance to which I have referred, immediately under your view.

As we have limited the extent of land revenue in India, by the measure of a permanent settlement, it has sometimes occurred to me to reflect, that the principles which led to the adoption of that system, naturally opened a prospect of other sources of revenue, in so far as it entitled us to expect an increase of the wealth, industry and population of the country. Every circumstance which has since happened, has led to the conviction that these effects have been produced by it. The increasing produce of the revenue on salt, opium and spirit-

* See Vol. I. p. 608.

† See p. 301.

ous liquors, all tend to corroborate this observation. I wish therefore to direct your attention to consider, and report to me, how far in your opinion, there is, either in the articles I have mentioned, or in any others of a similar nature, any prospect of raising more revenue on articles of general consumption among the natives of India. This can never be attempted but with a perfect consideration to their happiness and content; and I am likewise aware that a people whose wants are very limited and simple, do not present to their Government the same various objects of taxation, which exist in other countries differently circumstanced. It appears however, to be a point worthy your consideration, if possible, at all times to insure a revenue in India, equal to all the exigencies, not only of our expensive establishments, but for the payment of a tribute to this country, through the medium of a beneficial and increasing commerce.

The circumstance connected with the Government of Bengal, to which one can look with the least confidence is the situation of Oude. I trust the late arrangements made by Lord Teignmouth, may enable your Lordship to give further improvement to this essential part of our system. I have nothing very minute to suggest; all I have to say, is comprehended under two general heads. The first is, a just and pure administration by the Vizier of his own country, in which is comprehended an accurate collection of his real revenues, and an economical expenditure of them. The second is, that he could be induced to keep up an efficient military establishment for the security of his own, and our frontier. This object never can be accomplished, but by dispersing his useless rabble, and forming an army to be kept up and disciplined under our immediate superintendance.

Respecting the affairs of the Coromandel coast, I had so full a communication with you before your departure, it is not necessary to add much more at present. I think for some time past the interior administration of affairs there, have considerably improved. Their revenues are increasing, their estimates are made with more accuracy, and their accounts are kept much more regularly than they used to be; and I have a perfect reliance on the assiduity, talents and integrity of Lord Clive, that the improvement will be progressive. Our chief difficulties in the administration of the Carnatic,

are, first—the anomalous connection in which we stand with the Nabob of Arcot. Secondly, a similar inconvenience attending the Government of Tanjore. Thirdly, the insubordination and distractions so frequently prevalent in the northern Circars.

The double Government existing in the Carnatic has long been felt as a serious calamity to that country. It enfeebles the natural resources of the country, and above all, tends to continue that system of intrigue and consequent corruption which has been imputed to the Madras Government so much more than to our other settlements. It is singular to remark, that the country of Oude is the other part of India, where the purity of the Company's servants has been most suspected, and that the same circumstance of a double government has always been assigned as the cause. Consistently with our treaties with the Nabob of Arcot, we cannot at present materially meliorate his government, but must wait favourable opportunities, and embrace such means of conciliation and attention to him, as are most likely to accomplish this desirable object. We must lay our account with being at all times obstructed in our views, by that corruption and intrigue to which I have referred. Nothing will counteract it but a pure and steady government, acting instantaneously against any of the Company's servants, who may be detected in those practices. Lord Hobart's administration was characterized by a very laudable spirit in this respect, and you cannot doubt, that the same purity and spirit will actuate the conduct of Lord Clive, who will have the additional advantage of the newly-established judicature to aid him in the punishment of those offenders. I have always thought however much it has been the fashion to clamour against it, that the Supreme Judicature at Calcutta, has had very beneficial effects in preserving the purity of the servants under that presidency.

The affairs of Tanjore are more simple in their nature, and less complicated in their administration. It is exposed in a certain degree, to the same inconveniences which have been injurious to the government of the Carnatic; but from the recent transactions which have taken place there, and from the feelings of gratitude which appear to operate on the mind of the Rajah, I flatter myself he will be inclined more and more, to listen to the admonitions of our government, to whose

power and justice he is indebted for his situation. If those sentiments regulate his conduct, our part is simple and easy; we have nothing to ask of him, but a pure and virtuous administration of the affairs of his country, the effects of which will be equally felt by him and us, in the respective interests we have in the prosperity of Tanjore.

The northern Circars have certainly never produced to us those advantages which the extent of the country, and the fertility of the soil in many parts, entitle us to expect. I know not to what cause to attribute it, but the inhabitants of some of its higher parts seem to be in a state of very uncivilized society, and this can only be gradually removed by a steady, just and vigorous government. We must not too rapidly apply to that part of our possessions the same principles of government, which have been wisely applied to the more civilized Provinces of Bengal. I believe the same observations may to a considerable degree be made, with regard to some parts of the Circars, that I shall immediately bring under your view, with regard to the Malabar Provinces.

From the situation of the countries in our possession, on the Coast of Malabar, they are calculated to be either a great security, or a great annoyance to our power in India; and whether they shall be one or the other, depends much on the manner in which they are managed. *1456 middle*

I remain, my dear Lord,
Your's most faithfully,
HENRY MUNDAS.

No. XXIX.

The Earl of Mornington, to the Honourable Jonathan Duncan.

SIR, Fort St. George, 5th August, 1799.

The annual menace of Zemaun Shah's invasion of Hindostan having recently been renewed, I think it necessary to take immediate measures, with a view to impose an effectual check upon the designs of that Prince. Although the zeal and ability which Mehdi Alli Khan has shewn in conducting the negotiations committed to his charge merit commendation, yet he has manifested so much indiscretion throughout his conduct, that I cannot think him a proper person to be entrusted with the management of measures of so important

and delicate nature, as those which I have it in contemplation to adopt at present at the Court of Persia, or eventually at that of Cabul. At the same time, I am far from wishing to subject Mehdi Alli Khan to any disgrace, or even to withhold from him a suitable reward for the services he has rendered; but I think it necessary to apprize you, that with a view to the object before adverted to, I have determined to send a gentleman on an embassy to Baba Khan, and eventually to Zemaun Shah. Mehdi Alli Khan's local knowledge and address may render him useful, and, therefore, I think it advisable that he should be directed to consider himself under the orders of the gentleman who may be deputed. The gentleman whom I have selected for this duty, is Captain John Malcolm, Assistant to the Resident at Hyderabad, in whose abilities, knowledge, activity and integrity I repose the utmost confidence. He will be directed to receive a considerable part of his instructions from you, and will make all his equipments at Bombay, whither he will proceed in the course of a few days.

As I expect the best effects from the mere promulgation of this measure, I have resolved to make the embassy quite public. Upon the whole of this subject, it is my intention to write to you more particularly hereafter.

I am, &c.
MORNINGTON.

No. XXX.

Spencer Smith, Esq. to the Earl of Mornington.

MY LORD, Constantinople, 24th August, 1799.

I am too much flattered by your Lordship's reception of my past correspondence, and assurances of reciprocity, not to endeavour to cultivate a commerce, of which the balance must be so vastly to my advantage. It is not, however, easy for me to find a moment free from interruption for private scribbling, in a climate which has rendered me a valetudinarian, and at a post where I have more than enough to do as I in health; your Lordship will therefore appreciate the goodness of my intentions accordingly.

What I have done in point of political cooperation, is suffi-

3. Upon this subject you will be so kind as to take the opinion of the merchants who are ordered to attend the Committee.

4. I shall be obliged to you if you will report to me whether it is practicable to ascertain the quantity of provisions in store.

I have, &c.,

ARTHUR WELLESLEY.

[143.] LETTER TO THE COMMISSIONERS FOR THE AFFAIRS OF MYSORE.

GENTLEMEN,

9th July, 1799.

I have the honour to submit to you the following plan for the administration of justice in the Fort, and on the Island of Seringapatam.

The inhabitants being Hindus and Mussulmans, there ought to be two courts for the administration of civil and criminal law. In the one, in which two pundits ought to preside, and in which the Hindu code ought to be the guide, cases in which Hindus are parties ought to be decided. In the other, over which a cazi and two assistants ought to preside, and in which the Mohammedan law ought to be the rule, cases in which Mussulmans are parties ought to be decided. Cases in which a Mussulman and a Hindu are parties ought to be decided in either the one or the other, according to the choice of the parties.

Cases in which an inhabitant and a soldier or sepoy are parties, ought to be decided as in other parts of the Company's territories, according to the military law.

In criminal cases the punishments cannot extend to life or limb; and I propose that in no case, whether civil or criminal,

* Reply from the Commissioners:

To the Hon. Colonel Wellesley, commanding at Seringapatam.

Sir,

Seringapatam, 9th July, 1799.

We have received your letter of this date, and shall, without delay, submit the plan which it contains, for the administration of justice within your jurisdiction, to the consideration of the Right Hon. the Governor-General.

Feeling the necessity of an immediate attention to this important object, and thinking that the arrangement suggested by you is well calculated to accomplish it, we beg leave to recommend to you to take the necessary measures for giving temporary effect to it until the orders of the Governor-General on the subject shall be received.

We have, &c.,

HENRY WELLESLEY.
WM. KINGSTON.

the decision of these courts may be carried into execution excepting by the consent of the commanding officer of the garrison.

In order that the whole matter may come before him, as well as in order that Government may have at all times an opportunity of inspecting the proceedings of these courts, I propose that a person may be appointed to act as registrar to them.

The commanding officer might confirm the sentences of these courts through the registrar.

I should imagine that the total expense of these establishments would not exceed 3000 pagodas a year.

You will observe that I have confined the duties of the courts to the administration of civil and criminal law, and have kept police entirely distinct. That ought to remain as it is at present in Seringapatam and in all other garrisons, in the hands of the commanding officer, who conducts it through the means of the cutwal.

The plan which I have had the honour of laying before you appears to me to be best calculated for the inhabitants of Seringapatam: they consist of Hindus and Mussulmans; of both descriptions there are large numbers, and they have been accustomed to the modes of proceeding to be adopted under this arrangement.

They are separated from the other parts of the Company's territories; and the objections which have been urged against adopting similar modes of administering justice in other places, do not appear to apply to this.

I have the honour to be, &c.,

ARTHUR WELLESLEY.

A REGULATION FOR THE DUE ADMINISTRATION OF JUSTICE WITHIN THE FORT AND ISLAND OF SERINGAPATAM.

"Whereas it is expedient that such provision be made for the administration of civil and criminal justice within the Fort and Island of Seringapatam, and for affording to the inhabitants thereof such protection against acts of violence or oppression, as the present circumstances of the place will admit;—Be it therefore ordained:

2. That the care and management of the Police in the said

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Fort and Island, and all the powers and authorities incident thereto, together with the superintendence of the administration of justice, be vested in the officer commanding the forces in Mysore, subject to such orders and directions as he may from time to time receive from the Governor in Council of Fort St. George.

3. That the said officer commanding the forces in Mysore shall from time to time make the necessary applications for authority to assemble General Courts Martial for the purpose of trying by martial law all such of the native inhabitants of the said Fort and Island as may be charged with offences tending to excite mutiny in the garrison, or to endanger the safety of the place, or who shall encourage desertion among the troops, or supply them with spirituous liquors, or who shall steal or embezzle, or be concerned in the stealing or embezzlement of any of the arms or accoutrements of the men, or of the ammunition or military stores of the garrison; provided that no sentence pronounced by such general court martial shall be carried into execution until the whole of the proceedings relative thereto be laid before the Commander-in-Chief, as required by the Mutiny Act, and his orders be for that purpose received.

4. That in all crimes and offences committed by British subjects which may not be cognizable by a General Court Martial, the said officer commanding the forces in Mysore, or, in his absence, the officer in the actual command of the said Fort and Island, shall transmit to the Chief Secretary of the Government of Fort St. George all informations, depositions, and confessions relative thereto, and shall send the offender or offenders under a guard to Fort St. George, for the purpose of being there brought to trial; and shall moreover send all witnesses under an escort to Fort St. George, to the end that they may give evidence at the trial of such offender or offenders.

5. That for the trial of all offences other than those triable by martial law, and for the decision of all civil suits and actions, where the matter or thing sought to be recovered shall exceed in value the sum of eighty rupees, there shall be established at Seringapatam two courts of justice, namely, a court of Foujdarry for the trial of all criminal offences, and a court of Cutchery for the decision of civil suits and actions; which said courts shall be both held before one judge, who shall be a

British subject, and a servant of the Hon. East India Company, and who shall be from time to time nominated and appointed by, and shall hold his office during the pleasure of, the Governor in Council of Fort St. George; and the said judge, before he shall enter on his said office, or do any matter or thing in discharge of the duties thereof, shall take and subscribe the following oath, which shall be administered to him by the said officer commanding the forces in Mysore, in the presence of so many of the principal native inhabitants of Seringapatam as may be conveniently assembled: 'I, A. B., do solemnly swear, that I will, to the best of my skill and judgment, well and diligently discharge the duties of Judge of the Court of Foujdarry of Seringapatam, and of Judge of the Court of Cutchery of Seringapatam, and that I will administer justice in the same respectively, without fear, favour, or partiality, and in the mode prescribed, which may be hereafter prescribed, by the regulations of the Governor in Council of Fort St. George; and that I will not directly or indirectly accept any present or reward from any of the parties who may be concerned in any prosecution, suit, or action which may come before me, or from any person or persons on their behalf, nor will I be concerned in any trade or traffic, sale or purchase, whereby I may become personally interested in any such prosecution, suit, or action; nor will I from regard, attention, or respect to any person or persons, delay, or deny, or alter the course of justice, but will in all things discharge the trust reposed in me faithfully, truly, firmly, and impartially, so help me God:' and the said oath when so taken and subscribed shall be forthwith transmitted by the said officer commanding the forces in Mysore to the Chief Secretary of the Government of Fort St. George, to be by him preserved among the records of Government.

6. That the said judge shall, in his Court of Foujdarry, have four assistants or assessors, namely, the cazi and mufti of the place, and two moulavies, who, having duly qualified themselves, according to the Moorish custom, for the exercise of their respective offices, shall sit with the said Judge to expound the Mohammedan law, and to determine how far those persons who may be charged with a breach of the said law may or may not be guilty; and the said assessors shall proceed in the trial of every prisoner brought before the court in the mode prescribed by the Mohammedan law, and after having fully

heard him in his defence, and examined according to the usages and customs of the country all necessary witnesses, as well on the part of the said prisoner as on the part of the prosecutors, and duly weighed and considered the evidence given by such witnesses, the said assessors shall declare and record their opinion as to his guilt or innocence, and if guilty shall pronounce on him such sentence as shall be agreeable to, and authorised by, the said law: provided nevertheless that the said cazi, mufti, and moulavies, and every of them, shall be subject to the control of the said Judge in all matters wherein he may deem it necessary to interpose his authority; and it shall be his duty to see that they conduct themselves with strict propriety, and that the trial be throughout fair and impartial; and in all cases which may affect the life or limb of a prisoner in the event of his being found guilty, or may expose a man or woman of high caste or family to a punishment which may subject them to the loss of caste, or may otherwise dishonour them, it shall be the duty of the said Judge to cause the whole of the proceedings to be taken down in writing, to the end that he may lay the same before the officer commanding the forces in Mysore, together with his own opinion as to the justice of the sentence, and the conduct of the assessors; and the said proceedings and opinion shall be forthwith transmitted by the said officer to the Chief Secretary of the Government of Fort St. George, with such observations thereon as he may think proper to make, and execution of the said sentence shall be stayed until the same shall be approved and confirmed by the Governor in Council of Fort St. George; and the said Governor in Council shall have full power and authority to remit the said sentence in the whole or in part, as to him in his discretion shall seem meet and proper.

7. That the said Judge, in his court of Cutchery, shall have two assistants, namely, the said cazi of the place to expound the Mohammedan law when thereunto required, and one pundit to expound when thereunto required the Hindu law; and he shall proceed in the decision of all civil suits and actions wherein the matter or thing sought to be recovered shall exceed in value the sum of eighty rupees in the manner hereinafter directed; and he shall have two seals for the purpose of authenticating therewith all proceedings of the said courts respectively; and on one of the said seals shall be engraved the arms of the

said Company, with the words 'Foujdarry of Seringapatam,' and on the other the same arms, with the words 'Cutchery of Seringapatam;' and during his continuance in office he shall safely keep the said seals in his own custody, and shall not intrust the same to the keeping of any other person; and on his resignation or removal from office shall deliver over the same to the officer commanding the forces in Mysore, or to such other person as the said Governor in Council shall think proper to direct; and he shall have one Daroga or officer to execute the sentences, judgments, or orders of the said courts respectively, together with such other officers, writers, peons, and servants, as to the said Governor in Council shall seem necessary.

8. That the seal of the Foujdarry shall not be affixed to any sentence or judgment of the said court extending to the loss of life or limb, or to the infliction of punishments on men or women of high caste or family which may expose them to the loss of caste or other dishonour, until such sentence or judgment shall be approved and confirmed by the Governor in Council aforesaid; nor shall it be affixed to any sentence or judgment directing the infliction of any slighter punishment until an exact statement of the proceedings be laid before the officer commanding the forces in Mysore, and the said sentence or judgment be by him approved and confirmed; neither shall the seal of the Cutchery be affixed to any final order or decree of the Court of Cutchery until the whole of the proceedings upon which the same may be grounded shall be laid before the said officer commanding the forces in Mysore, and the said final order or decree be by him approved and confirmed, except only in such cases when the said final order or decree shall, upon appeal, as hereinafter provided, be approved and confirmed by the Governor in Council of Fort St. George.

9. That when any person shall apply to the said Court of Cutchery for redress of injuries, he shall make his complaint in writing, signed by himself or his vakeel duly authorised, and therein shall briefly declare the cause or reason of his complaint, with the time when, and the manner in which, the same arose; and at the time he shall present such complaint he shall offer two good securities to prosecute the same with effect, or, in case judgment shall go against him, to pay the defendant such costs, and to the Honourable Company such fine for exhibiting a false and groundless complaint, as the said Judge may direct; and

the amount for which security shall be offered as aforesaid shall be as follows, that is to say, on all sums of money or other things sued for not exceeding 300 star pagodas in value, 5 per cent.; on those above 300 and not exceeding 1500 star pagodas, 4 per cent.; on those above 1500 and not exceeding 3000 star pagodas, 3 per cent.; and on those above 3000 star pagodas, 2 per cent.

10. That when such complaint is filed, and security given as aforesaid, a summons shall be issued by the said Judge requiring the defendant to appear before him, on a day to be therein mentioned, to answer the said complaint; and in default of appearance by himself or his authorised vakeel, or on oath being made by the complainant, or some person on his behalf, that the defendant will, on hearing of such complaint against him, abscond and remove himself beyond the jurisdiction of the Court, the Judge shall issue a warrant under his hand and the seal of the said Court to the Daroga, directing him to arrest the person of the said defendant, and to bring him before the Court by a certain day to be in the said warrant mentioned, to answer the said complaint; and in case of the voluntary appearance of the said defendant, or of the arrest of his person by the Daroga, the Judge shall admit him to bail upon giving sufficient security to abide by and perform the final order or decree of the Court, or to surrender himself to the said Court to be charged in execution, until the same shall be satisfied; and in default of finding bail, the Judge shall order him to be detained in custody until he shall have found such bail, or until judgment may pass in his favour, unless he shall be willing to lodge the amount of the complainant's demand, together with a sum equal to the amount of the sum for which such complainant was obliged to give security, to answer the costs of suit, and such fine as, in the event of judgment going in favour of the complainant, the Judge may think proper to impose upon him for unjustly withholding the right of another man; and in case he shall be so willing, the Court shall receive the same in money or goods, or in the Company's bonds, and shall forthwith order him to be discharged and set at liberty.

11. That after such bail shall have been given, or lodgment made by the defendant, or his body detained in custody for want of such bail or lodgment, the Judge shall appoint a day for the said defendant to put in his answer, which answer shall

be brief and direct, and shall contain either a denial of the charge or demand expressed in the complaint, or an acknowledgment thereof, or an acknowledgment with a set off against the same, of a debt due to the defendant of a similar nature, or finally, an acknowledgment and justification thereof. But if the defendant shall conceive that he ought not to answer, either for want of jurisdiction in the Court, or want of right in the complainant, he shall have liberty to plead to the jurisdiction, or in bar or in abatement, as he shall be advised, provided that if on such plea judgment shall go against him, the Judge shall impose such fine upon him as in his discretion he shall think reasonable.

12. That in order to prevent a tedious length of pleading, tending to obscure the matter in dispute, the Judge shall establish concise forms for complaints and answers, and other pleadings in all common cases, and shall fix the forms for other cases as they arise, and before any proceedings are had thereon; and no deviation shall be allowed from these fixed and established forms, which shall contain no more than is necessary to lay the matter in dispute clearly and distinctly before the Court.

13. That when the answer of the defendant shall be filed, and the matter in dispute is not a matter of succession or inheritance, the Judge shall recommend to the parties to choose some common friend for the adjustment thereof; and in case they cannot agree in the choice of such common friend, he shall recommend it to them to choose each party one friend, with power to the two friends so chosen to name an umpire for the adjustment of the matter so in dispute, in the event of their not making their award by a certain day; and if they agree so to do, the submission to the umpirage or award shall be made a rule of Court, and the parties shall be concluded thereby, unless it shall be proved by the testimony of two credible witnesses that the umpire, or the arbitrators, or one of the said arbitrators, was corrupted or otherwise unduly influenced, or unless it shall appear to the satisfaction of the said judge that the said award or umpirage did not embrace the whole of the matter in dispute, and that the same was in part only decided or adjusted.

14. That if the person or persons chosen by the parties for the adjustment of the matter in dispute shall refuse to accept the arbitration, or if the award shall not be brought in at the

time appointed by the Court, or if brought in, it shall be set aside for undue influence or corruption, or for not embracing the whole of the said matter in dispute; or if both the parties shall not submit to arbitration, or the matter in dispute shall in any how relate to succession or inheritance, the Judge shall pass an order for the parties to proceed to the examination of witnesses, and, to compel the appearance of such witnesses, shall at the request of either party issue his summons to each of them respectively, commanding him to appear and depose upon oath, at a certain time therein to be mentioned, his or her knowledge respecting the suit depending between the parties, and intimating in such summons at whose instance the same shall have issued.

15. That upon the appearance of such witness he shall be paid by the party at whose instance he was summoned such reasonable sum of money for his expenses as the said Judge shall think fit; and in default thereof the said party shall not only lose the benefit of the testimony of the said witness, but shall be also committed to the custody of the Daroga until the same shall be paid.

16. That when it shall so happen that a witness by reason of age or sickness or the distance of his or her place of abode, or of the usage and custom of the country, cannot appear to give evidence before the Judge, such evidence shall be taken at his or her said place of abode, by virtue of a commission which the Judge shall grant for that purpose, directed to one person, male or female, as the case shall require, who shall be nominated by the complainant, and one other person of the same description nominated by the defendant; and the said commissioners shall thereupon examine the said witness, and report his or her knowledge of the matter in dispute by a certain day, to be in the said commission fixed and appointed; and such examination shall be taken on oath or declaration, according to the rank and sex of the witness, as hereinafter is directed.

17. That when a cause is ready for hearing, the Judge shall appoint a day for examining such witnesses as shall personally attend; and after the examination of such witnesses, or of so many of them as shall appear to be disinterested in the event of the suit, the depositions of such witnesses as shall have been taken before commissioners shall be read; and if the parties have anything further to offer, they shall be heard by themselves

or their authorised vakeels; but in such hearing the Judge shall strictly confine them to the subject immediately before him, and shall not suffer them to run into long or diffusive argument, or to introduce matter foreign or irrelevant to the matter in dispute.

18. That when a question of Mohammedan or Hindu law shall arise in a suit on which the said Judge shall be desirous to be assisted by the opinion of the Hindu or Mohammedan assessor, the question shall be put to such assessor in writing, with a clear statement of the case; and under such writing the assessor shall deliver his opinion, with the grounds and reasons thereof, and shall thereunto put his chop, and subscribe his name; and such opinion shall be publicly read in open Court, and shall be registered along with the other proceedings in the suit.

19. That when the Judge shall have duly considered the matter in dispute, with the evidence and arguments on the part of the complainants and defendants, together with the opinion of the assessor, if any there shall be, he shall pass judgment and award costs, as justice shall require; provided that, if both the parties to the suit shall be Mohammedans the judgment shall be according to the Mohammedan law, and if both be Hindus according to the Hindu law; and if one of the said parties be a Hindu and the other a Mohammedan, according to the law of the defendant; and as soon as may be after the said judgment shall be pronounced, the judge shall lay the whole of the proceedings before the officer commanding the forces in Mysore; and if the judgment given thereon shall be approved and confirmed by him, and the sum thereby ordered to be paid, or the thing delivered, shall not exceed in value the sum of 1000 star pagodas, the judge shall affix the seal of the Court to the said judgment, and cause the same to be duly executed: but if the judgment shall not be so approved and confirmed, execution shall be stayed until the case be stated to the Governor in Council of Fort St. George, and his orders thereupon be received.

20. That when the sum ordered to be paid, or thing to be delivered, by the said judgment shall exceed in value the said sum of 1000 star pagodas, and the party ordered to pay or deliver the same shall think himself thereby aggrieved, it shall be lawful for such party to appeal therefrom to the Governor in Council of Fort St. George, provided he shall within fourteen

days from the day of passing or pronouncing the said judgment pray leave by his humble petition for that purpose to the said officer commanding the forces in Mysore, and shall pay all fees of office for taking out of the said Court of Cutchery a fair transcript and fair translation into the English language of the proceedings, and give full and sufficient security to pay all such further costs as may be awarded against him by the said Governor in Council.

21. That when a woman shall happen to be defendant in a suit, and by reason of her high caste or family cannot without disgrace appear or be personally summoned to appear before a court of justice, she shall be summoned by the delivery of the summons to her dubash or any other of her servants; and every woman of whatever rank shall be allowed to give bail by her vakeel; and her vakeel shall in all respects be considered as a party himself in lieu and stead of his mistress; and in case judgment shall be given against her, he shall be liable to imprisonment until such judgment shall be satisfied, in the same manner as if he were actually a party to the suit: but if she shall refuse or neglect to appoint a vakeel, she shall, as to the suit then depending, forfeit her privilege, and be dealt with in like manner as other suitors.

22. That such persons of high caste or family, as by the usages and customs of the country are credited upon their declaration, shall not be compelled to take an oath; but when examined as witnesses in any suit shall, previous to his or her examination, repeat and subscribe the following declaration if he or she shall happen to be of the Hindu religion: 'I will faithfully answer such questions as shall be put to me in the cause between A. and B. according to the truth; I will declare nothing not warranted by the truth; if I declare anything not warranted by the truth, I shall be deserving of punishment from Almighty God, and if I break this declaration I acknowledge myself to be as guilty as if I had killed a Brahmin or slain a cow on the banks of the Ganges at Causee [Gangoutri?];' and if the witness shall happen to be of the Mohammedan religion, the declaration shall be, 'I do solemnly promise and declare in the presence of Almighty God, that I will faithfully and without partiality answer any question put to me respecting the cause between A. and B. according to the truth;' and every such witness shall, immediately after his or her examination, repeat and subscribe

a further declaration that he or she has answered according to the truth.

23. That every person who shall seek the aid of the Court and shall make oath that he or she is not worth thirty pagodas in land, houses, goods, or money, over and above his or her just debts, shall be received as a poor person, and shall not be liable to any costs or charges, or be put to any expense whatsoever; neither shall he or she be obliged to give security to prosecute his or her suit with effect: but if he or she fail to establish his or her demand, and it shall appear to the Judge that the same was wholly frivolous or unjust, it shall be lawful to the said Judge to order such poor person to be whipped if he shall so think proper.

24. That when a defendant shall be committed to the custody of the Daroga for want of bail to abide by and perform the final order or decree of the Court, or shall be detained in such custody until he satisfy such judgment as may have passed against him, the complainant shall pay such batta for his subsistence in prison as the Judge shall think proper to direct, which batta shall be paid into the hands of the Daroga; and if the same shall, through the wilful default of the said complainant, be behind or unpaid for the space of seven days, the Daroga shall certify the same to the Judge, who shall thereupon order the defendant to be set at liberty.

25. That when a defendant shall not appear in obedience to the Judge's summons, and a warrant of arrest shall have thereupon issued, and on such warrant the Daroga shall have returned that the said defendant is not to be found, the Judge shall cause a notice to be posted up in the court-room, in the language of the said defendant, that if he do not surrender himself within one month the cause shall be heard on such evidence as may be produced by the complainant; and if within the said one month he shall not have surrendered himself, the said Judge shall proceed to examine the evidence on the part of the complainant, and in case the demand shall, on the examination of such evidence, appear to him to be just, he shall give judgment in favour of the complainant; and on such judgment being given, the complainant shall be called upon to show what goods and chattels there are within the jurisdiction of the Court belonging to the said defendant, to satisfy the said judgment; and having shown the same, the Daroga shall be directed to give

notice thereof to all the inhabitants dwelling near the place or places where the said goods and chattels shall happen to be, to the intent that all collusion between the plaintiff and defendant to the injury of a third person may as far as possible be defeated, and that all persons having a property in the said goods and chattels may come in and declare the same; and if no claim to the same shall be made within three months after the notice so given, the Judge shall notify the same to the officer commanding the forces in Mysore, and with his concurrence and assent affix the seal of his Court to a warrant directing the Daroga to sell the said goods and chattels, and from the produce thereof to satisfy the complainant's demand, first deducting such fees as the Daroga shall be allowed to take or receive, and to pay the remainder, if any there should be, to such person as may be authorised on the part of the said defendant to receive the same.

26. That the said Judge shall, in his Court of Cutchery, have power and authority to appoint guardians and keepers to the persons, estates, and effects of infants, idiots, and lunatics, and from time to time to call them to account upon oath, and to pass and enforce such order or orders as may be necessary for the due care and protection of the said infants, idiots, and lunatics, and to prevent all frauds and embezzlements of their said estates and effects; and in like manner the said Judge shall have authority and power, upon the petition of any single woman who shall not be under the protection of her father, or of any widow, to appoint stewards and bailiffs to the care of such of their estates and effects as in their said petition they shall pray to be taken into the protection of the Court, and from time to time to call such stewards and bailiffs to account upon oath, and to pass and enforce such order or orders as may be necessary to secure to the said single women and widows the regular payment of the interest or annual produce of their said estates and effects, and to prevent all frauds and embezzlements of the same; and he shall in like manner have power and authority to appoint administrators to the estates and effects of all natives dying intestate, and to the estates and effects of all testators who shall have died without appointing any person resident at Seringapatam to execute their wills, and shall from time to time call them to account upon oath, and pass and enforce such order or orders as may be necessary for the payment of debts or legacies, or for the division or distribution of the residue of such

estates and effects, or for the prevention of frauds and embezzlements, as he shall think requisite; and he shall have power and authority to allow to the said several guardians and keepers, stewards, bailiffs and administrators, a reasonable consideration or percentage for their trouble and responsibility, and, upon good grounds, to remove them from office, and to fine and imprison them for wilful neglect or misconduct, and to appoint others in their stead; and he shall likewise have authority and power to remove any executor who shall have been proved to have wilfully neglected or abused the trust reposed in him by his testator, and to appoint an administrator to execute the will of the said testator in the same manner as if no executor had been appointed, or, being appointed, had refused to act: provided that, if in the exercise of any of the powers or authorities vested in the said Judge by this article any person shall conceive him or herself to be injured or aggrieved, he or she may appeal to the said officer commanding the forces in Mysore; and if the order or orders passed by the said Judge, and complained of as grievous, shall not meet with his assent and concurrence, the case shall be reported to the Governor in Council of Fort St. George, and all further proceedings be stayed until his orders be received.

27. That the said Judge shall have power and authority to administer all necessary oaths; to adjourn his Courts of Foudary and Cutchery from day to day and from time to time as occasion may require; to imprison all natives guilty of contumacy or contempt of Court, and to impose reasonable fines therefor; to suspend officers and persons belonging thereto who shall misbehave or be negligent in the duties of their offices and places from the exercise and benefits thereof, and to do all other things necessary to the support and due execution of his authority, by making rules and orders of court for the better regulating and conducting the pleadings, process, and proceedings in the said courts respectively: provided that before such rules and orders of court shall be put in use or practice the same be laid before the said officer commanding the forces in Mysore, and be by him transmitted, with such observations as he may think proper to make thereon, to the Chief Secretary of the Government of Fort St. George, and be approved and confirmed by the Governor in Council.

28. That, for the speedy relief of the poorer inhabitants of

Seringapatam, the said Judge shall have power and authority to hear and determine in a summary way all such suits or actions as may be brought before him, wherein the debt or matter in dispute shall not exceed in value the sum of eighty rupees, and in such suits the order or decree of the said Judge shall be final and conclusive.

29. That no fee, gratuity, or reward be taken or received by any of the officers or servants of the said Courts respectively, save such as shall be allowed to be so taken and received by the Governor in Council of Fort St. George, and that a list of the fees so allowed shall be posted up in the court-room, in some conspicuous place, for general information."

Authorised by order of the Right Honourable the Governor in Council,

(Signed) JOHN HODGSON, Sec. to Government.

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To W. Hope Gordon, Esq.

SIR,

18th July, 1799.

I have received a letter from Lieutenant-Colonel Agnew, the Military Secretary to the Commander-in-Chief, in which he states, "that black pepper having been an article of trade with the late Tippoo Sultaun, is not to be considered as an article of military provision;" and I have to request that you will be so kind as to give over to the prize agents all the black pepper at present in the garrison stores.

I have the honour to be, &c.,

ARTHUR WELLESLEY.

[145.]

To the Earl of Mornington.

MY DEAR MORNINGTON,

Seringapatam, 18th July, 1799.

Since the capture of this place, and I have been in command of it, I have had much reason to be displeas'd with the conduct of the Engineer employed here. I have made repeated complaints of him to the General, and having, by his orders, assembled a Committee to inspect his works, they made a report very much against him. The General, however, has taken no public notice of his conduct, and has not even adopted

the measures for checking his rascality proposed by the Committee. I have badgered and annoyed him so much that I understand he intends to resign his situation here, and as I know you to be anxious respecting this place, I wish that great care should be taken in the selection of the Engineer. The person that I should wish to have appointed Engineer of Seringapatam is Lieutenant Castles, with whom, however, I am not acquainted, but who bears an excellent character for honesty (which is an essential) as well as for ability. I cannot say so much for another gentleman, who, I understand, intends to apply for the situation.

I wait for a copy of a plan of Seringapatam, which was made by an officer of the 33rd, to write to the Military Board a full account of the place and of the improvements which I think ought to be made to it. In this letter I shall mention my opinion of ———, and I shall desire that it may be laid before Government.

Believe me, &c.,

ARTHUR WELLESLEY.

Henry's leg is getting better, and he hopes to be able to leave this in three or four days. He unfortunately applied to it a wash which was intended to cure ringworms, which created an inflammation of which it was impossible to get the better for two or three days, and which made the sore much worse than it was on the day he met with the accident.

Draft of a Letter to Lieut.-Col. Doveton, Paymaster of Stipends.

[146.]

Seringapatam, 18th July, 1799.

The bearer hereof is Gholam Ali, the Meer Suddoor, who, with his son Gholam Mohid u Deen, is going to reside at Vellore under your protection. The Commissioners for the Affairs of Mysore have provided for them both by pensions.

Of all the servants of the late Sultaun, I believe, there was no one more attached to him than the Meer Suddoor; and there is no one who has rendered more effectual service to the Company and to the countries which have come under their government and protection than he has. After the fall of Seringapatam, and that the family of the Sultaun and the great Sirdars

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Draft of a Letter to Adjutant-General.

30th July, 1793.

I have the honour to inform you that 1500 bullocks, loaded with the grain which had been for some time under the Caryghaut Hill, went from hence yesterday morning, escorted by an European officer and 20 men, to join the detachment under the orders of Lieutenant-Colonel Shawe. The escort is to return as soon as the grain will have been delivered over to Colonel Shawe. I have received your letter of the 26th instant.

From your letter of the 19th instant, from Sera, I had reason to expect that draught bullocks for the heavy ordnance going to Chinroyapatam would be sent from that neighbourhood, and accordingly I made no arrangements for providing any. The number remaining, after sending off the equipment to Sera, is 131, as you will perceive by a reference to a copy of a paper from Mr. Gordon, enclosed in mine of the 27th instant.

In addition to these, Mr. Gordon has in readiness at present 100, and I hope to be able to procure 170 besides, which will be wanting to send off the equipment. This is all ready on the other side of the river. I have sent Mr. Ellis and 24 store-Lascars with the equipment for Sera, and shall send Mr. Fanks and Mr. Alston with that for Chinroyapatam. I hear that Colonel Shawe has passed Nagmunglum.*

ARTHUR WELLESLEY.

[159.]

To the Governor-General

Serengapatam, 31st July, 1793.

MY LORD,

I have the honour to enclose lists of the pensioners, made out according to their different classes, and the places at which they have chosen in future to receive the amount of their pensions. I take the liberty of recommending that copies of these lists may be sent to the commanding officer of each station at which any pensioner may have chosen to reside, with orders to the paymaster at each station to provide for the payment of the pensions therein stated by the usual means.

I have likewise the honour to enclose a list of persons who appear to have claims to be considered, and who are not in-

* Nagmunglum, or Nagamangulum, a large square mud fort, 26 miles N.E. of Serengapatam.—Ed.

cluded among those provided for by the Commissioners for the Affairs of Mysore. I shall be much obliged to your Lordship if you will send your orders respecting these persons.

By a reference to "the statement of pensions and gratuities granted to different persons, &c. &c.," your Lordship will perceive that 1200 Canterai pagodas annually is the sum allotted for the mosques in the Fort. The expenses attending those mosques appear to be 2294 pag. 5 fans. annually, by a paper marked No. 10. I have not yet given orders that any sum should be issued to them, and I shall be obliged to your Lordship if you will send me your orders upon this subject.

In consequence of the powers I received from the Commissioners for the Affairs of Mysore, I have granted pensions, as contained in the paper marked No. 11, to the families of Meer Sadook, Reza Saheb, Booreham u Deen,* and the Savanore Nabob, and have divided them as therein stated. They are included in the list of pensions payable at Seringapatam, and I hope to receive your Lordship's approbation of them. I have likewise divided the pension granted by the Commissioners to the family of Seyd Saheb, as stated in the same paper.

The paper marked No. 12 contains a statement of the payments from the sum allotted for the families of the late Tippoo Sultaun and Hyder Ali. The additions which I should propose to make to them are stated at the bottom of that paper, for which I request authority from your Lordship. The expense of the tombs for the months of May and June has been only 306 rupees; hereafter it will be as stated in the enclosed paper No. 12.

I enclose a letter from Captain Macleod relating to some persons who had been omitted in the list of nanperverish which he had given to the Commissioners for the Affairs of Mysore. Their names are at the bottom of the list of nanperverish, and I hope your Lordship will approve of my having extended to them the bounty of Government till I could receive your orders upon the subject.

I have the honour to be, &c.,

ARTHUR WELLESLEY.

* Budder u Zema.—Ed.

To Col. Clive

the utmost degree of satisfaction that I declare every succeeding month to have furnished me with additional proof of the happiness of my choice in selecting you to fill a station, which affords the most ample field for the display of your various talents, and is equal in importance to any station in India, with the single exception of the governments.

The object of this letter is merely to convey to you, the cordial expressions of my approbation and gratitude; the state of affairs in Mysore does not appear to me to call for any particular instruction from me at present. The Dewan, under your direction, seems to pursue the wisest and most benevolent course for the promotion of industry and opulence, the protection of property, and the maintenance of internal tranquillity and order in Mysore. The external security of the northern and north western frontier, has been greatly strengthened by the successful termination of Colonel Wellesley's rapid and brilliant campaign, and by the great accession of territory which we have lately derived from the new and important treaty with the Nizam. Whenever an effectual plan can be pursued in Malabar for the settlement of that country, I trust that the empire subjected to the Government of Fort St. George, will become the rival of this, in revenue and resources of every description.

I sincerely hope that the state of your health (which I have been concerned to hear was lately deranged) may long enable you to assist in forwarding the great work of consolidating and improving our valuable interests in the Peninsula. You may always rely on my most zealous encouragement, and you shall learn the details of my sentiments on all occasions, which may appear to require my assistance and advice.

I have long entertained the hope of being able to visit Mysore, in the month of February, or March next, and to pass the hot season in that pleasant climate. I have not yet abandoned this plan, although my final determination has been delayed by the unaccountable delay in my brother Henry's return from Europe. If I should visit Mysore, my wish would be to pass the hot season between Bangalore and Seringapatam, principally at the former place.

Believe me, dear Sir,
with great regard and respect,
Your most faithful servant,
WELLESLEY.

No. CVIII.

At a General Court of Proprietors, held on the 15th of January, 1801.

The Chairman acquainted the Court, that, the Court of Directors, having had under their consideration the important services rendered to the Company by their present Governor-General, the most noble the Marquess Wellesley, they have resolved, that his Lordship be requested to accept an annuity of £5,000; and which resolution, in conformity to the 19th Section of the 6th Chapter of the Bye Laws, he offers for the approbation of this Court.

The same was read as entered on the proceedings of the Court of Directors of the 10th ultimo, being as follows; viz.

"The Court, taking into consideration the important services rendered to the East India Company by their present Governor-General, the most noble the Marquess Wellesley; the political wisdom and foresight which distinguished his conduct in negotiating and concluding a Treaty with the Soubah of Deccan, whereby a body of 14,000 men, commanded by 124 French officers, was completely disbanded, and the officers made prisoners, thereby removing the cause of great political apprehension, and leaving his army of his Highness at full liberty to act in conjunction with his British allies in the subsequent conquest of Mysore; the zeal and alacrity shewn by his Lordship in proceeding to the coast of Coromandel to forward the equipment of the army, which afterwards effected that glorious achievement, which not only terminated in the destruction of a most implacable enemy, but by which the Company also acquired a very large addition of territorial revenue; the great ability, energy, firmness, and decision displayed by him during the whole of the negotiation with the late Tippoo Suldaun, and the able manner in which the Subsidiary Treaty with the Rajah of Mysore was concluded.

"Resolved, unanimously, that in reward for such eminent services, his Lordship be requested to accept an annuity of £5,000, to issue out of the territorial revenues in India, for the term of twenty years, provided the Company's exclusive

No. CCXVIII.

From the Secret Committee of the Court of Directors to the Earl of Mornington.

MY LORD, East India House, London, 18th June, 1799.

As it must be satisfactory to your Lordship to be informed of our sentiments upon the leading points in your administration, so far as they have hitherto come to our knowledge, we shall briefly communicate them to you by the present despatch.

Tanjour.—We very much approve of the judicious arrangements formed by your Lordship at Madras preparatory to carrying into execution the orders relative to the Tanjour succession.*

Wynaad District.—For the reasons which have been assigned, we concur entirely in the propriety of your Lordship's decision for relinquishing the Wynaad district to Tippoo Suldaun.

Subsidiary Treaty with the Nizam.†—Without entering by this despatch into the particulars of the negotiations with the Nizam, which produced the late important arrangement we have only to express, in the highest terms of approbation, our sense of the wisdom of your Lordship's conduct in effecting the same. And as no doubt can be entertained that the introduction of French officers into the service of the native Princes, with a view of establishing the most certain means of subverting the British power in India, formed part of a regular system of French policy, the entire destruction of French influence at the Nizam's court and in his armies, must be considered as an object of the utmost importance to the peace and security of the Company's possessions.

We observe what is stated in your Lordship's minute of the 12th August, 1798, with respect to the sovereignty of the Decan being in Secunder Jah, the eldest son of the present Soubah, the Nizam. Although, under present circumstances, no apprehension can be entertained of a disputed succession, we think it necessary to follow up the idea suggested by your

* See Governor General's Minute on Tanjore, 31st May, 1798, p. 41.

† See Appendix.

Lordship on this occasion, and to direct that, upon the death of the Nizam, Secunder Jah be considered as the lawful successor, and that his right, if necessary, be supported by every possible exertion on our part.

Tippoo Suldaun.—In the minute of the 12th August* your Lordship takes a very able and comprehensive view of the situation of affairs with Tippoo Suldaun. As no doubt could be entertained of the positive infraction of the Treaty of Seringapatam on the part of the Mysore chief, it were to be wished that the state of the Carnatic army for offensive operations had been such as to have enabled you to act upon the first suggestions contained in that minute, consisting of five propositions:—We shall not, however, regret if the necessity of proceeding to actual hostilities shall have been averted by Tippoo Suldaun consenting to receive Major Doveton on the part of the allies, and by his acquiescence in the three propositions contained in the subsequent part of your Lordship's minute beforementioned. But should a war be rendered inevitable we trust that its conclusion will be marked by his cession to the Company of the whole maritime territory remaining between the ghauts on the coast of Malabar, agreeably to your Lordship's original idea upon the subject, which would effectually secure us against any apprehension from any future junction between the forces of Tippoo Suldaun and those of the French, and by his relinquishing the Coimbatore country, which would greatly tend to the security of the Carnatic, and enable us to reduce the military expences on the coast. At all events Tippoo Suldaun might be induced to assign over the Coimbatore country to the Company upon the receipt of a reasonable adequate revenue for the same, as a farther security against any hostile attempts on his part in future. In the event of a war with Tippoo Suldaun the respective countries of the Nabob of Arcot and the Rajah of Tanjour will of course come under the Company's management, and we direct that they be not relinquished without special orders from us, or from the Court of Directors for that purpose in order to afford sufficient time for the formation of arrangements for relieving those Princes from all incumbrances upon their revenues.

* See page 159.

In conclusion of this despatch we have only to express our approbation of the reasons which so zealously induced your Lordship to repair to Madras; our entire reliance on the wisdom and firmness of your Lordship's measures for the support of the British possessions in the East Indies during the present arduous contest; and our full approbation of those which have been already adopted to meet every possible exigency.

Although your Lordship's determination to proceed to Madras was influenced by the very critical situation of affairs with respect to Tippoo Suldaun, we observe with great satisfaction, by your minute of the 2nd January last, that in the exercise of your authority at that settlement it is not your intention to interfere in the details of that Government, a measure which must naturally tend to the support of that dignity and consequence which we always wish should be maintained by the respective governors and councils at the subordinate Presidencies. At the same time we have the farther satisfaction to witness the most zealous and cordial co-operation of Lord Clive and his Council in such measures as may be proposed by your Lordship for the Company's safety and prosperity.

We are,
Your affectionate friends,

STEP. LUSHINGTON.
HUGH INGLIS.
JOHN MANSHIP.

No. CCXIX.

MY DEAR SIR,

The Earl of Mornington to the Right Honourable H. Dundas.

SIR,

Fort St. George—1799.

You will not be surprised at any degree of earnestness which I may feel to promote the interests of that gallant army by whose assistance I have effected the late important and happy resolution in the affairs of the British Nation, on this side of India..

Your own zeal for the public service, and the honorable support which it has always been your peculiar pride and pleasure to afford to those who have cooperated with you in the great cause in which we are all engaged, inspire me with a confident expectation, that I shall find in your sentiments a degree of cordiality, and ardour correspondent with my own.

The army at large have received in the captured property, taken at Seringapatam, a reward in some degree proportioned to their merits, and it is rather the Province of the Commander in Chief than mine to appreciate and recommend to notice the conduct of the officers of inferior rank to that of Generals on the Staff. I shall therefore confine my recommendations to that rank.

I have already had repeated occasion to express to you my feelings of public, and private, gratitude towards Lieutenant-General Harris as well as to explain the strong grounds on which both those sentiments are founded in my mind.* The share which General Harris has received, of the prize taken at Seringapatam has placed his fortune above the want of any public aid;† otherwise I have no doubt that the magnitude

* Upon the discussion in Council at Fort St George (31st July, 1798), relative to furnishing pecuniary funds for the detachment of the army ordered by the Governor General to be sent to Hyderabad, General Harris, then acting Governor, offered to be responsible in his private funds for the sum required to put the troops in motion (see p 156). This most generous and patriotic offer completely silenced all opposition; and orders were immediately issued for the advance of the troops to Hyderabad.

† The following is General Harris's letter to the Governor General on this subject.

MY DEAR LORD,

Camp, 27th June, 1799.

Your favour of the 23rd reached me yesterday evening, and be assured made me very happy, as I can so readily fall in with your Lordship's flattering wish, that I should repose my whole confidence in your favourable disposition towards me. Your kindness and pleasant manner with me, has put every gloomy idea to flight, and already most of them are even *forgot*. However, my dear Lord, you are far exceeding my humble wishes, and I really think those of Mrs. Harris, or rather you would do so if you preferred the request to his Majesty—to grant to me the dignity of a baron of Great Britain.

I am highly sensible of your Lordship's friendship, and any mark of his Majesty's favour would always be received by me with respect, but as

of his services would have insured to him a liberal and munificent provision from the East India Company.

I certainly do not wish these high honours, so, I should be truly sorry you should lay yourself under obligations for what, to say the truth, would annoy me exceedingly. Indeed, my dear Lord, you could not have puzzled me more—supposing I was solicitous to succeed—than by the question, what title I would chuse to take?

An humble clergyman's son, thrown very early in life into the army, entirely a soldier of fortune, with scarcely any assistance save his own exertions, is little likely to have any hereditary place he would chuse to commemorate; and in my instance the 5th regiment was near six and twenty years my constant home.

Your Lordship's wise policy and extraordinary exertions have thrown me into affluence equal to my most sanguine wishes, but what is affluence to my military rank, would be very moderate to support the honours you propose, and no doubt as I am above the want of a pension, so I think it most likely I shall keep clear of soliciting our honourable employers on that head, unless you should persist in forcing these honours on me; so take care. In respect of George and the colours, be so good, my dear Lord, to use your own good pleasure; for my part, I have no doubt they would be very safe by the *Cornwallis*, as I understand she is a most excellent sailer; and it would certainly be an object to have George in such good company as Beatson and Allan. I am rejoiced to hear your Lordship's determination of not leaving the coast before September, as that will surely give me the opportunity of a few days at least in your society, and which Mrs. Harris will inform you I much wish for, and I may add, even under the threat of the *triumphal entertainment*, which your Lordship is perfectly right in suspecting, as I perceive you do, I am not very ambitious of receiving. Years are creeping fast upon me, and I feel the desire of retirement, which has always been my wish, growing daily stronger. Under these circumstances, the vanities of the world weigh but little. Indeed, the utmost I feel, is to close this campaign with satisfaction to your Lordship, and then those are welcome to the honours who are anxious for them. My Sovereign, I should hope, will receive me with some attention whenever I may get home, as having all my life endeavoured faithfully to do my duty by him, my country, and those who have employed me. I wish your Lordship may not think me too prolix, but aware of the difficulty of avoiding honours, without being suspected of more vanity than if I sought them, I have entered into a detail of my own concerns, which I could only submit to the eye of friendship.

Thus, my dear Lord, it will please me most to let the matter take its chance, giving me such credit as you think me deserving of, for believe me in this respect I am very ambitious. No one can set a higher value on your commendations than,

My dear Lord,
your very faithful and obliged friend and servant,
GEORGE HARRIS.

Under Lieut.-General Harris's actual circumstances I should hope that His Majesty might deem it proper to confer a distinguished mark of honor, upon that deserving officer; and impressed as I am with the importance of the conquest achieved under Lieut.-General Harris's command, I trust that His Majesty, will confer no honors on General Harris below those of the order of the Bath, and of a Peerage of Great Britain. It is my duty to state to you that any honors inferior to these would not meet the public opinion entertained in India, with respect to the importance of the late victories, nor satisfy that sentiment of honorable pride which they have diffused through every branch of the civil and military service in this country. I must therefore make it my most anxious and earnest request to you that you will omit no endeavour to obtain for Lieut.-General Harris, the honors which he has so well merited. Lieut.-General Stuart Commander-in-Chief of the army of the Bombay, has long been distinguished for the ability and eminence of his services in India. During the late War he has added considerably to his former laurels, and the victory obtained by the troops, under his command at Sedasere, must ever be remembered as one of the most brilliant events, in our military history in India. His health is now declining, and he proposes to return to Europe in the approaching season. His circumstances, even with the addition of his prize money, will be moderate; and certainly no military character in this quarter of the Globe, whether considered on the ground of long service, eminent success, or approved integrity, ever was a more proper object for the munificence of the East India Company. I also trust that the splendid and important victory of Sedasere will recommend Lieut.-General Stuart to His Majesty for the order of the Bath. It is impossible to bestow too much commendation on the conduct of Major-General Baird in the assault of Seringapatam. A more judicious operation conducted with more heroic gallantry and spirit never was achieved, and when you recollect the decisive consequences of the success of that day, effecting within the course of two hours the entire destruction of our most formidable enemy in India, I am persuaded you will concur with me, in an anxious solicitude to see the gallant leader of the assailants of Tippoo Sultaun's capital rewarded in a manner suitable to his exertions, and to

APPENDIX R.

MEMORANDUM

Respecting the Prize Property captured at Seringapatam.

Although it is not possible to ascertain with any degree of accuracy what the prize property in Seringapatam will amount to, yet from the various information obtained through the Mutseddies and others, employed in different departments under the late Suldaun, I am enabled to form the following estimation:—

1st—specie, 16,74,350 star pagodas; 2nd—jewels, gold and silver bullion, 25,00,000; 3rd—paddy, pepper, salt, and other articles, in the different granaries, 1,10,000; 4th—copper and brass pots, glasses, carpets, &c., 20,000; 5th—elephants, camels, horses, bullocks, would amount to 54,000; 6th—cloths of various sorts, &c. in the Tosha Khana, 2,00,000. Total, 45,58,350 star pagodas. Military stores not included.

No remark is necessary on the 1st article. The estimation on the jewels is very uncertain; there are still twenty and more boxes, the contents of which have not been valued; very little is known upon the subject of jewels, for no one among Tippoo's people has any idea of the contents of his treasury; so that information is very little to be depended upon relative to this 2nd article. With regard to the third, I have every reason to think that the estimation is correct. The 4th article consists of a variety of things, which, most probably, will produce the estimated sum. The 5th is composed of property of which I cannot procure an exact account. The 6th includes all the gold and silver cloths, and every article of that description, as well as sundry other commodities too particular to enumerate; the estimation is within bounds.

As the greater part of the captured property is composed of jewels, &c., articles which either Tippoo or his father Hyder had plundered, the Mutseddies and other persons, of whom I have enquired, declare that they cannot give any exact statement of the late Suldaun's riches.

W. M. GORDON.

Seringapatam, June 9, 1799.

APPENDIX S.

*The Sircar Coudadad to the Executive Directory, representing the French Republic, One and Indivisible, at Paris.**

In the name of that friendship which the Sircar Coudadad, and the subjects of the Sircar, vow to the French republic, which friendship and alliance shall endure as long as the sun and moon shine in the heavens, and which shall be so solid that the most extraordinary events shall neither break nor disunite them.

The English, jealous of the connection and friendship which, for so long a time, has subsisted between my Sircar and France, some years ago united against me with the Marhattas, the Nizam Ally Khan, and my other enemies; and declared a war as odious as unjust, which lasted several years, and of which the result was so fatal, that it cost me three crores and thirty lacks of rupees in money, and my finest provinces.

* Referred to at page 591.

The republic is certainly not ignorant of any of these unfortunate circumstances, nor of the many efforts I made to dispute, inch by inch, the possession of that country, which at last I was obliged to relinquish to our common enemy. I should not have been driven to such cruel sacrifices had I been aided by my ancient allies the French, who were deceived by the perfidious machinations of Conway, the Governor-General of Pondicherry, who was then plotting with Campbell, the Governor of Madras, for the evacuation of the place commanded by the former. No doubt the republic will now repair the fault of their former Government, by driving the English from their rich possessions in India.

These sentiments, with which I have long been animated, I have made known to the Government of the Isle of France, through the organ of two Ambassadors, from whom I have had the great satisfaction of receiving such an answer as I desired, together with the republican flag, by the hands of Chapuis, Chief of a brigade, and Dubuc, a Captain of a ship, who also brought with them the inconsiderable succour of officers and men, with which circumstances permitted General Malartic and Rear-Admiral Sercey to supply me.

I retain with me the first of these officers, and send the second to you as my Ambassador, who, in requesting your alliance, offensive and defensive, will, I trust, obtain such a reinforcement of troops as, joined to mine, may enable me to attack, and annihilate for ever, our common enemies in Asia.

I send you my standard (which, united with that of the republic, will serve as a basis for the alliance into which our respective nations are about to contract), and with it the particular articles which I have charged Captain Dubuc to communicate to you.

I join with him my subjects Sheik Abdoulraim and Mahomet Bismilla, who are equally authorized to represent me with your Government.

Whatever may be the future state of our two nations, whether blended or separate, into whatever engagements they may respectively enter, may the prosperity, the glory, and the success of both, be still the common object of each; may the sentiments which they feel for each other, be guaranteed by mutual assurances of fidelity, and by oaths of reciprocal obligation; and may the heavens and the earth meet and unite, ere the alliance of the two nations shall suffer the smallest alteration.

In my Palace at Seringapatam, 20th July, 1798.

A true Translation,

G. G. KEBLE, French Translator.

*A Note of the Proposals to be made by my Ambassadors to the Executive Directory at Paris.**

Article 1.—For ten or fifteen thousand troops, of every description, infantry, cavalry, and artillery.

Article 2.—A naval force to act on the coast where our armies may be, to favour, and to reinforce them, in case of necessity.

Article 3.—The Sircar will furnish all military stores and provisions for the army of the republic, as well as horses, bullocks, carts, and tents, together with every other necessary; excepting European liquors, which his country does not afford.

* Referred to at page 592.

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APPENDIX L.

From the Mysore Commissioners to the Governor-General, the Earl of Mornington, &c. dated 30th June, 1799.

MY LORD,

1. We have the honour to inform your Lordship, that Purnea having reported to us, on the 25th inst. that the Brahmins had fixed on the 30th of June, as the most auspicious day for placing Kistna Rajah Oodiaver on the Musnud of Mysore, we resolved that the ceremony should accordingly be performed on that day.
2. We at the same time communicated to Lieut.-General Harris our wish, that he would, if possible, assist in person on this occasion.
3. His Excellency, in consequence, came hither from camp yesterday morning, attended by his suite, and an escort of European cavalry, for the occasion.
4. The Rajah and his family removed some days ago from Seringapatam to the old town of Mysore, where the best preparations were made for their accomodation which circumstances would admit.
5. This morning the members of the commissions, accompanied by Meer Allum, and his son Meer Dowran, and preceded by his Majesty's 22th regiment of foot, proceeded to the residence of the Rajah, who was placed on the Musnud about noon, under three volleys of musquetry from the troops on the spot, and a royal salute from the guns of Seringapatam.
6. The ceremony of placing the Rajah on the Musnud was performed by Lieut.-General Harris, as senior member of the commission, and by Meer Allum, each of them taking a hand of his Highness on the occasion. His Excellency the Commander-in-Chief, some time after, delivered to the Rajah the seal and signet of the Rauje.
7. The deportment of the young Prince, during this ceremony, was remarkably decorous, considering the untoward circumstances which had preceded his elevation, and confirmed the opinion which we had formed of him at our first visit to him.
8. We have great pleasure in informing your Lordship, that Gholam Ali Khan, Ali Reza, Badruz Zemaun Khan, and Syed Mohommed Khan, spontaneously attended on this occasion. The Meer Suddoor was prevented, we understand, by indisposition.
9. After taking leave of the Rajah, we partook of an entertainment which had been provided for us in an adjoining Choultry.
10. The inauguration having taken place under an open Pandal, the spectators were very numerous; and it would be difficult to describe the joy which was visible in the countenances of all the Hindoos present.

We have the honour to be, &c. &c.
 GEO. HARRIS,
 ARTHUR WELLESLEY,
 HENRY WELLESLEY,
 WM. KIRKPATRICK,
 BY. CLOSE.

Seringapatam,
June 30th 1799.

APPENDIX M.

Notice of the Board of Trade of the 5th of October, 1798.

1. That the Board of Trade, in pursuance of authority from the Governor-General in council, purposes to hire on account of the Company, ships duly qualified according to law, to proceed with cargoes from Bengal to England in the present season 1798-9, and that the owners will be permitted (under the restrictions stated in the 11th and 12th articles) to occupy the tonnage of their respective ships with their own other goods to be delivered at the port of London.
2. Tenders of ships will be received at the office of the Secretary to the Board of Trade, on or before the 31st of January, 1799; and they must contain the fol-

lowing particulars: name of the ship; name of the owner, and their place of residence; name of the commander; by whom the ship was built; ship's burthen by carpenter's measurement; when the ship will be ready to recommence loading; when ready to leave the river for the voyage.

3. Ships not at present in port, but expected, may be tendered.
4. The ships will be taken up on their measured tonnage.
5. Should any ship not be ready to commence loading at the time specified, or be ready to leave the river for the voyage at the time specified, the owners will be liable for failure in the former to have their ships rejected, notwithstanding the previous acceptance of her; and for failure in the latter to a penalty (payable in Bengal) of twenty-five sicca rupees per ton of the ship's tonnage; unless such cause for delay be assigned as the Governor-General in council or the Board of Trade may deem satisfactory.
6. The Board of Trade shall be at liberty, previous to the acceptance of any ship, to cause her to be surveyed.
7. The Board of Trade reserve to themselves the right of rejecting any tender without assigning any reason to the party.
8. Every ship after the delivery of her cargo in England, will be permitted to return to India, and to bring all such goods and merchandize as may legally be brought, ordnance and military stores excepted.
9. Each ship, if not already registered either in India or England must be registered in Bengal according to the mode practised with respect to the ships which were taken up in Bengal in the season of 1795-6. And no ship will be permitted to take in cargo until she shall be registered accordingly, or until the certificate of her former registry be produced to the Board of Trade, as the case may be.
10. The goods must be manifested at the Export Warehouse for passing on board of the ships, in the same manner as is done with private goods which go on ships taken up by the Company in England.
11. The undermentioned commodities are prohibited by the Court of Directors from being carried to Great Britain from India: China raw silk, tea, Nankeen cloths.
12. The Company shall, if they think fit (and not otherwise) occupy as far as one per cent. of the chartered tonnage of each ship with stores for St. Helena, allowing freight for the same, at the rate of £12 sterling per ton. The amount of the freight will be paid at St. Helena, on the delivery of the stores, and payment will be made either in cash, or by bills upon the Court of Directors payable sixty days after sight at the option of the Governor and council of St. Helena.
13. The Board of Trade do not mean to lade any goods upon any of the ships besides the stores mentioned in the preceding article.
14. Each ship shall carry free of charge, such packets as may be sent on board by the Governor-General in council for St. Helena, or for England, or by the Governor and council of St. Helena for England.
15. The ships must not carry any passengers from India to Europe, or from Europe to India, or from any place whatever to another without permission, under a penalty of five hundred pounds sterling for every passenger so carried without permission.
16. Two securities (not being owners of the ship, the partners of a mercantile or agency house to be considered but as one security) must be named for the performance of engagements; and the assent of the security must accompany the tender.
17. For information of the further conditions intended to be stipulated, the public are referred to the draft of a charter party which is preparing, and, when ready (notice of which will be given) will be submitted for general inspection.
18. The owners of the ships must reimburse to the Company the under-mentioned expenses, and pay the subjoined fees to their officers:
 Allowance customarily drawn by the agent and master attendant upon despatching the ships. Cost of the printed copies of the charter parties fees as follow:—
 to the secretary of the Board of Trade on the signing of the charter party, 10 gold mohurs; to the sub-export warehouse keeper on the manifests of the goods shipped being completed, and for preparing the documents necessary for despatching the ship, if under 500 tons, 6 gold mohurs; if 500 tons, or upwards, 10 do.; to the master attendant, his deputy, or his assistant, on mustering the crew upon

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(p. 233) The Board entirely concurring with the Right Hon'ble the President with- in the sentiments and recommendations contained in the foregoing Minute ordered that the following letter be copied and despatched to the Judge and Magistrate, Seringapatam.
Minute of Acting Governor Petrie
dated 22.12.1807 (pp. 266-9):

(p. 286) The Draft of a Regulation for amending the constitution of the court of Adawlut at Seringapatam which I have now the honour to submit to the consideration of the Board has been framed agreeable to the resolution of government under date.... and collated with the draft forwarded by Lt. Symons from which it differs in one respect which as I deem it essential I shall proceed to explain. The draft submitted by Lt. Col. Symons proposes to continue the present mode of punishing crimes in the Foujdary Adawlut or criminal side of the court, but I do not think it expedient to invest the Magistrate of Seringapatam with more extensive powers than are possessed by other Magistrates of zillahs and I consider it but just that the inhabitants of Seringapatam should participate in the advantages which our subjects (p. 287) in all the rest of our extensive territories enjoy in a full delivery by a judge of circuit, while the annexation of Seringapatam to the western Circuit will still leave it smaller than either of the other Divisions. I have therefore proposed that the jurisdiction of the Provincial Court of Appeal, and Circuit for the Western Division shall extend in both its branches Civil and Criminal to Seringapatam....

(p. 291) The Board concurring with the Hon'ble the President in the recommendations contained in the foregoing Minute, ordered that copy of the Minute be forwarded to Bengal accompanied by the following letter.

Public Office Recorder: Judicial Despatches
to Madras: 31st January, 1810 (pp. 519-)
Extract.

Madras

Seringapatam
Jud Reys 1807

XI

Para 55..... (p.225) We therefore conclude on just grounds, that the proceedings and decisions of the court have been founded on justice. We observe, that 2,536 cases of every description have been settled viz.

Court of catchery	147
Compromises	94
Magistrates' court	1,382
Thousdary court	110
Police department	803

2,536

As Col. Symons has been great part of the time since the establishment of the court in camp, and has only actually transacted business for four years and 22 days, we consider (p.226) as much business has been got through, as it was possible, under all the circumstances we have stated.

With regard to the general opinion which is entertained by respectable inhabitants of Seringapatam, respecting the administration of justice, we refer his Lordship-in-Council to an address which we have received from the inhabitants and which we firmly believe to contain the genuine feelings of their breasts. Indeed we consider that the respectable householders of this place are well satisfied with the administration on the island, while the bullock people, coolies etc. who are the refuse of society, collected from all parts of the country, seem the only persons who have opened their mouth to complain.

India Office Records: Board's Collections:
Volume 268: No.5889 (pp.1.325): Report
on Seringapatam, Judicial Affairs dated
23rd February, 1807: Extract: Summary
Outline of Regulations by Judge and Magis-
trate Seringapatam: pp.238-72 & 273-77:
(Madras Judicial Consultations: 30.12.1807):
Entire approval by Bengal dated 19.2.1808
on p.297: (Judicial Consultations: 8.3.1808):
Minute of Mr. Petrie (Acting Governor):
22.12.1807.

Para 56. We must observe that the persons who have come forward with (p.227) complaints appear to us to be people of low, many of disrespectable, and some of infamous character. Col. Symons has delivered a statement supported by evidence shewing the history, character and views of the persons who have come forward against the court. We cannot vouch entirely for the truth of this statement, because we have neither leisure nor means to investigate all the circumstances stated in it, and because without such an enquiry, it would be a kind of exparte decision on the character of the parties to give any opinion; yet we cannot help expressing our belief, that there is a great deal of truth in it and that it exhibits a very good general view of the life, character and habits of the parties described.

Para 57. Col. Symons has used some allegations in his defence as necessary to his justification, on which we do not deem ourselves obliged to give any decisive opinion, although we could not refuse to admit them on evidence which has been brought to support them. We therefore transmit the defence (vide Enclosure No. 36) just as we received it, together with the evidence produced by Col. Symons to support it, as noted in the margin in Enclosure 45.

1. Trial of Kistnamah Naig
2. Trial of Comar Sawmy
3. Trial of Subraya Moodaly
4. Chimayah Moodaly versus Appoopilla
5. Villa Cooley Malstry versus Ramasawmy
6. Right hand versus left hand cast
7. Sundry letters

(p.229) The trial between the right hand and left hand cast is brought forward relative to the assertion in the defence that justice has been delayed by the Commanding Officer having kept two trials without settling them for a long period.

Upon all these points we do not think ourselves under the necessity of offering any positive opinion.

Para 58.....

pp.231 Seringapatam
23.2.1807

W. Thackeray
J.M. Vernon
J.H. Peile

The Right Hon'ble the President
records the following Minute:

Minute of the Right Hon'ble the President:

The proceedings of the Seringapatam Committee not appearing to me to admit of any difference of opinion, I shall gladly avail myself of the circumstance to avoid taking up the time of the Board with remarks which the good of the public service appears to me to require should be rather suppressed than published.

I shall therefore propose that it be resolved by the Board; first, that the department of the Judge and Magistrate at Seringapatam has been completely vindicated by the report of that Committee (p.232) and that the enquiry has confirmed in the opinion of the Governor-in-Council the zealous and upright character by which Lt. Col. Symons has always been distinguished. Secondly that the present judicial regulation of the court at Seringapatam shall be annulled, and that a new Regulation shall be framed assimilating the constitution of that court with all the other zillah courts.

I recommend that the Secretary in the Judicial Department be directed to draft the Regulations, making previous reference to Lt. Col. Symons in order to ascertain if any local peculiarity may require to be noticed.

(signed) Bentinck

Fort St. George
30.4.1807

(p.233) The Board entirely concurring with the Right Hon'ble the President in the sentiments and recommendations contained in the foregoing Minute ordered that the following letter be copied and despatched to the Judge and Magistrate, Seringapatam.

To

The Secretary to Government

Sir,

In conformity to the (p.5864) command of the Right Hon'ble the Governor-in-Council I have attentively perused the Judicial Code and have framed a Regulation which I consider well adapted for the Judicial Department within the Fort and Island of Seringapatam, and which I have now the honour to submit for His Lordship's approval and sanction.

I etc.
John H. Symons
Judge and Magistrate

Seringapatam
29th May, 1807

India Office Records: Madras Public Consultations: P/322/28: Letter of Symons dated 29.5.1807 to Government: pp. 5865-6127 contains the regulation "1807 a regulation for the due administration of justice and for establishing an efficient police within the Fort and Island of Seringapatam": The Minute of the Governor Petrie dated 22. 2. 1807 is on pp.6136-39.