1048

Trial of M.r Hastings's

Third day

February 15th 1788

M.r Burke's general opening

first part



Richard Brinsley Sheridan

Trial of Warren Hastings Esqr.
Third day 15th February 1788

Mr. Burke

My Lords—

The Gentlemen who have it in command to support the impeachment against Mr Hastings late Governor General of Bengal have directed me to open a general view of the grounds upon which the Commons have proceeded in their charge against him—to open a general view of the extent the magnitude the nature the tendency and the effect of the crimes with which they have charged him—and they have also directed me to give such an explanation as with their aid I may be enabled to give of such circumstances preceeding or concomitant with the crimes with which

which they charge him as may tend to
explain whatever may be found obscure
in the Articles as they stand – and they
have further commanded me and enabled
me I hope and trust to give to your Lordsh.ps
such an explanation of any thing in the
laws customs opinions and manners
of the people concerned and who are the
objects of the crimes which we charge
as may tend to remove all doubt and
ambiguity from the minds of your
Lordships upon these subjects

The several articles as they appear
before You will be opened by other Gen:
tlemen with more particularity and
more distinctness and without doubt
with infinitely more ability when they
come to apply the evidence which
naturally belongs to each article –
This my Lords in general is the plan
which we mean to pursue on the
great charge which is now before Your
Lordships

Lordships

My Lords I confess that in this business I come with a considerable degree of animation – I think that it is a most auspicious circumstance to this cause in which the honor of this Kingdom and the fate of many nations is involved that from the commencement of our Parliamentary process to this hour of solemn Trial not the smallest difference of opinion has arisen between the two houses

My Lords there were persons who looking rather upon what was to be found in the Journals of Parliament than what was to be expected from the public Justice of this Kingdom had formed hopes consolatory to them and highly dishonorable to us – they were in hopes that the corruptions of India should have escaped amidst the dissensions of Parliament – they are disappointed

disappointed – they will be disappointed
in all the rest of their expectations
which they have formed upon every
thing except the merits of their cause
– the Commons will not have the melan
:cholly unsocial glory of having acted
a right part in an imperfect work
– what the greatest Inquest of the Nation
has begun its highest Tribunal will
accomplish – Justice will be done to India
It is true that your Lordships will
have your full share in this great
and glorious work but we shall
always consider that any honor
that is divided with Your Lordships
will be more than doubled to ourselves

My Lords I must confess that amidst
all these encouraging prospects the
Commons do not approach to Your
Lordships bar without some consider
:able degree of awe and anxiety
I hope and trust that the magnitude
of

of the interests which we have in
hand will reconcile some degree
of solicitude for the event which
from the undoubted confidence
with which we repose ourselves upon
Your Lordships justice — for we are so
made my Lords that it is not only
the greatness of the danger but the
value of the victory which excites
our concern in every undertaking
I do assure Your Lordships and I am
authorized to say it that no Standard
is sufficient to estimate the Value
which the Commons set upon the
event of the cause which they now bring
before You — for it cannot be concealed
— God forbid that it should be concealed
that the business of this day is not the
business of this man — it is not solely
whether the prisoner at the bar be found
innocent or be found guilty but
whether millions of mankind shall
be

be miserable or happy—

Your Lordships will undoubtedly see in the course of this Cause that there is not only a long connected systematic series of misdemeanors but an equally connected system of maxims and principles invented to justify them upon which your Lordships must judge— it is according to the Judgment that you shall pass upon the past transactions in India connected with those principles upon which the whole rule tenor tendency and character of your future govern.t in India is to be finally decided— it will take its course it will have its whole impression from the business of this hour— it is not only the interest of the great Empire which is concerned which is now the most considerable part of the British Empire but the credit

credit and honor of the British Nation will itself be decided by this decision — the whole is to turn upon it — we are to decide by this Judgment whether the crimes of individuals are to be turned into public guilt and national ignominy or whether this Nation will convert those offences which have thrown a transient shade upon its Government into something that will reflect a permanent lustre upon the honor justice and humanity of this Kingdom

My Lords there is another consideration which has caused the solicitude of the House of Commons equal to those other two great interests that are affected — I mean the interest of our Empire in India and the interest of the national character — something that if possible comes more home to the hearts and feelings of every English man

Englishman – I mean the interests
of our Constitution itself which is
deeply involved in the event of this
cause – for the use and purpose of
an Impeachment of High Crimes and
Misdemeanours before the Peers of this
Kingdom upon the charge of the Commons
will very much be decided by your
Judgment – for my Lords if this Tribu
nal shall be found (as I hope it will
always be found) too great for trifling
and petty causes – if it should at the
same time be found incompetent to
one of the greatest which can come
before You – if the little from the smallness
escape You and the greatest from their
magnitude oppress You it is impossible
that this form of Trial should not be
banished out of the Constitution for
whether it is owing to the felicity of
our times less fertile in great offences
than

than those which have gone before us
or whether it is from a sluggish apathy
which has dulled and enervated the
public Justice I am not called upon
to determine but whatever the cause
is it is now sixty three years since
any impeachment grounded upon
abuse of authority and misdemeanors
in office has come before this Tribunal
the last that I recollect is that of
Lord Macclesfield which happen'd in
the year 1725 – so that the oldest process
known to the constitution of this Country
has now upon its revival some appear
ance of novelty and at this time when
all Europe is in a state of perhaps
contagious fermentation – when antiquity
has lost all its effect and reverence in
the minds of men and when novelty
still retains the suspicions that always
will be attached to novelty we have been
very anxious indeed in a business which
seems

seems to combine the objections both to what is antiquated and what is new so to conduct ourselves that nothing in the revival of this great parliamentary process shall afford excuse for its future disuse – whatever does not stand with credit cannot stand long – and if the Constitution should be deprived I mean not in form but virtually of this resource it is virtually deprived of all the other of its valuable parts because this is the cement which binds the whole together – this is the principle that makes England what Eng? is – this it is by which the Magistracy – by which all other things are directed and controld is itself tried and controld – it is by this Tribunal that Statesmen who abuse their power are tried before Statesmen and by Statesmen upon the solid principles of state morality – it is here that those who by the abuse of

of power have violated the spirit of all Laws can never hope for the least protection from any of its forms – it is here that those who have ~~denied them-~~ ~~selves~~ ~~who have~~ refused to conform themselves to the perfection of the Law can never hope to escape through any of its defects –

Your Lordships have great and plenary powers – You do not suspend – you do not supercede – you do not annihilate any subordinate jurisdiction on the contrary you are actually supplemental to them all – here it is that no subject in no part of the Empire can be refused Justice – here it is that we provide for that which is the great substantial excellence of our Constitution I mean that great circulation of responsibility by which excepting the supreme power no man in no circumstance can escape his responsibility to the Laws of his Country

Imy

My Lords impressed as we were
with the weight and consequence of
this mode of Parliamentary proceeding
the Commons have conducted themselves
with such care that without losing the
spirit and zeal of a public prosecution
they have comported themselves with
such a moderation with such temper
and such decorum as would not have
ill become the final judgment if with
them rested the final Judgment of this
great Cause

My Lords we say that with very few
intermissions indeed the affairs of
India have constantly engaged the at-
tention of the House of Commons for
more than fourteen years – We say that
we have tried every mode of Legislative
provision before we had recourse to
any thing that regarded a mode of punish
ment – We say my Lords that we came
in the year 1774 to a body of Legislative
provisions

provisions such as the then information before the House of Commons enabled us to give for putting an end to those disorders - finding that that act of Parliament did not answer all the ends that were expected from it - finding we had in the year 1782 recourse to a body of Monitory resolutions - but when we found that our Laws - when we found that our menaces and our admonitions were dispised - that enormities encreas'd in proportion as they were forbidden detected and exposed - when we found that guilt stalked with an erect and upright front and that legal authority seemed to skulk and conceal its head like outlawed guilt - when we found that those who were appointed by Parliament to assert the authority of the laws of this kingdom were the most forward bold and most active in opposition to it - then it was time for the Justice of

the

the Nation to recollect itself - to have
forborne any longer would not have
been patience but collusion & par
ticipation with guilt and becoming
a party with the Criminal

Having examined and tried every
thing upon the occasion which could
be tried in order to know whether we
could find and feel our way if possible
to avoid a painful duty without be-
traying a sacred trust we found it
impossible - having therefore resolved
upon the mode of a penal prosecution
it was our next business to find some
thing that was worthy the long delibe
ration that we had used and accord
ingly we proceeded with care and
with selection and we have chosen
we trust it will appear to your Lordships
such a crime and such a Criminal
and such a body of Evidence and such
a mode of process as would have recom
mended

recommended this proceeding to posterity even if it had not been supported by any example of our Ancestors

First to speak of the process which we used besides that long previous deliberation of fourteen years we examined every circumstance which could prove favorable to the Delinquent whom we resolved to prosecute— there was no precedent to be found in the Journals favorable to persons in that circumstance that was not applied to— a great number of things utterly unknown to former Parliamentary proceedings and which seemed in some degree to enfeeble it but which were all to the advantage of those that were to be prosecuted were resorted to upon that occasion

My Lords in an early stage of the proceeding the Criminal desired to be heard— he was heard— and he produced before

before the bar of the House that indecent and unbecoming paper which lies upon our table and deliberately given in by his own hand and signed with his own name — but my Lords the Com:mons passed by every thing in that paper with a magnanimity that became them — they considered nothing in it but the facts that he alledged and the principles which he maintained and after having used all manner of previous deliberation — having given a larger scope even beyond the former forms and precedents of parliament to every thing that could be said and every thing that could be suggested in his favor we then proceeded with confi:dence to Your bar

So far as to the process which tho' I mentioned last in the line and order in which I stated things I thought it best to dispatch first

Next

Next as to the crime which we chose
we considered it first well in its nature
– with all its circumstances – with
all its extenuations – and with all
its aggravations – On that review we
are bound to say that the crimes with
which we charge the prisoner at the
bar are substantial crimes – that they
are no errors or mistakes such as
wise and good men might possibly
fall into – they are crimes – my Lords
truly and properly and emphatically
crimes – the Commons are too liberal
not to allow for the difficulties of a
great and arduous public situation
– they know too well the domineering
necessities which frequently occur
in all great affairs – they know the
exigency of a great and pressing occasion
in its precipitate career does not give
time to have recourse to fixed prin-
-ciples but obliges men frequently
to –

to decide in a manner that calm
reason would certainly have rejected
We know that as we are to be served
by men that the persons who serve
us must be tried as men and with
a very large allowance indeed to
human infirmity and human error
This my Lords we know and we
have weighed before we came before
You – but the crimes which we charge
in these articles are not lapses defects
and errors of common human frailty
which as we know and feel we can
allow for – but we charge him with
crimes that have their root in avarice
rapacity pride ferocity cruelty malig
:nity of temper – haughtiness – insolence
– in short my Lords in every thing that
manifests a heart black – double deep
in blackness corrupted vitiated and
gangering to the very core – if we don't
plant our crimes in those vices which
the!

the breast of man is made to abhor
and its laws to interdict we desire
no longer to be heard upon this occa:
:sion – We supposc neither lapse
error nor infirmity – let every thing
that can be pleaded upon that ground
be pleaded we give up the whole
we stand upon crimes that were crimes
of deliberation – We charge him with
nothing that he did not commit upon
deliberation – that he did not commit
against remonstrance – that he did
not commit against command – that
he did not commit after reproof admo
:nition and repremand of those who
are authorized by the Laws to reprove
and repremand him –

They were crimes not only vicious
in themselves but aggravated by being
crimes of contumacy in every point
in which they were committed –
They were crimes not against forms

but

but against those eternal laws of
Justice which you are met here to
assert - which forms are made to sup
port and not to supercede in any
instance whatever - they were not
in formal technical language but
in reality in substance and effect
high crimes and misdemeanors
- So far as to the crimes
As to the Criminal - we have not
chosen to bring before You a poor
puny trembling Delinquent misled
perhaps by the example of those who
ought to have kept him in awe and
afterwards oppress'd by their power
in order to make his punishment
the means of screening the greater
offences of those that were above him
- we have not brought before You
one of those poor obscure offenders
in an inferior situation who when
his insignificance and weakness is
weighed

weighed against the power of the pro-
secution gives even to public Justice
something of the appearance of oppression
—no my Lords we have brought before
you the first man in rank authority
and station — we have brought before
you the head and chief a Captain
General of Iniquity — under whom all
the fraud — all the peculation — all the
tyranny in India are embodied — trooped
are disciplin'd — are arrayed and paid
— this is the person my Lords that we
bring before you — we have brought before
you such a person that if you strike at
him you will not have need of a great
many more examples — You strike at
the whole Corps if You strike at the
head — So far as to the crime and so
far as to the Criminal

Now my Lords I shall say a few
words relative to the evidence which
we have brought to support such a
charge

charge and which ought to be equal
to the charge itself – and we say that
the evidence that we have determined
to bring before You is evidence of
record – of weighty official authentic
record – signed by the hand of the crimi
nal himself in many instances –
we have brought before You his own
Letters authenticated by his own hand
We shall bring before You a number
of oral living witnesses competent to
speak to the points to which they are
brought – These my Lords we have
ready to bring before You and I trust
that the evidence will be found such
as cannot leave the least doubt on your
minds of the facts as when you consider
the facts when they are proved from
their nature and effect You can have
no doubt of their criminality

When we consider the late enormous
power

power of the Prisoner – When we
consider his criminal indefatigable
assiduity in the destruction of evidence
– when we consider the power that he
had over all testimony I believe Your
Lordships – and I believe the world will
be astonished that so much – so clear
so solid – and so conclusive has been
obtained against him – this I say
that I have no doubt that in nine
instances in ten it would satisfy
the narrow precision which is supposed
to prevail – and rightly to prevail to a
degree in all subordinate power and
delegated jurisdiction – but your Lord
ships will maintain what we assert
and claim as the right of the Subjects
of Great Britain – that you are not bound
by any rules whatever except those of
natural immutable and substantial
Justice

God forbid that the Commons should
come

come before You and desire that that
should be received as proof from them
which is not by nature adapted to prove
the thing in question - God forbid that
they should do so for they then would
overturn the very principles of that
Justice which they resort to you to obtain
in favor of their Constituents and in
favor of the people of India - they would
give the nation an evil example that
would rebound and bring mischief
upon the heads of themselves and all
their posterity

God forbid on the other hand that
Your Lordships should ever reject upon
any pretended niceties - which I am
sure you will not - I have that confidence
in the learning with which you will
be advised and the liberality and
nobleness of the sentiments with which
you are born - I have too much confidence
in the smallest degree to suspect that
you would by any abuse of the forms
and

and technical course of proceeding deny
Justice to so great a part of the World that
claims it at Your hands for Your Lordsp
always had a boundless power – I mean
in the limits of Justice – Your Lordships
always had a boundless power and
unlimited jurisdiction – You have now
a boundless object – It is not from
this City or the other province from
this district or from this parish that
relief is applied for – whole Tribes and
suffering Nations – various descriptions
of men different in language in man-
ners and in rights – men separated
by every means from You however by
the providence of God are called and
come here to supplicate justice at
Your bar – and I hope and trust that
there will be no rule formed upon
municipal maxims which will prevent the
Imperial Justice which you owe to the
people that call to You from all parts
of a great disjoined Empire – for situated
as

as this Kingdom is an object that
God of envy to the rest of the World for
its greatness and its power its conduct
in that high and elevated situation
to which it has arisen will undoubt-
-edly be scrutinized.

It is well known great wealth
has poured into this Country from India
and it is no derogation to us to suppose
a possibility of being Corrupted by that
by which great Empires have been
corrupted and Assemblies almost as
respectable and venerable as your Lordships
have been known to be indirectly shaken
forty Millions of Money have come from
India into England and we ought to
take great care and we may venture
to say that the best way to secure mens
reputations is not by a severe defence of
public opinion but by guiding ones actions
in such a way as that public opinion
may

may be afterwards and not previously
be decided — In such a situation it is
necessary that nothing in our proceedings
should appear to have the slightest trace, the —
faintest atom of chicane God forbid that when
you try the cause of Asia in the presence of Europe
there should be the least suspicion that the cause
of Asia is not as good with you as the abuse is
committed by a British subject that it is not to be
supposed that that narrow partiality so des-
-tructive of justice should guide us that a —
British subject in power should have rights
which are denied to the humble allies to the
detached dependents to those who at such a distance
depend upon the breath of British Justice and re
have deprived themselves of every other re-
-source under heaven.

I do not say this from any fear, doubt or
hesitation upon what your Lordships will do
none in the world. — God forbid I should, — but
I say it upon the account of what you all —
know

know, what is dissominated abroad among the public that those who cannot defend themselves upon their merits and their actions may defend themselves behind those fences and intrenchments that are made to secure the liberty of the people — that power and the abusers of power should cover themselves by those things which were made to secure the Liberties of the people — but God forbid it should be bruited — abroad — that the Laws of England are for the rich and the powerful but for the poor the miserable and defenceless they afford no resource at all, — God forbid it should be said that we in this kingdom know how to confer the most extravagant and inordinate power upon public ministers, but that we are poor, helpless, deficient and impotent in the means of calling them to account for it. — God forbid it should be said that no nation under heaven equals the British in substantial violence and in a formal

formal Justice it shall never be said and I trust that this cause will put an end to all conjectures of that kind which have been disseminated with so much industry through this kingdom and — through foreign nations too that in order to — cover our connivance and participation in guilt and our common share in the plunder of the East we have invented a set of scholastic distinctions abhorrent to the general sentiments of mankind by which we are to deny ourselves the knowledge of all that the rest of the world knows and what so great a part of the world — both knows and feels — God forbid that any appearance of that kind should happen. I do not deprecate it from suspicion of the House but I deprecate it from knowing that hitherto we have moved within the circle of municipal justice. I am afraid of moving within that circle it may be suspected that we should endeavor to force nature into that and not endeavor to enlarge the circle of justice to

to the necessities of the Empire that we have a obtained.

This is the only thing which does create any doubt or difficulty upon the minds of the people but if such a thing should happen in my humble opinion it would be better a thousand times to give the short answer the Dey of Algiers gave a British ambassador representing the rest of the British Merchants, my friend says he (as related by Dr. Shaw) — "do not you know that my subjects are a band of Robbers and that I am their Captain". — better far it would be — a thousand thousand times — more manly than an hypocritical process — which under a pretended reverence to punctilious ceremonies and observances of Law abandons mankind without help and resource to all the desolating consequences of arbitrary power, No my Lords I have not the least suspicion that such a thing will or can prevail in this House nor prevail in this Kingdom,

Your

Your Lordships will exercise the great plenary powers with which you are invested in a manner that will do honor to your justice, to the protecting Justice of this kingdom to the great people who are subjected to it, it shall not be squared by any rules but by their necessities and by that law of common justice which connects them to us and us to them, — no I do not think though such opinions have been spread abroad and been spread abroad thus because many persons have observed at the old Bailey and many subordinate tribunals great criminals have sometimes escaped acquitted and stigmatized — that they who have no hope at all in the Justice of their cause have some hope that in some subtilties of form — some mode of pleading, — in something in short different from the merits of the cause they may prevail.

Your Lordships as well as I are abundantly apprized of those reports that have been spread abroad with such uncommon industry -

industry but which have only been got abroad to be urged home again and entirely over-turned by the humanity, simplicity, dignity, and noblenes of your Lordships Justice.

Having said all that I mean to say and am instructed to say concerning the process that the House of Commons have used, concerning the crimes that they have chosen, concerning the criminal upon whom they attack the crime and concerning the evidence which they mean to produce they feel this day no want of evidence in the cause to satisfy any measure or any mode of justice that shall be chosen &c what I have said I mean rather as a protest relative to any future cause from India that may come before you.

I am now to proceed to open the charge I hope and trust that the business which falls to my share which is rather explanation of the circumstances than inforcement of the crime I hope and trust that your

your Lordships will be so good as to suppose that this business is not a thing that occurs every day in the ordinary round of municipal — affairs, that it has a relation to many things, that it touches many points in many places — which are wholly removed from the ordinary beaten orbit of our English business, in other affairs every allusion immediately meets its — point of reference, nothing can be started that does not immediately awaken to your attention something of your own laws which you meet with every day in the ordinary transactions of life but here you are caught as it were — into another world, here you are to have the way pioneer'd before you — Your Lordships will see the absolute necessity there is of having it an explanation of every part of as it is now the business must be explained, as it is intri- -cate as well as new that explanation can be but comparatively short, and therefore knowing you to be possessed along with all other judicial virtues

virtues of the first and foundation of them all, judicial patience, I hope and trust that your Lordships will not grudge a few hours to the explanation of that which has cost the Commons fourteen years assiduous application to acquire, that your Lordship will not disdain a few hours to what has cost the people of India upwards of thirty years of their innate, inveterate, hereditary patience to endure.

My Lords the powers which Mr. Hastings is charged with having abused are the powers delegated to him by the East India Company. — the East India Company itself acts under two sorts of powers derived from two sources, the first source of its power is under a charter which the Crown was authorized by act of parliament to grant it, the next is from several Charters indeed as well as that great fundamental charter by several grants and charters which

which it derived from the Emperor of the Moguls the person in whose dominions they are chiefly conversant, particularly the great charter by which they acquired the High Stewardship of the Kingdoms of Bengal, Bahar and Orissa in 1765, under those two Charters they act, as to the first it is from that Charter that they derive the capacity by which they can be considered as a public body at all or capable of any public function it is from thence they acquire the capacity to take any other Charter, to acquire any other offices or to hold any other possessions, this being the root and origin of their power makes them responsible to the party from whom that power is derived they are as they have emanated from the supreme power of this Kingdom, they themselves are responsible their body as a Corporate body, themselves as individuals and the whole body and train of their

their Servants are responsible to the high Justice of this Kingdom. — In delegating — great power to the India Company this — Kingdom has not released its Sovereignty, on the contrary its responsibility is increased by the greatness and sacredness of the power given — for this power they are and must be responsible and I hope this day your — Lordships will show that this nation — never did give a power without giving a — proportionable degree of responsibility.

As to the other power which they — derive from the Mogul empire by various charters from that Crown and particularly by the charter of 1765 by which they obtain the offices of Lord High Steward (as I said) — Dewan or Dewanne of the Kingdoms of — Bengal Bahar and Orissa, by that char- -ter they bound themselves and bound inclu- -sively all their Servants to perform all the duties belonging to that new office and to — hold

hold themselves bound to all the ties belonging to that new relation, they were bound to preserve the peace, if the mogul Empire had not existed, they would have been bound to do it by responsibility above, to observe the laws, rights, usages and customs of the natives and to pursue their benefit in all things which was the nature, institution, and purpose of the office which they received. If the power of the Sovereign from whom they derived these powers had been by any misfortune in human affairs annihilated or suspended the duty to the people below which they acquired under his Charter is not suspended, is not annihilated but remains in all its ~~force~~ force and for the responsibility they are thrown back upon that Country from whence their original power and along with their original power both emanated in one and the same act, for when the Company

Company acquired that office in India,
an English Corporation became an
integral part of the Mogul Empire,
when Great Britain assented to that
grant virtually and afterwards took
advantage of it Great Britain made
a virtual act of union with that
Country by which they bound them-
-selves as Securities for their sub-
-jects, to preserve the people in all
the rights laws and liberties which
their natural original Sovereign was
bound to inforce if he had been in-
condition to enforce it, so that the two
duties flowing from two different
sources are now united in one and
come to have justice called for from
at the Bar of this House before the Su
preme Royal justice of this Kingdom
from whence originally their powers
were derived.

91

It may be a little necessary when we are stating the powers they have derived from their Charter and which we state Mr. Hastings to have abused, to state in as short and as comprehensive words as I can — for the matter is so large indeed — what the constitution of that Company is and particularly what its constitution is in reference to its Indian Service where the great theatre of the abuse was spread &c and were those abuses were committed

It is well known that the India Company and therefore I shall spare you a long history of that hoping and trusting that your Lordships will &c think it is not to inform you but to revive circumstances in your memory that I enter into this detail, your Lordships will recollect the East &c India

India Company had its origin about
the latter end of the Reign of Elizabeth,
a period when all sorts of Companies,
inventions, and Monopolies were in
fashion ~~and~~ at that time the Com-
-pany was sent out with large &
extensive powers for increasing &
the Commerce and the honour of
this Country, for increasing its &
commerce without increasing its &
honor and reputation would have
been thought at that time and &
will be thought now a bad bargain
for the Country, but their pow-
-ers were under that Charter &
confined merely to Commercial —
affairs, — by degrees as the ~~&~~
Theatre of the operation were &
distant as its intercourse was with

many

&

to be considere
subordinate
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India Compan
things happe
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to be considered and ought to be considered as a subordinate sovereign power, that is sovereign with regard to the objects which it touched — subordinate with regard to the powers from whence this great trust was derived when the India Company once appeared in that light things happened to it totally different from what happened in all other ordinary affairs, and which has happened in all the remote tt histories of Politicians or dreamed of in the world for in all other Countries a political body tt that acts as a commonwealth is first settled and trade follows as a necessary consequence of the protection obtained tt by political power but here the affair was reversed — the constitution of the Company began in Commerce and indeed in Empire tt and there powers of peace and War are given it wants but time and — circumstance to make this supercede every tt other and the affairs of Commerce —

many great, some barbarous and
all of them armed nations where
not only the Sovereign but the re
subjects were also armed in all -
places it was found necessary to enlarge their
powers, the first power they obtained was a
power of Naval disciplining their Ships a power
which has since dropped the next was a power of
Law Martial the next was a power of civil and
to a degree of criminal jurisdiction within their
own Factory within their own settlements upon
their own people and their own Servants.

The next was - and there was a stretch in
- deed the power of peace and war those great
high prerogatives of Sovereignty which never
were known before to be parted with to any
subjects, but those high Sovereign powers were
given to the East India Company so that when it
had acquired them all which it did about the
end of the reign of Charles the Second - the East -
India Company did not seem to be merely a -
Company formed for the extention of the British
Commerce, but in reality a delegation of the whole
power and Sovereignty of this kingdom sent into the
East. - In that light the Company began undoubtedly

Commerce fall into their proper Rank and
situation and accordingly it did happen
that the possession and power of assertion
of these great Authorities coinciding with
the improved State of Europe — with the
improved State of Arts and the improved
State of Laws — but what is much more
material the improved State of Military
discipline — that coinciding with the general fall
of Asia — with the Relaxation and dissolution
of its governments with the fall of its
warlike Spirit and the Total disuse
almost of all parts of military discipline —
these two coinciding the India Company
became to be what it is a great
Empire carrying on subordinately (under
the Public Authority) a great commerce
— it became that thing which were —
supposed by the Roman Law so unsuitable
the

the same power was a Trader the same power was a Lord.

In this situation however the East India Company's still preserved traces of its original Mercantile character — and the whole exterior order of its service is carried on upon a Mercantile plan and mercantile principles, in fact it is a State in disguise of a Merchant — a great public office in disguise of a Counting house — accordingly the whole order and Series as I observed is commercial the principal inward real part of the Company is entirely political.

Accordingly the Company's service of which the order and discipline is necessary to be explained to your Lordships that you may see in what manner the abuses have affected it is commercial.

In the first place all the persons who go

go abroad in the Company's service enter as
Clerks in the Counting house and are called
by a name to correspond to it— Writers— in
that condition they are obliged to serve five
years — The next step is that of a Factor
in which they are obliged to serve three years
The next step they take is that of a Junior
Merchant in which they are obliged to serve
three years more — then they become a Senior
Merchant which is the highest Stage of advance
in the Company's Service as a rank by which
they have pretensions before the year 1774 to the
Council— to the Succession of the presidency—
and to whatever other Honors the Company has
to bestow — and therfore the Company besides
following this idea in the particulars of their
Service they had originally established factories
in certain places which Factories by Degrees
grew

gard to the name of presidencies and Council
In proportion as the power and influence of the
Company increased and as the political began to
predominate over the mercantile - and so it continued
till the year 1773 when the Legislature broke in for
proper reason urging them to it upon that order
of the service and appointed to the superior part
persons who were not entitled to it — however some
might have been by the course and order of
service such as Mr. Hastings was — But whatever
title they had from thence — the title they derived
was from an express act of parliament nominating
them to that presidency but in all other respects
the whole course of the service denominated by
act of parliament does remain upon that footing
~~that~~ — that is a Commercial footing

Your Lordships see here a regular system
— a regular order — a regular course of gradation
which requires eleven years before persons can
arrive

at the highest Trusts and Situations in the Companys
Service - You will therefore be utterly astonished
when you know that after so long a Service
- so long a probation was required that things
very different have happened - and that in a
much shorter time you have seen persons
returning into this Kingdom with great and affluent
Fortunes - it will be necessary for you to consider
- and it will be a great part of your enquiry
when we come before you to substantiate evidence
against Mr. Hastings to know how that order came
to be broken down completely so that scarce a
trace of it for any good purpose remains - for
though I will not deny that any order in a
State might be superceded by the Presidency when
any great Parts and talents upon superior exigencies
are called forth - yet I must say the Order of that Service
was formed upon wise Principles - it gave the
persons who were put in that Course of probation
an opportunity if circumstances enabled them of
acquiring

acquiring experience - it gave those who watched them a constant inspection upon them in all their progress - it gave them the necessity of acquiring a character in proportion to their standing that all they had gained by years ~~years~~ should not be lost by misconduct - it was a great substantial regulation fit to be observed - but there is scarce a trace of it remains to be discovered - For Mr. Hastings first broke thro' that Service by making offices which had no reference to gradation but which were superior in profit to those which the Highest gradation might have acquired - he established whole Systems of Offices and especially a System of Offices established in 1781 which being new none of the rules of gradation applied to it and he filled it in such a manner as suited best his own views and purposes so that in effect the whole of that order whatever merit is in it was by him broken down and subverted the consequence was that persons in the most immature Stages of life have been put to conduct affairs which required the greatest maturity of Judgment the greatest possible temper and moderation & effects consequent have followed upon it so far with respect to that Order of the Companys Service. I.

I must remark before I go further, that there is something peculiar in the service of the East India Company and different from that of any other Nation that has ever transferred its power from one Country to another - The East India Company in India is not the British Nation - when the Tartars entered into China - when the Tartars entered into Indostan - when all the Goths and Vandals entered into Europe - when the Normans came into England - they came as a Nation - the Company in India does not exist as a Nation - Nobody can go there that does not go in its service therefore the English Nation in India is nothing but a seminary for the succession of Officers - They are a Nation of placemen - They are a republic - a Commonwealth without a people - they are a State made up wholly of Magistrates - the consequence of which is that there is no people to controul, to watch to balance against the power of office - the power of office so far as the English Nation is concerned is the sole power in the Country - There is no

no correctives upon it whatever - The consequence of which is that being a Kingdom of Magistrates the Esprit du Corps is strong in it, the Spirit of the body by which they consider themselves as having a Common interest - and a common interest separated both from the Country that sent them out and from the Country in which they are - and where there is no Controul of persons who understand their Language - who understand their manners - or can apply their Conduct to the Laws of the Country - such Controul does not exist in India - therefore confederacy is easy and has been general among them and therefore your Lordships are not to suspect that that should happen in such a body which never happened in the world in any body or corporation - that they should ever be a proper check (and

and Controul upon themselves—it is not in the nature of things—there is a Monopoly with an Espirit du corps at home called the India Company there is an Espirit du Corps abroad and both these Systems are united into one body animated with the same Spirit — that is with the corporate Spirit which never was a Spirit which corrected itself in any time or circumstance in the world and which is such a thing as — has not happened to the Moors — to the Portuguese — to the Romans — to go to any old or new Examples — it has not happened in any one time or circumstance in the World — except in this and out of that has issued a Species of abuses at the head of which Mr Hastings has put himself against the authority of the East India Company at home and every authority in this Country.

The next circumstance is - and which is curious too - that the Emoluments of office don't in any degree correspond with the trust - for under the name of Senior Merchant - Senior Merchant Writer and those other little Names of a Counting house you have great Magistrates - you have the administrators of Revenues truly Royal - you have Judges - civil and in a great degree Criminal who pass upon the greatest properties of the Country - you have all these under these Names and the Emoluments that belong to them are so weak - so inadequate to the dignity of the Character that it is impossible I may say of that Service - absolutely impossible for the subordinate parts of it to exist to

to hope to Exist as Englishmen who look at their Home as their ultimate resource to exist in a State of corruption in that Service. Tho' a rule that prevails in many other Countries is reversed - in other Countries often the greatest situations are attended with but little emoluments because glory fame reputation - the love the Tears of Joy - the honest applauses of our Country pay those great (and weighty Labors which in great situations are sometimes required from the Common wealth - but all other Countries pay in Money what cannot be paid in fame and reputation - But it is the reverse of the India Company - all the subordinate parts of the gradation are officers who notwithstanding the offices and dignities

dignities intrusted with them are miserably —
provided for — and the heads the Chiefs have great
emoluments — securing them against every mode
of temptation and this is the thing Mr. Hastings
has abused he was at the head of the Service
— he has corrupted his hands and sullied
his Government with bribes he has used
oppression and Tyranny in the place of legal
Government — and instead of endeavouring to
find honest honorable and adequate rewards
for the persons who served the public he has
left them to prey upon it without the smallest
degree of controul — he has neither supplied nor
taken care to supply with that unbounded
License which he used over the public Revenues
— to provide an honest body of emoluments
suited to the vastness of the power given
to the Companies Servants he has not employed
it for that purpose but has left them at
large

large to prey upon the Country and find themselves emoluments as they could

These are the defects of that Service there is no honest emolument in much the greater part of it correspondent to the nature and answerable to the expectations of the people who serve. There is an unbounded licence in almost all other respects and as one of the honestest & ablest Servants of the Company said to me that if resembled the Service of the Marhattas little pay but unbounded licence to plunder. This is the pay of the Companys Service a Service opened to all dishonest emolument shut up to all things that are honest and fair. I do not say that the Salaries would not sound well here but when you consider the nature of the Courts. the dignity of the Situation. whatever the Name of it is. the powers that are granted the hopes that ever Man has of establishing himself at home it is a Source of infinite grievance. of infinite abuse which Source we charge Mr Hastings instead of stopping up. instead of endeavouring to regulate

instead

instead of endeavouring to correct so grievous so enormous an error he has increased it in every part of it.

The next circumstance which distinguishes the East India Company is the youth of the persons who are employed in the System of that Service – they have almost universally been sent out at that period of Life to begin their progress and career in active Life (and in the Use of power which in all other places has been employed in the course of a Rigid Education – They have been sent there in fact to put it in a few words with a perilous independence – with too inordinate Exceptions and with boundless power – They are School Boys without Tutors. They are Minors without Guardians – The world is let loose upon them with all its Temptations – and they are let loose upon the World with all the powers that despotism can give – This is the Situation of the Companies Servants.

There is one thing that is remarkable they are to exercise what your Lordships are now exercising high judicial powers – without the smallest study of any Law either General or municipal – it is made a rule in the Service – a rule confirmed even

even by the attempts that were made to regulate it – I mean confirmed by Sir Elijah Impey when he undertook to be Legislator for India – that the Judicial character which is the last in Study and the last in professional experience that to which all professional men ultimately look up – that was the first experimental Situation of a Company's Servant – and it is expressly said that the Office and Situation of a Judge are to be filled by the Junior Servants of the Company – and as the emolument is not equal to other Situations the junior service is to be taken as in transitu as a passage to other things and as soon as a Man has supplied the defects of his education by the advantage of experience he is immediately translated to another Situation – and another young Man is sent there to learn at the Expence of the properties of India to fill a Situation which he is not to fill.

So

So with regard to the other Situations they are the Situations of great Statesmen which undoubtedly according to the practice of the World require rather a large converse with men to fill properly and much intercourse in Life together with the Study of books - though that has its eminent Service - we know too that in the habits of civilized Life in cultivated Society there is imbibed by men a good deal of the Solid practice of Government of the true maxims of State and every thing that enables a Man to serve his Country — But these Men are sent over to exercise functions at which a Statesman here would tremble — without any Study — without any of that sort of experience which forms often gradually and insensibly to great affairs — these men are sent over to India without maturity without experience — without knowledge or habits in cultivated life to perform such functions as I will venture to say the greatest

greatest Statesman are hardly equal to—

Mr. Hastings has himself in his defence before the house of Commons and in the defence he has made before your Lordships Lamented his own Situation in this particular— It was much to be lamented indeed— how for it will form a Justification for his Conduct when we come to examine that conduct will be seen— how for it will furnish either extenuation or palliation will likewise be seen— But so is the fact and so we must lament it— that the Servants of the Company are sent out young— are sent out with incompetent emoluments— Are sent out to a body that forms them into an Esprit du Corps— sent out in that Situation without any controul upon them— without that which is the best thing in Education —discipline— restraint— order and subordination — which are education— and all the rest of it are but subordinate to this great point.

By

By means of this bad System of things it has so happened and does happen that the very laws we have made — the Covenants the Company has got its Servants to enter into — the orders that have been given — have proved as things have turned out the most noxious and mischievous to the Company instead of Beneficial — for the Servants of the Company are obliged when they enter into the Service to enter into it not only with the general duty which attaches upon all Servants but they enter into a Specific Covenant with their Masters to perform all the duties — described in that Covenant under heavy penalties — they are bound by them and at every Step of their progress from Writer to Factor from Factor to Junior Merchant and from Junior Merchant to Senior Merchant they are bound to renew these Covenants by something (I speak without offence) which may be said to resemble confirmation in the Church they are

are obliged to renew their obligation

This Covenant would have been wise and proper if it had been enforced - the orders of the Company have forbidden them to take any unlawful emoluments - The Act of Parliament has fulminated against them - What is the consequence? - The consequence is that clear positive laws - that clear positive Covenants and positive Engagements having no exception of circumstances nd them or difference quoad majus et minus but every one who offends against the law is liable to the law - the consequence is that he who has taken but one penny of unlawful - emolument - and all have taken many pennies of unlawful Emolument - that he dare not complain of the most abandoned extortion and cruel oppression - and he who has taken a penny to do a good act is obliged to be silent when he sees whole nations desolated about him - the great Criminal has the laws in his hand he is always

always able to prove the small offence and crush the person entirely who has committed it — in — consequence of which Mr. Hasting has not only obtained a vast power by this grand defect in the Companys Service — but distributing liberally the emoluments of the Company — and by making it impossible for any man to rise but through his favor — he has such a hold of corruption that he has hicked it got it bound above below and on all sides about him by one Common participation and connivance and accordingly he has had no complaint from the Service against him — he states it as one of his Merits, that there has been no such Complaint — no such complaint can exist the Esprit de Corps forbids it — in which an Informer is the most odious and detestable of all characters and is hunted down and has always been hunted down as a Common Enemy of the Common profit he cannot do it because as no body is free from small offences the great offender can always crush the small one — and accordingly what is singular — if you examine the Correspond.e of Mr. Hastings — you would imagine from many expressions very deliberately used by him that the Companys Service was made out of the very dirt and filth of mankind — the most degenerate publick body that ever existed in the world but if you examine his Conduct tow.ds them you wod. imagine he had lived in the speculative schemes of visionary perfection. &c

He was fourteen Years at the head of that Service and there is not one single instance in which he endeavord to detect corruption — that he ever in any one single Instance attempted to punish it but the whole Service with that whole mass of enormity slept as it were at once under his terror and his protection — his protection if they did not dare to move against him his terror to pluck out individuals and make a public example of them whenever he pleased (and therefore the first thing to be observed is that it is a Service of confederacy a Service of connivance a Service of various Systems — of guilt of which Mr Hastings was the head — protector and Conniver — not only as Screener and conniver — but we shall prove to your Lordships that when the Company was driven by Shame — not by vindication — but by Shame to order — several prosecutions against their delinquents — Mr Hastings not satisfied with the general connivance

connivance directly contrary to his duty of
his office directly contrary to the express &
positive Law of the Court of directors
which ~~the~~ Law parliament had bound
upon him as his duty not satisfied with
that connivance before he went away he
passed a general pardon which ~~was~~ he
was not authorized to give and at once
ordered the whole body of the prosecutions
of the Company to be discharged

Then having had fourteen years —
connivance and then a general Release
of all charges and actions of the Company
given by usurpation fraud and madness
in him but being given he now puts
himself at the head & expects the support
of that body which he fully discharged
from all prosecutions You will find in
the course of this business that whenever
by means that have been fortunately used but
unfortunately stopped that whenever these
charges

charges have been brought against him of any bribery corruption malversation his point has been never to answer one word to that bribery corruption malversation but to enquire of the whole Service whether there was any one item in it that would give him an ill word he is just in that situation in which he may well call to his Character and will find himself utterly incapable of justifying his conduct — so far with regard to that part of the Service

There is another part of the Service which I really omitted but whether I should put it first or last I must confess I am at some loss because tho' it appears to be the lowest part of the Service it is by far the most considerable and the most affluent without a full consideration and explanation of which no part hardly of the conduct of Mr Hastings and of many others that may

may be in his situation can be well
understood.

I have given you an account of
Writers Factors Merchants who Exercise
the office of Judges Chancellors Ministers
of State and Chancellor of the Exchequer
and Managers of Great Revenues I have
given you some description of them but there
is another description of Men whether in
the Companys Service or not that is of more
importance than them all that is the
description of a character you have often
read of but which has not been
sufficiently explained I mean the Characte
of a Banyan — when the Companies Servic
was nothing but mercantile and they
were utterly unacquainted with the Country
they used the intervention of certain Factors
among the Natives which were called
Banyans we called them so they were of
the tribe or host of the or
Mer-

Merchants the Indians being distributed into Tribes and the English employed them as their factors in their dealing in the country and the Names still continue tohen the functions of the Banyans are totally different — a Banyan has other Names too he is called Dewan or Steward and indeed it is a term with more propriety applied to him in several of the functions tohich he occupies he is by his office the Steward of the household of every European Gentleman who has the care management and ordering of his Servants — He is a Domestic Servant he is generally chosen out of that class of Natives who by being habituated to Misery and Subjection can Submit to any orders and are fit for any of the basest Services having been themselves subject to oppression they are fit perfectly for that is the true education they are fit for to oppress others they serve an apprenticeship of

of Servitude to qualify them for the Trade of tyranny they are persons without whom an European can do Nothing they know they themselves being trained in that way they know all the ways all the little frauds all the little defensive Armour all the Artifices and contrivances by which abject Slavery secures itself against the Violence of power they know all the lurking holes all the winding recesses of the unfortunate and they hunt out distress & misery even to its last retreat they know the way they have suffered themselves & far from being taught by their Sufferings to abstain they have only learnd the way of afflicting others without them Europeans with all their pompous names with all their consideration are nothing the Moment a Companies Servant comes there & they have the best intelligence of what is done at home — that class of people immediately make application to the Gentleman who comes to

to India they take possession of him as
if it were their inheritance they have knowledge
of the country they have money and they have
the Arts of making money the Gentleman who
comes from home has none of them he has
nothing but Simplicity he has nothing but
a desire of wealth great indigence and
adisposition to relieve himself — these Ban:
yans have all they have money the
knowledge of the Country and they know
the means of acquiring wealth and
accordingly they take possession of them
and it is much to be lamented that they do
continue a tyranny not only over the
people but over the master who does
nothing but give them the Ticket of Residence
that he is connected and supported by an
European who is well supported at home
& from that Moment forward it is not the
Englishman but it is the Black Banyan
that is the Master he keeps him alive — we
Sure

know how young men are sent out of this
Country we know how happy we are soon
to know they are no longer a Burthen to
their Friends and parents but in a
Situation knowing the Banyan knows it
too he supplies him with Money but the
chief way in which he is paid is the use
of his Masters name and power and thus
he goes into the Country with a commission
in his hand which nothing can resist
this Banyan thus empowered has not
only the people under his Subjection
but his master the way he has him
under his subjection is he has that dreadful
power over him which every creditor has
over his Debtor – the master is no longer
a master he is the tool in the hands of
this Man – actions the most abhorrent
to his Nature he must see done before
his face and thousands and thousands more
are done in his absence and he dare not
complain

complain of them the Banyan extorts robs murders and gives him what proportion of it he pleases if he should murmer at him the very power that was sent over to protect the People of England the very Laws of England the very best things being perverted when put into Situations not fit for them the very Laws of England which make the Recovery of Debt more easy gives ten thereabout times more power to the Banyan over his Master and that Court becomes a collateral Security for that abominable tyranny exercised over Europeans as well as the Natives so that while we are boasting of British power we are in more than half the Service nothing but the inferior tools of the miserable instruments of the Tyranny which the lower part of the Natives exercise to the disgrace of the British power and to the ruin of all that is respectable among their own Countrymen they have

have subverted the first houses totally ruined and undone the Country cheated and defrauded the revenue and kept people in India under a miserable State of beggery until something or other has relieved them from this servitude which is the true reason that the Companies Servants in India in order to free themselves from this horrid & attrocious servitude are obliged to become the tools of Men in power — to get some office that may enable them to make Money to pay their Debts — or to be the tools of Mr. Hastings — It is true that — these people were originally the lowest casts in the Country — but after seeing the profit which these mgr make that there is neither power — profession or occupation to be had that a reputable person could have ~~without~~ men born to better things men of higher cast have thrown themselves into that (disgraceful) servitude have become menial Servants to English

Englishmen that they might rise by their degradation but they have prostituted their integrity they have equally lost their character if there is no difference between the best and the worst.

That system Mr. Hastings ~~is~~ confirmed established encreased (and made the Instrument of the greatest tyranny that ever was exercised of the basest speculations and the most scandulous and iniquitous extortions of the County - you must distinguish this Situation I have described of the Banyans you must (Distinguish) the Banyans of the Servants in Subordinate Situations and the Banyans who are such to persons in higher authority in that case the Banyan is in subordination because he can be removed by his Superior - Whereas he can always ruin his nominal Superior in the other - Mr. Hastings has brought forward his Banyan seated him in the houses of the principal nobility invested him

him with Revennes given him enormous jobs
he has put him over the heads of the Nobility
who really for their grandeur antiquity
and dignity might almost be matched with
ayour Lordships he has put them over their
heads made them the Supreme Judge
even of the very cast in which they exist
and he has confirmed under him and by
him and by Banyans of various kinds
confirmed that power in such a way
as will require not only great Justice
upon him but great and wise provisions
to prevent the growth of that evil in
future such is that first or last / I don't
know which to call it / order in the
Companies Service called a Banyan your
LordShips will see hereafter the necessity
of opening the Case the Situation of a
Banyan you will see no Englishman
properly speaking acts by himself that he
must be made responsible for that person
called

called his Banyan for the power he either used under him or the power he has acquired over him that these are the people through whom all bribery peculation extortion is practiced with impunity because they escape in the night of their complexion and situation – the enquiry that a White man dare not stand in this Country through the Banyans he receives his bribes thro' them he decides falsely against the Titles of the people of the Country through them he has exercised oppressions which I will venture to say in his own Name in his own Character daring as he is and he is the most daring Criminal that ever existed he dare never have entered into therefore we shall shew you that both for the effect of robbing with more force with the stronger hand (and at the same time for concealing that robbery that most of his iniquities have been done through these Banyans

Banyans and that he is not satisfied with one of them but has had one two three others not in them confiding the secrets of Europeans and hardly any two of them knowing the secrets of each other. This is the System of Banyanism and of Concealment which Mr. Hastings instead of eradicating out of the Service has propagated by example by support & by abuses in the most monstrous way in which power can be abused.

I have mentioned these circumstances of the Constitution of the Company's Service from beginning to end I now shall mention to your Lordships one great Mercantile Constitution of the Company—so great so excellent so perfect that I will venture to say that human wisdom has never exceeded it and that it was part of the guardianship not only of the East India Company but of all the powers of this Country—it does so happen that there the Counting house gave

Lords

Lessons to the State and it will always
happen that if you can apply the regulations
which private Wisdom makes for private
interests to the concerns of the State you will
then find that active awakend and enlightened
principle of Self Interest a better System of
things for the guard of that interest than
ever the Erroring wisdom of people looking
for good out of themselves I mean for the
greater part of mankind ever contrived for
the Public and therefore I repeat it that the
regulations made by Mercantile Men for
their mercantile interest when they have
been able as in this Case have been applied
to the discipline and order of the State have
produced a discipline and order which no
State should be ashamed to copy and
without which such a State cannot exist
it is perhaps the best contrivance that ever
has been thought of by the wit of man
for the Government of a remote large disjointed
Empire

empire for Merchants leaving factors abroad in distant parts of the world have obliged them to a minuteness and strictness of correspondence which no State has ever used with regard to its public Ministers and accordingly the Company has made it a fundamental part of their constitution that their whole Government shall be a written Government you will observe in the course of the proceed.s the propriety of opening this to you The Government of the India Company is a Govern.t of Writing and a government of Record the strictest Court of Justice in its proceedings is not more a Court of Record than the India Company in all its proceedings.

In the first place they oblige their Servants to keep a Diary of all their Transactions they are bound to do it by their Covenant they oblige them as a corrective upon that Diary to keep a little book in which all their Letters are entered and they are bound to produce

produce those books upon requisition altho'
it should be mixed with affairs concerning their
own private Negociations and Transactions
of Commerce or their closest and dearest concerns
in private life These books are to be produced
but as a great corrective of all they have ordered
that every proceeding in public Council shall be
written no verbal debates all shall be
writing and all shall be record all other bodies
the Houses of Lords Commons priny Council
secret State deliberations enter only resolves -
decisions and final resolutions of affairs - but
the argument - the discussion - the dissent does
not appear - but the Company has proceeded
much farther and done much more wisely
because they proceed upon Mercantile
principles and they have ordered that all
shall be written the propositon the -
argument the dissent, the whole course of
argument and not only in their great Council
but in every provincial Council and provincial
de =

derivation even down to the minutest ramification
of their Services so that these books upfrom
the lowest to the highest presidency are
ordered to be transmitted duplicate and
triplicate as it is by every Ship that comes
to Europe therefore an able Servant of the
Company and high in their Service he has
mentioned to the directors how sacred this rule
ought to be held it should be remembered that the
basis upon which you rose to power and have been
able to stand the Shock of repeated Convulsions has
been the accuracy and simplicity of the Mercantile
method which makes every transaction in your
Service and every expenditure a matter of
record.

My Lords, this method not only produced
to them a more accurate idea of the nature of
their affairs and the nature of their
expenditures but it gave them no mean
method of knowing the Characters of their
Servants their capacities their ways of
think[ing]

thinking the turn and bias of their minds so that that happened which if wcle used to the East India Company ~~which~~ never happened to the chief of a remote Government before that in the most remote parts of the world and minutest parts of their Service it was in the power of a Man sitting in London to form an accurate Judgment of every thing that happened upon the Ganges and the use of this was not only in discovering what the nature character and capacity of their Servants was but it found a means of detecting their Wickedness and of proving it too and of giving evidence and testimony of it under their own hands for your Lordships will observe that in all evil practices no uniform method of proceeding will serve, innocence is plain direct and simple, guilt is a crooked thing the job of iniquity to day- may be covered by specious reasons, But when the

the job of iniquity of tomorrow comes, the reasons that support the job of to day expose the iniquity of to morrow the Man falls into contradiction prevarication confusion and this hastens his detection this is the method by which these things can come to be discovered they see that the same false specious reasons will not serve for different kinds and degrees of guilt and the resource of one Moment becomes the destruction of the Vice of another besides they have not time to corrupt the records they are drawn out of their hands they are in Europe they are the records of the Company perhaps they are before Parliament before they have time to invent an excuse for a direct contrary conduct this is a great & essential part of the constitution of the Company & as I said to your Lordships & and I am not ashamed or think it to be much apologized for in repeating that this is the fundamental part of the Companies service & which if preserved first as it ought & then used — as it ought to be wd. afford such a mode of governing a foreign Empire as I will venture to say few Countries possess in governing the most limitted & narrow Jurisdiction this was that great fundamental

fundamental instrument of the
Company's Service M^r Hastings
subverted it and destroyed it – he
first destroyed it by sending Agents
whom he ordered to deliver their
correspondence to him in order to
be suppressed and destroyed – public
Agents paid by the Company and
its Servants – he has called upon
them for their correspondence with the
Company's Correspondents – he has
taken it into his own hands and
he has destroyed it – Correspondence
upon the most momentous affairs
– he has destroyed it by making a
fatal mischievous distinction between
public and private correspondence –
whereas the Company made none
– There are thousands of occasions
in which it is not proper to divulge
your private correspondence – but
there

there is no occasion in which it is not necessary to communicate your correspondence with those who are above you - these are the distinctions he has thought proper to make

The next way - without entering into all the ways in which he has attempted to do it - is by appointing spies and under Agents who shall carry on the real State business while there are public and ostensible Agents who are not in the secret and the correspondence of those private Agents he has hoped and secreted - and there remains nothing but the shell and husk of a dry official correspondence which neither means any thing nor was intended to mean any thing.

This is the way in which he has defeated this excellent institution - but he

he has taken a mode of doing it at
once by delegating out of his own hands the
whole powers of the Company which he
was bound to execute into hands where
they were not bound to record their
deliberations — where they were not bound
to record their assent or dissent unless if they
chose it and where as in a great gulf a most
important part — as we shall prove — of the
Company's transactions have been buried
and yet some precious fragments are
left — and which we ought infinitely
to value — and the Nation will have reason
to value — and lament the loss of what is gone
by what we have had — if it were not
for those inestimable fragments and —
wrecks of the recorded government of the
Country which have been saved from
the destruction which Mr Hastings intended for
them all — all the most shameful enormities
that have ever disgraced a Government or
can

can ever vex a people would only be known
in this Country by secret whispers and unauthen-
-ticated anecdotes and the most shameful
actions which can disgrace government and
disgrace mankind instead of being brought
before a public Tribunal might have been
honord with the highest distinctions and
rewards this Country has to give - and
sordid bribery - base peculation, wretched
extortion and cruel tyranny might
have been invested with those sacred robes
of justice before which they have now
cause to tremble.

Mr Hastings therefore endeavoring
to discredit and ruin what remains
refuses in his defence to the House of
Commons - in letters to the Court of
Directors - in various acts and muniments
- he refuses to be tried by his own
recorded declarations - by his own
opinions delivered under his own
hand

staid - he knows that what remains
of the written constitution which he has
not destroyed is enough to destroy him
therefore he resolves to invalidate it
- he refuses to be tried by it - rejects
it totally - he desires to claim a privi=
=lege of prevarication - a privilege of con=
=tradiction - not only to change his conduct
but the principles of his conduct whenever it suit
his occasion — he knows that he and that
Record cannot exist together - But I hope your
Lordships will shew the destroyers of the Consti=
=tution and the destroyers of those Records -
which are to discover iniquity that
whoever destroys the discoverer estab=
=lishes the iniquity and that therefore
your Lordships will bind him to
his own declarations given under
his own hand and that You will say
to him what was said to another person
upon a less occasion by greater au=
=thority

=thority – "out of thy own mouth will I judge thee" – Your Lordships shall have his own words from his own mouth to judge him for this conduct.

Having gone through what I thought and what I was instructed might be necessary to state to – your Lordships concerning the Company's Constitution – I mean the real inside and not the husk and shell of its constitution having stated the abuses that existed in it – having stated how Mr Hastings endeavord to perpetuate and increase and make use of the abuse and how he has destroyed every thing that was excel= =lent and many things were truly excellent in that Constitution

Having

Having stated this if I have strength if your Lordships are desirous of it – if I have not wasted your time in explanation of matters that I have – already acquainted you with. I shall next beg – leave to state to you the abuse which he has – made of the other part of the public authority which the Company acquired over the – Natives in virtue of the Royal Charter of the present Mogul Emperor in the year 1766.

My Lords it is necessary to state to – you that you may the better judge of the – abuse Mr. Hastings has made of the powers – vested in him to know who the people are over whom he has abused those powers – this is – a little out of the way but it will be necessary for me to explain it and I shall explain it with as much brevity as is consistent with the – distinctness with which I mean to bring the – whole before your Lordships – and I beg to observe to you that in this previous matter which is rather explanatory than accusatorial

(if

(if I may use the expression) — rather to explain the nature of the matter to come before you in regular charges than as proof of the charges themselves to say that I shall hold myself as much bound to support by evidence this as I know there is not a word of it which is not supported.

I know it is allowed to advocates when opening a cause in a private Court to indulge themselves in a display of matter — leading to the charges they intend to — bring) there is a great deal of latitude and allowance to them to make such a statement as they please and they are not always — called to the strictest account for the matter because the Court when they come to judge sift from it such matter as is proved and is — relative to the Cause.

But I wish your Lordships to know that with the high opinion I have of your gravity (and it is impossible for a man to — conceive

concoive a higher) and sonsible of the weight
of those I represent at this place namely the —
Commons of Great Britain I should be sorry
that any one substantial factor colour of —
things was alledged by me in this place a
which when called upon I should not be a
ready to make good to you by proof adapted
to its nature exactly in the same way as the
other matter which be comes more substantial
matter in the cause I mean evidence to a
which Record is applicable by Record —
public opinion by public opinion and oral
testimony to which oral testimony is applicable
and last of all that which is matter of historic
proof by historic evidence.

I shall hold myself bound to accoimt
just for this preliminary explanation upon
the same gromds as I shall accoimt for the
charge itself in allowing for human infir-
-mities or some slight errors or mistakes —
that may happen in any case substantial —
parts

parts I think myself bound to state.

Then there are two distinct people in India totally distinct from each other in characters, lives and manners for both of whom Mr. Hastings was bound to provide equally agreeable to the terms of the Charter the Company received from the lawful governing power of that Country which it had received at its own solicitation — not forced upon them by a superior power but given at the immediate solicitation of the principal Servants belonging to the Company — accepted by the Company and by them I am very sorry to say little regarded or at least by their principal Servants.

The first set of people who are subjected virtually to the British Empire — through those mediums I have described to you are the original Inhabitants of Indostan who have inhabited in all time and beyond all the æras which we use

Indian

(I mean always the grand æra excepted) —
lived and been proprietors and Inhabitants
of that Country with manners, Religion, &
Customs and usages appropriated to them-
-selves and no ways resembling those —
of the rest of mankind — those persons are
commonly called Gentoos — The System and
principle of that Government is local — —
— their laws — their manners — their &
religion are local —

Their Legislator whoever he was —
(For that is lost in the mists of avery &
obscure antiquity) had it as the great &
leading principle of his policy to connect
the people with their soil and accordingly
by one of those anomalies — which time
daily discovers and perhaps reflection &
would explain in the nature of man —
those people who are the softest in &
their manners approaching almost to
feminine who are the most benevolent
and

and of a larger circle of benevolence than
our morals take in who extend their ——
benevolence to the whole animal creation
— these people are the most unallyable
to any other part of the creation they can-
not the highest orders of them touch them
that bond which is the bond of life and
which by supporting the Individual unites —
them in other cases I mean conviviality —
— that Bond of life cannot be had with —
these people accordingly there are some —
circumstances relative to them that exclude
them still more than I have mentioned —
from all immediate commerce with this —
nation namely that that very element —
which by appearing to disconnect unites —
mankind — I mean the Sea — the Water
is to them a forbidden element — none of
their high casts can without great . . .
danger to his situation (perhaps it is absolutely
impossible to some of them) — can ever pass
the

the Sea if it could be truly said that a great Gulf is fixed between you and them it is — that gulf which manners opinions and — Laws radicated in the very nature of the people and which you can never efface from them — this forbids for ever all — immediate communication between that Country and this and that my Lords — makes it ten times more necessary for us — to keep a strict eye upon all persons who go there — so to conduct ourselves in our proceedings with regard to the knowledge of that Country and all its affairs as it may be conformable to their necessities — and not to our inventions — that we if we must govern such a Country must govern them upon their own principles and [illegible] maxims and not upon ours — that we must not think to force them to our narrow ideas but extend ours to take in theirs — because to say that that people shall — change

change their maxims lives and opinions is what cannot be — we know empire of ~~the~~ opinion is I had almost said human nature itself it is however the strongest part of human Nature and more of the happiness and unhappiness of mankind resides in — opinion than in all other external circum- -stances whatever and if it resides in us — in opinion much more does it reside in them in opinion for sometimes our Laws of Religion differ from our Laws of the Land sometimes our Laws of the Land differ from our Laws of Honor — but there the Laws of Religion the Laws of the Land and the Laws of honor are all united and consolidated in one and bind a Man ~~to~~ eternally to the rules of what is called — his cast

I think it necessary to state to your- Lordships what a Cast is — these ~~a~~ ~~a~~ people from the oldest time have been

distributed

distributed into ~~the~~ various orders — all hereditary which are called Casts Those casts are the fundamental part of the constitution of that Commonwealth both in their Church and in their state.

Your Lordships are born to hereditary honors in the chief of your houses — the rest mix with the people they who are born noble can never fall into any second rank — they are divided into four orders — The Brahmins the Chittary — the Bui and the Sooders they are divided into four Commonwealths the higher cannot pass into the lower — the lower cannot rise into the higher — they have all their appropriated rank, place, and situation and their appropriated — religion too which though they all go under one definition of religion yet is — different in its rites and ceremonies in each of those casts and if a man who is in that

that cast which at once unites what we should call the dignity of the Peerage in this Country and the sanctity of Episcopacy — the Bramins, if he loses his Cast he does not fall into the next order the Chattery —— the Bâce — or the Soodurs ~~the~~ ×× ×× ×× ×× but he falls out of all ranks of society — is excluded — an outcast — the most infamous of all mankind.

Those people bound by all Laws — human and divine to those principles — of cast and which inveterate usage has grafted in them in a manner in which no known prejudice in the world has been known to exist — those people are affected in their cast not only by the crimes — the voluntary crimes by which they may lose it but likewise by certain involuntary sufferings and involuntary disgraces utterly out of their own power do affect them in their cast which is their

ivory

every thing for speak to an Indian of his cast you speak to him of his all — When they lose their cast they lose every thing — — the loss is not only as I said by voluntary crimes but by the acts of other people so — that these miserable casts give one ~~a~~ pledge more to fortune than any other Nation was ever known to do

They are bound by ~~new~~ ties — — tyranny oppresses upon them and ~~so~~ accordingly those who have wished to — oppress them, those who have stood im- -prisonment — those who have stood — whips — those who have stood tortures — those have stood the menaces of death itself and it has made no impression ~~to~~ have instantly given way when it has — been attempted to bring upon them any of those pollutions by which they lose cast.

This shows us in what manner ~~it~~ we

we ought to handle people so delicate in those respects — Now we shall show you that Mr. Hastings made the full use through several of his wicked and abominable instruments in that Country chosen from the Natives themselves of not only all the wicked means of oppressing and abusing it but striking at that which goes beyond life which seems to affect them in other worlds which they conceive to themselves unknown that this has been used to the destruction of that people I shall prove that he has put his own monial domestic servant — a wretch — dependent — a wretch ignorant — a wretch vicious and corrupt — the instrument of his briberies — he has put him into that Seat of Eccle- siastical jurisdiction which was to decide upon the casts of all those people which contained their rank, their family and honor, their happiness here and salvation

salvation hereafter — he put his own
servant to judge over them and to get a
new hold by which he brought the people
under his tyranny and that nobody dare
complain of him — accordingly he says —
— who complains of me. — who dare —
complain of you, no your menial servant
has my cast in his power — I shall not —
trouble your Lordships with mentioning
others it was enough that Cauto Baboo
and names to which Your —
Lordships are to be familiarized — —
hereafter it is enough that those persons
had the cast and character of the people
in their hands by which he has taken care
effectually that those people shall never
complain.

My Lords I am to mention to you
circumstances relative to those people —
They were the original people of In-
dostan they are still infinitely more —
numerous

numerous I take for granted however to one – the Mussolmen are nothing like them — they are the old Inhabitants of the Country and still more numerous – – whatever faults they may have God forbid we should go to pass judgment upon people who framed their laws – – and institutions prior to our insect origin of yesterday – that we should pass – – judgment upon them — They have two great principles which ought to be respected – that is to say great force and stability and great glorious and excellent effects — their stability has been proved by their holding on a time and duration commensurate to all the empires History has made us acquainted with and still they exist in agreen old age with all the reverence of antiquity and with all the affection that people have to novelty — and change and accordingly they have stood

stood firm in their own Country and cast their roots deep in their native soil — because they cast them no where else — than in their native soil they fix their opinions in their native soil and bind them together — their religion has made no Converts — their dominion no — conquests — and in proportion as they were concentred within and hinderd from — spreading abroad they have grown to — double force and have existed against — Bigotry against persecution against all the fury of foreign conquest and almost — against the fury and avarice of the English dominion established among them.

I have spoke now my Lords of what their principles were — their Laws and — religious institutions in point of force and — stability — I have given instances of their force by the way in a thing in which all the — institutions of mankind in other respects shew their

their weakness for they have shown their force in the Revolutions of the State — when the Country has been totally subdued the ... institutions have existed which is a strong proof that there must be some strong powerful influence resulting in them beyond all our paltry means of judging of Men.

But the stability of them is the true test of inquiry that form of religious institution connected with Government and policy that makes a people happy and Government flourishing putting further considerations out of the way which is not now our business these are undoubtedly the test of any Government and I must appeal to the whole force of observation that where ever the Hindoo religion has been established — that Country has been flourishing — We have seen some remaining to this very day — this very Country I am going to mention to you is an instance of what an intire change

of

of Government and institution, what the rapacity of a foreign hand rather than the paternal tenderness, protecting concern of a native government does for people and I shall quote it from a book where the very destruction of all this government is the great object of this author and a desire of invading with the hand of rapacity what has escaped all former ravages.

The Author divides the Country into different provinces he supposes what they pay to the supreme Government he supposes what the country is capable of yielding and his project is to change intirely the application of the Revenues of the Country and to secure the whole into the hands of Government. — At last he comes to the province of Burdwan.

"In Truth (says this Author)" it would "be almost cruelty to molest this happy "people for in this district are the only vestiges

"vestiges of the beauty, purity, piety, regu-
"larity, equity and strictness of the ancient--
"Indostan Government— Here the property
"as well as the liberty of the people are invi-
-olate — Here no robberies are heard of
"either public or private the Traveller either
"with or without Merchandize becomes the
"immediate care of the Government which
"allots him guards without any expence to
"conduct him from stage to stage and those
"are accountable for the safety and accommo-
"dation of his person and effects. — At the
"end of the first stage he is delivered over
"with certain benevolent formalities to the
"guards of the next who after interrogating
"the Traveller as to the usage he had re-
"received in his journey dismiss the first ..
"guard with a written Certificate of their be-
"behaviour and a receipt for the Traveller
"and his effects which Certificate and receipt
"are returnable to the Commanding Officer
of

"of the first stage who registers the same and
"regularly reports it to the Rajah.

"In this form the Traveller is passed
"through the Country and if he only passes
"he is not suffered to be at any expence
"for food accommodation or carriage for his
"merchandize or baggage — But it is —
"otherwise if he is permitted to make any
"residence in one place above three days
"unless occasioned by sickness or any unavoid-
"-able accident. — If any thing is lost in
"this district; for instance a bag of money —
"or other valuables the person who finds —
"it hangs it upon the next Tree and gives —
"notice to the nearest Choukey or place of
"guard — the officer of which orders imme-
"-diate publication of the same by beat of
"tomtom or drum".

Now my Lords these are the
effects which universally prevailed before
distorted by the barbarism of foreign
conquests

conquests throughout that whole empire and of which some choice reserved spots continued to the year 1756. of which ~~a~~ some remained till Mr. Hastings had the means of defeating them such was the prospect of Benares in the happy reign and government of Bulwant Sing – such was the happy state of Benares in the ~~a~~ happy days of Chert Sing till Mr. ~~a~~ Hastings introduced his reform into ~~a~~ that Country.

Having stated the general outline of the manners of the origin of the people of Indostan – having stated the general ~~a~~ principles and the subdivision of the Com- -try – having stated those lines of the ~~a~~ religion which relate to us and which either prohibit connection or oblige us – to a connection very different from what we have hitherto used towards them – I shall now pass them and leave them to your Lordships

Lordships Judgment seriously to consider the situation of Men in such a place to enlarge the Bounds and limits of your Justice and if not of your Justice of your mercy to them and not to suffer such fair monuments of the human mind to be defaced by the rapacity of your Governors — I hope I have not said a word straining the subject to bring before you any a part of their religion and manners a farther than as relates to our Government over them for though there never was such food for the curiosity of the human mind I pass it totally over.

Now considering that as the first æra in which we are to view the History of the East.

The next æra is an æra of great misfortune to that Country and to the world in general — I mean the æra of the prophet Mahomet who has extended his

his Dominion influence and religion over that part of the world — there can be no doubt that the enthusiasm which animated his first followers — the despotism that were connected with it and the advantages they had over the broken & disunited Countries of the world extended its influence from to the Banks of the Noiho

This I wish you to consider and — remark as the æra of the Arabs — Those people made a great impression in India — they had Sovereigns in all parts of it — — they had particularly the Kingdom of Bengall which is now the object of our enquiry — they had the Kingdom of Bengal and held it for a series and a dynasty of thirty three Kings having begun and founded their Seats in it very early after the time of the prophet.

Those people when settled in the Country tried at first with the ferocious arm

arm of their prophetic sword to change the religion and manners of that Country — but soon perceiving that their cruelty wearied out itself and never could touch the constancy of the sufferers they permitted the people of the Country to remain in quiet and suffered their religion to operate upon them as it could by appealing to their Ambition or avarice or by taking the people who have lost their casts into and increasing the bounds of the Mahometan religion — But they left the ancient people in possession of their states and left the ancient Sovereigns of the Country possessed of an inferior sovereignty and where the nature of the Country would permit it they suffered them to continue in a separate state of sovereignty from them.

The Mahometans during the period of the Arabs never destroyed the Native Nobility Gentry or Landholders of the Country they all remained fixed in their places as they

did

did till very near our time.

The next Æra is an æra very necessary to state because Mr Hastings has made many applications to it namely the history of the ... Tartars or the æra of Tamerlane - They came in - not by destroying the Hindoos - their conquests were over the Mahometans for as Tamerlane coming into that Country as the great reformer of the Mahometan Religion to succeed to the rights of the prophet upon a divine right and divine Title - He struck at all the Mahometan princes who were at that time as persons who were Tyrants abusing their power in the several Countries and he came after in a composition with the people of the Country upon the ruin of these Tyrants he had neither time nor means nor inclination to dispossess the ancient Rajahs of the Country.

And to give your Lordship an idea of the Equity or policy of that time and not an history of the ferocity of the Country because ancient Historians generally inform us of every thing but what we wish to know that India was conquered by Tamerlane in such a year and the year will be found to coincide somewhere

somewhere I believe with the end of the four-
-teenth Century thinking the Chronology no-
-thing and thinking what was done to be every
thing — There is here a very remarkable —
circumstance from the same book written by no
friend to these people.

"When the Hindoo Rajahs or princes of the
" Indostan submitted to Tamerlane it was on
" these Capital Stipulations — That the
" Emperors should marry a daughter of Rajah
" Jeet Singh's house That the head of this —
" house should be in perpetuity Governors of
" the City of Agra and annoint the King at
" his Coronation and that the Emperors should
" never impose the jesyuah (or poll Tax) upon
" the Hindoos."

Here was a Conqueror as he is called —
coming in upon terms mixing his blood with
that of the native Nobility of the Country —
putting them in consequent Succession upon
the Throne of the Country making here-
-ditary Constables of the Capital of his Country
of the Native princes of the Country and freeing
the Hindoos for ever from that Tax which

the

the Mahometans have laid upon every re
Country over which the Sword of Mahomet
prevailed namely a Capitation Tax upon
all who do not profess the Religion of the
Mahometans but the Hindoos by professed
Charter were exempted from that-They
were no Conquered people — they carried
the evident Marks of a noble independency
of a Spirit of Freedom in their own Government
comparing Countries with each other where
the Prince is armed with a full Speculative
entire Authority and where the great re
people have no privileges at all or having
privileges are nothing but subjects - but the
modes ~~But the modes~~ the degrees the cir-
-cumstances of subjection varied infinitely -
in some places hardly a trace at all in some
the Rajah's were almost Assessors of the —
Throne as in this Case of the Rajah Choit -
Sing - Those Circumstances mark that -
Tamerlane however he may be called -
from his name a Tartar was no Barbarian
that the people who submitted to him —
did not submit with the abject submission of

of Slaves to the Sword of a Conqueror but admitted an Emperor who was just prudent and politic instead of the ferocious, oppressive Mahometans who had forced their Sword into the Country.

That Country resembled more a Republic of princes with a great Chief at their head than a Country in absolute uniform systematic subjection from one end to the other in which way it has of late been considered — So that if a prince like the Choit King was not ready to pay any exhorbitant fine which should be inflicted upon him by the will of the person who called Robbery a Fine and who took from him without either considering his means or his delinquency why if such persons there were the Rajahs of that Country were armed — they had imperial Fortresses for their Security they had Troops and the

the means of a Revenue to do themselves
Justice but the policy of the Prince never
was to push that people to such extremity
as it is supposed that those that were the
subjects of their Conquest ought to be pushed.

"In the unfortunate wars which fol-
"-lowed the death of Mauz o'Din Savagee
" Soot Sing with a select body of Rhaasoots
" by a well conducted retreat recovered a
" Agra and was soon after reconciled to the
" King and admitted to his favor conformable
" to the steady policy of this Government in
" keeping a good understanding with the
" principal Rajah's and more especially
" with the head of this House who is ever
" capable of raising and fomenting a very
" formidable party upon any intended —
" revolution in this Despotic and precarious Monarchy".

. Now my Lords during this reign of Tamerlanes
which we consider'd under his Successors a Government of
despotism

despotism these principal Rajahs instead of being called Wretches and treated as such these people were even when they were at arms against their Sovereign admitted to easy reconciliations because in reality they were not rebellious Subjects but princes often asserting their natural liberty and the just constitution of the Country

This idea that Mr Hastings has endeavored to bring in to the World of the abject situation in which the people were has nothing in it in the government of Tamerlane or his Successors

This brings me to the next æra they have made of he was the first who got Bengal into his possession — I can shew his conquest over Bengal was over the last Mahometan dynastry — that he conquerd the prince not the Country and that till we enter'd into it — and which is a certain mark it was not a conquered Country in the sense in which we call conquered — that the natives

natives great men and land holders were in every part in the possession of the country — It is true severe revenges were taken by the princes in that country which bore resemblance to the wars of the Roses in this country where in the heat of blood — "off with his head so much for Buckingham" — yet where the country ever took form and settlement what ever rigor was used with regard to the adventurers and slaves of the Empire from persia Turkey and all other parts — yet the Hindoos were a favored protected gently treated people This is the way in which it continued in the æra of Tamerlane and the principles upon which that Empire stood and was governed

The next æra is a troubled and vexatious æra indeed and approaches to near what we have considered which is the æra of the independant Soubahs of that country — There were five of them governed from about the year 1717 or thereabouts five of these Vice Roys grew into independence partly by the dreadful calamities and convulsions of

of that Empire which happened during the disputes of the Successors of Tamerlane and partly by the great concussion it received when Thamas Kouli Khan entered into that Country and shook the Throne and massacred almost all the principal Inhabitants of that Country — then the princes became independant-but their independence led to their ruin — Those who had usurped upon their Masters had Servants who usurped upon them. and they in the same way as Cawn who murdered his Master and let in a body of foreign Invaders into that Country who cruelly harrassed the Mahrattas in a manner not to be expressed and by a Sum which is supposed to amount to five Millions sterling he secured the exhausted remains of an exhausted Kingdom and left it to his Grandson Sujah ul Doulah in peace and poverty. And Sujah ul Doulah in 1756 gave way to the æra of the British Empire

All that I have to do with this Dynasty which

which makes the fifth æra that I have had the honor of stating to your Lordships is — that the Hindoos were every where found in possession of the Country — that through this cruel Tyrant — this abandoned Usurper — this man reduced to the extreme of necessities by foreign invasions that though he wrecked and tormented contrary to duty the people under him but ranged through an apparent necessity from an army of 100,000 horse being in his domin: ions the people under him yet still they remained — still they preserved their rank — their dignity — their Castles their Houses — their Sceneries — all the insignias of their situation and the power and means of subordinating their people remained till the unfortunate æra of 1756

So here I state that through all these Revolutions and changes of circumstances, an hindoo policy and an hindoo Government existed in that Country till given up finally to destroyed by Mr Hastings

Having

Having gone through and come to that æra which is the æra of the British power and in which all Mr Hastings education was had — for he existed before that æra — he was an antediluvian with respect to Bengal — he was a servant of the Company before that great revolution happened — he was coæxtensive with all the acts and all the abuses — and had a large part in all the abuses — and had a large part in all the abuses that happened in that time to the moment of his Government — but as in that time all those abuses had their origin you cannot thoroughly understand the nature and circumstances of them without an explanation of all the events that happened from the year 1756 till Mr Hastings Government — if I find it agreeable to your Lordships — if I find that you wish to know the annals and horrible series of all the transactions from 1756 to the period of Mr Hastings' Government — that you may know how far he promoted what was

was good how far he ratified what was evil
how far he abstaind from innovating and bring
in of new mischiefs the Country Your Lord:
ships will have the goodness to consult the
strength which begins almost to fail me and
if you think the explanation is not time lost
in this new World and in this new business
I shall venture to make out to your Lordships
that eventful history which preceeded Mr Hast:
ings's Government and then we shall have
clear knowledge of the cause of the descriptions
of the people in the country — clear knowledge
of all that has happened abuseful in the Country
since Mr Hastings went into it — and
then we shall be able to enter fully and explicitly
into the nature of the Cause

Whether this is necessary or not I submit
to your Lordships — I thought it was I poured
out before the Committee my poor ideas upon
the subject they were so good as to think such
an explanation necessary — their knowledge
enables

enables me to do it and I should rather hope that it will pave the way and make every thing easy for your subsequent Justice

I therefore wish to stop at this period in which Mr Hastings was alive — was active in the Service and pretty nearly the time when he began his political career — and here my Lords I pause wishing your indulgence to follow at such time as will suit your convenience for pursuing the rest of this eventful history

Adjourned

