

SELECTIONS
FROM
THE RECORDS
OF THE
GOVERNMENT OF INDIA.
(FOREIGN DEPARTMENT.)

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PAPERS

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RELATING TO THE RESIGNATION OF

HIS EXCELLENCY GENERAL SIR CHAS. J. NAPIER, G.C.B.,

COMMANDER-IN-CHIEF IN INDIA.

Calcutta;

THOS. JONES, "CALCUTTA GAZETTE" OFFICE.

1853.



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EXTRACT FROM THE PROCEEDINGS OF THE MOST NOBLE THE GOVERNOR
GENERAL OF INDIA IN COUNCIL, IN THE FOREIGN DEPARTMENT, UNDER
DATE THE 25TH NOVEMBER 1853.

*Read the following Minute by the Most Noble the Governor General,
dated the 22nd November 1853.*

MINUTE.

A WORK by Lieutenant-General Sir Charles Napier has been published in England, entitled "Defects, Civil and Military, of the Indian Government." It contains much injurious misrepresentation regarding my conduct towards him, while he held the office of Commander-in-Chief in India.

Sir Charles Napier has gone to his grave : and I shall put forth no reply, either now or hereafter, to the personal attack he has left behind him.

But as publication has been made in this volume of some of the official documents connected with Sir Charles Napier's retirement from the Command in India, I feel it to be due to the Government of India, and to myself, that the country should be put in possession of both sides of that public question.

I am in a condition to state, that the Home Government is prepared to permit the publication of all the documents belonging to the subject. But as some delay may of necessity occur in England, I deem it expedient that the papers which are in the possession of this Government should be published here at once.

It is my wish that the Minutes and Despatches should be printed without one word of narrative or comment.

(Signed) DALHOUSIE.

22nd November 1853.

ORDERED, that copies of the papers alluded to in the foregoing Minute be printed and published for general information.

(True Extract,)

J. P. GRANT,
Offg. Secy. to the Govt. of India.

PAPERS.

FROM

LIEUTENANT-COLONEL P. GRANT, C. B.,
Adjutant General of the Army,

TO

MAJOR R. WYLLIE,
*Officiating Secretary to the Government of India,
Military Department.*

Dated 20th January 1850.

SIR,

I am directed by the Commander-in-Chief to forward to you, for the purpose of being submitted to the Hon'ble the President of the Council of India in Council, copy of a letter addressed to me by Brigadier J. B. Hearsey, C. B., Commanding at Wuzeerabad, No. 21, of the 11th instant, with annexments, drawing attention to the difference between the rates of compensation for dearness of rations to the Native Troops contained in the Pay and Audit Regulations for 1845, and those specified in the Code published in 1849.

By the old Regulation, the soldier received compensation in money on each article of his ration, calculated *separately*, when these provisions exceeded the regulated prices.

By the new Regulation the *aggregate* of the bazar cost of the whole ration is calculated, and from this the Government rate also *aggregated* is deducted, so that at Wuzeerabad, as shown by the statement of the Commissariat Officer dated the 11th instant, each native soldier is said to lose one anna and six pie per mensem by the operation of the new Regulation.

This change in the Regulation was not observed by Sir C. Napier's predecessor, when the Code of 1849 was sent to Army Head Quarters for any comment the Commander-in-Chief might see fit to make, and Sir Charles Napier is persuaded that the alteration has been introduced without the circumstances of the case being fully and clearly explained to the Supreme Government.

The Commander-in-Chief considers the change that has thus been made to the injury of the soldier to be both impolitic and unjust, and he feels assured that it only requires to be brought to the notice of the Government to insure its immediate rectification.

In the mean time, confident of the support of the Government, the Commander-in-Chief has directed that compensation shall be issued to the native troops serving in the Punjab, in accordance with the rules laid down in the old Regulation; as in the present state of transition from Scinde pay and allowances to the regular pay of the troops,—a transition which has produced a most unprovoked state of insubordination in some Regiments,—the Commander-in-Chief thinks that no cause of dissatisfaction should be given to the troops.

I have, &c.,

(Signed) P. GRANT, *Lieut.-Col.,*
Adjutant General of the Army.

HEAD QUARTERS,
Camp Rawul Pindee,
The 20th January 1850.

}

No. 331.

FROM

MAJOR R. WYLLIE,
Officiating Secretary to the Government of India,
Military Department,

TO

LIEUTENANT-COLONEL P. GRANT, C. B.,
Adjutant General of the Army;
Dated 14th February 1850.

Military Department.

SIR,

I am directed to acknowledge the receipt of your letter, No. 13, of the 20th ultimo, submitting copy of a despatch from Brigadier Hearsey, Commanding at Wuzeerabad, reporting the circumstance of his having noticed a difference between the Regulation recorded in the Pay Code of 1845 and that laid down in the Code of 1849, relative to compensation to the native soldiery for the dearness of their rations,

and intimating that the Commander-in-Chief, being persuaded that the alteration in question has been made without the circumstances of the case being fully and clearly explained to Government, and considering it to be both impolitic and unjust, has ordered that compensation shall be issued to the native troops serving in the Punjab, in accordance with the rule published in the Code of 1845.

2. In reply I am desired by the Hon'ble the President of the Council of India in Council to observe, for the information of the Commander-in-Chief, that Brigadier Hearsey has wholly misled His Excellency in stating that the rule in the Code of 1849 is "altogether a new Regulation," as the following brief history of the Regulations on the subject will show His Excellency.

3. Compensation appears to have been first granted to the native troops serving at some of the Western stations in the year 1821, in consequence of the dearness of provisions in that part of the country; the grant was confined to those stations, and limited to Ottah, whenever that article of food should be selling under 15 seers for the rupee.

4. Compensation seems to have been subsequently passed, on special applications, to the native troops at other stations of the Army where a scarcity of Ottah prevailed; but the rule was not extended to the native soldier throughout this Presidency until the year 1844, when Lord Ellenborough's Government, in the General Order No. 79, dated 12th March of that year, in defining the allowances admissible to the troops serving in the Province of Scinde, ruled that compensation should be granted, not for dearness of Ottah only, as formerly, but also for the several minor articles (Dholl, Ghee and Salt,) composing the native soldier's rations. This is the order entered in the Code of 1845, page 1018.

5. In the following year, Lord Hardinge's Government resolved to sanction a more liberal scale of allowances, and other advantages to the troops in Scinde, and at the same time to relieve the native soldiery, generally, from the expenses to which, up to that period, they had been subjected in providing their own huts, and for the wages of certain of the servants necessarily employed with native corps; and as the rule of March 1844 had been found in practice very troublesome and inconvenient, as well as injurious, inasmuch as, though at some stations one of the minor articles of ration may occasionally be more expensive, the other articles may as frequently be procurable at rates favorable to the

soldier, advantage was taken of the opportunity thus afforded to introduce the existing rule, and accordingly in para. 3rd of the G. O. G. G. in Council of the 15th August 1845, it was declared that compensation would be granted "whenever the price of provisions forming the native soldier's diet shall exceed three rupees eight annas, (3-8-0,) the aggregate of the rates for the several articles, as laid down in the G. O. of the 26th February 1824," for troops on service.

6. It is true that this rule was published in a G. O. fixing the allowances admissible to the troops in Scinde; but seven days subsequently, on the 22nd August 1845, in reviewing a letter of instructions on the subject proposed by the Military Board to be addressed to the Deputy Commissary General, the Governor General in Council caused it to be explained to that body that, "as regards money rations, that item of grant will cease in Scinde from the 1st of September next, compensation only being allowable there, as elsewhere, whenever the price of provisions forming the soldier's ration shall exceed rupees 3-8-0, the aggregate of the rates for the several articles, &c."

7. And still further to remove all doubt on the subject, on the 17th December 1847, a G. O. (No. 389 of 1847) was issued by the Governor General in Council, republishing to the Army para. 3 of the Order of 15th August 1845, already referred to, and declaring that that para. "was intended to be, and is to be, considered applicable to the native troops generally, wherever they may be stationed."

8. The General Order in question, of 15th August 1845, was, previous to its publication, submitted to the late Commander-in-Chief, Lord Gough, and its provisions were cordially approved by His Excellency, as appears from his Minute on the subject, dated 10th June 1845, on record in this Department.

9. The Commander-in-Chief, I am instructed to state, will thus perceive that the change in the Regulation of 12th March 1844, made on the 15th of August 1845, and explained in the General Order of 17th December 1847, was not ordered hastily or unadvisedly by the Supreme Government, but, on the contrary, after much consideration on different occasions, and full deliberation; that it had been in operation throughout the Presidency long previous to the publication of the Pay Code of 1849, without, as far as Government are aware, a single objection being offered to it; and that it was adopted as being perfectly just, equitable and politic by the late Governor General (Lord Hardinge) in

Council, and by the late Commander-in-Chief, Lord Gough, and, I am to add, is still so considered by the President in Council.

10. Under such circumstances, the President in Council cannot but regret that His Excellency should, without previous communication with Government, have ordered a general Regulation, passed by the Governor General of India in Council, to be set aside at any of the stations of the Army; but His Honor in Council does not consider it expedient to do more than thus explain the real state of the case, until the arrival of the Most Noble the Governor General, who is shortly expected at the Presidency.

I am, &c.,
(Signed) R. WYLLIE, Major,
Offg. Secy. to the Govt. of India,
Military Department.

COUNCIL CHAMBER,)
Fort William,
The 14th February 1850. }

No. 451.

FROM

MAJOR R. WYLLIE,
Officiating Secretary to the Government of India,
Military Department,

TO

THE ADJUTANT GENERAL OF THE ARMY.

Dated 13th April 1850.

Military Department.

SIR,

Your despatch No. 13, of the 20th January, and my reply thereto, No. 331, dated the 14th February last, relative to the mode of calculating compensation for sepoys' rations, having been duly submitted to the Most Noble the Governor General of India in Council, I am now directed to acquaint you, for the information of His Excellency the Commander-in-Chief, that His Lordship in Council entirely concurs in the opinion expressed in para. 9 of my letter to your address of the 14th February, above referred to, and views with regret and dissatisfaction the orders which the Commander-in-Chief intimates he has issued to the Officers in the Punjab.

2. There was, I am to observe, no room for doubt as to what were the intentions of the Governor General in Council on this point, if the General Orders of 1847 had been referred to. If there had been doubt, the obvious and proper course for His Excellency was to have referred the matter for the consideration of the President in Council, and to have awaited his reply before he gave an order which he had no power to issue, and which did not in any respect call for haste.

3. The Commander-in-Chief has issued this order with reference to troops in the Punjab. His Excellency well knows the difficulty of reversing an order issued regarding pay, and he must be aware that that difficulty becomes an impossibility after what has recently occurred in the Punjab. The effect, therefore, of His Excellency's act has been to re-establish in the Punjab (for the Governor General in Council will not sanction the extension of the change to districts to which His Excellency's order has not applied) a different rate of allowance from that which will prevail in other Provinces, and thus in great measure to thwart the endeavour which the Governor General in Council has been making to assimilate the soldier's allowances in every Province of the Presidency.

4. His Excellency's orders having been given, they are hereby confirmed so far as regards the Punjab, and Officers will be instructed to carry them into effect.

5. But the Governor General in Council from a consideration of the papers before him, feels it necessary to intimate for the future guidance of His Excellency, that the Governor General in Council will not again permit the Commander-in-Chief, under any circumstances, to issue orders which shall change the pay and allowances of the Troops serving in India, and thus practically to exercise an authority which has been reserved, and most properly reserved, for the Supreme Government alone.

I have, &c.,

(Signed) R. WYLLIE, Major,

Officiating Secretary to the Govt. of India,

Military Department.

COUNCIL CHAMBER,
Fort William,
The 13th April 1850. }

MEMORANDUM BY HIS EXCELLENCY THE COMMANDER-IN-CHIEF.

Dated 22nd May 1850.

ON the 24th of April, the Adjutant General laid before me a letter from Major Wyllie, written by order of the Governor General in Council, expressing his dissatisfaction at certain orders issued by me in the Punjab, relative to the mode of calculating the compensation for sepoys' rations, and reprimanding me for issuing these orders.

He says, that there was "no room to doubt as to what were the instructions of the Governor General in Council," with regard to this matter, and that "if there had been doubt, the obvious and proper course for His Excellency was to have referred the matter for the consideration of the President in Council, and to have awaited his reply before he gave an order which he had no power to issue, and which did not in any respect call for haste." But it did call for haste!

The letter states that the Governor General in Council finds it necessary "to intimate, for the guidance of His Excellency, that the Governor General in Council will not again permit the Commander-in-Chief, under any circumstances, to issue orders which shall change the pay and allowances of the troops serving in India, and thus practically to exercise an authority which has been reserved, and most properly reserved, for the Supreme Government alone."

Such are the contents of this reprimand, and here is my answer, to exculpate myself from the charges made against me in the Governor General in Council's letter, and to support the just exercise of my own authority against the unjust accusation of having presumed to interfere with that of the Governor General, which I did not do!

I shall begin by giving the following abstract of the case.

Lord Ellenborough gave an allowance to the sepoy as a compensation, when, at any particular station, his ration exceeded a certain price, and this compensation was justly calculated upon the price of each article separately, so that the soldier was sure of having whichever article he required at a certain price, however high the cost of that article might be in the market. He might get the article cheaper, and generally did so, but he knew that he could not be called upon to pay a higher price for it than that which was fixed upon it by the Government. This order appeared in the Code of 1845.

In 1847, Lord Hardinge altered the form of this allowance, and, instead of compensation being calculated on each article separately of the soldier's ration, he ordered that it should be calculated on the whole of those articles in the aggregate. Of course, if each article was above the maximum price established, the Government neither gained nor lost by the new rule, but if any of the articles were below the maximum, the Government saved, and the sepoy lost to that extent, as per statement from the Commissariat Officer at Wuzerabad, dated 11th January 1850.

This new rule was taken in 1847, and in 1849 appeared in the Code of that year.

It is, therefore, evident that the compensation for rations is not an ordinary daily occurrence, nor does it occur at every station. On the contrary, it is, I believe, of rare occurrence, and in many stations it is never called into operation from year's end to year's end.

The foregoing statement explains what the compensation is, and Lord Hardinge's modification of it, though known to the Government, was (as Brigadier Hearsey's letter, confirmed by Sir Walter Gilbert, explains) not known to the sepoys of the Army generally. It had not to my knowledge come into operation in any station of the Punjab till last Christmas, when the rise of provisions at Wuzerabad suddenly called for the application of the new rule, which, but for Brigadier Hearsey, would have unexpectedly introduced to the sepoys a new regulation at the very moment when mutiny had appeared at this station in a very formidable shape!

The aforementioned Commissariat statement shows that this new rule deprived each sepoy of *one anna and six pie* per month, which he would have received by the old rate.

Brigadier Hearsey very properly stated (and Sir Walter Gilbert agreed with him) that such a reduction ought not to be suddenly put into operation, without having been previously and carefully explained to the sepoy; for "*it appeared to him to be a new regulation*" injurious to the soldier.

I thought at the time, and I think so *now*, that these two General Officers performed their duty with wisdom and prudence, placed as they were in very critical and dangerous circumstances;—and here began my part in this transaction.

Seeing the great peril to which the Indian Government was exposed by the mutinous spirit which had appeared among the troops, it seemed to me that the greatest caution and the promptest decision on my part

were necessary, and I resolved at once to *suspend the operation of the new rule* for an additional reduction from the pay of the sepoy at a moment so alarming,—on the same day reporting to the Supreme Government what I had done.

I therefore wrote to Sir Walter Gilbert to adjust the compensation in accordance with the Regulations of 1845, which were perfectly known to and understood by the sepoys. These orders to Sir Walter Gilbert were expressly stated to be "*pending the result of a reference to the Supreme Government*," which reference was made to that Government on the same day, viz., the 20th January. My orders to Sir Walter Gilbert were issued deliberately but promptly, for I thought *then*, and am sure *now*, that there was no time for doubt or hesitation, and three of the most experienced and distinguished Officers in the Company's Service concurred in my opinion.

I now come to the letter written by the Adjutant General to Major Wyllie, by my orders, on the same day that I wrote to Sir W. Gilbert and stating what my orders to that General Officer were.

This letter explains the whole case to the Supreme Government, and I awaited its orders. My belief is, that everything therein stated is perfectly correct, especially my conviction that "the change thus made to the injury of the soldier was both impolitic and unjust." I will add my belief, that had I not suspended the operation of the new rule, the then existing danger at Wuzerabad would have been much increased and very possibly would have produced bloodshed, for the sepoys had become daring, and, about ten days after, very nearly seized the fortress of Govindgurh.

I repeat that I considered it impolitic to enforce the new rule of compensation, because it suddenly and without explanation tampered, at a most critical moment, with the sepoy's money,—at all times a most dangerous experiment. I considered it *unjust*, because the former compensation having been once given, to take it away appears to me to be a breach of public faith to the soldier.

With regard to Lord Gough's opinion, referred to in Major Wyllie's letter dated 14th February 1850, the assertion is easily disposed of.—See a memorandum given by Lieutenant-Colonel Grant, the Adjutant General.

I have thus endeavoured to set the whole of my conduct in its proper point of view, and in all its details, before the Governor General in

Council, because I consider that I acted as it became the Commander-in-Chief to act, and as I would again act in similar circumstances. But I do not consider that the real question is, whether I acted with judgment or without judgment. I consider the real question to be this, whether the Commander-in-Chief in India, removed to a great distance from all higher authority (the highest being even at sea) in a moment of great danger, surrounded by a hostile population, and with an army of upwards of 40,000 men infected with a mutinous spirit, was justified or not justified in using his discretion, and promptly dealing with danger in the manner which he thought most effectual for the safety of India.

This is the real question.

The Governor General in Council has decided that I ought not to have used my own discretion; that I ought to have lost five weeks in applying to the Supreme Council for instructions; and the Governor General in Council has not only reprimanded me publicly for my conduct, but has given me positive orders not again so to act "under any circumstances."

Such are the shackles put upon my conduct as Commander-in-Chief; such is the support I have received on this occasion; and such the support which I may expect in future difficulties!

So circumstanced, I no longer feel safe, and shall resign a Command that I could not retain, under such restrictions, with advantage to the public service.

(Signed) C. J. NAPIER, *General,*
Commander-in-Chief.

HEAD QUARTERS,
Simlah, }
22nd May 1850.

MEMORANDUM BY THE ADJUTANT GENERAL OF THE ARMY.

Head Quarters, Camp,
2nd March 1850.

I beg to submit for your Excellency's consideration, with reference to paragraphs 3, 4 and 5, that the real question is not how or under what circumstances the rule to which you have objected was framed, but whether at the present time, when the allowances in the Punjab have been reduced to

Officiating Secretary to Government of India, Military Department, Letter No. 331, dated 14th February 1850.

the ordinary province rates, it is prudent or politic to enforce a rule which deprives the native soldier of even the trifling addition to the

* At Wuzerabad it is stated to amount to one anna six paise per mansam.

ration compensation* to which he was entitled under the older Regulation framed by Lord Ellenborough and published in the

Pay Code of 1845.

Adverting to what is stated in para. 8, with respect to Lord Gough's cordial approval of the existing rule, I would observe that His Lordship could only have considered the ration compensation question, as then placed before him, in reference to its bearing on Scinde, when the soldier was in the receipt of the high rates of allowances then and still enjoyed by the troops serving in that Province.

I am persuaded that Lord Gough had no knowledge of the correspondence between the Military Board, the Commissariat Department, and the Governor General, to which allusion is made in para. 6; and if His Lordship was ever consulted, which I greatly doubt, regarding the general application of the General Order by the Governor General of the 17th December 1847 (para. 9); at all events, he could not have considered it in connexion with our occupation of the Punjab, and the altered circumstances in which the native troops serving in the new territory are now placed; neither, I may be permitted to add, could these points have been contemplated by the late Governor General in Council, when for the sake of convenience and to save trouble, as stated in para. 5, it was decided to enact the rule to which your Excellency has seen reason to object.

(Signed) PAT. GRANT, *Lieut.-Col.,*
Adjutant General of the Army.

MINUTE BY THE MOST NOBLE THE GOVERNOR GENERAL.

Dated 14th June 1850.

I had the honor of receiving, on the 26th May, a memorandum by the Commander-in-Chief, in reply to the letter No. 451, April 13th 1850, addressed to the Adjutant General for His Excellency's information by direction of the Governor General in Council, on the subject of the orders relative to the compensation for sepoy's rations in the Punjab.

2. I have given to His Excellency's memorandum that full consideration which is due as well to the importance of the correspondence as to the consequences which His Excellency has thought fit to connect with it, and having thus a second time examined the whole subject, together with the explanations and remarks which His Excellency has furnished, I beg leave to state that I adhere to the opinion I expressed before; that His Excellency's act in cancelling an order of the Governor General in Council regarding sepoy's compensation for rations and introducing another regulation into the Punjab, was precipitate and uncalled for; and that His Excellency therein exercised an authority which did not belong to him, and which was not justified by the circumstances of the case.

3. The Commander-in-Chief defends his act on the ground that he was placed in critical and dangerous circumstances; that the moment was alarming; that the Indian Government was in great peril by reason of the mutinous spirit which infected more than 40,000 men in the Punjab; and that, therefore, he was justified in setting aside at such a time the introduction of a new regulation which enforced an additional reduction from the pay of the sepoy.

4. I regret to be unable to assent to the accuracy of these the main propositions on which Sir Charles Napier has rested the justification of his act.

5. Without further preface, and refraining from many remarks which the paper before me would suggest, I address myself to the consideration of these propositions. I shall endeavor to discuss them with as much conciseness as a full examination of them will permit, and I shall refute and shall disprove them both.

6. The Commander-in-Chief affirms that the rule of compensation which he has lately superseded was a new rule, "a new rule which but for Brigadier Hearsey would have unexpectedly introduced to the sepoy's a new regulation at the very moment when mutiny had appeared at this Station in a very formidable shape." He terms it a "reduction" which "ought not to be suddenly put into operation," and he states that he suspended the "operation of the new rule for an additional reduction of the pay of the sepoy."

7. In several other passages, His Excellency has in like manner termed it a new rule; he stigmatizes it as unjust and impolitic; asserts it to be a "breach of public faith to the soldiers"; and finally, His Excellency has not thought it unbecoming his position to state that "it suddenly

"and without explanation tampered at a most critical moment, with the sepoy's money."

8. In the first letter of the Adjutant General, dated 20th January 1850, to the Secretary to Government, His Excellency declared the rule he had superseded to be a new regulation. It is a matter of surprise to me, that notwithstanding the clear and distinct narrative, since that time transmitted to His Excellency by order of the President in Council, in which facts and dates are fully cited, the Commander-in-Chief should now reiterate the same assertion, and that he should still treat the order of the Governor General in Council, which he set aside, as a new regulation, which suddenly introduced a fresh reduction at a critical moment. But as the letter in question of 14th February seems to have escaped the recollection of the Commander-in-Chief when he wrote the memorandum of the 22nd May, and as the narrative which His Excellency has given therein of the changes in the terms of the rule is incomplete and incorrect, I am compelled to quote afresh the several orders which have been issued.

9. It is not necessary to specify the several rules which were introduced between the years 1821 and 1843.

10. On the 30th April 1844, the Governor General in Council, Lord Ellenborough, issued a General Order granting compensation for ration to sepoy's in the following terms:—

"It is known to the troops that when the price of Ottah is above 15 seers the rupee, compensation in money for the excess of price is now given to them at the rate of a seer a day for each man.

"With a view of providing as is done in Her Majesty's service, that the soldier's ration shall never cost him more than a fixed moderate sum, the Governor General in Council thinks it expedient to extend the principle of giving compensation in money in case of high prices to the other minor articles composing the sepoy's rations, and it is accordingly notified that whenever the price of Dholl is above 10 seers the rupee, that of Ghee above 2 seers the rupee, and that of Salt above 8 seers the rupee, compensation money for the excess of price will be given to the troops at the rate of 2 chittacks of Dholl, 1 chittack of Ghee, and 1 chittack of Salt a day each man."

11. That rule was of short duration. It was rescinded (not in 1847 as His Excellency has supposed, but) on the 15th August 1845; when the Governor General in Council, Lord Hardinge, directed that compen-

sation should be paid whenever the price of provisions forming the soldier's diet shall exceed Rs. 3-8-0 on the aggregate of the rates for the several articles laid down in G. O. of 26th February 1824.

12. On the face of the order, this rule was applicable only to the Province of Scinde. It was explained, however, in a letter from the Government to the Commissariat Department, that the rule was to be acted upon "elsewhere" as well as in Scinde. On the 12th February 1846, the rule for compensation of 15th August 1845, No. 261 A, was made applicable to the British Army which had crossed into the Punjab, and on the 17th December 1847, in order to remove a doubt which had inadvertently arisen, the Governor General in Council, Lord Hardinge, declared in General Orders, that the rule of 15th August 1845, was "*intended to be and is to be considered applicable to the native troops generally wherever they may be stationed.*"

13. This is the last order which has been issued on the subject; and thus in a few sentences it is shown that the rule for compensation, far from being a new rule, was established as long ago as the 15th August 1845, and that it has been uninterruptedly in force from that date to the present time.

14. But Sir Charles Napier has further asserted that the rule was not known to the sepoys of the Army. "Lord Hardinge's modification of "it" (he says) "though known to the Government, was (as Brigadier Hearsey's letter, confirmed by Sir W. Gilbert, explains) not known to the "sepoys of the Army generally; it had not to my knowledge come into "operation in any Station of the Punjab till last Christmas;" and His Excellency intimates, that if enforced in January 1850, it "would have "unexpectedly introduced to the sepoys a new regulation." For this and other reasons, His Excellency states that he directed General Gilbert to adjust the "compensation in accordance with the Regulations of 1845," (His Excellency means the order of the 30th April 1844,) "which were "perfectly known to and understood by the sepoys."

15. In the absence of any explanation by His Excellency of the preceding passage, it is difficult to understand how it should come to pass that the sepoys should perfectly know and understand the Regulation of 1844, which lasted only for 17 months, and yet that they should not know the Regulation of 1845, which has endured for three times that period; or how it should come to pass that the sepoy should be familiar with a former rule which has been done away with for four years and a

half, and yet should know nothing of the existing rule which has been in active operation during all that time.

16. Possibly, the observation which His Excellency has made that the compensation is not "an ordinary daily occurrence," and that "in many "stations it is never called into operation from year's end to year's end," may be intended as an explanation of the assertion that the sepoys did not know the Rule of 1845.

17. I do not at all question the accuracy of the remark, as a general one; but I beg to say, that it does not apply to the particular case before us, and does not assist His Excellency's argument.

18. Whatever may have been the impression of the Officers by whom His Excellency has unfortunately been misled, and however true it may be that compensation is often not paid from year's end to year's end, it assuredly is not the case that the sepoys were ignorant of the Rule of 1845, or that that Rule has been a dead letter; for it has not only been frequently promulgated, but the compensation allowed by it has frequently been disbursed among them.

19. Whatever publicity was given to the compensation order of 1844, which His Excellency says the sepoys perfectly knew and understood, precisely the same publicity was given to the rule of 1845. It was frequently published and republished by the Commander-in-Chief in General Orders to the Army. In addition to the original publication, it was made applicable to the Army of the Sutlej on the 15th February 1846; it was continued to the troops in the Punjab in the Commander-in-Chief's orders of the 8th March 1846, again on the 9th January 1847, and republished on 31st December of the same year.

20. Time has not admitted, before the departure of the Mail, to ascertain every occasion on which the compensation was actually paid under this rule during the four and a half years of its existence. But documents are before me which show that it was paid to the large force in the Punjab in 1847; that it was paid to the whole Army of the Punjab in 1848; and that it was again disbursed to the same Army in 1849. The payments were not made at an isolated station, or to a few companies or corps: they were made to large bodies of troops comprising a considerable portion of the Bengal Army. These payments in themselves are amply sufficient to establish the fact that the rule of compensation of 1845 was known to the sepoys not only by the ordinary course of orders issued to the Army, but by the intelligible explanation of it which has

been conveyed to them and to others by their having received and enjoyed the compensation allowed under the rule, on many different occasions and in several continuous years.

21. I have thus examined as briefly as possible in the preceding paragraphs, the assertion of Sir Charles Napier that he was suddenly required to enforce a new rule by which fresh reductions of pay were imposed upon the sepoy. The statements I have adduced in refutation of this position are not assertions, but official facts, placed on public record, and which admit of no dispute. They prove that the order of the Governor General in Council which His Excellency took upon himself to abrogate was a long promulgated rule, established several years ago in principle, and constantly and continuously acted upon in practice ever since. They, therefore, utterly destroy the first of those pleas which His Excellency has advanced in defence of his act, viz., that in the month of January last His Excellency was suddenly called upon to enforce a new rule, which was not known to the sepoys, and by which further reductions were made from their pay in addition to those which had already been directed.

22. Before I leave this part of the subject under consideration, I think it necessary to advert to the opinion expressed by the Commander-in-Chief that the rule of compensation established in 1845 is unjust and impolitic. It will not be difficult to show that the conclusion which His Excellency has formed on the very superficial examination which he appears to have given to the question, is altogether an erroneous one, and that the rule of 1845 is perfectly just in principle and liberal in extent. It is perfectly just in itself, because it fully accomplishes the purpose which was originally declared to be the object of a compensation rule when Lord Ellenborough first issued his orders of 1844, and gives to the soldier everything which that order was intended to secure to him. It is politic because, prevailing in every other part of the British dominions, there is no reason whatever why it should not be introduced with the ordinary rates of pay into the new Province of the Punjab.

23. The principle on which the compensation rule of 1844 was founded is defined in the General Order dated April 30th 1844. It is this, "that the soldier's ration shall never cost him more than a fixed moderate sum."

24. The amended rule of 1845 strictly adheres to that principle, and gives full effect to it in its operation under all circumstances of price

The several articles composing the soldier's ration can never cost him more than the specified moderate sum of rupees 3-8-0; for, however much the market price of those articles may exceed at any particular time that fixed sum of rupees 3-8-0, the difference between the market price and the fixed sum above-mentioned is immediately paid to the soldier in cash and in addition to his pay.

25. The rule of 1844 secured the same result: but it did more than it was intended to do. The declared object of a compensation rule was to insure that the soldier should never pay for his ration more than a fixed moderate sum; but the rule of 1844, by giving compensation for the price of each article separately, not only secured to him his ration at this fixed moderate sum, but even if his ration should actually have cost him less than that fixed sum, it would frequently give him an additional payment in cash into the bargain.

And whereas the intention was that the soldier's ration should never exceed a fixed moderate price, and not that when the ration was cheaper than that price, it might by a money payment be made cheaper to him still; and whereas the existing rule of 1845 does fully provide that on all occasions and under all circumstances "the soldier's ration shall never cost him more than a fixed moderate sum," it follows that this latter rule has strictly and literally secured to the soldier in all respects the whole advantage which it was the declared intention of the Government in 1844 to confer upon him; consequently, that the rule itself is strictly just, and that faith with the soldier has in no respect been violated.

26. Since then the rule has been shown to be just, I am unable to discover any reason why it should be impolitic to introduce it at once into the Punjab. The principle that the pay and allowances of the soldier should be as far as possible the same in every part of the British territories is a simple and a reasonable one. It has always heretofore been acted upon with justice and with success, and my declared intention of extending it to the Punjab has received the approbation of the authorities in England.

Precisely the same course was pursued by the Government of India in recent conquests as that which has now been followed by the Governor General in Council. When, as the result of the war of 1846, the Jullundur Doab and other territories were dissevered from the kingdom of the Punjab and added to this Empire, the same measures as the present were enforced. The war allowances were continued as an indul-

gence for a time ; on the relief of the occupying troops those war allowances were withdrawn, and ultimately the relieving troops were placed on the ordinary rate of provincial pay ; and the ordinary scale of allowances, including the compensation rate of 1845, was established also.

27. What possible reason can there be why the just measures which we pursued in respect of our first conquest in the Punjab should not be followed when further conquests in the same country have been added to it ? What possible reason can be alleged to show that it is impolitic to introduce into the Baree and neighbouring Doabs the same rule of compensation which was at once established, and has been acted upon, in the Jullundur Doab ? Why, in short, should the rule for compensation for soldiers' rations be different in the Province of the Punjab from that which prevails in every other Province of the Indian Empire ?

No reason whatever has been shown, none has been suggested, excepting the reason especially alleged by the Commander-in-Chief as applicable to the present case, namely, that he considered it impolitic to enforce the new rule of compensation, "because it suddenly and without explanation tampered at a most critical moment with the sepoy's money."

28. I have already demonstrated that the rule was not a new rule, that it was not enforced suddenly, but was of long standing, and by frequent experience was well known to the sepoy.

I proceed now to consider the accuracy of His Excellency's description of the circumstances of the time, and of the position in which he declares that the Government was then placed.

29. In various passages of his memorandum His Excellency states that, when he issued the order on the 20th January relative to sepoys' compensation, "mutiny had appeared in a very formidable shape," that the Officers in command were "in very critical and dangerous circumstances," that it was a "moment of great danger," that he was "surrounded by a hostile population and with an Army of upwards of 40,000 men infected with a mutinous spirit," and finally, that the Indian Government, by reason of this mutinous spirit, was exposed to "great peril."

I cannot sufficiently express the astonishment with which I read, on the 26th May, the intimation then made to the Government by the Commander-in-Chief, that in the month of January last a mutinous spirit pervaded the Army in the Punjab, and that insubordination had risen so high and spread so wide, as to impress His Excellency with the

belief that the Government of the country was placed at that time in a position of "great peril."

30. I have carefully weighed the statements which His Excellency has advanced. I have examined anew the records that bear on the state of public affairs at that period, and I have well reflected upon all that has passed. While I do not seek to question in any way the sincerity of the conviction by which Sir Charles Napier has been led to declare that the Army was in mutiny and the Empire in danger, I, on my part, am bound to say, that my examination and reflection have not lessened in any degree the incredulity with which I first read the statements to which I have referred.

Passing over many minor evidences to the contrary, I feel myself unable to admit the reality of such a state of things, especially on this consideration, that it is quite irreconcilable with the official proceedings of the Commander-in-Chief at the time.

31. Is it conceivable that, if in January last the insubordination of the troops in the Punjab by reason of reduced allowances was such as to place the Government in danger, the Commander-in-Chief would have left the quarter where reduced allowances and discontent prevailed, and would have quietly pursued his march towards a district where the high allowances were still retained, and where no dissatisfaction could possibly arise ? Is it conceivable that His Excellency, who justly lays such stress on the necessity for the exertion of prompt decision under circumstances such as he describes, would neither have remained in nor returned to the plains, if such a spirit had generally prevailed there ; but would have continued to remove himself to a distance from whence the exercise of that promptitude and decision was plainly impossible ? Is it, in short, conceivable that if 40,000 men had been so far disaffected as really to place the Government in peril, His Excellency would at such a time have quitted the scene of danger, and would have left to his subordinates the adoption of decisive measures, and the immediate responsibility of them ? Unquestionably not. The reputation and character of Sir Charles Napier are a sufficient guarantee, that if the spirit of the troops had seemed to him thus extensively insubordinate to their service and dangerous to the Government, he would have remained upon the spot where discontent was loudest and where danger was thickest. The bare fact itself, therefore, that His Excellency did not think it necessary to remain in the Doabs, or to check his march towards Peshawur, en-

titles me with certainty to infer that no such extensive mutiny or such public peril existed as has since been supposed.

31. (A.) But I do not need to rest this conclusion upon inference. There is direct evidence in its support,—the evidence of the Commander-in-Chief himself. At the very period of which I am treating, His Excellency issued a general order to the Army, the terms of which directly disprove the existence of extensive mutiny, or danger to the State. In that order, of 16th January 1850, Sir Charles Napier recorded these remarkable words:—"I have seen," he said, "I have seen most of the Armies in the world, and I have never seen one that is better paid or better cared for than the Army of the East India Company; *neither have I ever seen a more obedient, more honorable Army.*" His Excellency did not conceal that insubordination existed, or evade the mention of it, but he characterized its nature and described its extent when he added,—"*I will not allow a few malignant, discontented scoundrels to disgrace their colors and their regiments by an insolent attempt to dictate to their Government what pay that Government shall give to soldiers towards whom it has always been both just and generous.*"

32. It is not pretended that anything occurred in the three days which immediately preceded the 20th January last; yet His Excellency has now informed the Government, that on that 20th January the Army was in mutiny and the State in danger, when at that very time he was proclaiming to the Army, and to the world, that a more honorable and obedient Army he had never seen, and that the mutineers of its number were but a few malignant, discontented scoundrels. It is not my business to attempt to reconcile these irreconcilable contradictions, or to form any conjecture as to the impression under which His Excellency has recently written. But I cannot for a moment suppose that the Commander-in-Chief did not mean, or did not believe, that which he then declared to the Army in the Punjab; and every circumstance within my knowledge goes to corroborate the truth and justice of the words he used. Therefore, I am well convinced that His Excellency bore true testimony to the subordination of the troops in general when he so addressed them, and correctly estimated the comparative numbers of those whom a mutinous spirit had possessed.

33. The course of subsequent events has not impeached the substantial correctness of His Excellency's estimate of the comparative extent of the mutiny. One regiment, indeed, left in ignorance of the in-

tentions of the Government through the scandalous disobedience of his orders by the Officer who commanded it, unhappily fell from its duty, and was betrayed into acts of violence and insubordination. If the state of feeling in surrounding corps had been such as is now alleged, the mutiny of the 66th would have been a spark sufficient to light the whole into a flame. But no symptoms of such feeling appeared. The native regiments who were at hand showed themselves ready to act against the mutineers cheerfully and with vigor. So hopeless were the men of the 66th themselves of sympathy or support, that they actually piled their arms at the word of command, and were marched out of Govindgurh to await the arrival of the announcement of their fate. Disarmed and disgraced, they were marched across the Sutlej; and during all that time, and from that time to this, not a voice has been raised either to imitate their example or to pity their fate.

34. Let it be remembered that every native regiment in the Punjab was relieved, and their places supplied by other corps. All on this side of the Indus were placed on ordinary cantonment allowances. Corps after corps has crossed the Sutlej; pay-day after pay-day has passed; but with the exceptions which have been detailed, there has been no manifestation whatever either of insubordination or discontent.

35. That the withdrawal of war allowances, which were continued as an indulgence after the war had ceased, was unpalatable to the sepoys, no one for one moment doubts. That dissatisfaction would be felt at the fact, however just and necessary the order might be, and that such dissatisfaction might be partially shown, were matters which the Government were fully prepared to expect. But relying on the perfect justice of the withdrawal of war allowances when war had ceased; conscious of the absolute necessity of the measure; mindful of the liberal and generous treatment which the sepoy receives from his Government, and which His Excellency, in his general order of 31st January, very forcibly describes; I was confident that the Native troops, as a body, would act upon this occasion, as our experience told us that they have acted on other occasions in similar circumstances, and that the transition to ordinary rates of pay and allowances would be made, if not with unbroken order, at all events with safety and general submission.

36. Time and events have justified the confidence I entertained. For while I admit and lament that partial disaffection has prevailed, and that some misguided men have been betrayed into open mutiny, yet neither

the frequency of the offence, nor the number of the offenders, has been sufficient to justify the sweeping inculpation which has been pronounced by His Excellency on the troops that occupied the Punjab. I feel it to be my duty, therefore, to vindicate the Bengal Army from the unjust and injurious imputations which its Commander-in-Chief has cast on 40,000 of its number; and to declare my firm conviction that, while some in its ranks have disgraced their names, the great body of the troops in the Punjab have been true to their colors and faithful to their salt.

37. There is no justification for the cry that India was in danger. Free from all threat of hostilities from without, and secure, through the submission of its new subjects, from insurrection within, the safety of India has never for one moment been imperilled by the partial insubordination in the ranks of its Army.

I have confronted the assertions of the Commander-in-Chief on this head with undisputed facts, and with the authority of recorded documents. Fortified by these facts and documents, and my convictions strengthened by the information which the Government commands, I desire to record my entire dissent from the statement that the Army has been in mutiny and the Empire in danger.

38. It is possible that His Excellency, in the warmth of his argument, and in his anxiety to vindicate his own act, may have unconsciously employed expressions which closer inquiry and more mature deliberation might tend to modify. But I cannot permit these grave allegations, impugning the fidelity of the Army and questioning the safety of India, to be advanced by so high an Officer as the Commander-in-Chief, without at once counteracting their possible influence, by recording a declaration that, on the grounds already given, I altogether deny the accuracy of these allegations; and that however convinced His Excellency himself may be of the correctness of these representations, I contradict and condemn them as extravagant and mischievous exaggerations.

39. I have thus examined in detail the circumstances which His Excellency urged as a full justification of the step he took. I have proved that the Commander-in-Chief was not called upon to enforce a new rule or a fresh reduction; and that no such national emergency as that which he describes existed to justify his assuming the power which he exercised.

40. On this head His Excellency denies that he assumed any authority at all, for he says that the order to institute the Rule of 1844 for

that which existed, was stated to be "pending the result of a reference to the Supreme Government."

41. In the letter addressed by the Adjutant General to the Secretary to Government, of January 20th, it was distinctly stated—"the Commander-in-Chief has directed that compensation shall be issued to the native troops serving in the Punjab in accordance with the old regulation," and compensation was issued accordingly.

42. His Excellency must be well aware, that in such a case as this, if the order were once issued by him, the clause of reservation to which he points became at once an empty form. His Excellency cannot be ignorant, that when the Commander-in-Chief had issued an order to the troops bestowing upon them certain additional advantages, the act was final. It was practically impossible for the Government to withdraw those allowances for some time to come, especially if the state of the Army were such as His Excellency has described it. The authority, then, to cancel an order of the Governor General in Council, and to alter the allowances of the troops, was assumed by the Commander-in-Chief; for the directions which he then issued were to all intents and purposes irreversible for the present.

43. The Commander-in-Chief, however, not only maintains that in this particular case he acted within the just exercise of his own authority, but in the concluding paragraphs of his memorandum he assumes a still higher and broader ground.

44. Quoting the letter addressed by order of the Governor General in Council on 13th April to the Adjutant General, His Excellency refers to the passage in which it was stated, "for the future guidance of His Excellency, that the Governor General in Council will not again permit the Commander-in-Chief, under any circumstances, to issue orders which shall alter the pay and allowances of the troops serving in India." His Excellency proceeds to declare "that so circumstanced, he no longer feels safe;" and he announces that he "shall resign a Command which he can no longer retain, under such restrictions, with advantage to the public service."

45. Sir C. Napier, therefore, openly and broadly claims for himself, as Commander-in-Chief of this Army, the power of altering the pay and allowances of the troops under his Command, whenever in his discretion he may judge it necessary to do so.

46. Herein His Excellency claims a power which has never heretofore

belonged to any Commander-in-Chief in India ; which is not enjoyed by the Commander-in-Chief of the British Army itself ; and which no constituted Government could ever allow. To concede this claim would confer on the Commander-in-Chief of this Army for the future an authority disproportioned to the position in which his commission has placed him ; and would render his power co-ordinate with that of the Government itself. The Government of India is responsible for the finances of the Empire, and for the great interests which are closely dependent on their adjustment and right administration ; but if the pay of the Army is to be placed under the control of its Commander, the revenue of the country will in all time to come be at the mercy of any General in Command, whose caprice may suggest the expediency, or whose fears may dictate the necessity, of an increase. In one word, to concede such a power to any Commander-in-Chief of this Army would give to the Empire of India two masters, and would render the sure administration of the Government plainly impossible.

47. Least of all should a power be conceded to the head of this Army to alter the regular pay and allowances of the troops during the manifestation of a mutinous spirit.

The regular pay of our native troops in India is ample in itself, and the allowances given, in addition to the pay, are generous in the extreme. Batta to pay his expenses when he marches, money to provide his quarters, increase of pay for length of service, pension when worn out, pension for wounds, pension to those he may leave behind him,—these, with many lesser advantages, render the condition of our native soldiers far superior to that of the soldiers in the service of any native prince, and, as His Excellency has lately testified, equal to the condition of any soldier in the world.

48. Thus munificently and indulgently treated, no increase of what he now enjoys can reasonably or justly be demanded by him. To concede at any time hereafter, merely because discontent is threatened ; to concede because a demand is made, however numerous those who demand, however menacing the aspect of affairs, would in my judgment be, under any circumstances, a grievous error. It would serve no purpose but to add to the arrogance of the disaffected, and uselessly to postpone the struggle which under such circumstances must come at last. To direct such a measure would be the worst weakness of which a ruler could be guilty ; and so long as I have the honor of administering the Govern-

ment of India, it shall never be placed in the power of any General in Command to commit the Government to so feeble and so fatal a policy.

49. One point only remains on which I think it necessary to make any remark before I bring this Minute to an end. His Excellency Sir Charles Napier, at the close of his Memorandum, having referred to the intimation conveyed to him by the Governor General in Council that His Excellency could not be permitted to alter the pay or allowances of the troops at his own discretion, proceeds thus :—"Such are the shackles put upon my conduct as Commander-in-Chief, such is the support which I have received on this occasion, and such the support which I may expect in future difficulties."

50. In these sentences, Sir Charles Napier represents himself as aggrieved by restrictions placed upon him by the Government of India, and by such a denial of support in the past that he can no longer expect to be supported in any future difficulties. I beg leave to bring these complaints to the tests of facts ; whereby it will be seen that, whether regard be had to the period of His Excellency's service generally as Commander-in-Chief or to recent events, His Excellency's complaints are equally groundless.

51. During almost the entire period of Sir Charles Napier's service in India as Commander-in-Chief, the Government has been administered, in my absence from the Council, by myself alone. I am therefore competent to speak with accuracy as well of the acts as of the intentions of the Government. I will take upon myself to say that no Commander-in-Chief of this or of any other Army ever received a more honest or more active support from the Government under which he served than Sir Charles Napier has received from me. From the day on which His Excellency landed in India and assumed the Command, I have treated him with unreserved confidence ; and, as well from a desire to promote the public interest as from sentiments of personal good-will, I have afforded to him ready co-operation, and have endeavoured on every occasion to meet his views, and to strengthen his hands in the exercise of his own legitimate authority.

52. It would be very easy for me to cite instances in proof of what I have now advanced. But it is not necessary. Sir Charles Napier has himself placed on record an ample acknowledgment of the support I have afforded to him. On the 26th February last, in a memorandum forwarded to the Governor General in Council, His Excellency expressed himself

in these terms :—" The Commander-in-Chief in India has not the authority necessary to fulfil the duties of his position in this and many other matters, as I have personally stated to His Lordship more than once ; *"but I do not mean by this that I am denied any support from His Lordship ; quite the contrary.* I complain of the system, which I think objectionable ; and had not His Lordship given me the support which he has, I would not have remained a month in India. But I have to thank His Lordship, not the system, for that support."

53. Such is the unqualified testimony borne by His Excellency to the support he had received from me from his arrival in India till February last. If it were possible, the support he has had since that date has been stronger still.

54. When the mutiny of the 66th Regiment determined His Excellency to resort to vigorous measures, he issued a general order, in which he directed that that regiment, Officers, Non-Commissioned Officers and men, should forthwith be disbanded ; he ordered that the Officers and men of the Nusseeree Battalion should be transferred to the 66th Regiment ; and lastly, that the Nusseeree Battalion should again be raised by its Commanding Officer.

Each and all of these acts were beyond the authority of the Commander-in-Chief. It was the opinion of my colleagues and myself that they were not all necessary ; and one of them was exceedingly embarrassing to the Government in its effects, by compelling the Governor General in Council prematurely to increase the pay of the Sirmoor and Kumaon Battalions, while the question was yet under the consideration of the Court by reference from him. But was my support withheld from His Excellency ? On the contrary, the Governor General in Council, feeling that under such circumstances the acts of the Commander-in-Chief should receive a support without any qualification, confirmed each one of these three unauthorized acts with a full, cordial, and unqualified approbation.

55. I have purposely laid an emphasis on the word "unauthorized ;" for His Excellency in his general order stated, under some misapprehension which I am unable to explain, that he directed these several measures, "having resolved to use the powers entrusted to him by the Governor General."

After careful examination of public documents and demi-official or private correspondence, I have been unable to find a single phrase which

can be construed into the bestowal of such powers. Most certainly no such delegation of authority or power was ever contemplated by me.

I have to state, therefore, that His Excellency was not vested by me with authority to do those or any other acts which his own powers as Commander-in-Chief did not allow him to do : for I knew too well the limits of my own authority to suppose that it was competent to me to delegate to the Commander-in-Chief powers which belonged to me as Governor General only.

56. My official conduct, in consequence of the statement contained in the general orders I have quoted, has been publicly questioned as illegal ; nevertheless, I should have continued to maintain silence on the subject, even to His Excellency, but for the tenor of this memorandum.

The tone which His Excellency has therein assumed compels me to stand upon my defence, and at last to make known the full extent to which His Excellency's acts have owed their validity to my support.

57. Lastly, His Excellency has complained that support has been withheld from him by the Government on the occasion of the issue of the order out of which this correspondence has arisen. Did, then, the Governor General in Council withhold his sanction from the order which His Excellency issued on the 20th January ? Did he reverse the instructions which the Commander-in-Chief had given ? or thwart the object which he had in view ?

I have done the very reverse of all this. Though that order of the Commander-in-Chief undid all that for six months I had been doing, though it counteracted my intentions, approved of by the Court of Directors, to assimilate the pay and allowances of the troops throughout the British territories generally, and thus threw down at once the principle I had been building up anxiously and with difficulty, yet I recognised and confirmed that order. Thus to the last I have supported the acts of Sir Charles Napier, have confirmed his orders, and upheld his authority before the Army and the public.

58. Yet, in the face of such facts as these, Sir Charles Napier has thought himself warranted in stating on record that his action has been fettered, that he cannot hope for support from me in future difficulties, and that he resigns.

59. I am much concerned that the retirement of Sir Charles Napier from the head of the Indian Army should appear to be in any way connected with any public act of mine. I regret still more that His

Excellency should have permitted himself thus hastily to resign his high Command on grounds so insufficient and untenable, and that he should abandon the charge so honorably entrusted to him, merely because the Government under which he acts will not concede to him the power of altering the pay or allowances of the troops under his Command, whenever in his discretion he may judge it necessary so to do.

59. (A.) The grounds on which I refuse such powers are set forth in this Minute, and will be submitted, with the representations of the Commander-in-Chief, for the judgment of the Honorable Court of Directors and of Her Majesty's Government. I have perfect confidence that the documents in their hands will suffice to convince them that I have uniformly afforded to Sir Charles Napier a full, cordial, and constant support. I have equal confidence that their judgment will be, that I have only done my duty towards the Government I administer, and towards those who entrusted it to me, in refusing to allow to the Commander-in-Chief of their Army a power which no Commander-in-Chief has ever enjoyed, which no predecessor of his has ever dreamed of claiming, and which no Government in Christendom could ever concede.

SIMLA,
June 14th, 1850. }

(Signed) DALHOUSIE.

EXTRACT FROM A DESPATCH FROM THE HON'BLE THE SECRET COMMITTEE OF THE COURT OF DIRECTORS, DATED 24TH JUNE 1850.

WE received, on the 3rd instant, the letter from the President of the Council of India in Council, No. 12, of the 22nd of April.

We are much concerned to find, from the important enclosures which it contains, that a serious difference of opinion exists as to the Military defences and the general security, not only of the Punjab, but of other parts of India. Into the merits of that controversy we do not feel ourselves called upon to enter; but we have no hesitation in signifying our high approbation of the Minutes of the Governor General. They are, both in matter and manner, worthy of his station and character; and Lord Dalhousie may be assured that the Home Government will not suffer his authority to be disputed by any functionary subjected to his control.

It is essential for the public interests that those entrusted with supreme power should be implicitly obeyed; and it is also necessary that any

Advice given to them should be tendered in respectful language, and with a due regard to the usual forms of official correspondence.

The East India Company have a right to require the cordial co-operation of all their servants in carrying on the great work of Government throughout the vast dominions entrusted to their care, and without such co-operation no system, however well devised, can be expected to produce the desired results.

EXTRACT FROM A DESPATCH FROM THE HON'BLE THE SECRET COMMITTEE OF THE COURT OF DIRECTORS, DATED 5TH AUGUST 1850.

AS No. 11, with its enclosures, refers to important matters, a portion of which had previously come to the cognizance of the Court of Directors, we have communicated these documents to them, and they will doubtless lose no time in addressing you on the subject.

But we are ourselves anxious to convey to the Governor General our entire and cordial approval of all his proceedings during his painful controversy with the Commander-in-Chief; and we do not hesitate to say that he deserves, and will assuredly receive, the full support of all the Home authorities connected with the administration of India.

MILITARY DEPARTMENT.

No. 18 of 1850.

OUR GOVERNOR GENERAL OF INDIA IN COUNCIL.

1. THIS correspondence has engaged our immediate and earnest attention.

Reply to paras. 22 to 25 of Military letter from the Government of Bengal, dated 28th May 1850, No. 88, and to letter from the Governor General to the Secret Committee, dated 14th June 1850, No. 11.

2. For many years prior to the year 1844, it was the practice of your Government to grant compensation to the native troops whenever their chief article of food, *Ottah*, was dear. Compensation was limited to that article, and was granted when its selling price was under 15 seers the Rupee, and at the rate of a seer a day for each man.

3. In the year 1844, your Government extended the compensation to the several minor articles composing the native soldier's ration, *viz.*,

Dholl, Ghee and Salt, in the proportions and at the prices named in the margin,* with the avowed object "of pro-

* Dholl, if above 10 seers per Rupee, at the rate of 2 chittacks per man per day.

Ghee, if above 2 seers per Rupee, at the rate of 1 chittack per man per day.

Salt, if above 8 seers per Rupee, at the rate of one third of a chittack per man per day.

G. O., 12th March 1844.

viding, as is done in Her Majesty's service, that the soldier's ration shall never cost him more than a fixed moderate sum."

4. This regulation, which involved the necessity for settling with the soldier for each separate article of diet, was found in

practice to cause great complication in the accounts, and also frequently to give more than was intended; for it not only, as observed by the Governor General, secured to the sepoy his ration at the fixed moderate sum of Rupees 3½ per month, "but even if his ration should actually have cost him less than that fixed sum, it would frequently give him an additional payment in cash in consequence of some one or more of the minor articles being dear."

5. In the next year (1845,) your Government, when promulgating several rules which were beneficial to the troops, took the opportunity of correcting these defects. It was then announced that the troops would be entitled to compensation whenever the price of provisions, forming the native soldier's diet, should exceed the aggregate of the rates for the several articles, viz., 3½ Rupees per mensem.

6. This rule was in strict accordance with the intention expressed in that of 1844, and was in accordance with the rule in force in Her Majesty's Army and in the European Corps of our Army.

7. The above order and the other orders published at the same time, granting advantages to the Native

* Revision of Scinde Allowances.
Hutting Money.

Payment of certain Regimental Establishments.

Privileges to Native Officers and Sepoys in respect to judicial and revenue proceedings.

soldiers as specified in the margin,* were translated into Hindoostanee, in the Persian and Nagree characters, were published in General Orders by the Government and Commander-in-Chief, and

were circulated in the same language to every regiment in the Army.

8. We may observe that before these several orders were adopted they were sent for the consideration of

* Dated 10th June 1845.

the Commander-in-Chief in India (Lord Gough), who recorded* the following

"general remarks" upon them.

"In returning the enclosed papers, I beg to express my firm conviction, in which I am joined by one of the most experienced officers in the service with whom I have confidentially communicated, that for the last half century nothing has been produced so replete with a judicious and paternal solicitude for the interest and welfare of our Native Army as the present contemplated enactments; and I feel confident that these invaluable boons will be hailed by all grades of that Army with emotions of the most lively gratitude towards the considerate and liberal Government whose servants they are."

9. The regulation then established to compensate the troops for high prices of provisions was originally limited to Scinde, but became applicable to the troops which entered the Punjab after the Battle of Sobraon, under the G. O. of 12th February 1846, which declared that they should receive the same rates of pay and allowances as those serving in Scinde; and by a general order, dated the 17th December 1847, the regulation was made applicable to the native troops generally, wherever they might be stationed.

10. The rule thus deliberately established and carefully promulgated was duly observed for upwards of four years, viz., from August 1845 to January 1850, when the occurrences took place which are detailed in the papers now before us.

11. It may here be observed that by a general order, dated the 2nd June 1849, a revised Code of Pay and Audit Regulations was published by your Government. This code contained the order of 1845-7, as above specified in substitution, for that of 1844.

12. Brigadier Hearsey, C. B., Commanding at Wuzerabad, addressed a letter to the Adjutant General of the Army on the 11th of January 1850, stating that having noticed that the revised Code of Pay and Audit Regulations, which was promulgated in June 1849, differed from the old code as to compensation for food when it sells at a high rate; and "as this difference has not been directed to be explained to the native troops," he thought it necessary to bring the matter under the consideration of the Commander-in-Chief, at the same time forwarding statements to show that the Rule of 1845 was less beneficial to the troops, at that particular time and station, than the Rule of 1844, to the extent of one anna six pie (2½d.) per mensem.

13. We have to express our surprise that an officer of the experience and standing of Brigadier Hearsey should have been so ignorant of the

regulations of the Service as to have made this representation, and that the Commander-in-Chief did not refer to the Government Orders, or to the authorities competent to afford him correct information on the subject. This course, unfortunately, was not taken by the Commander-in-

Letter from Adjutant General of the Army to the Secretary to Government of India, dated 20th January 1850.

Chief, who stated that the "change in the regulation was not observed" by his (Sir C. Napier's) predecessor, "when the Code of 1849 was sent to Army Head Quarters

"for any comment the Commander-in-Chief might see fit to make, and "Sir C. Napier is persuaded that the alteration has been introduced without the circumstances of the case being fully and clearly explained to the Supreme Government."

14. The Commander-in-Chief observed as follows:—

"The Commander-in-Chief considers the change that has thus been made to the injury of the soldier to be both impolitic and unjust, and he feels assured that it only requires to be brought to the notice of the Government to ensure its immediate rectification.

"In the mean time, confident of the support of Government, the Commander-in-Chief has directed that compensation shall be issued to the native troops serving in the Punjab, in accordance with the rules laid down in the old regulations, as in the present state of transition from Scinde pay and allowances to the regular pay of the troops,—a transition which has produced a most unprovoked state of insubordination in some regiments,—the Commander-in-Chief thinks that no cause of dissatisfaction should be given to the troops."

15. Immediately on receiving the above intimation, the President of the Council of India in Council (the Governor General being then absent at sea) caused explanation to be given to the Commander-in-Chief, showing how completely he was in error as to the regulations of the service, observing that His Excellency would now see that the Rule of 1845-7 "was not ordered hastily or unadvisedly by the Supreme Government, but on the contrary, after much consideration on different occasions, and full deliberation; that it had been in operation throughout the Presidency long previous to the publication of the Pay Code of 1849, without, as far as Government are aware, a single objection being offered to it; and that it was adopted as being perfectly just, equitable and politic by the late Governor General (Lord Hardinge) in Council and by the late Commander-in-Chief (Lord Gough)."

16. Under such circumstances, the President in Council observed that he could not but regret "that His Excellency should, without previous communication with Government, have ordered a general regulation passed by the Governor General of India in Council to be set aside at any of the Stations of the Army, but His Honor in Council does not consider it expedient to do more than thus explain the real state of the case until the arrival of the Most Noble the Governor General, who is shortly expected at the Presidency."

17. We may here observe, that the orders of the Commander-in-Chief immediately gave rise to claims from several regiments at Lahore to receive retrospectively the difference between the compensation received by them under the orders of Government, and that which they would have received had the orders of 1844 continued in force.

18. On the return of the Governor General to Calcutta, His Lordship recorded a minute in which he expressed his regret and dissatisfaction at these proceedings, observing that there was no room

Minute, dated 13th April 1850.

for doubt as to what were the intentions of the Governor General in Council, and that if there had been, the obvious and proper course was to refer the matter for the consideration of the President in Council, and to await his reply, before giving an order "which he had no power to issue, and which did not in any respect call for haste." The Governor General further observed that His Excellency well knew the difficulty of reversing an order regarding pay, and that the effect of his order had been to re-establish in the Punjab a different rate of allowance from that which will prevail in other provinces, and thus "in great measure thwart the endeavours which the Governor General in Council has been making to assimilate the soldier's allowances in every province of the Presidency. But the Governor General felt it necessary to intimate for the future guidance of His Excellency, that the Governor General in Council will not again permit the Commander-in-Chief, under any circumstances, to issue orders which shall change the pay and allowances of the troops serving in India, and thus practically to exercise an authority which has been reserved, and most properly reserved, for the Supreme Government alone."

19. To our extreme surprise, the Commander-in-Chief, after attempting to justify his proceedings on this occasion, has deliberately declared that under similar circumstances he would again act in the same manner.

Memorandum, dated 22nd May 1850.

20. We deem it quite unnecessary to enter into a lengthened detail of the exposition by the Governor General of His Lordship's sentiments and views on this subject, as opposed to those of the Commander-in-Chief. It will suffice to say, that His Lordship shows to be entirely void of foundation the reiterated assertion of the Commander-in-Chief, that the rule in question, as contained in the Code of 1849, is a new rule and unknown to the troops. On the contrary, His Lordship points out that compensation under that rule was paid to the large force in the Punjab in 1847, to the whole Army of the Punjab in 1848, and to the same Army in 1849, so that "the rule of compensation of 1845" was known to the sepoys, not only by the ordinary course of orders "issued to the Army, but by the intelligible explanation of it which has been conveyed to them and to others, by their having received and enjoyed the compensation allowed under the rule on many different occasions, and in several continuous years." His Lordship proves that the Rule of 1845, instead of being impolitic and unjust, as asserted by His Excellency, secured to the soldier the whole advantages which it was the declared intention of the Government in 1844 to confer upon him; and shows that the justification attempted to be set up by the Commander-in-Chief, as founded on an alleged mutinous spirit in the whole Army of the Punjab, and on a belief that the Empire was in danger, had, so far as the Government were informed, no foundation, and was totally irreconcilable with the acts and declarations of the Commander-in-Chief at the time. "However convinced His Excellency may himself be of the accuracy of the allegations, His Lordship contradicts and condemns them as extravagant and mischievous exaggerations."

21. We now arrive at a most important part of this discussion, which cannot be better explained than in the words of the Governor General:—

"44. Quoting the letter addressed, by order of the Governor General in Council on 13th April, to the Adjutant General, His Excellency refers to the passage in which it was stated for the future guidance of His Excellency that the Governor General in Council will not again permit the Commander-in-Chief under any circumstances to issue orders which shall alter the pay and allowances of the troops serving in India, His Excellency proceeds to declare, that so circumstanced he no longer feels safe, and he announces that he shall resign a Command, which he

"can no longer retain under such restrictions with advantage to the public service."

"45. Sir C. Napier therefore openly and broadly claims for himself, as Commander-in-Chief of this Army, the power of altering the pay and allowances of the troops under his Command, whenever in his discretion he may judge it necessary to do so."

"46. Herein His Excellency claims a power which has never heretofore belonged to any Commander-in-Chief in India, which is not enjoyed by the Commander-in-Chief of the British Army itself, and which no constituted Government could ever allow. To concede this claim would confer on the Commander-in-Chief of this Army for the future an authority disproportioned to the position in which his commission has placed him, and would render his power co-ordinate with that of the Government itself. The Government of India is responsible for the finances of the Empire, and for the great interests which are closely dependent on their adjustment and right administration; but if the pay of the Army is to be placed under the control of its Commander, the revenue of the country will, in all time to come, be at the mercy of any General in Command, whose caprice may suggest the expediency or whose fears may dictate the necessity of an increase. In one word, to concede such a power to any Commander-in-Chief of this Army, would give to the Empire of India two masters, and would render the sure administration of the Government plainly impossible."

22. The soundness of these views is unquestionable. As observed by us on a somewhat similar occasion, the "Supreme Civil and Military power, which in all Governments must reside somewhere, is at your Presidency vested by Act of Parliament in the Governor General in Council, subject to the control of the authorities in Europe. All other

"authorities and powers must be held and exercised in subordination to that supreme authority."*

* Military Letter to Bengal, 3rd July 1833.

23. Sir Charles Napier has now in effect declared that he will not be bound by the constitution of the Government of India as by law established, and has announced that he shall resign his Command. This announcement obviates the necessity for any further remarks on His Excellency's proceedings, and we have only to state that immediate measures will be taken by us with a view to the appointment of his successor.

24. In conclusion, we desire to express our entire satisfaction with the course pursued by the Governor General, and our conviction that His Lordship has given to the Commander-in-Chief, during the whole term of His Excellency's Command, the most cordial support which the paramount obligations of public duty would permit.

We are,
Your affectionate friends,
(Signed) JOHN SHEPHERD,
" J. W. HOGG,
and sixteen Others.

LONDON,
7th August 1850. }

MEMORANDUM BY HIS EXCELLENCY THE COMMANDER-IN-CHIEF, IN
REPLY TO THE GOVERNOR GENERAL'S MINUTE OF 14TH JUNE
1850.

Dated 4th December 1850.

I MUST beg leave to deny the first assertion made by His Lordship in this paragraph. I *suspended* the execution of the order, and to *suspend was not to cancel*.

His Lordship's second assertion is, that my so doing "*was precipitate and uncalled for*." This also I deny, because there was a mutiny.

His Lordship, thirdly, says that I exercised an authority which did not belong to me. Being beyond the reach of higher authority, I exercised my discretion, and instantly reported my having done so to higher authority.

Fourthly, His Lordship says, I was "not justified by the circumstances of the case." I assert that they did justify me, and in this opinion I was supported by the opinions of Officers of the Indian Army with me on the spot, Officers of the highest rank and of the greatest experience in that Army.

Paragraph 2.—Yes! I *suspended* the execution of the order upon the

grounds stated by His Lordship, but His Lordship has omitted to add, that I only did so till I should receive orders from the Supreme Government, to which I instantly reported what I had done *pro tempore*. But His Lordship "cannot assent to the accuracy of these the main propositions, &c." His Lordship here assumes that the Governor General, thousands of miles distant at sea, was better able to decide on an extremely difficult military question than the Commander-in-Chief on the spot, assisted by several of the most experienced Officers of the Army.

Paras. 5 and 6. Contain nothing to the purpose,—mere recapitulation of my memorandum.

Paras. 7. Contains nothing more than an offensive sneer. The only reply I shall at present make is the reiteration of every word that I formerly used. I formed my opinion of the details from what I heard from the Adjutant General, Lieut.-Colonel Grant, from Sir W. Gilbert and from Brigadier Hearsey, and from my own judgment as regarded the existing danger, in which we all concurred; and here it may be right to say who Brigadier Hearsey is, for with him, who was on the spot, the whole affair originated. Brigadier Hearsey was born and brought up in India; he has served all his life as a regimental Officer with native troops, and is considered by the whole Bengal Army not only to be one of its most distinguished Officers, but to be more intimately acquainted with the language, feelings and character of the sepoys than perhaps any other Officer, civil or military, in the service of Government; and it was because of his being so thoroughly aware of the angry feelings of discontent which pervaded the minds of the whole of the native regular troops in the Punjab, that I gave the very greatest weight to his opinions. Had I not done so, and that the discontented troops at Wuzerabad had broken out into open mutiny, one general cry of reprobation would have instantly arisen against me throughout all the British Empire! Had Brigadier Hearsey not acted as he did, then on *him* would have fallen the blame, for the Commander-in-Chief of such an immense Army as this can only act on the reports of his Commanders of divisions, brigades and regiments. Whether Brigadier Hearsey, Sir W. Gilbert, Lieut.-Colonel Grant (the Adjutant General) and myself formed views that were correct or the contrary is not the question. They were the best we were able to take, and I acted upon them with entire success,

where failure would have been ruinous, and, to use the words of the Governor General a month before, "*would be worse than a defeat by an enemy in the field.*" Had I done otherwise, I ought to have been dismissed the service. That the crisis was most dangerous every one knew perfectly well, and no one was more alive to the danger than the Governor General himself, whilst he remained within the reach of a knowledge of what was going on. It is therefore the more unaccountable to find His Lordship after having been at sea, far beyond the reach of knowing the events that were in progress, attempting, by erroneous assertions and arguments discordant with facts, to dispute the opinions of men on the spot, and deny the tendency and symptoms of overt acts infinitely more serious than any of those which had previously excited his alarm when he was on the scene himself. There was the mutiny; 40,000 sepoys were more or less infected with this bad spirit; we were in the midst of a hostile population; the Governor General was far away on the high seas! the Supreme Council 1,500 miles distant; the whole responsibility of quelling this mutiny rested upon me. I was obliged to decide to the best of my judgment. I had no reason to doubt the statements of Brigadier Hearsey and his Commissariat Officer, sustained by Sir Walter Gilbert and the Adjutant General of the Army, in reference to the orders and practice under which they had been serving all their lives; and I had no time in the circumstances to scrutinize their statements by reference to Calcutta. I had necessarily to decide at once, and I did so without a moment's delay. Armed soldiers in mutiny cannot be dealt with by the inexcusable procrastination which I am found fault with by my Lord Dalhousie for not adopting. Whether my decision was the best that could have been come to does not enter into the question. I did what I thought *right*, and I *succeeded*, without cost too either of money or of life! Now it is impossible for His Lordship to show that a different course might not have failed after both had been expended. This is the whole question. But His Lordship ingeniously eschews it.

Paragraph 3.—In these paragraphs the Governor General reverts to my memorandum, dated 22nd May, and wholly neglecting the grounds on which I based the defence of my order relative to the rations, His Lordship fixes upon a number of comparatively unimportant details, and therefore I shall not lengthen this memorandum by answering these observations of the Governor General, but allow, without entering further into the discussion, that I may have

been misled by Brigadier Hearsey and Lieutenant-Colonel Grant, neither of whom seems to have recalled the circumstances of the case, which His Lordship, after the danger had been averted by me, and with full time to apply to the public offices, has discussed in 13 paragraphs. But His Lordship has, as I before said, studiously avoided answering the following and all-important paragraph of my memorandum:—"But I do not consider that the real question is, whether I acted with judgment or without judgment. I consider the real question to be this, whether the Commander-in-Chief in India, removed to a great distance from all higher authority (the highest being at sea), in a moment of great danger, surrounded by a hostile population, and with an Army of upwards 40,000 men infected with a mutinous spirit, was justified or not justified in using his discretion and promptly dealing with danger in the manner which he thought most effectual for the safety of India. This is the real question."—And this is precisely the question which His Lordship has so unjustly decided in his reprimand of the 13th April, but so carefully avoided the discussion of in the minute under reply.

Finally, I completely succeeded in putting a stop to a widely spread and spreading mutiny in the Bengal Army, probably the most dangerous that had ever appeared in that Army, because founded upon the claim of the soldier to dictate to Government what rate of pay he should receive, a principle which in all ages and among all nations has been perilous to the State and popular among the troops, and which principle had just destroyed the Punjab Government! Not only *that*, but numbers of the relatives of our sepoys, then claiming more pay, were among the actors in the very Army which had so recently destroyed their own Government, on the very spot where the sepoys were now following the identical plan pursued by the Seikh Army, of employing agitators to go from company to company and from regiment to regiment. Had the measures taken by me not prevented it, we should in a short time have had "*Punchayets*" assembling in every Regiment.

Paragraph 4.—These seven paragraphs of His Lordship's minute are devoted to disprove my opinion, "that the rule of compensation established in 1845 is unjust and impolitic."

Paras. 22 to 28.

My opinion remains the same after reading His Lordship's seven paragraphs against it, and hereafter I shall probably explain my reasons for that opinion. Still it was merely an opinion expressed to superior authority, and *right or wrong* I was bound to express it.

The Governor General thinks he has overturned my arguments on this irrelevant point: I shall not discuss it with His Lordship; I shall only make one remark, that if the Rule of 1845 was in the opinion of the Governor General both just and politic, I cannot imagine why he did not *at once* remove the temporary suspension which I had laid upon it? Even I, thinking it both unjust and impolitic, only *suspended* its operation at a critical moment! That moment had long passed, and there could be no danger whatever in restoring a regulation which His Lordship considers so "just and politic." His Lordship's acts seem to contradict his expressed opinions in this instance.

Paragraph 5.—The remainder of His Lordship's minute is contained in these thirty paragraphs, the drift of which is merely to prove that there was no mutiny in the Army, and that I never believed that one existed; that my own orders prove this, and that I have libelled the Bengal Army.

Now I assert the very reverse of all this to be the case. I assert that every man in India, including the Governor General himself (whose own letters prove it), knew that there was a very extensive spirit of mutiny among the troops. That this mutiny being grounded on the desire to get higher pay was in the very greatest degree dangerous. That great alarm existed in consequence. That I was not only aware but told the Governor General of it. That my own orders prove its existence, and not only my knowledge of it, but also the pains I took to conceal from the Army the extent of the danger. *Common sense called upon me to conceal this danger* lest it should spread still wider, and the whole Army, learning that a great number of regiments were combined in the Punjab, might join. No one could exactly tell how far the bad spirit had spread, and to have made a parade of it in public orders would have been madness!

As to my libelling the Bengal Army, it is an unjust and unfounded assertion made by His Lordship, which I think it sufficient indignantly to deny.

I will take these paragraphs *seriatim*, and reply as shortly as I can to each, and begin with the 29th.

His Lordship need not have expressed any "*astonishment*" at what was known to every one, and himself among the rest. See my letters to him on the subject, as well as several of his own to me, showing that he had been informed of the danger before he went to sea. When at sea he

knew nothing about the progress of what was going on, but on his return he found that a strong fortress had been nearly seized by a regiment in open mutiny. That the mutiny was for increase of pay: this made it of the most dangerous kind, uniting Mahomedans and Hindoos in one common interest. That five regiments had manifested *openly* their mutinous disposition. That the men of one, the 32nd, had openly declared their intention of consulting with other regiments. That some had said "what can we do *now* with two European regiments in cantonment "with us?—wait till we can consult with the other regiments." That the fortress nearly seized had a large treasure in specie in it. That it had cannon and ammunition in it. His Lordship knew all these things. He also knew that an extraordinary correspondence had been going on between all the native regiments. Will he deny that we had about 40,000 native troops in the Punjab having the same will, interests and feelings as those regiments that had already shown a bad spirit? Will he deny that the Punjab population was hostile and well armed? His Lordship will scarcely venture to deny these facts, which are patent to all India, and does he pretend "*astonishment*" beyond expression at my saying that there was peril in such a state of things?—If so, I can only express equal astonishment, and pass on to paragraph 30.

In this paragraph His Lordship expresses his incredulity that "*the Army was in mutiny and the Empire in danger.*" A sweeping and exaggerated mode of expression, a statement which I never made, as His Lordship asserts that I did. The whole Army was not "in mutiny," but a mutinous spirit pervaded a large portion of that part of the Army which occupied the Punjab. This misrepresentation of my words is not argument, so I pass on to paragraph 31.

His Lordship says, (and in saying so evinces but little acquaintance with the subject he treats of) that my going to Peshawur entitles him "*with certainty to infer that no extensive mutiny or public peril existed, as has since been supposed.*" This is one of those assertions which His Lordship has been pleased to substitute for argument, as I will, in this instance, endeavour now to show.

The mutinous spirit first broke out at Rawul Pindee in July, 1849. I was then at Simla. It next displayed itself at Delhi in November 1849. I was on the spot. It then showed itself at Wuzeerabad in December, and finally it burst forth at Umritsur in January. Here were evidences of long continued design, and correspondence—a correspondence so alarm-

ing that one General Officer asked me to order the letters to be opened privately, which I refused to authorize, because I was prepared for the worst, and there was something revolting in the act. Moreover, all my information concurred in saying that there was such a correspondence going on, and that the plan of the mutineers was to oppose the Government by passive resistance, namely, to refuse the pay of seven rupees and demand Scinde pay of twelve. Before proceeding, let us see what passive resistance leads to. The sepoy refuses to accept his pay; he is respectful in his demeanour, and does his duty correctly in all other ways. This can only go on a few days. Then comes want of food, and one side must give in, or recourse be made to violence. The Government cannot give in. Suppose thirty or forty regiments take the course of this passive resistance (and when His Lordship left India *five regiments had*) what could prevent a collision with the Government? Who could say that more regiments would not join? In this state of things who will pretend that there was not great peril? No one but the Governor General, in his after reflection upon past dangers which I had overcome, but which had not surrounded him as they did me. He was far away seeking health on the ocean, and the Supreme Government was at Calcutta, 1,500 or 2,000 miles distant. I was alone, and the whole responsibility was thus thrown upon the Commander-in-Chief.

So circumstanced, I decided to proceed to Peshawur for the following reasons, and I have never changed my opinion.

First,—There are two points where our position in Punjab is more exposed to danger than in any others, *Peshawur* and the *Manjha*. My reasons for considering these points to be the weakest do not enter here. I had that experienced officer Sir Hugh Wheeler posted in the Jullundur, and he had with him an excellent European regiment, besides a large force of Irregulars, whose pay was regulated by a different principle from that of the sepoys, and they were therefore supposed to be faithful. Besides being an excellent soldier, Sir Hugh Wheeler has spent his whole life among the sepoys, and is master of their language. Who, let me ask, was more fit to control the large portion of sepoys in the Jullundur than this officer? No one!

The next and still safer station of Lahore was under the distinguished Sir W. Gilbert, who had under his hand two European regiments, a strong force of European Artillery, and a large body of Irregulars. Sir Walter also speaks the native language. My *fixed* presence was as little

wanted here as in the Jullundur! The next station was Wuzeerabad. There Brigadier Hearsey commanded. If any man could deal with the sepoys, he could; and he had three regiments of Europeans with him. Under him, therefore, Wuzeerabad was as safe as I could make it.

The next station is Jeelum. This small station was the most exposed, because there were no Europeans, but it was no place for the Commander-in-Chief and his camp. If the troops mutinied, I had not a European under my hand. But there I staid three days, and reviewed the troops. An excellent officer, Colonel Huish, was in command, and no more could be done at this station. Pass on to Rawul Pindee: there H. M.'s 53rd regiment enabled Brigadier Breton to hold his ground, as he had a force of Europeans equal to that of the native regiment.

Now where would the Governor General have had me *fix* my Head Quarters? In each of these places my presence could have done no good, and would in some measure have shackled the above able officers in their own commands. Well, we now come to Attok and Peshawur, to which last place I had sent the able Sir Colin Campbell. This position, in case of an open mutiny of the sepoys in the Punjab, became most important, because the moment a mutiny broke out in open violence, Peshawur would, as well as Attok, have been exposed to an attack from the Affghans, and from Golaub Sing, through the Baramula Pass. Lord Dalhousie asserts, that, because the troops at Peshawur had the high pay "*no dissatisfaction could possibly arise.*" I must take leave to tell His Lordship that he knows but little of soldiers if he thinks they would not unite in a common cause! Still I will admit that where the high pay existed there would be a fair probability of the sepoys being contented. But does His Lordship imagine that if the mutiny broke forth, as there was great probability of its doing, that he could hold Peshawur? It appears that his Lordship has no just idea of the danger of such a crisis, nor how such a crisis was to be encountered, looking forward to safety with indiscreet confidence. Had all happened that might have happened, the Queen's troops, comparatively few in number, would have been isolated at each station. The Seikhs and Affghans would inevitably have been in arms. What the Maharaja would have done no man can tell, but he would have had *power* to do us all possible mischief. I might have been obliged to withdraw the European force at Peshawur, re-crossed the Indus and marched upon Lahore, gathering the Europeans as I swept along engaged with the enemy during the whole march! It would have

been impossible to divine what would happen and what would not, and if my presence was useful at one place more than another, it was probably at Peshawur. But my duty was to move rapidly from station to station, and to conceal the great danger which existed ; it was to show no fear of mutiny, to confide in my sepoy escort and to brave the worst ; trusting to my own resources if that worst happened, and in the mean time to lose no opportunity of winning the confidence of the troops, which last was one reason among several for my going with them to Kohat, because under fire a Commander gains the confidence of his troops : for this reason I was delighted to have an opportunity of expressing my feelings towards them when I wrote the despatch of the 16th February, which the Governor General thought proper to suppress. It has since been published, and the Bengal Army know that I am not the man either to conceal their deeds or to libel them !

Such were, among others, the reasons for my going to Peshawur, exclusive of the necessity which existed that I should visit that important station. I hold them to have been sound, and that my conduct became the Commander-in-Chief of this Army.

On the other hand, His Lordship would have had me proclaim, in my remarks upon the sentence of doomed mutineers, my belief that a considerable portion of the Punjab Army was tainted with a mutinous spirit ! Proclaim to them their numbers and their strength ! Break off the prosecution of an important tour, and do so from the fear of a danger which might or might not become greater, and shut myself up in a cantonment or in the fortification of Lahore, cowering under the insolence of mutinous troops ! I beg the Governor General's pardon, but this would have been an impolitic and unbecoming line of conduct, much more likely to encourage the mutineers than to quell the mutiny ! It would have alarmed the whole of India, and would have given hopes of no unfounded a nature to the armed and discontented Seikhs, and to the astute Maharaja of Cashmere. I must have also sacrificed the many and important other objects of my journey, namely,—*first*, getting acquainted with the officers in the various commands ; *second*, knowing and being known to the troops ; *third*, seeing how they were lodged and fed ; *fourth*, choosing sites for new cantonments ; *fifth*, seeing the state of drill and discipline of regiments ; *sixth*, seeing the topography of the country, its views, passes, jungles, &c., so that if war was to be made, I might have a just idea of the country. All these and other important

points added to the propriety, not to say necessity, of the tour which I had undertaken, and I have also a right to congratulate myself that my timely arrival at Peshawur prevented a disaster to our arms.

As I consider that I have now fully answered this paragraph, I shall pass over all His Lordship's subsequent reasoning, if that can be called "reasoning" which is built upon so unsound a base.

Paragraph 6.—This has been answered in my last paragraph, and the "irreconcilable contradictions" reconciled without the least difficulty, as they only existed in His Lordship's imagination ; but I must again beg to remind His Lordship that a grave misrepresentation of my words is repeated in paragraph 32, where I am stated to have informed the Government in my letter of 22nd May, that on the 20th of January "*the Army was in mutiny.*"

His Lordship asserts as an admitted fact that "one regiment, left in "ignorance of the intentions of the Government," was "betrayed into acts "of violence." This was not the case. No regiment was ignorant of the intentions of Government ! Major Troup of the 66th, in common with many others, did not obey his orders, but those orders were nevertheless read to the whole regiment at Lucknow, as Lord Dalhousie knew, for I forwarded the proceedings of the Court of Inquiry to the Government, in which proceeding the fact was distinctly stated by one of the European officers, and was known to every one. Why his Lordship chooses to make this erroneous assertion is therefore best known to himself. The 66th were not "betrayed" into mutiny ; they had planned it long before.

The Governor General in this paragraph chooses to assume that there was no mutiny, and chooses to forget that I had quelled the mutiny ! For that reason there was no mutiny when he wrote his minute ! This assumption on the part of the Governor General, and the sneering tone which His Lordship has thought proper to use in this minute, would alone have obliged me to resign this Command had I not already done so, and had nothing else proved the total want of confidence which had arisen between the Governor General and myself.

Paragraph 7.—In these paragraphs the Governor General endeavours, by the most extraordinary and the most disingenuous course of reasoning, to describe the perfect obedience of the Indian Army, after I had put down the mutiny, as if that submissive state was not the result of the measures I had taken to quell mutiny ! The last circumstance His Lordship has endeavoured to cast out of sight

Paras. 31 A and 32.

Paras. 33, 34, and 35.

altogether. This appears to me so extremely absurd and unfair that I shall not at present vouchsafe any answer.

Paragraph 8.—The only notice I shall at present condescend to take of this paragraph is a distinct denial. I have cast no
 Para. 36. “unjust and injurious imputations on the Bengal Army.”

His Lordship's endeavours to turn the Bengal Army against one who has led their battalions in action, and who they know to have done his duty towards them both in action and out of action, is as weak as it is unjustifiable; and there I leave it, with this observation, that to forget good service is common among men, but to enjoy the safety resulting from good service, and then endeavour to make the man who produced that safety appear criminal, is unusual, and I willingly leave to the Governor General any satisfaction which he may be able to derive from such a line of conduct.

Paragraph 9.—This paragraph consists in a concatenation of mere
 Para. 37. assertions which I dispute, and have shown to be fallacious. I also here record my entire dissent from His Lordship's convictions, and having far more experience than His Lordship, and having also been on the spot, whereas he was at sea, I consider that I am the best able to judge. I cannot, however, avoid referring His Lordship to a third repetition of his misrepresentation of my words which I find in the last line but one of his paragraph, 37.

Paragraph 10.—His Lordship seems unfortunately to have lost temper, and permitted himself to become personally offensive in his language. I shall not follow his example, but
 Para. 38. merely record here my dissent from and denial of the correctness of the whole paragraph, which at some more convenient opportunity shall be answered.

Paragraph 11.—Already fully answered; this is merely repetition
 Para. 39. of a former paragraph.

Paragraph 12.—In these His Lordship gives a quotation from the
 Paras. 40 Adjutant General's letter to Government, leaving out
 and 41. that which contradicts the crime of defying the Government, which is implied in these paragraphs. I said “*confident of the support of Government*” the Commander-in-Chief has directed, &c. As this letter was dated the same day as my order, the “*confident in the support of Government*” shows that I considered my own act as merely a secondary one, waiting for the sanction (or the reverse) of the

Government, and not issued insolently to usurp the power of Government. But this is not all. I sent to His Lordship an extract from my order which does not permit of being mis-stated or of doubt, and His Lordship quotes it in part. My orders to Sir W. Gilbert contained directions that they were only to be obeyed *pending a reference to Government*. I quoted the exact words to Lord Dalhousie, and I here do so again. “I have the honor, by direction of the Commander-in-Chief, to request that you will cause instructions to be immediately issued to the several officers of the Commissariat Department concerned, to adjust the compensation in accordance with the old Regulations, as laid down in the Code of 1845, *pending the result of a reference which will be made to the Supreme Government on the subject,*” and which was made that same day, namely, the 20th January. There never was a more unjust, unfair and unfounded accusation against a man in my position than that of charging me with an attempt to usurp those powers which belong to the Supreme Government alone!—after which groundless accusation, no man having proper respect for his position as Commander-in-Chief could hold that commission.

Paragraph 13.—There was not the objection which the Governor General supposes to reversing my orders! They were
 Para. 42. issued with reference to the most dangerous and critical state of the troops at that moment. By my having issued them “*pending*” sanction, and not “*abrogating*” any existing order, I clearly showed that while I held it “unjust and impolitic” I was quite prepared to enforce it, if so ordered by Government. My own conviction is that the Government were satisfied that it was both unjust and impolitic, but was afraid to enforce it! The fact is, that the compensation for rations is a rare occurrence, and I know officers of long service who never yet saw it enforced! The application of it is so partial that the Code of 1849 may now be, at any moment, put in force whenever His Lordship pleases, especially as it is a rule which he deems so admirable! The amount which Government lost by my suspending the rule (which applied for the first time to the troops at Wuzeerabad) was only about 63 Rupees a month on a regiment of 1,000 men.

Paragraph 14.—His Lordship has devoted these six paragraphs to the display of a vast number of truisms, which I am not
 Paras. 43, 44, aware that any one is inclined to dispute, and this has
 45, 46, 47, 48. been done ostentatiously enough, in opposition to a claim which His

Lordship has been pleased to put into my mouth, for I positively deny that I ever made any claim so perfectly ridiculous ! My answer may therefore be short.

First,—That His Lordship has worked himself up to a long description of this claim made not *by*, but *for* me to a Dictatorship, and which he so nobly avows his determination to resist while he is Governor General of India, but which never entered my head till I was amused by reading the Governor General's description of it.

Secondly,—That my *real* claim was simply this : that when placed in a position of danger and responsibility, in consequence of both the Governor General and the Supreme Government being far beyond my reach, when I was obliged to act on my own responsibility and at my own discretion ; when in so doing I did my best, and moreover, with perfect success, I might not be submitted to a public, severe and unjustifiable reprimand. That is my real claim, and not the Dictatorship of India. I had a right to support which I did not receive, and I therefore resigned ! I did not dispute the *right* of the Governor General to reprimand the Commander-in-Chief ; but I denied and I still deny the justice of his exercise of that right. Therefore I resolved not to submit to an undeserved and uncalled-for reproof. Had Lord Dalhousie written to me a private letter to say, “ you were in a difficult position and you did your best, but I think “ you were wrong,” or had he written a civil public letter differing with me, as the Government at Calcutta did before the Governor General landed, the case would have been different. I would have taken no offence, and such a course would have been becoming in him. But to this intemperate reprimand no man could submit without baseness, especially when I maintain that my whole conduct was correct, politic, and perfectly successful.

Paragraph 15.—His Lordship in these paragraphs has assumed, and without the slightest foundation for the assumption, that Paras. 49, 50, 51, 52, 53, 54. I wanted to alter the pay and allowances of the troops at my own discretion. Having assumed this most erroneous position, he proceeds to say that I complained of want “ *of support in the past*,” and then he overturns the complaint of his own creation which he so gratuitously endeavours to fix upon me. All this is making out a case which has no existence in fact. My complaint was as distinct as the sun in the heavens. I stated in my memorandum, that the absence of any higher power to refer to for a decision had driven me to act to the best of my judgment, and with

success for which I deserved *thanks* and received *reprimand* ! After describing this *single fact*, for the whole case referred to regards but *one fact*, I concluded thus : “ Such are the shackles put upon my conduct as “ Commander-in-Chief ; such is *the support which I have received ON THIS “ OCCASION*, and such the support which I may expect in future difficulties. “ So circumstanced I no longer feel safe, and shall resign a Command which “ I could not retain under such restrictions with advantage to the public “ service.” Do the words “ *on this occasion*,” authorize His Lordship's sweeping assertion, that I complained of “ *denial of support in the past* ? ” Assuredly not, and the proofs which he adduces to show that he had given me support on other occasions are unnecessary, for I never questioned it ! On the contrary, I always and openly acknowledged it ! It was his duty to give it to me, and had I not received it, I should have resigned sooner. But all that His Lordship has stated in these five paragraphs is fighting with a shadow. The one complaint I made, for I did not make “ *complaints*,” was not groundless ; it was just, and no Officer of my rank and in the position I stood could submit to such an offensive reproof as I had received. It was impossible for me to remain Commander-in-Chief after that reprimand. Lord Dalhousie seems to think that his having given me support on previous occasions gave him the right to inflict on me this unjustifiable reprimand, for no reprimand is justifiable unless the man reprimanded has been culpable, and no man can be culpable who has fully succeeded under very difficult circumstances. His Lordship is in error. His former support gave him no right to withdraw support on this occasion, of which he must have been aware at the time.

Paragraph 16.—In this paragraph His Lordship says, that he did not authorize the acts which he enumerates in paragraph 54, Para. 55. and of which he afterwards approved, and that he is unable to explain on what “ *misapprehension* ” I said “ *having resolved “ to use the powers entrusted to me by the Governor General*,” and the Governor General denies having entrusted me with such powers. I will therefore, by quotations from His Lordship's letters to me, endeavour to show that my “ *misapprehension*,” if I did misapprehend, which I deny, was a very natural one, and that most men in the same situation would in like manner have misapprehended. As His Lordship says, it was a misapprehension—be it so. All I can say is, that it was a very happy misapprehension, and one for which I deserve thanks. It was fortunate for the East India Company that I was driven by circumstances to act

by my own judgment, and that the Governor General was not present to prevent my taking advantage of such an opportunity of placing the obedience and discipline of the Bengal Army on a sounder base than it was before, which, in consequence of a private letter that I received from His Lordship at the time, I have reason to believe would have been the case. However the good is done, and I hope no measure will be taken by His Lordship that may undo it. To proceed with the extracts from the Governor General's letter, which made me consider myself authorized to say I used the powers entrusted to me by the Governor General.

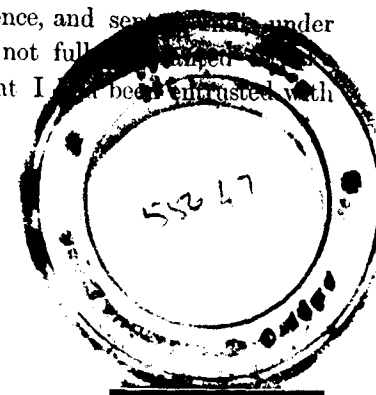
In the first place I can show by his letters, that from the first he approved of all I did relative to the mutiny when it first appeared at Rawul Pindee, and also in the various personal interviews which I had with His Lordship on the subject. But let all this pass, and come to later transactions when matters became more serious. (The underlining is chiefly mine.) On my reporting the affair of the 41st to the Governor General, he writes, on the 11th November, from Loodiana,—“I am very sure of your doing everything that is right in the circumstances that may arise, whatever they may be.”

On the 30th December he writes, from Mooltan,—“The conduct of the 32nd distresses me in every way. It is unreasonable, and on every ground unpardonable. The original creation of an allowance extra was a shortsighted and impolitic as well as an unnecessary act, but the Government cannot allow the act and its evils to extend into futurity. I am very sure that the course you contemplate is the truly merciful one. No punishment can be too severe for the men who deliberately instigate to mutiny, and although I am as little bloody-minded as most men, I should be quite prepared to advise, if called upon, that these men should be put to death. It is true that it is said transportation across the seas has more terror than death. I very much doubt it, and I conceive that the promptitude of the punishment in retribution of the act and in presence of those who partially shared in it, would have a greater effect in repressing similar offences than the more distant punishment of banishment. I am very glad you are where you are, and I feel quite at ease when the conduct of measures consequent on such offences is in your hands.”

On the 18th of January, His Lordship writes to me from Scinde:—“I quite agree with you in being prepared for discontent among the native troops on coming into the Punjab under diminished allow-

ances. I looked with great anxiety to the result of a measure that was indispensable from the first, and I am well satisfied to have got so far through it without violence, as we have. The sepoy has been over-petted and over-paid of late, and has been led on by the Government itself into the entertainment of expectations and the manifestation of a feeling which he never held in former times. The Government and yourself have no doubt of the perfect justice and perfect necessity of their present orders, and they must be enforced. I would fain hope that flying rumours are exaggerated, and that your prompt and decided action at Delhie and Wuzeerabad will check all future designs. I saw the 41st at Mooltan; it has behaved perfectly well since it left Delhie, and the men, Major Halford tells me, have seemed ashamed of themselves ever since,” (that is to say ever since I dealt with them.) “If my hope be disappointed the course of action you indicate is the only right one; indeed it is the only possible one. A yielding or a compromise in this case would be worse than a defeat by the enemy in the field, and would make our own Army more formidable to us than the Khalsa has been. In this point then our sentiments are in perfect unison; and whenever anything may occur which requires or would be benefitted by the support of the Government, that support will be unreservedly given. All testimony has led me to form the opinion you hold of the efficiency and fidelity of the Goorkha corps. If immediate increase of the pay were necessary to enable you to command the services of these corps in the event of disaffection among the native Infantry, I would at once issue an order for the increase; but the terms of their own contract of enlistment entitle you to call upon them to move anywhere on emergency, and as you can thus avail yourself of them fully and at once if they should be needed, I think it better to wait for the reply from the Court, which in another month will reach me. I will make use in the mean time of recent events for the purpose of strengthening arguments, which I feel satisfied the Court have already felt to be sufficient.”

Now let me ask, whether taking all these letters and the sentiments therein expressed together, I, holding the high office of Commander-in-Chief, and having long military experience, and sent under no ordinary circumstance of danger, was not fully warranted upon me to act as I did, and to consider that I had been entrusted with



the discretionary power which on the spur of the occasion I exercised? And was that power without precedent? No! for Lord Gough had it, and I myself, when only a Major-General in Scinde, had been invested by Lord Hardinge with this very discretionary power, to disband one or more regiments if I thought it necessary. I did not think it necessary; neither did I think it necessary to disband the 13th and 22nd N. I. in the preceding year, when the measure was recommended by Colonel Benson, because I thought it premature to disband for passive resistance like that shown by these two regiments; but when I found that five had exhibited a mutinous disposition, and that one had attempted to seize the strong fortress of Govindgurh, then I did think the most prompt and severe measures necessary to quell the mutiny and authorized by the letters above quoted, yet these measures the Governor General now holds forth as criminal! Yes, it was high time for me to resign a Command where every exercise of sound judgment in my own profession, attended with perfect success, has been considered an encroachment on His Lordship's power, and a misdemeanor, if not a crime. While I found support, I acknowledged it; when it ceased, I resigned.

In the last sentence of the 55th paragraph, Lord Dalhousie says,—“ I knew too well the limits of my own authority to suppose that it was competent to me to delegate to the Commander-in-Chief power which belonged to me as Governor General only.” It then appears that neither Lord Ellenborough nor Lord Hardinge knew the limits of their authority as Governor General, for Lord Ellenborough delegated the power to break regiments to Lord Gough, I believe, and Lord Hardinge did so to me, when only a Major-General, as I have already stated!

Paragraph 17.—I complained only (and no sophistry can alter the fact) of the unjust reprimand which I received from the Governor General dated 13th April, and on that alone I resigned. I did not complain that the orders which I issued on the 20th of January had not been supported; I did not complain that I had not been supported on any other occasion. Those orders might have been reversed after the crisis had passed, and may be reversed now. I had only suspended them till I received the orders of the Supreme Government, and I who had asked for those orders could not and did not complain of them on that score; I complained of unjust reprimand, and I complain still, as an act of injustice which prevents my remaining as Commander-in-Chief.

Paragraph 18.—Yes, I do exactly so maintain. In this paragraph Lord

• *Para. 58.* • Dalhousie winds up his very extraordinary paper, by assuming as things done and said by me, things which I neither did nor said, and assuming as proved things what I distinctly deny, and intentions and motives of which I never dreamed, and which I disclaim! He recapitulates his groundless assertions and assumptions, and finally feels satisfied with himself that he has done all that is right, and that I had done all that is wrong!—consequently, that his conduct will be perfectly approved of by the Home authorities. But those authorities have not yet seen my reply to His Lordship's Minute. When this reply becomes known, it will be seen what judgment will be formed by those authorities.

For my part, being conscious that I have done my duty, and being convinced that the mode in which I have done it, although disapproved by the Governor General, has been highly beneficial to the interests of the Government, the Country and the Army, whilst the course which he maintains that I should have pursued was calculated to ensure great public disaster, I cannot feel otherwise than confident of receiving, when the real facts are understood, the full approval of my Sovereign, the Government and my countrymen, as well as of the Honorable the Court of Directors.

(Sd.) C. J. NAPIER, *General,*
Commander-in-Chief.

SIMLA, }
July 1850.

Head Quarters, Camp, 4th December 1850.

I HAVE purposely delayed sending in this record of my defence against Lord Dalhousie's Minute until the close of my Command, because if any accident prevented the arrival of my successor, this controversy between the Governor General and the Commander-in-Chief must have been still more prejudicial to the public service than it has been.

(Sd.) C. J. NAPIER, *General,*
Commander-in-Chief.

MINUTE BY THE MOST NOBLE THE GOVERNOR GENERAL OF INDIA,
ON THE MEMORANDUM BY HIS EXCELLENCY SIR CHARLES NAPIER,
OF 4TH DECEMBER 1850.

Dated Rawul Pindie, 28th January 1851.

1. The Adjutant General of the Army has lately transmitted to me a Memorandum written by His Excellency Sir Charles Napier, in reply to a Minute which I recorded on the 14th June 1850, regarding the intimation conveyed to me in a Memorandum, dated 22nd May, of His Excellency's intention to resign the Command of the Army in India, together with the reasons which he alleged for that act. The present Memorandum bears date Simla, July 1850, and 4th December 1850, but it did not reach me until after Sir C. Napier had ceased to Command the Army.

2. In this document His Excellency reiterates the statements he had before advanced, and controverts, in nearly every point, the reply that has been given. Thrown into the form of a running commentary on the several paragraphs of my Minute, the Memorandum repeats so frequently the same statements under various heads, re-words the same arguments, and traverses so often ground already traversed before, that it would probably prove confusing and perplexing to one who was not acquainted with the course of previous discussion on the subject of which it treats.

Nevertheless, I should be well content to leave my defence to the statement I have already submitted, and to rely on the Minute recorded on 14th June, as furnishing a full reply as well to the Memorandum which now professes to answer it, as to the previous paper of the 22nd May.

I am unwilling, however, to appear to treat with indifference any document, even though posthumous, which has proceeded from a Commander-in-Chief of this Army. I shall, therefore, have the honor of submitting in the following paragraphs such further observations as may appear to me to be necessary. In so doing I shall adhere, for distinctness' sake, to the same order in which the several branches of this question were discussed in the Minute of 14th June, collecting under each head everything which is to be found in His Excellency's Memorandum that may be connected with the topic, and may call for any notice.

3. In that Minute I considered, in separate and successive paragraphs, the several pleas advanced by Sir Charles Napier in justification of the course he had adopted.

It was shown,—

I. That the rule respecting the compensation for sepoys' rations, which His Excellency set aside as a new rule, was not a new rule, but one previously established, and acted upon in practice.
M. June 14th, .
p. 6-21.

II. That it was not an unjust and impolitic rule, but in all respects the reverse of this.
M. June 14th,
p. 22-27.

III. That no such emergency, no such perilous crisis, did exist as to justify the terms in which His Excellency described it.
M. June 14th,
p. 29-39.

It was further shown,—

IV. That the power which Sir C. Napier claimed for the Commander-in-Chief in the concluding paragraphs of his Memorandum was unprecedented and inadmissible.
M. June 14th,
p. 43-48.

V. That full support had been given to His Excellency by me during the period of his Command, and that he had no sufficient ground for intimating an opinion that support would not be given to him in future difficulties.
M. June 14th,
p. 49-60.

I shall now again review these several heads successively.

4. I. It has been shown, that the rule respecting the compensation for sepoys' rations which His Excellency set aside as a new rule, was not a new rule, but one previously established, and acted upon in practice.
M. June 14th,
p. 6 to 21, 40-41-42.

In his present Memorandum, adverting to my reference to the act of the Commander-in-Chief "in cancelling an order of the Governor General in Council regarding sepoys' compensation for rations," His Excellency Sir C. Napier objects, "I must beg leave to deny the first assertion made by His Lordship in this paragraph: I *suspended* the execution of the orders, and to *suspend* is not to *cancel*."
M. December
4th, p. 1.

In reply, I have to observe, that in describing the act of the Commander-in-Chief as a *cancelling* of the orders of the Government, I used the term advisedly, and advisedly I repeat it.

I dealt in my Minute with the acts of the Commander-in-Chief as they

M. June 14th,
p. 40, 41, 42. were in reality,—not as they professed to be. I brought forward prominently in my Minute the explanation advanced by His Excellency, in his Memo. of the 22nd May, and again in the paper before me, which was founded on his having declared that he suspended the order “*pending the result of a reference to the Supreme Government.*” I stated, that His Excellency must be well aware that if the orders were once issued by him, the clause of reservation to which he pointed became an empty form. The reversal of an order by the Commander-in-Chief, conveying advantages to the troops, would under any circumstances be inexpedient, from the dissatisfaction it must necessarily create among those affected by it, and the lowering of his authority which it would produce;—but to reverse it under the circumstances which had then existed was practically impossible; and doubly so, if the state of the Army were really such as His Excellency believed it to have been.

Wherefore, the order of the Commander-in-Chief respecting the compensation for sepoy's rations was at that time final; consequently, the phrase I employed was strictly correct; for, under such circumstances, to suspend *was* to cancel.

5. Having thus replied to the objection which His Excellency has raised to the *mode* in which I described the measure he had adopted relative to the rule for rations' compensation, I proceed to notice His Excellency's remarks on the paragraphs which treated his view of the rule itself. Upon them, His Excellency observes,—“In these paragraphs

M. Dec. 4th,
p. 3. “(Minute, 14th June, 8—21,) the Governor General reverts to my Memo. of 22nd May; and wholly neglecting the ‘grounds on which I based the defence of my order relative to the rations, His Lordship fixes upon a number of comparatively unimportant details, and therefore I shall not lengthen this Memorandum by answering these ‘observations of the Governor General; but allow, without entering further into the discussion, that I may have been misled, &c., &c.’”

Sir Charles Napier has done wisely in attempting no answer to a refutation of his views, which, being founded on facts and official documents, was in itself unanswerable.

6. With this remark I should have passed to the next division of the subject, but that His Excellency, in the sentence above quoted, has

alleged that, in the paragraphs on which he was commenting, I wholly neglected the grounds on which he based the defence of his order relative to the rations. Further on in the same paragraph, His Excellency remarks “But His Lordship studiously avoided answering the following and all-

“important paragraphs of my Memorandum:—‘But I do
Memo. 22nd May. “not consider that the real question is, whether I acted

“with judgment or without judgment. I consider the
“real question to be this,—whether the Commander-in-Chief in India,
“removed to a great distance from all higher authority (the highest being
“at sea), in a moment of great danger, surrounded by a hostile population,
“and with an Army of upwards of 40,000 men infected with a mutinous
“spirit, was justified or not justified in using his discretion, and promptly
“dealing with danger in the manner which he thought most effectual for
“the safety of India. This is the real question’ :—and this is precisely
“the question which His Lordship has so unjustly decided in his reprimand of the 13th April, but so carefully avoided the discussion of in the
“Minute under reply.”

To this I rejoin, that if by the words contained in the foregoing passages Sir Charles Napier meant to object that I had not noticed the large question contained in his quotation in the thirteen paragraphs on which he was immediately commenting, his objection is unreasonable. For, as my Minute declaredly treated the several divisions of the subject separately, it was not possible that the paragraphs which were exclusively allotted for the consideration of one portion of the subject should enter on the discussion of another and very different portion of it. But if Sir C. Napier means to allege that the question contained in the passage he quotes *was nowhere* discussed in my Minute, I have to state that His Excellency is in error. The passage quoted by His Excellency was not transcribed in full, but the question raised in it as to the right of the Commander-in-Chief to use his discretion in the manner which he thought most effectual for the safety of India was entered into, and fully discussed

in paras. 43-48 of my Minute of 14th June, paragraphs
M. June 14th,
p. 43-48. which are commented upon by His Excellency in his
M. December 4th,
p. 14. present Memorandum, and which will again be adverted to in this Minute.

7. II. It was shown that the rule of rations' compensation was not an unjust or impolitic rule, but in all respects the reverse of this.
M. June 14th,
p. 23-27.

This portion of the question was discussed in paras 22 to 27 of the Minute, 14th June. Adverting to them, Sir C. Napier observes,—“My opinion remains the same after reading His Lordship’s seven paragraphs against it.” Subsequently His Excellency adds—“The Governor General thinks he has overturned my arguments on this irrelevant point, I shall not discuss it with His Lordship.”

It is unnecessary for me to dwell on a point which is abandoned.

M. December 4th, p. 4. I will therefore only observe that “my acts” on this head in no respect “contradict my expressed opinion.”

Just and politic as was the rule which His Excellency thought proper to supersede, its restoration could only have been effected by a reversal of His Excellency’s order. The reasons which were valid against such reversal were fully stated in paras 40, 41, 42, of the former Minute, and have already been repeated in the present papers. It is unnecessary to repeat them a second time.

8. Having thus finally disposed of the first of those pleas on which Sir C. Napier, on 22nd May, justified his order respecting sepoy’s compensation for rations; having shown that the order set aside was well established, in use, just and fair, and that His Excellency had not directly or indirectly been called upon to enforce a new rule by which fresh reductions of pay were imposed upon the sepoy; I proceed to review again His Excellency’s second plea, founded on the alleged extraordinary and perilous circumstances in which he was acting.

This portion of the question was examined in paras 29 to 39 of the Minute of 14th June, wherein it was shown,—

III. That no such great emergency, no such perilous crisis, did exist, as to justify the terms in which His Excellency described it in the Memorandum of 22nd May.

Sir Charles Napier has commented on these paragraphs at considerable length; reiterating in them, as in other portions of the Memorandum, his former assertions regarding the perilous nature and extent of the mutiny which he affirms to have existed; endeavouring to combat the arguments by which he was met, as well as to explain acts and words to which reference was made; and advancing such further statements as render it necessary that I should again enter into some details.

9. Before engaging, however, in detailed examination of the question at issue, I desire to notice a charge of misrepresentation which His Ex-

cellency has brought against me. Commenting on para. 30 of my former Minute, Sir C. Napier states,—“In this paragraph His Lordship ‘expresses his incredulity that ‘the Army was in mutiny and the Empire ‘in danger,’—a sweeping and exaggerated mode of expression; a statement which I never made, as His Lordship asserts that ‘I did. The whole Army was not ‘in mutiny,’ but a ‘mutinous spirit pervaded a large portion of that part of the Army which ‘occupied the Punjab. This misrepresentation of my words is not argument, so I pass on to paragraph 31.”

M. December 4th, p. 5.

Subsequently, in reference to para. 32, 14th June, Sir C. Napier observes, “I must again beg to remind His Lordship that a grave misrepresentation is repeated in para. 32, where I am stated to have informed the Government, in my letter 22nd May, that on the 20th January ‘the Army was in mutiny,’”

M. December 4th, p. 6.

Again Sir C. Napier states—“I cannot, however, avoid referring His Lordship to a third repetition of his misrepresentation ‘of my words, which I find in the last line but one of ‘his paragraph 37.”

M. December 4th, p. 9.

The charge of misrepresentation is frivolous.

I have nowhere imputed to Sir Charles Napier that he stated “the whole Army” was in mutiny. I have nowhere imputed to him that his statement respecting the mutiny applied to any other than the Army of the Punjab. When in the Minute of 14th June I first introduced the topic, I did so in the words His Excellency actually used, and those words I literally quoted.

M. December 4th, p. 5.

I quote my own paragraph again, and the mere citation of its terms will prove the accuracy and fullness with which I repeated the statements His Excellency set forth.

In para. 29, of M. 14th June, were these words:—“In various passages ‘of his Memo., His Excellency states, that when he issued the order on the ‘20th January, relative to sepoy’s compensation, ‘mutiny had appeared ‘in a most formidable shape’—that the Officers in command were in ‘very critical and dangerous circumstances’; that it was ‘a moment of ‘great danger’—that he was ‘surrounded by a hostile population, and ‘with an Army of upwards of 40,000 men infected with a mutinous ‘spirit’—and finally, that the Indian Government by reason of this ‘mutinous spirit was exposed to ‘great peril!’”

These are His Excellency’s words: a reference to them, and

M. May 22nd, to the 10th para of his Memorandum of 22nd
p. 10. May, in which His Excellency speaks of "the great
"peril to which the Indian Government was exposed by the mutinous
"spirit which had appeared among the troops;" and a similar reference

to the 15th para, in which His Excellency described
M. May 22nd, himself as surrounded by "an Army of upwards of
p. 15.

40,000 men infected with a mutinous spirit," will conclusively establish the fact that Sir C. Napier *did* assert that the Army of 40,000 men by which he was surrounded was in mutiny, and in mutiny to such an extent as to place the State in great peril. A further reference to other portions of my Minute will show that in the frequent

allusions made to His Excellency's statement therein,
M. June 14th, I sedulously restricted its application to a portion of the
p. 3, 29 (1), 29 (2), Bengal Army, to that Army with which the Commander-
31, 36 (1), 36 (2), in-Chief was placed—to the Army of the Punjab,—the
36 (3).

only Army which could indeed be referred to, since it alone was affected by the causes of discontent.

No man, after such literal quotation in the first instance, and after such careful repetition on my part of the phrase which was actually employed by Sir C. Napier, could by possibility misapprehend the casual expressions less precisely worded, which Sir C. Napier has picked out; no man has construed, or could construe, my Minute as representing that His Excellency had affirmed the existence of formidable mutiny in the whole Indian Army, or in the whole Army of Bengal, or in any other Army than the Army in the Punjab, to which it was actually attributed by His Excellency in the words I have repeated again and again.

Nor could Sir Charles Napier himself have affected to see any misrepresentation or risk of misapprehension attaching to those words of mine, excepting under the influence of that querulous spirit which has unhappily marked so much of his recent correspondence with the Government of India, and which has inclined him to discover an injustice in each letter, a reprimand in each request, and a grievance in everything.

I have stated that in my former Minute it was maintained that no such general or perilous mutiny existed in the Army in the Punjab as that described by the Commander-in-Chief.

Omitting many minor evidences to the contrary, the existence of such a mutiny was declared to be irreconcilable with the official acts and words of the Commander-in-Chief at the time.

* 11. It was irreconcilable with his acts; since if any such mutiny had existed in the plains, it was inconceivable that at a such a time His Excellency should have left them and proceeded to the frontier.

His Excellency combats the inference herein drawn from his official acts, and enumerates the reasons which induced him to proceed to Peshawur.

These reasons are of various kinds :—

First,—It was necessary that he should become acquainted with the troops, become acquainted with the country, and select cantonments, &c., &c.

M. December
4th, p. 5.

Secondly,—He had able and trustworthy Officers, Brigadier Wheeler at Jullundur, General Gilbert at Lahore, Brigadier

M. December Hearsey at Wuzeerabad.
4th, p. 5.

Thirdly,—If his presence was useful at one place more than another, it was probably at Peshawur.

M. Decr. 4th,
p. 5.

To these reasons I reply,—

First,—That however important the duties here described by His Excellency may ordinarily be, they sink into insignificance when compared with the vital importance of suppressing such a mutiny as His Excellency alleges to have existed; nor would any one of them, or all collectively, have been permitted by the Commander-in-Chief to divert his attention for a day from the management of the perilous difficulties with which such a state of things would have surrounded him.

Secondly,—Whatever may be the abilities of the several Officers whom His Excellency has named, I must repeat my conviction, already expressed, that if the extensive and dangerous mutiny which His Excellency describes had then existed, he would not have left to any subordinate Officer whatever the task of dealing with such events, or thrown upon them the responsibility thereof.

Thirdly,—After very frequently perusing the remarkable exposition of His Excellency's views of the advantage and necessity of his proceeding at that time to Peshawur, I am compelled to say that it has not convinced my mind, nor will it convince the minds of others, either that the best means by which the head of the Army could prevent a serious outbreak of insubordination was by quitting the scene of it; or

that the choicest measure which the Commander-in-Chief could have adopted, in January last, for promptly repressing a mutiny in the plains, was to march to Peshawur across the Indus.

If 40,000 men had then been infected with a mutinous spirit, so as to put the State in great peril, the Commander-in-Chief would at once have placed himself where he would be able to act with most authority and effect to repress the spirit and to avert an outbreak. His Excellency is compelled to admit, that the cause of discontent being the reduction of allowances, there was no probability that the troops at Peshawur would have shown insubordination, since no reduction was ordered there. Wherefore, with few exceptions, the whole of the 40,000 men among whom the mutinous spirit prevailed were in the plains of the Punjab: the first duty and object of His Excellency was to repress that spirit, to prevent its breaking out into open and violent mutiny; and for that purpose he would unquestionably have remained in the midst of it. It was the post of danger, and he would not have quitted it; it was the point of action, and he would have abided by it.

He would have remained (not "shutting himself up in a cantonment "or in the fortification of Lahore, cowering under the in-
M. December 4th, p. 5. "solence of mutinous troops," as His Excellency, utterly without warrant, asserts I would have had him do; but he would have remained) moving rapidly "from station to station," if he thought proper, showing no "fear of mutiny," but *near at hand to the scene of discontent*. I say he would have remained there, because there he would be best prepared to exercise the full authority of his office, and would give confidence by his presence to the action of those who served in their several stations under him. He would have remained there, because there information could best be had of all that was occurring from time to time; there the course of action to be adopted could be most clearly seen, and there the orders he might resolve to issue could best be executed with the promptitude which gives half their value to vigorous resolutions. In one word, if formidable mutiny had been in the plains of the Punjab, the Commander-in-Chief would have remained where he most readily could learn all that was doing, where he could best resolve what ought to be done, and where he could most speedily execute whatever he might resolve.

This is the course of action consonant with reason and common sense which the Commander-in-Chief would have followed if 40,000 men had

been in mutiny in the plains. The course pursued by Sir Charles Napier was directly the reverse; and I repeat the conclusion, that it was irreconcilable with the existence of such a mutiny as he asserts.

12. Further, it was shown in the Minute, 14th June, that the existence of such a mutiny as His Excellency affirmed was inconsistent with his own official words; since at the period in question he issued a general order to the Army the terms of which directly disproved the existence of extensive mutiny or danger to the State.

Justifying the general order to which I have adverted, Sir Charles

Napier observes,—“my own orders proved its existence
M. June 14th, p. 31 A. “(the mutiny) and the pains I took to conceal from the Ar-

“my the extent of the danger. *Common sense called upon*
M. December 4th, p. 5. “me to conceal this danger, lest it should spread wider
 “still, and the whole Army learning that a great num-

“ber of regiments were combined in the Punjab might join. No one
 “could exactly tell how far the bad spirit had spread, and to have made a
 “parade of it in public orders would have been madness.”

Subsequently His Excellency observes,—“On the other
M. December 4th, p. 5. “hand, His Lordship would have had me proclaim in my

“remarks on the sentence of doomed mutineers, my belief that a consider-
 “able portion of the Punjab Army was tainted with a mutinous spirit!
 “Proclaim to them their numbers and their strength.”

His Excellency is quite in error; I would by no means have had His Excellency adopt any such course.

I must be permitted to point out that to withhold from the Army the knowledge that formidable mutiny existed in its ranks is one thing; but if formidable mutiny did exist, to tell them there was none at all would be another, and a very different thing. In like manner if 40,000 men were in dangerous mutiny in the Punjab, to make no mention to the Army of the fact would have been to preserve a judicious silence, but if 40,000 men really were in mutiny, then to tell the Army that they were an honorable and obedient Army, and that the mutineers were only a few discontented scoundrels, would have been to proclaim a deliberate untruth. Sir Charles Napier is utterly incapable under any circumstances, directly or indirectly, of lending himself to an untruth. When therefore His Excellency in his general order announced the existence of a mutiny and described its extent as inconsiderable, and when the description of its extent so given is corroborated by all information and confirmed by

the course of contemporary events, I give entire credence to the testimony His Excellency bore to the then existing condition of the Army of the Punjab ; and when His Excellency under whatever impressions announces subsequently that 40,000 men had been in mutiny and the State in danger, I am bound in the exercise of free judgment to reject that opinion, as irreconcilable with His Excellency's recorded declarations at the time, and as unsupported either by testimony or facts.

13. Again, in the Minute of 14th June, it was maintained that the existence of any mutiny in the Army in the Punjab, such as that which His Excellency affirmed, was inconsistent with the course of known events. It was stated that partial disaffection had prevailed, that partial mutiny had appeared ; but it was altogether denied that either the frequency of the offence or the number of the offenders was sufficient to justify the sweeping inculcation subsequently advanced by the Commander-in-Chief.

Upon this Sir Charles Napier observes,—“The Governor General in this

Dec. 4th, p. 6. “ paragraph chooses to assume that there was no mutiny,
“ and chooses to forget that I had quelled the mutiny.

“ For that reason there was no mutiny when he wrote his Minute ! ”

“ Again in these paragraphs, (M. 14th June, 33, 34 and 35,) the Go-

M. Dec. 4th, p. 7. “ verner General endeavours by the most extraordinary
“ and the most disingenuous course of reasoning to describe

“ the perfect obedience of the Indian Army after I had
“ put down the mutiny, as if that submissive state was not the result of
“ the measures I had taken to quell mutiny ! The last circumstance His
“ Lordship has endeavoured to cast out of sight altogether.”

To this I beg leave to reply that I have in no respect forgotten the extent to which His Excellency repressed mutiny ; that I have never withheld from him the fullest credit that was due for suppressing all the mutiny that ever existed in the Punjab ; further, that I never have for a moment disputed that some mutiny did exist. But I maintained in the Minute of the 14th June, as I again maintain now, that the mutiny so repressed was partial, inconsiderable in degree, comprising comparatively few in numbers, and that it did not justify the Commander-in-Chief in representing that he was surrounded by an Army of 40,000 men infected with mutiny, so as to place the Indian State in danger.

14. The question at issue is the real extent of this mutiny. The character and extent of a mutiny can only be determined by the overt

acts in which it shows itself, and by the character and extent of the measures which are sufficient to repress it. In this view I shall first examine the several cases which His Excellency recites. I use his own words :—

“ The mutinous spirit first broke out at Rawul Pindee in July 1849.

“ I was then at Simla. It next displayed itself at Delhi
M. Dec. 4th, p. 5. “ in November 1849. I was on the spot. It then showed

“ itself at Wuzerabad in December, and finally, it burst
“ forth at Umritsur in January.” These were the cases that occurred.
The following were the circumstances :—

At Rawul Pindee the men of the 13th and 22nd Regiments Native Infantry declined to receive their pay, on which the first reduction had then been made. Without recourse being had to any coercion they subsequently thought better and took their pay.

Courts Martial were afterwards held. In the 13th Regiment a Native Officer and four men were dismissed the service ; seven other sepoy were imprisoned for four months.

In the 22nd Regiment one Officer and six men were dismissed, one Officer suspended and ten sepoy imprisoned for four months.

The next case occurred at Delhi, in the 41st Regiment. After the order respecting reduction had been read on parade and explained, the men returned to the lines, piled arms, but for a time would not take off their accoutrements, and it was considered that a bad spirit was shown. A message was sent by the Commander-in-Chief, who was then on the spot, to the Native Officers, saying that he would recommend their dismissal if any insubordination took place. Nothing ever took place, and they marched a few days afterwards to Mooltan.

The next case occurred at Wuzerabad, where the sepoy of the 32nd Regiment Native Infantry were about to refuse their pay. The first four who refused were taken out of the ranks, tried then and there, sentenced to imprisonment, their irons were put on their legs, and they were marched off in presence of the brigade paraded. The pay was then proceeded with, and not another man refused it.

Five other men were subsequently tried, a Havildar for concealing and four men for inciting the above mutiny. The Havildar was dismissed from the service ; the four men were condemned to death. The Commander-in-Chief commuted the sentence to transportation for life.

Lastly the 66th Regiment mutinied at Govindgurh, and were wholly disbanded. The circumstances are well known, and need not be repeated. These were all the overt acts of insubordination or of mutiny that occurred, beginning with the 13th and 22nd Regiments, six months' before, and ending with the 66th. After the fullest weight has been given to the open mutiny of the 66th, to the passive resistance commenced, but abandoned on the first exercise of authority, by those who refused to receive their pay, and to the conduct of the 41st Regiment, who in truth never did anything at all, I unhesitatingly uphold the declaration I have maintained, that there was partial disaffection, but no such extensive or formidable mutiny as His Excellency has affirmed.

15. In order that the real character and extent of the alleged mutiny may be further tested, I proceed now to examine the character and extent of the measures by which the mutiny was quelled. These were of two kinds: the one was the relaxation of the rule for regulating compensation for sepoys' rations, the other was the infliction of punishment on those who had offended.

It does not very clearly appear from His Excellency's Memorandum to which class of measures he most attributes the suppression of mutiny.

16. Adverting to the alteration of the rule respecting compensation for rations, he observes, "The Governor General was far away on the high seas! The Supreme Council 1,500 miles distant.—The whole responsibility of quelling this mutiny rested on me. I was obliged to decide to the best of my judgment. I had no reason to doubt the statements of Brigadier Hearsey and his Commissariat Officer. Whether my decision was the best that could have been come to does not enter into the question. I did what I thought right and I succeeded, without cost too of either money or of life." Again he says immediately afterwards: "Finally I completely succeeded in putting a stop to a widely spread and spreading mutiny in the Bengal Army, probably the most dangerous that had ever appeared in that Army." From these passages it would be inferred that His Excellency attributes the suppression of the then existing mutiny in the Punjab to the measure he adopted respecting rations' compensation. Now what was the extent and nature of that measure? Sir Charles Napier has himself described it in the present Memorandum, and I shall merely quote the words in which he characterizes it.

"The fact is, that the compensation for rations is a rare occurrence, and I know officers of long service who never yet saw it enforced. The amount which Government lost by my suspending the rule (which applied for the first time to the troops at Wuzeerabad) was only about 63 Rupees 4th Dec., p. 14. "a month, in a regiment of a thousand men."

Thus it appears that the measure which successfully quelled the mutiny in the Punjab was the re-establishment of a rule, the operation of which would be of infrequent occurrence, and which on the rare occasions on which it came into play would give about three half-pence a month to each man for the month during which it operated. This is the measure which Sir Charles Napier represents as of such importance and moment that it could not bear the delay of a reference to the Supreme Government!

"soldiers in mutiny" he observes "cannot be dealt with by the inexcusable procrastination which I am M. 4th December, p. 2.

"found fault with by my Lord Dalhousie for not adopting." This is the measure which, as His Excellency states, successfully quelled the mutiny without cost of money or of life!

It may have quelled the mutiny. If it did,—if a boon of three half-pence to each man for a month, receivable so rarely that many Officers in a long service never saw it received at all,—if such an insignificant boon as this did really suffice to quell the mutiny in the Punjab, then it is impossible for any man living to contend that the mutiny so quelled was a really formidable mutiny, extending over 40,000 men, and of such a nature as to make the moment dangerous and critical, or to put the State in peril.

17. On the other hand, it is to be inferred from many other passages in the present Memo. that His Excellency attributes the suppression of the then existing mutiny in the Punjab to the measures he adopted for meeting and punishing the offence.

These measures were the dismissal and imprisonment of men who refused their pay in the 13th, 22nd and 32nd Regiments. A message to the native Officers sufficed to repress any symptoms of mutinous spirit which had been shown in the 41st.

The measures were promptly taken, judicious, just, and effectual for their end; but is it possible for any man seriously to contend that measures of no greater extent and severity than this would have sufficed to repress all the main force of a mutiny which had so possessed an Army of 40,000 men as to have made the moment dangerous and critical, and put the State in great peril? Yet these measures were sufficient to

subdue the main force of the mutiny. For, if a formidable mutinous spirit still remained when the 66th Regiment broke into disaffection, and if soldiers always "unite in a common cause," (and His Excellency tells me that I "know little of soldiers" if I think they would not do so,) how is it to be accounted for, that when the 66th mutinied for pay, the native regiments who came up not only showed no sympathy with them but exhibited the utmost alacrity in preparing to act against them? If 40,000 men were still infected with a spirit of formidable mutiny, how is it to be accounted for that when the 66th mutinied for pay, and did it in the violent and startling manner described by His Excellency, no corps in all the 40,000 showed the least community of feeling or inclination to join?

It is only to be accounted for by admitting the conclusion which I have from first to last maintained, namely that a formidable mutinous spirit did not exist, that the Army of 40,000 men was not tainted with mutiny to such an extent as to justify the assertion that the feeling was general and the State thereby in danger. It is only to be accounted for by admitting that the mutiny was partial, openly and generally displayed in the 66th Regiment, and exhibited in the four other regiments named; but existing in a degree so inconsiderable as to have been promptly and finally put down by the first manifestations on the part of His Excellency and the Officers under his Command of their determination to permit no act of insubordination in the ranks of this Army, and no resistance to the just and reasonable orders of the Government which it served.

Whether, therefore, Sir C. Napier attributes the suppression of the mutiny that did exist to the one class of measures which he adopted or to the other, or to both conjointly, it is clear to demonstration that that mutiny was not of the character and extent he has subsequently affirmed.

18. Sir Charles Napier, in his present Memorandum, has advanced further statements in corroboration of his declarations regarding the mutiny in the Punjab, to which it is necessary that I should advert.

His Excellency observes—"that the crisis was most dangerous, every
M. Dec. 4th, p. 2. "one knew perfectly well, and no one was more alive to
"the danger than the Governor General himself, while
"he remained within the reach of a knowledge of what was going on.
"It is, therefore, the more unaccountable to find His Lordship, after
"having been at sea far beyond the reach of knowing the events that were
"in progress, attempting by erroneous assertions and arguments discordant

"with facts, to dispute the opinions of men on the spot, and deny the
"tendency and symptoms of overt acts infinitely more serious than any of
"of those which had previously excited his alarm when he was on the
"scene himself. There was the mutiny!—40,000 sepoys were more or
"less infected with this bad spirit."

Again—"I assert that every man in India including the Governor
"General himself (whose own letters prove it) knew that
M. Dec. 4th, p. 5. "there was a very extensive spirit of mutiny among the
"troops. That this mutiny being grounded on the desire to get higher
"pay was in the very greatest degree dangerous. That great alarm existed
"in consequence. That I was not only aware, but told the Governor Ge-
"neral of it."

Further,—“His Lordship need not have expressed any ‘astonishment’
"at what was known to every one, and himself among the
M. Dec. 4th, p. 5. "rest. See my letters to him on the subject, as well as
"several of his own to me, showing that he had been informed of the danger
"before he went to sea."

In these passages, Sir C. Napier, re-affirming the existence of dangerous mutiny, asserts further that no one was more alive to the danger than I was,—that great alarm existed,—that Sir C. Napier had told me of it in his letters,—that my alarm had been excited, and that my own letters prove it. In a subsequent paragraph, His Excellency quotes largely from my private letters addressed to him at the time relative to the symptoms of mutiny which had appeared.

19. It has hitherto, I apprehend, been usual among public men to preserve inviolate the confidence of private correspondence, and to abstain from dragging into the paragraphs of public despatches each other's private letters, written in all the careless frankness of familiar intercourse, and containing probably remarks, which would not have been so conveyed, unless under the seal of that security which has been supposed to be imparted by the confidential nature of communications passing in personal intimacy. His Excellency Sir C. Napier has no such scruples.

20. Whatever may be my opinion of the character of this act, I have no reason whatever to regret its results.

I beg to draw full attention to the quotations of my letters given by Sir C. Napier. I beg to refer to them in proof of the entire accordance of the sentiments of my private correspondence with the statements of my official papers, and in corroboration of my declaration that I never for one moment

regarded the state of affairs to which His Excellency refers, as having reached a dangerous crisis,—that I never either experienced or exhibited alarm. There is not one sentence in the quotations given by the Commander-in-Chief, or in any other of the letters, which countenances the assertion that I recognized the existence of any such great public emergency as that which he now vainly labors to establish. In truth, if my private letters had been written under the guidance of a spirit of prophecy, they could not have foreshadowed more accurately than they do the explanation of my public views given in p. 35

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p. 16.

of the Minute of 14th June. For, the passages cited from my private letters show that I was prepared for the exhibition of discontent among the troops upon whom the reduction fell;—that (regard being had to the very large number simultaneously affected by the change) some anxiety was necessarily felt by me during the progress of the change;—but that having confidence in the judgment and resolution of Sir C. Napier, and relying on the perfect justice of the act itself, and guided by experience of similar measures successfully carried into effect before, I held that no concession could for a moment be dreamt of, and was confident that the change would be effected, if not without some violence, at all events with general submission.

These views are established by the quotations already given. Since Sir C. Napier has thought proper to produce them, I will add generally that further quotation would have proportionately strengthened the proofs already given. Moreover, further quotation from my letters would serve to relieve me from an imputation which the Memorandum of His Excellency must necessarily have cast upon me.

No one who has read that document can have failed to observe the repeated allusions it makes to the fact of my having been at sea during a portion of the period of which we have been treating. His Excellency by the frequency of these references, most unquestionably, though no doubt unintentionally, must have created the impression that I improperly quitted my post at a time of great danger, and, proceeding to sea, left to him the responsibility of dealing alone with the danger which I knew to be impending.

It is very true that serious failure of my health compelled me, under medical advice and with the permission of the Court, to proceed to sea for one month; but before I left the Punjab, I intimated that I did not anticipate the occurrence of anything

extraordinary for the present; that if I had so anticipated, I should not have proposed to go; and that if any unfavorable intelligence should reach me on my way, I should at once return to this frontier wherever I might be, or whatever might have been planned.

These few words conclusively show that I saw no such public danger as Sir C. Napier asserts: they show that if I had seen such danger I would not have quitted the frontier, and that, as I did ultimately proceed to sea, I did not recognize (as Sir C. Napier erroneously declares my letters prove) any such great emergency as he has subsequently sought to affirm.

The sentiments of my private letters have now been made known: the sentiments contained in the public Minute are upon record. Both are in close conformity to the declaration I have throughout maintained, that there was partial discontent in the Army in the Punjab, but no general mutiny putting the State in great peril.

21. Again Sir Charles Napier has affirmed that the existence of a mutinous spirit and of insubordination, which had risen so high and spread so wide as to place the Government in great peril, was made known to me before I went to sea by letters from His Excellency.

In reply, I have to state, that the letters addressed to me by Sir Charles Napier during the period to which reference is made, and until I went to sea, communicated to me the existence of partial manifestations of mutiny in the corps which have been already named.

The letters dwelt with great truth and justice on the danger of permitting any such spirit to gain head or to extend; they expressed a firm determination to deal vigorously and severely with every case that might occur, and assumed with perfect confidence that such measures would be attended with success. But the letters of Sir Charles Napier up to the time at which I proceeded to sea, did not convey, and were not calculated to convey, the impression that His Excellency regarded the mutiny, as having extended generally over the Army in the Punjab, or as placing the State in great peril. Not only so, but even at a subsequent period, when His Excellency addressed me relative to the mutiny in the 66th, while he pointed out the necessity for striking at once and with vigor, and while he referred to the spirit and to the time as appearing to him to be very dangerous, he did so on the general ground of the possibility of further extension of the same spirit; but he made no statement which conveyed, or was calculated to convey, to my mind

an impression that he entertained those opinions relative to the actual extent of mutiny then prevailing in the Punjab, which he has subsequently maintained.

I will not quote the contents of private letters addressed to me in proof of what I now advance. But lest my refraining from so doing should in some way be misinterpreted, I have caused copies or extracts to be made of everything contained in these letters connected, however remotely, with that state of affairs in the Army of the Punjab which arose out of the reduction of allowances directed in the G. O. of October 25th, 1849.

They have been copied in the Secret Department, and will be transmitted to the Hon'ble the Secret Committee, in whose hands they will be safe.

At the same time I shall forward copies or extracts of all my own letters which in any way refer to the same question.

22. Again Sir C. Napier states, that I knew "that the men of one M. Dec. 4th, p. 5. (Regt.) the 32nd, had openly declared their intention of consulting with other regiments,—that some had said, 'what can we do now with two European regiments, in cantonments with us : wait till we can consult with the other regiments.'"

Admitting the fact, it proves only that which has never been denied, namely, that partial discontent did exist. How partial the discontent was, and how little it was encouraged by the results of any consultations that may have been held, is shown by the prompt and entire suppression of insubordination in that very regiment which was shortly afterwards effected by the firm and judicious measures pursued towards the malcontents.

23. Again, Sir C. Napier states, that I "knew that an extraordinary M. Dec. 4th, p. 5. correspondence had been going on between all the native regiments," "a correspondence" he subsequently states "so alarming that one General Officer asked me to order the letters to be opened privately, which I refused, because I was prepared for the worst, and there was something revolting in the act."

Admitting the fact to be so, it proves nothing. An increase in the quantity of the correspondence proves nothing as to its nature. An addition to the ordinary number of letters does not prove that the contents of those letters were treasonable. If His Excellency felt at the time that the circumstances of the case were not sufficiently strong to justify his ordering the letters to be examined

as treasonable then, they are certainly not sufficiently strong to justify a conclusion that the letters actually were treasonable now.

There is not even a presumption against them. In truth, whatever presumption there is, tends the other way, for I have been informed by the Officer who was President of the Court of Inquiry, that when the 66th Regiment mutinied, the whole body of their correspondence was seized and examined, and that not a trace of treason, or conspiracy, or mutiny was found in it all. This statement shall be placed on record.

24. I have now examined in tedious but unavoidable detail, everything which has been advanced by His Excellency Sir C. Napier in maintenance of the opinion he recorded on the 22nd May, relative to a mutiny alleged to have extended in a dangerous degree over a large portion of the Bengal Army.

I submit to the judgment of the Hon'ble Court of Directors; that the issue of this examination firmly establishes the conclusion recorded by me on the 14th June, and proves, that while discontent did prevail on the reduction of allowances, and while open mutiny appeared, the discontent and mutiny were partial,—that the spirit of the Army affected by the reduction was generally submissive and subordinate,—and that there did not exist throughout 40,000 men in the Punjab a spirit of mutiny such as to place the Government of India in great peril.

25. It may be convenient to sum up in one view the reasons on which I have based the conclusion that has thus been maintained.

I deny that the general mutiny alleged did exist in the Army in the Punjab because,—

I. No report whatever of such a state of things was made by His Excellency Sir C. Napier to the Government.

If 40,000 men had been so deeply infected with a mutinous spirit as to place the Government of the country in great peril, the Commander-in-Chief could not have neglected to report the existence of such formidable disaffection at the time, and could not have dared to conceal it.

II. Because at that time Sir C. Napier did report the existence of discontent among the troops in the Punjab regarding the reduction of allowances; but he defined its actual extent, and described it as "a most unprovoked state of insubordination in some regiments."

If 40,000 men had then been in such mutiny as has been alleged, His Excellency could not and would not have reported the feeling as merely insubordination in some regiments.

III. Because at the time at which Sir C. Napier was thus reporting to the Government the existence of discontent to an inconsiderable extent, he made similar but still stronger statements to the whole Army in his G. O. of 16th January.

If 40,000 men were then in such mutiny as has been alleged, His Excellency could not and would not have proclaimed to the whole Army that the mutineers were a few discontented scoundrels.

IV. Because the existence of such a mutiny as has been alleged is
M. June 14th, inconsistent with His Excellency's own acts, as shown
 p. 31.
 M. Jan. 28th, p. already at such length as to render a recapitulation
 11. unnecessary.

V. Because the overt acts committed in five several regiments from July 1849 to February 1850, do not warrant the statement made as to the general character of the mutiny; while the full submission which followed the first judicious measures employed for the repression of the discontent where it appeared, equally negatives the assumption that the spirit of mutiny was general and perilous in the Punjab.

VI. Because the existence of such a mutiny as has been alleged is not supported by any recorded testimony, and is at variance with all that information which is open alike to the Government and to individuals on such a subject.

26. I have every confidence that the views which it has been necessary for me to repeat and to enforce in the present Minute, against whatever has lately been advanced by Sir Charles Napier, will appear to the Hon'ble Court of Directors to be as convincing as those which were submitted to them on the 14th June. But if there should be any lingering doubt left on the mind of the Court after their perusal of the several documents now submitted to them; or if the discussion shall have been renewed in England, and any uncertainty shall have been felt by Her Majesty's Government, or by Parliament, or by the public, regarding the facts at issue, then, I beg respectfully to suggest, that I should be instructed to have recourse to a measure which will bring at once to test the facts that, one way or other, must be capable of easy proof. Let instructions be sent to me for the appointment of a commission for the purpose of instituting a searching inquiry into this question, whether forty-thousand men were, or were not, at the period named, or at any period during His Excellency's Command, in such a state of mutiny in the Punjab as to render the circumstances of the time dangerous and critical, and to place the Government of India in great peril? Let the commission have before them the

General of Division, the Brigadier, the Staff, who have been quoted by His Excellency, let them summon every Officer and man from whom anything calculated to exhibit the full and clear truth can be drawn.

And when they have so done, I am very certain that the Court of Directors will have before them an overwhelming body of evidence, amply

M. June 14th, justifying my words when I said, regarding the mutiny
 1850, p. 38. alleged by Sir Charles Napier, "that however convinced
 "His Excellency himself may be of the correctness of these representa-
 "tions, I contradict and condemn them as extravagant and mischievous
 "exaggerations."

27. Before I pass on to the next division of the subject, I wish to notice a few points which occur incidentally in this part of Sir C. Napier's Memorandum; but which I have hitherto passed over, in order that the consideration of the main question might not be interrupted.

In para. 6, Sir C. Napier observes, on paras. 31, A. and 32 of Minute of 14th June—"His Lordship asserts as an admitted fact that 'one Regiment left in ignorance of the intentions of Government' 'was betrayed into acts of violence.' This was not the case; no Regiment was ignorant of the intentions of Government. Major Troup of the 66th Regiment, in common with many others, did not obey his orders; but those orders were, nevertheless, read to the whole Regiment, as Lord Dalhousie knew, for I forwarded the proceedings of the Court of Inquiry to the Government, in which proceedings the fact was distinctly stated by one of the European Officers, and was known to every one: why His Lordship chooses to make this erroneous assertion is therefore best known to himself; the 66th were not betrayed into mutiny, they had planned it long before."

My words were these, "one Regiment indeed, left in ignorance of the
M. June 14th, "intentions of the Government through the scandalous dis-
 p. 33. "obedience of his orders by the Officer who commanded it,
 "fell from its duty, and was betrayed into acts of violence and insubordination."

The assertion here made is substantially and literally correct.

Sir C. Napier in contradicting it is himself mistaken. I made my statement after perusal of the proceedings of the aforesaid Court of Inquiry: I have carefully re-examined those proceedings, and have found, as I anticipated, that my original statement, which His Excellency has contradicted, is entirely correct. The orders of the Government were not read to the

66th Regiment; no European Officer says so before the Court; and the whole body of evidence, without any exception, distinctly proves that they were not read to the regiment.

The order was read to the *Orderly Havildars*, and was explained to them by the Serjeant-Major, in such a manner as an European Serjeant-Major may be supposed likely to explain such an order in a language foreign to him. But the order *never was explained to the regiment at all. It never was read to the regiment at all* till the eve of the mutiny at Govindghur.

In proof of this, I refer as well to the evidence before the Court of Inquiry as to the General Order issued by the Commander-in-Chief at the time. In that document His Excellency observed, "Major Troup had not *previously read and explained to the sepoy of his regiment* the G. G. O. dated 25th October 1849, when he received those orders at Lucknow in November. Those orders were issued by the G. G. through the C.-in-C., for the express purpose of preparing the minds of the sepoy for the just and necessary cessation of a temporary allowance graciously granted to the troops during the war. To cause those sepoy to discuss, to consider, and thoroughly to understand that reduction, was the object of issuing those orders, and they must, from the sound principle on which they were based, have brought a conviction of their justness to the minds of the sepoy. The Government of India has appointed an Interpreter to every regiment for the purpose of translating orders to the Native Corps, yet Major Troup left to a Serjeant-Major to explain *not to the men, but to the Orderly Havildars, to explain to the sepoy*, one of the most important and critical orders that ever was issued by a Governor General; and which the Commander-in-Chief had specially directed to be carefully explained by Commanding Officers to their regiments."

These paragraphs prove that the regiment was left in utter ignorance of the intentions of the Government, so far as their Commanding Officer was concerned. I have further to state, that as the intentions of the Government were never explained to the regiment by the Commanding Officer, so they never were explained to the regiment by any other person.

The Adjutant deposes: "It was never ordered through me that the order in question should be explained to the *Orderly Havildars* by the Serjeant-Major, although I suggested

P. 30, Court of Inquiry, Serjt.-Major Myres.

G. O. by C.-in-C., Feb. 27th, 1850.

"two or three times to the Commanding Officer that the order should be explained to the regiment."

In reply to the query, "By whom was the order in question explained to the *Orderly Havildars*, and were they specially directed to promulgate the same to the Regiment?"—the Commanding Officer deposes that he caused the "order to be explained by the Serjeant-Major to the *Orderly Havildars of Companies*, in the same way as all other orders are, which are not specially directed to be promulgated on a general parade;" adding, "and I adopted this course with regard to this particular order for this purpose, that it should not be more canvassed and conversed upon than all other orders which Government is pleased to issue." The Commanding Officer thus confirms the evidence of his Adjutant; he shows that not only he did not explain the order to the regiment himself, but that he *purposely* abstained from causing any other person to explain the order to the regiment, or to any body except to the *Orderly Havildars*.

The rest of the evidence shows, that the object of the Commanding Officer was fully attained, and that the order never was read, far less explained to the regiment by any body until the 1st February, when a mutinous spirit had already appeared. No European Officer states that the order was previously read to the regiment; no Officer of any kind, no witness examined, states that the order was read to the regiment. A cloud of witnesses, on the contrary, depose that the order *was not read to the regiment, and that the regiment knew nothing about it, except from rumour or surmise*.

Thus, the Subadar of the Grenadier Company is asked—"Do you mean to say that the Government order for the discontinuance of Scinde allowances was not explained to the Regiment previous to the 1st February 1850?" He replies, "No, the order never was explained, and it was only known to the regiment by a rumour picked up upon the road from Lucknow."

Again, the Subadar of the Light Company is asked,—“Before the reading of the Government order discontinuing the Scinde allowances on the parade, in the afternoon of 1st February, do you think it was generally understood in the regiment that they would receive the same pay as at Lucknow?” He replies, “Until the order in question was promulgated on the 1st February, we knew nothing about it, excepting by reports, to which we paid slight attention.”

Court of Inquiry, p. 17.

Court of Inquiry, p. 28.

Court of Inquiry, p. 30.

The Jemadar of the Light Company, in reply to the same question, says, "*The regiment knew nothing of the order in question until it was read out on the parade; excepting through reports, which were not paid much attention to.*"

The question was not put to the Officers of 1st and 2nd Companies. It was put in the same words to the Officers of the 3rd, 4th, 5th, 6th, 7th, 8th Companies, and answered by them all in the same sense as by the Officers of Grenadier and Light Companies.

It was put to one of the Non-Commissioned Officers, who replied, "We knew nothing about it till the 1st February, excepting from reports to which we paid no attention."

Lastly, Lieutenant Carter states that on the 2nd February he further reported thus: "One of the men asked me why the order that was read out to the regiment the previous evening had not been read to it previous to leaving Lucknow?"

The evidence thus quoted from all ranks in the 66th Regiment proves that the order of the Government never was explained to the 66th Regiment, nor even read to them, till the eve of their mutiny.

The existence of the order for reduction of course was known to the sepoys of the 66th Regiment: but the General Order of the Commander-in-Chief and the evidence of the Court of Inquiry both demonstrate that my statement was in all respects correct when I said, that by the disobedience of their Commanding Officer the 66th Regiment was left in ignorance of the intentions of the Government. They were left in total ignorance both of the terms of the order and of the intentions of the Government in issuing it,—in total ignorance of those facts and reasons connected with the order, which, had they been explained, might have preserved the 66th Regiment, like other regiments similarly situated, in faithful adherence to its duty until this day.

I will only add, that after careful re-perusal of the the evidence, I find no warrant there for His Excellency's concluding statement, that the 66th had "planned" the mutiny "long before."

There is not in the whole proceedings a tittle of evidence to that effect. There is a great deal of evidence against it; and the Commanding Officer deposes directly to the contrary.

Being asked, "Do you mean to say that previous to the 31st January,

"no reason had been given to you, directly or indirectly, to suppose that your regiment was inclined to be disaffected in consequence of the discontinuance of the extra pay?"

Major Troup replies, "No reason whatever had been given to me, nor had I any reason to suppose anything of the kind."

28. In connexion with the mutiny of the 66th Regiment, Sir C. M. Dec. 4th, Napier (para. 16) has the following passage:—

Adverting to remarks on the disbandment and subsequent measures contained in the 55th para. of M. June 14, he says: "It was fortunate for the East India Company, that I was driven to act by my own judgment, and that the Governor General was not prevented to prevent my taking advantage of such an opportunity of placing the obedience and discipline of the Bengal Army on a sounder basis than it was before, which in consequence of a private letter that I received from His Lordship at the time I have reason to believe would have been the case. However, the good is done, and I hope no measure may be taken by His Lordship that may undo it."

I am unable to understand the passage quoted above. I presume, however, that it is meant to cover an insinuation that if I had been present at the time I should somehow have thwarted Sir Charles Napier's endeavours to place the discipline and obedience of the Bengal Army on a proper basis.

If I am right in my construction of the purport of this passage, I have only to give to it a full contradiction.

My public despatches and my private letters are both before the Hon'ble Committee. If they will do me the honor of referring to them, I make bold to say that throughout this affair they will find at least as firm and uncompromising a resolution expressed by me to adhere to the measures and to follow the line of policy best calculated to enforce obedience and uphold discipline in the Bengal Army, as was declared in the words of the late Commander-in-Chief or shown in his acts.

29. I think it necessary very briefly to notice a remark by His Excellency on another subject made incidentally in the course of his present Memorandum.

In para. 5, he alludes to "the despatch of the 16th February" (relative to the expedition to Kohat), "which the Governor General thought proper to suppress."

Since the despatch in question was disposed of in exactly the same way as any other despatch, I infer that when Sir Charles Napier states that

I suppressed his despatch, he means that I did not publish it in the newspapers.

It is perfectly true that I did not so publish it. The want of publication did not cause the deeds of those engaged to be concealed, or His Excellency's approbation to be unknown. He had already proclaimed both very fully in a general order which he issued. Nor did it leave the sentiments of the Government uncertain, for they also were published in General Order to the Army.

Publication of a despatch in the journals is expedient only where the magnitude of the event described renders it advantageous to the State that it should be widely known, or where its details make it of general interest to the community at large. In the case of the Kohat expedition, neither the importance of the event nor its results seemed to render publication at all necessary or even expedient. ●

There had been no publication before of the reports of affairs on a similar scale, of which there have been many since I assumed this Government. Only a few weeks previously another expedition marched from Peshawur against the hill tribe of Eusofzyes. It was admirably conducted, completely executed and brilliantly successful. The despatch was sent to me by the Commander-in-Chief; it was not published in the newspapers, but His Excellency made no complaint that that despatch had been "suppressed."

I know no reason why a different view should be taken of the report of the expedition which followed, merely because the Commander-in-Chief accompanied without commanding it; nor why His Excellency should take the liberty of stating that I had suppressed a despatch of his, merely because I did not print it in the Indian newspapers.

30. I have now come to the fourth topic of the Minute of 14th June, in which it was shown,—

IV. That the power which Sir Charles Napier claimed for the Commander-in-Chief, in the concluding paragraphs of his Memorandum, was unprecedented and inadmissible.

The claim thus preferred by His Excellency was put forth in the concluding paragraphs of his Memorandum of 22nd May. It was discussed in paras. 43, 49, of the Minute of 14th June. It was there shown to involve an extent of authority which had never before belonged to any Commander-in-Chief in India, which if conceded would make the power of the Head of the Army co-ordinate with that of the Government itself, and which could not be permitted to exist in any constituted Government.

Adverting to these paragraphs, Sir C. Napier now observes—² His Lordship has devoted these paragraphs to the display of a vast
Dec. 4th, p. 14. "number of truisms which I am not aware that any

"one is inclined to dispute, and this has been done ostentatiously enough, "in opposition to a claim which His Lordship has been pleased to put "into my mouth; for I positively deny that I ever made any claim so "perfectly ridiculous. My answer may therefore be short.

"First,—That His Lordship has worked himself up to a long description "of this claim made not *by* but *for* me to a Dictatorship, and which he so "nobly avows his determination to resist while he is Governor General "of India, but which never entered my head till I was amused by reading "the Governor General's description of it." Having here denied that he ever made this claim, Sir C. Napier proceeds to declare what his claim was.

"Secondly,—My real claim was simply this,—that when placed in a "position of danger and responsibility in consequence of both the Governor "General and the Supreme Government being far beyond my reach, "when I was obliged to act on my own responsibility and at my own "discretion; when in so doing I did my best and moreover with perfect "success, I might not be submitted to a public, severe, and unjustifiable "reprimand. That was my real claim, and not the Dictatorship of India."

In these sentences His Excellency Sir C. Napier feebly attempts to explain away the remarkable words of his former Memorandum.

That the Commander-in-Chief acting on his discretion in difficult circumstances with success should be protected from severe reprimand, was *not* the claim put forward by Sir C. Napier. He made no reference or allusion to reprimand. His Excellency took up far higher and broader ground. The words which were employed by His Excellency are too wide and comprehensive to be restricted to the limited sense in which he now would have them construed, while such limited sense is totally irreconcilable with the terms of the context.

Sir C. Napier's words were these :—"I consider the real question to be

"this, whether the Commander-in-Chief in India removed to
M. May 22nd, "a great distance from all higher authority (the highest being
p. 7. 8. "at Sea,) in a moment of great danger surrounded by a

"hostile population, and with an Army of upwards of 40,000 men infected "with a mutinous spirit, was or was not justified *in using his discretion* "and promptly dealing with danger in the manner which he thought

"most effectual for the safety of India. This is the real question." And having observed that this discretion had been refused to him, he declared his conclusion that he could not retain a Command "under such restrictions" with advantage to the public service.

In thus stating the question at issue between himself and the Government regarding the powers of the Commander-in-Chief, and in further declaring his own determination to resign, since that question had been decided in the negative, Sir C. Napier claimed for the Commander-in-Chief of the Army in India, that when removed to a distance from the Supreme Government, and placed in circumstances of difficulty, he should be entitled to "use his discretion, and promptly to deal with danger, in the manner which he thought most effectual for the safety of India"; that is to say in plain English, that at a distance from the Government and placed in circumstances which he considered dangerous, the Commander-in-Chief might do what he pleased, as he pleased, without restriction.

Such was the general authority which His Excellency claimed. The particular powers which he was prepared to exercise under such general authority had already been shown, by the issue of his order altering the rate of sepoys' rations' compensation, and the full extent to which he insisted on that specific power being practically conceded to the Commander-in-Chief was proved in the concluding paragraphs of his Memorandum of 22nd May; where, having adverted to and partially quoted the letter from the Government in which it was intimated that the Governor General in Council would "not again permit the Commander-in-Chief under any circumstances to issue orders which shall alter the pay and allowances of the troops serving in India," he thereupon at once proceeded to declare that so circumstanced he no longer felt safe, and would resign a Command which he could not hold with advantage under such restrictions. This brief review of His Excellency's words and acts will suffice to show that I correctly represented the claim put forward by Sir C. Napier, when in the 45th para. of M. 14th June, I stated "Sir Charles Napier therefore openly and broadly claims for himself, 'as Commander-in-Chief of this Army, the power of altering the pay and allowances of the troops under his Command, whenever in his discretion he may judge it necessary to do so.'"

This brief review will further show that the claim advanced by Sir C. Napier was no gentle claim for exemption from reprimand, but a claim for power, and that the refusal of such power was the ground of his resignation.

I am not at all surprised that Sir C. Napier should desire exceedingly to explain away the unparalleled claim which he advanced. It is natural that he should be solicitous to retrace the false step he has taken, and should be anxious to disclaim such pretensions when exposed to him in their deformity.

But Sir C. Napier has placed those claims on record in characters too distinct to be obliterated by mere disclaimers, or by affecting now to regard them as ridiculous.

They were formally advanced; the consequences which would have followed the concession of them were fully shown in my former Minute; and they were justly refused as unprecedented and inadmissible.

31. The prominence which Sir C. Napier has recently given to the reprimand contained in the letter from the Secretary to Government of 13th April, and frequently mentioned in the preceding paragraphs, calls for some remark.

In the present Memorandum, His Excellency ascribes to the reprimand an importance and influence far beyond all that was given to it in his former paper. He even intimates that on that alone he resigned. He designates it an "intemperate reprimand," to which "no man could submit without baseness," "an unreserved and uncalled-for reproof," and "offensive."

To this I have to reply, that the letter in question is already before the Court. A reference to that letter, to its substance and manner, will supply the best refutation of these assertions; and will in itself suffice to show that Sir C. Napier's words are without warrant, when he describes the letter as either intemperate or offensive.

Still less will those who are acquainted with the circumstances under which this despatch was written, be disposed to concur in the opinion that it was undeserved or uncalled for.

The order issued by the Commander-in-Chief regarding the compensation for sepoys' rations, even if it had been an isolated act, would have required explicit notice by the Government. But it was not a single incident. It is well known that for some time previously the tone assumed by Sir Charles Napier towards this Government, in the official papers submitted by him on subjects of general importance, had been of such a nature as to convince the Government that it would shortly become absolutely necessary to take measures for maintaining the just limits of its own powers and

for protecting its authority against disrespect. In order to show that this conviction was not founded on over-sensitiveness or on any such unsubstantial ground, it may be mentioned, that when the documents to which I have alluded reached the Home Authorities, they thought it necessary immediately and voluntarily to convey to the Governor General in Council an assurance, "that the Home Government will not permit his authority

From Secret
Committee, 24th
June 1850.

"to be disputed by any functionary subjected to his control. It is essential for the public interests that those entrusted with supreme power should be implicitly obeyed; and it is also necessary that any advice given to them should be tendered in respectful language, and with a due regard to the usual forms of official correspondence."

While such was the attitude which the Commander-in-Chief had assumed towards the Government under which he served, a despatch was received announcing that His Excellency considered that the rule respecting sepoy's rations' compensation was unjust and impolitic, and that he had accordingly suspended it, which I have repeatedly shown was under such circumstances practically to cancel it.

The rule was a well established rule; it was perfectly just and politic; no sufficient reason was given for its reversal; the act was entirely beyond His Excellency's authority; and although the financial question involved in the change was insignificant in amount, yet the effect of the change was to thwart the course of measures in the Punjab, by again needlessly establishing a difference in principle and regulation, where the Government had been labouring to restore uniformity.

Having regard, as well to the act itself, as to the circumstances which had preceded it, the Governor General in Council now felt it to have become quite necessary that he should point out to Sir C. Napier the proper limits of His Excellency's authority, and should intimate that they must not again be exceeded. Accordingly the letter of the 13th April was addressed to His Excellency. He was informed that the Governor General in Council concurred in the views previously expressed by the President in Council; further, that he viewed with regret and dissatisfaction His Excellency's act, which, it was stated, called for no haste, while it interfered materially with the measures which the Government had been pursuing.

The order of the Commander-in-Chief was confirmed. Whatever it gave was continued, and His Excellency's authority was upheld before

the Army: but Sir C. Napier was informed for his future guidance that the Governor General in Council would not permit the Commander-in-Chief again to alter the pay and allowances of the Army, and thus to exercise an authority which belonged only to the Government of India.

Such was the substance of the letter. Very few will be found acquainted with the circumstances I have now narrated who will attempt to maintain that it was either undeserved or uncalled for.

The measured language of the letter, and its expressions free from all discourtesy, will speak for themselves to any one who may choose to read it, and will effectually disprove the statement that it was intemperate or offensive.

If the resolution of the Supreme Government not to permit the Commander-in-Chief of the Army to exceed his own authority was told plainly, it was high time that it should be so told: if the tone of the prohibition was peremptory, it was not one whit more so than was required by the circumstances of the case, and by the character of the Officer to whom it was addressed.

32. I come now to the last head of this discussion, in which it was shown,—

V. That full support had been given to Sir C. Napier during the period of his Command, and that he had no sufficient ground for intimating an opinion that support would be withheld from him in future difficulties.

This topic was treated in paras. 49-58 of the Minute of 14th June.

Upon these Sir Charles Napier thus comments:—

"The Governor General proceeds to say that I complained of 'want of support in the past,' and then he overturns the complaint of his own creation which he so gratuitously endeavours to fix upon me. All this is making out a case which has no existence in fact. My complaint was as plain as the sun in the heavens. I stated in my Memorandum that the absence of any higher power to refer to for a decision had driven me to act to the best of my judgment, and with success, for which I deserved thanks and received a reprimand! After describing this single fact (for the whole case referred to regards but one fact) I concluded thus:—'Such are the shackles put upon my conduct as Commander-in-Chief. Such is the support which I have received on this occasion, and such is the support which I may expect in future difficulties. So circumstanced, I no longer feel safe, and shall resign a Com-

“‘mand which I could not retain under such restrictions with advantage’
“‘to the public service.’” And then His Excellency asks,—“Do the
“words ‘on this occasion’ authorize His Lordship’s sweeping assertion
“that I complained of denial of support in the past.”

Premising that the assertion to which he refers was not a sweeping one,
I reply, that most unquestionably His Excellency’s words, which he has
quoted, do authorize the statement I made, that he complained of want of
support in the past.

My words were these,—After quoting the commencement of the para-
M. June 14th, p. 50. which His Excellency has also quoted, I proceeded :
“In these sentences Sir C. Napier represents himself
“as aggrieved by restrictions placed upon him by the Government of India
“and by *such a denial of support in the past that he can no longer expect*
“to be supported in any future difficulties.”

These words most accurately represent Sir C. Napier’s statements as
quoted by himself. He did represent himself as “ag-
M. June 14th, p. 50. “grieved by restrictions placed upon him by the Go-
M. May 22nd, p. 8. “vernment of India,” for he said “such are the shackles
M. June 14th, p. 50. “put upon my conduct as Commander-in-Chief.” He
M. May 22nd, p. 8. did represent himself aggrieved by “such a denial of
“support in the past that he could no longer expect to
“be supported in any future difficulties,” for he said “such is the support I
“have received on this occasion, and such the support I may expect in
“future difficulties,”—expressions followed immediately by the announce-
ment of his resignation as the consequence.

Though Sir C. Napier limited his complaint to the transactions of one
occasion, it was not the less a complaint of want of support in the past
upon which he founded his declaration of his hopelessness of all support in
the future. The words of my Minute do not extend his Excellency’s
meaning beyond the limit set to it by his own words: and I cannot com-
prehend on what ground Sir C. Napier now describes, as a complaint of
my creation, his own plainly expressed complaint, set down by himself in
his first Memorandum, and quoted by himself in his second, of want of sup-
port on the occasion which led to his retirement.

Sir C. Napier having complained of a want of support in the past in a
specified instance, it was necessary for me to show, if I could, that no
proper support had been refused to him on that occasion. But it was
necessary for me to do a great deal more; and to show, that no support

had ever been withheld from him by me either on that or on any other
previous occasion in the past.

Sir C. Napier says, “the proofs he adduces, that he had given me support
“on other occasions were not necessary, for I never ques-
M. Dec. 4th, p. 15. “tioned it. On the contrary, I always openly acknow-
“ledged it.”

I take the liberty, however, of saying that these proofs were quite neces-
sary, and for the reasons that follow :—

Sir C. Napier forgets that my Minute was not written for his information
only, but for the information also of my superiors and his. When a
Commander-in-Chief resigns avowedly in consequence of some act of
the Governor General, it must always be necessary for the latter
functionary, for his own credit, to show that he had not unnecessarily done
any act which could lead to such an event.

But when Sir C. Napier was seen resigning the high Command which
he had so lately assumed, abandoning the honorable trust so honorably
committed to him, and on the declared ground that he could no longer
expect support from the Governor General in future difficulties, it became
indispensably necessary for my own reputation that I should show to
the satisfaction of the Court of Directors, not only that I had not
withheld any support that was due on the occasion chiefly indicated, but
that I had not withheld support at any time from the Commander-in-Chief
during the whole period of his service in India; that on the contrary,
my support had been so cordial, so undeviating, so effectual from first to
last, that His Excellency had no just ground for declaring “that he had
“no hope of support in the future,” and that his resignation was not
justly to be attributed for blame to me.

These were the reasons which made it my duty to put forward in my
own defence the full proofs contained in the Minute of
M. Dec. 4th, p. 15. 14th June, of the continuous support which His Excel-
lency Sir C. Napier had received from me. They conclusively show
that the recording of such proofs was not “unnecessary” or “fighting
“with a shadow.”

33. In the 54th para of the Minute 14th June, I pointed out that His
Excellency was under some misapprehension when he
M. June 14th, p. 55. spoke of “the powers entrusted to him by the Governor
“General.”

In the present Memorandum, Sir C. Napier proceeds to show that he had good ground for assuming that powers had been entrusted to him by me. He does so by large quotations from my private letters, showing that I approved of what His Excellency had done regarding the mutiny in the 13th and 22nd Regiments, &c., that I expressed full confidence that His Excellency would do whatever might be necessary in the circumstances that might arise, and had assured him that whenever the support of the Government could be given beneficially it would be given unreservedly.

Having cited these quotations, Sir Charles Napier asks, whether he was not warranted in considering that he was entrusted with the discretionary power which on the spur of the occasion he exercised !

I reply, that Sir C. Napier was most fully warranted by the contents of these letters in believing that the utmost support of the Government would be afforded to him, and that he would be cordially sustained in any exercise of a wise and necessary discretion : but Sir C. Napier was not warranted thereby in publicly proclaiming that powers had been entrusted to him by the Governor General. In every public despatch, in every private letter, ample support was given or implied. But neither in public despatches nor in private letters was it ever intimated that the ordinary powers of the Commander-in-Chief would be increased by powers to be vested in him by the Governor General. And for this plain reason : it was competent to me to give and to promise full support ; it was not competent to me to delegate the powers which belonged to my office.

Sir C. Napier observes, that it follows from what I said that my predecessors have not known the limits of their authority. I have no doubt that whatever my predecessors actually did was done both legally and wisely. I speak only for myself.

So speaking, I have to state that the power of dismissing the Commissioned Officers of a regiment without the sentence of a Court Martial is vested in the Governor General in Council alone, and he has no authority to delegate that power to another.

Sir C. Napier was no doubt entirely justified in promptly declaring the dismissal of the Officers of the 66th Regiment, and he was promptly and cordially supported in doing so : but he was in error when he stated in his general order that in doing this he was about to "use the powers entrusted to him by the Governor General."

G. O. C. C., Feb.
27th, 1850.

The considerations which induced me to advert to this minor point were set forth in the 55th and 56th paras. of the Minute of 14th June, and need not be repeated.

34. In connexion with my remarks on matters connected with the disbanding of the 66th Regiment, Sir C. Napier thus writes : "When I found that five regiments had exhibited a mutinous disposition, and that one had attempted to seize the strong fortress of Govindgurh, then I *did* think the most severe measures were necessary in order to quell the mutiny, and authorised by the letters above quoted ; yet these measures the Governor General now holds forth as criminal ! Yes, it was high time for me to resign a Command where every exercise of sound judgment in my own profession, attended with perfect success, has been considered an encroachment on His Lordship's power, and a misdemeanour, if not a crime."

Elsewhere, too, Sir C. Napier expresses himself in a similar strain :—

"His Lordship's endeavour to turn the Bengal Army against one who has led their battalions in action, and who they know to have done his duty towards them both in action and out of action, is as weak as it is unjustifiable ; and there I leave it with this observation, that to forget good service is common among men, but to enjoy the safety resulting from good service and then endeavour to make the man who produced that safety appear criminal, is unusual, and I willingly leave to the Governor General any satisfaction which he may be able to derive from such a line of conduct."

In reply to this really wild declamation, I beg leave simply to refer the Hon'ble Court of Directors to the Minute in which these measures are said to have been held forth as criminal, as encroachments on the Governor General's power, as a misdemeanour, if not a crime.

There is not one sentence in it which could be made to carry such a construction. Illustrating the extent to which the support of the Government had actually been given to Sir C. Napier, I stated that the disbanding of the 66th, and the consequent measures, were beyond the competency of the Commander-in-Chief ; yet they were all readily confirmed.

I thus stated the fact ; but far from objecting to these measures of the Commander-in-Chief as criminal, as an encroachment on the power of the Governor General, as a misdemeanour, or as a crime, I said that the Government "feeling that under such circum-

“stances the Commander-in-Chief should receive a support*without any “qualification,” gave publicly to them all a *full, cordial, and unqualified approbation.*

In like manner, when Sir C. Napier in the second paragraph which I have transcribed asserts that I have endeavoured to turn the Bengal Army against him, and that enjoying the safety which his good service has created, I now seek to make the man who produced it appear criminal, it is enough for me to refer again to my recorded words, and to repeat that there is not a sentence in my Minute which will justify these attacks.

I have never refused to Sir C. Napier the credit of the service he has done. I have never depreciated the merit of those acts of his by which public safety was in any way promoted.

Admitting the existence of partial discontent, I have not under-rated the difficulties of His Excellency's position. I have never questioned the danger which would have been consequent on such a spirit of discontent *if it had not been promptly and firmly dealt with.* I cordially approved of His Excellency's declared determination to visit it with instant punishment on its earliest manifestation. I reposed and expressed entire confidence in His Excellency's capacity to deal with these difficulties, and I give to him the fullest credit he can claim for the success which attended his measures in putting down the partial mutiny that did prevail.

But I could not and I do not give to Sir C. Napier the credit of quelling a formidable mutiny among 40,000 men in the Punjab, because no such mutiny ever existed. And believing as I did, that the statement that 40,000 troops in the Punjab were so infected with a mutinous spirit as to have placed the Government of India in great peril, had cast an unjust and injurious imputation on those troops, I emphatically contradicted it.

Sir C. Napier imputes to me that in so doing I have endeavoured to turn the Bengal Army against him.

But I must be permitted to remind His Excellency, that as the head of this Government I have as deep and as close an interest in the honor of the Bengal Army as any other man can claim.

When, therefore, I saw unjust aspersions cast on the credit of a large portion of its numbers, I chose to shield it from those aspersions, though the hand of its own Chief had flung them.

I am confident that my act in so doing will be ascribed to its real motive by those who shall judge my conduct; that it will be attributed not to a

petty and unmeaning wish to lower Sir C. Napier, but to the true cause from which it sprang, namely, my desire to uphold as I ought to do, the reputation of a body of men whom I believe to have served faithfully under my authority.

35. I have now adverted to every topic and to every passage in Sir Charles Napier's Memorandum, dated 4th December, which appears to me to call for any remark.

I desire only to offer a single observation on the language and style of the document before me.

The official papers addressed by Sir Charles Napier to the Government of India have for some time past been habitually rude and discourteous in expression. On this occasion, however, the language and tone which the late Commander-in-Chief has assumed are such as I would not have permitted any Officer under my Command to address to me with impunity.

But His Excellency Sir Charles Napier was careful that this Memorandum, declaredly written five months before, should not be placed in my hands until he had ceased to serve under my authority.

This being so, I shall now rest satisfied with having fully replied to all the substance of His Excellency's Memorandum, and I shall brush aside its language and style without any further notice.

36. In the concluding paragraph of his Memorandum, Sir Charles Napier thus writes :—“ In this paragraph (M. 14 June, M. Dec. 4th, p. 18. “ p. 58,) Lord Dalhousie winds up his extraordinary “ paper by assuming as things done and said by me, things which I neither “ did nor said, and assuming as proved things which I distinctly deny, and “ intentions and motives of which I never dreamed and which I disclaim ! “ He recapitulates his groundless assertions and assumptions, and finally, “ feels satisfied with himself, that he has done all that is right and that I have “ done all that is wrong ! Consequently, that his conduct will be perfectly “ approved by the Home Authorities. But these authorities have not yet “ seen my reply to His Lordship's Minute. When this reply becomes known, “ it will be seen what judgment will be formed by those Authorities.”

I very earnestly trust, that if this question shall be revived in England in some other form, as I infer from passages in the Memorandum is likely to be the case, every possible information will be afforded regarding it. I trust that in such event, the Hon'ble Court of Directors will solicit Her Majesty's Government to lay all the papers connected with the subject on the table of Parliament, whence they will at once become accessible to the whole public

The more open the Court before which the question shall come, the more numerous the jury, the more I shall be content : for the weightier will in such case be the general verdict which I am confident will be pronounced in my favour ; thereby confirming the assurances of unqualified approbation of my conduct on this occasion, which I have already had the honor of receiving from the Court of Directors and from Her Majesty's Government.

(Signed) DALHOUSIE.

*Camp, Rawul Pindee, }
28th January 1851. }*

(No. 4.)

FROM
THE ASSISTANT SECRETARY TO THE GOVERNMENT
OF INDIA,
MILITARY DEPARTMENT,
With the Governor General.

To
MAJOR W. MAYNE,
Commanding the Governor General's Body-Guard.
Camp Thutlee, 4th February 1851.
Military Department.

SIR,

I AM directed by the Governor General to state, that His Lordship has been verbally informed on various occasions, that when the 66th Regiment N. I. mutinied at Govindghur in February last, the correspondence of the regiment was seized, and that on examination of it no evidence of any preconcerted mutiny was found therein.

Secondly,—Circumstances having occurred which render it desirable that any authentic and available information on this subject should be placed on record, I am directed by the Governor General to address to you, who were the President of the Court of Inquiry at Govindghur, the following questions :—

1. When the 66th Regiment mutinied at Govindghur, was the correspondence of the regiment taken possession of ?
2. Did the correspondence seized include merely the day's dāk or the letters retained previously in the men's possession ?
3. Was the correspondence examined ?

4. If so, was there found on examination any trace of treason, or of conspiracy, or of pre-concerted mutiny ?

Thirdly,—The Governor General will be glad if you would be so good as to reply to these questions to the best of your knowledge and recollection, and at your earliest convenience.

FROM
MAJOR MAYNE,
Commanding Governor General's Body-Guard.

To
THE ASSISTANT SECRETARY TO THE GOVERNMENT
OF INDIA,
MILITARY DEPARTMENT,
With the Governor General.
Dated 4th February 1851.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of this day's date, calling upon me, as having been President of the Court of Inquiry assembled to investigate the conduct of the 66th Regiment N. I. at Govindghur, in February 1850, to answer, for the information of the Most Noble the Governor General, certain questions which I here transcribe, together with my replies thereto.

Questions.

Answers.

- | | |
|---|---|
| <p>1. When the 66th Regiment mutinied at Govindghur, was the correspondence of the regiment taken possession of ?</p> | <p>1. All the papers and correspondence of the 66th Regiment were seized by my orders immediately after that regiment quitted the Fort.</p> |
| <p>2. Did the correspondence seized include merely the day's dāk or the letters retained previously in the men's possession ?</p> | <p>2. The papers seized included, not only the day's dāk, but the correspondence of months before.</p> |
| <p>3. Was the correspondence examined ?</p> | <p>3. The whole of the papers and correspondence were examined by Captain Siddons, formerly Interpreter, 1st Light Cavalry, who was a Member of the Court of Inquiry.</p> |

4. If so, was there found on examination any trace of treason, or of conspiracy, or of preconcerted mutiny?
4. Not one word, as I was informed, of a treasonable nature or indicative of any preconcerted plan of mutiny, was found among the documents seized.

Extract from a Despatch from the Hon'ble the Secret Committee of the Court of Directors, dated 24th March 1851.

2. Having before signified our entire and cordial approval of the conduct of the Governor General in all matters relative to his differences with the late Commander-in-Chief, we do not think it necessary to comment on the papers now transmitted to us. Had Sir Charles Napier continued to be subject to our authority, we should have adopted an entirely different course.

No. 845.

FROM

THE ADJUTANT GENERAL OF THE ARMY,

TO

THE SECRETARY TO THE GOVERNMENT OF INDIA.

FOREIGN DEPARTMENT,

With the Most Noble the Governor General.

Dated 6th August 1850.

SIR,

IN reply to your despatch, No. 38, of the 26th of June last, forwarding

for the consideration of the Commander-in-Chief a draft of a general order relative to the transfer, &c., of the regiments of the Punjab Irregular Force, I have now the honor to transmit to you, for submission to the Most Noble the Governor General, a Memorandum in original of date the 30th ultimo, (with its annexments of the 5th idem, from Brevet Lieutenant-Colonel J. S. Hodgson,) detailing the sentiments and opinions of Sir Charles Napier on the subjects under advertence.

HEAD QUARTERS,
Simla,
6th August 1850.

I have, &c.,
(Signed) . H. T. TUCKER, *Lieut.-Col.,*
Adjutant General of the Army.

MEMORANDUM BY GENERAL SIR C. J. NAPIER, COMMANDER-IN-CHIEF,
DATED SIMLA, 30TH JULY 1850.

1. With regard to the 1st paragraph of the Governor General's "draft order," I have to observe, that it is the prerogative of the Commander-in-Chief to command all the troops in India, or that title has no meaning.

2. That troops to the amount of ten regiments should have been enrolled by an order, dated the 18th May 1849, and that they should not yet have been placed by the Governor General under my Command, but under that of a Civil Board, appeared to evince such a want of confidence in me as Commander-in-Chief, that had it not been my duty to smother my private feelings during the continuance of an incipient mutiny which was smouldering among the troops, I should have resigned sooner than I did. But I considered that it was my duty to remain while the danger lasted, a danger which, as every one knows, was both great and imminent.

3. As regards paragraph 2nd, I have no remarks to make.

4. The 3rd paragraph of the "draft order," I consider to be strange, but I should take no notice of it, had not my position as Commander-in-Chief demanded that I should protest against what appears to me to be an innovation. The injury which this does to the service every military man must be aware of. I shall therefore confine my observations to the indignity which would be offered to the Commander-in-Chief if this proposed breach of precedent be carried into effect.

5. When, in 1846, Lord Hardinge made over the Irregular Troops to the Commander-in-Chief, he made over with them the nomination of the European Officers. When Irregular Troops were raised in Sind by both the Lords Ellenborough and Hardinge, the nomination of the European Officers was given to me, then a Major General; but now it seems that my present far higher rank has, in the opinion of the present Governor General, rendered me less worthy of public confidence! Yet, if I am fit to be Commander-in-Chief, there can hardly be any good reason to withhold from me any portion of that power to reward and encourage Officers which has hitherto been entrusted to the Chief Military authority in this country.

I therefore remonstrate against the Governor General's depriving the Commander-in-Chief of the power to nominate European Officers to this portion of the Army, if it is to be placed under my orders.

6. Paragraphs 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14 all relate to details of little or no importance except one, *viz.*, the pay of the Sowars. This is placed at 20 rupees which I think too low a rate. These Sowars ought not to have less than 25 rupees a month. On so small a sum as 20 rupees, the Sowars will plunder whenever an opportunity offers; and there are few stations where the man can properly feed his horse on that sum. I believe this opinion to be general, and it is strongly corroborated by the very details now under consideration, for I find that wherever horse allowance is granted to an Officer, the amount is 30 rupees! Now, if it requires 30 rupees to feed an Officer's horse, how is the Sowar to feed both himself and his horse, and pay for his arms, dress, and other expenses besides, out of 20 rupees? The allowance appears to me to be insufficient. Let the superiority of the "*Sinde horse*" be brought to mind, and the power which *their* horses exhibited in the field. I recommended 30 rupees when I formed that regiment, because I knew that they could not be efficient on a less sum.

I have no more to say on this "draft order."

I am ready to obey this or any other order that I receive from the Governor General; but I cannot submit, without remonstrating to have the privileges and the position of the Commander-in-Chief in India lowered while in my hands.

7. Having made the foregoing remarks on the "*draft order*," I now come to the letter of Sir Henry Elliot enclosing that order.

There can be no doubt but that (as therein said) inquiries are necessary as to the equipment of the Punjab Irregular Force. I inspected two of the Infantry regiments during my tour to Peshawur, and though the zealous and clever Officers in command of them had done all that could be done (indeed one of them, the 1st Punjab Regiment under Major Coke, was as well drilled as any Queen's regiment in India) and that sufficient time had elapsed from the date of their formation to make them perfectly efficient, yet, from want of equipments, they were unfit for service. The Cavalry regiments supply themselves, and not being dependent upon Government, were fit for service.

Had the 1st Regiment of Punjab Infantry been sent through the Kohat Pass, as was ordered when I arrived at Peshawur, it would probably have been cut to pieces! It may appear to His Lordship, not being a military man, that it is an easy thing for any body to form soldiers; but I fear he will find that this is a very mistaken idea. It is my opinion, that the Civil Board of Administration cannot do it, and had certainly not done it when I was in the Punjab.

8. There seems to be something unsatisfactory in the 3rd para. of Sir Henry Elliot's letter. Above one year after these ten regiments have been embodied, a proposed establishment for their pay and numbers is sent by the Governor General (His Lordship not being a military man) for the opinion of the Commander-in-Chief. One would imagine that, before these corps were raised, the Commander-in-Chief would have been ordered *ex-officio* as head of the Army to draw up a proposed establishment, and submit it to the higher authority of the Governor General for confirmation or alteration, as His Lordship judged proper. But not so. My work and that of the departments under my orders is done by, I know not who, and then sent to me for my opinions on the details. Then I have to observe that the *present* pay and establishment, those on which these troops have worked for above a year, have not been sent. How, then, am I to form a judgment in what way the feelings or interests, or the promises made originally to these troops, will be affected? These are points on all which I must be informed ere I can give a just opinion on these new arrangements proposed by the Governor General.

9. I am perfectly aware of the system now pursued in India, which is to render the Commander-in-Chief powerless, and at the same time to increase his responsibility. Against this I beg leave, with due respect, to remonstrate, and as a proof (there are many others) that what I say is just, I refer to the next paragraph of Sir Henry Elliot's letter. In this paragraph (while asked with an appearance of respect for my opinion upon a few insignificant details) I am informed, "It is, however, to be understood that, when the Corps have thus been transferred, all forts upon the frontier or elsewhere which have already been reported, or may hereafter be reported, to be required as military posts, will be ultimately garrisoned by the Regular or Irregular Troops under His Excellency's Command." The plain English of this paragraph is, that the local authorities, Civil and Military, (along the "*frontier and*

elsewhere”) and the Board of Administration are to decide which forts are required for the defence of the country and which are not, and the so-called Commander-in-Chief of the Army is to send garrisons wherever Mr. This, Captain That or Lieutenant T’other may think that a garrison is required ! Thus in case of war or insurrection the Army would be divided into innumerable detachments at the discretion of these incompetent gentlemen, clothed with the power of the Governor General ; while the Commander-in-Chief, without any voice in the matter, is to be responsible for the discipline of that Army, for the defence of that frontier, and for the protection of those forts ! I cannot here enter into an essay on War, but I must be allowed to say, that if the Commander-in-Chief has not the entire disposition of all the troops under his command, an enormous responsibility is forced upon him, while he is deprived of the power to meet it. That power is placed in other men’s hands, whose rank, experience and capacity to use it may be doubted, and, as far as my opinion goes, very much doubted !

His Lordship, in dictating this paragraph to Sir Henry Elliot, does not appear to be aware, that the occupation of the strong forts in this country is a matter which requires much military knowledge and must be dependent both upon the quarter from which danger is apprehended, and upon a general system of defence submitted by the Commander-in-Chief for the information of the Governor General, and so arranged as to meet any danger expected ; such arrangements being previously approved of by His Lordship.

But, except some system of this kind be acted upon, I do not see how this Army can be either safe, or efficient in time of war. It would be disseminated in detachments at the pleasure of ignorant and inexperienced subordinates.

10. The 5th paragraph orders the Punjab Regiment now at Lahore to remain there till the end of the season, which, if these troops are placed under my orders, shall of course be done.

His Lordship also desires that a regiment should be sent to the Huzara Country, which shall also be obeyed.

11. Adverting to paragraphs 6, 7, 8, and 9, of Sir Henry Elliot’s letter, I enclose Lieutenant-Colonel Hodgson’s own letter on the subject of his being employed. I continue to think him well suited to this Command, the duties of which will be to see that the equipments of the Punjab Irregular Corps are complete, their discipline good, and in case

of war, to assume the Command of any body of these troops which the Commander-in-Chief may assemble for a particular duty under a select Officer.

(Signed) C. J. NAPIER, *General,
Commander-in-Chief.*

SIMLA,
30th July. 1850. }

MINUTE BY THE MOST NOBLE THE GOVERNOR GENERAL OF INDIA.

Dated 22nd August 1850.

1. THE Adjutant General of the Army has transmitted to me, in a letter dated the 6th instant, a Memorandum by His Excellency the Commander-in-Chief, relative to a general order by which it was proposed to place the ten Irregular Regiments, which have been raised for service in the Punjab, under the orders of the Commander-in-Chief.

2. It is not my intention to address to His Excellency any detailed reply to the contents of that document.

I shall fully justify the measures of my administration which are therein impugned, and I shall expose the misrepresentations which it contains of my words and acts and intentions. But for that purpose, I shall address myself, exclusively and directly, to those authorities from whom I receive the commission that I hold.

3. The spirit which His Excellency Sir Charles Napier has exhibited towards the Government under which he acts is so gravely reprehensible, and the tone and tenor of his communication are so highly objectionable, that I deem it necessary for the public service, and due to the station in which I am placed, that I should formally bring His Excellency’s proceedings to the notice of the Honorable Court of Directors and of Her Majesty’s Government.

4. In order that Sir Charles Napier may be aware of the sentiments entertained by the Honorable Court and by Her Majesty’s Government, regarding the communications which have already taken place on measures connected with the subject of his recent Memorandum, I beg that a copy of the Despatch from the Hon’ble the Secret Committee, dated

24th June 1850, may be communicated to His Excellency, together with this Minute.

5. In the mean time, and until the reply of the Home authorities shall be received, I must necessarily suspend the orders which it was my intention to have issued.

(Signed) DALHOUSIE.

MINUTE BY THE MOST NOBLE THE GOVERNOR GENERAL.

Dated 7th May 1853.

1. Circumstances have accidentally brought to my knowledge that I have omitted to record the reply which I intimated my intention of making to a Memorandum by Sir Charles Napier, when Commander-in-Chief of this Army, dated 30th July 1850, relative to the Irregular Regiments raised in the Punjab.

Letter to Adjutant General, 29th August 1850.

2. The Memorandum was of such a nature that I declined to address any reply to His Excellency, informing him at the same time that I considered it "necessary for the public service, and due to the station in which I am placed, that I should formally bring His Excellency's proceedings to the notice of the Honorable Court of Directors and Her Majesty's Government."

In letter from Adjutant General, dated 6th August 1850.

Very shortly afterwards it became officially known that Sir Charles Napier was to quit this Command, and I was glad to set the paper and its contents aside.

It seems fitting, however, now that it has again come before me, to notice the leading allegations of the Memorandum, merely for the purpose of placing on record the proof of their incorrectness.

3. Those allegations are, *first*,—That I had shown want of confidence in the Commander-in-Chief, by delaying to place the ten Irregular Regiments raised in the Punjab under his orders, and to such an extent that he should in consequence have resigned sooner than he did, but for an incipient mutiny among the troops.

Para. 2.

• *Secondly*,—That in retaining the appointment of the Officers of these Irregular Regiments in the hands of the Governor General in Council, I had made an "innovation," and should offer an "indignity" to the Commander-in-Chief by the proposed "breach of precedent."

Para. 4.

4. A very brief statement of facts will suffice to show, that one and all of these allegations are equally without foundation.

5. *First*,—As to delay in transferring the Irregular Regiments in the Punjab to the authority of the Commander-in-Chief.

The orders to raise them were issued on 18th May 1849. In the Minute proposing their being raised, it was provided that on their completion they should be considered under the authority of the Commander-in-Chief.

In a confidential Memorandum which I submitted to Sir Charles Napier only five weeks subsequently, and within ten days of his arrival at Head-Quarters, he was informed that, "with June 25th, 1848.

"the exception of raising certain Local Corps—the origin of which I have already explained—nothing has been decided upon regarding the permanent Military arrangements for the occupation of the Punjab, until the whole subject shall have been submitted to, and considered by the Commander-in-Chief." His Excellency's opinion was solicited, and it was added: "There are several points connected with the corps already authorized to be raised, on which I am very anxious to have His Excellency's opinion: but I will not trouble him with these at present."

6. The opinion of His Excellency thus solicited was not given till the 30th November, five months subsequently. In the paper then submitted, Sir Charles Napier, far from complaining that the Irregular Regiments had not already been made over to him, expressed himself regarding them in these words:

"There are I think ten regiments now raising under the direction of the Board of Administration in the Punjab. Of these five are Cavalry, I think, and five Infantry. I recommend that they be employed as a Military Police in parts remote from the great military stations and across the Indus. As Sir Henry Lawrence thinks they can defend the Peshawur districts, I am very glad to give that up to them."

Page 36, "Irregular Cavalry now raising under the civil authority."

I, on my part, far from being reluctant to make over the Irregular Regiments to the Commander-in-Chief, demurred to this proposal of His Excellency for giving them and the Peshawur districts up to the civil authority.

Accordingly, on the 26th December, I observed that—“*in the Minute authorizing their organization*, I stated that, *on their completion*, they “should be considered as under the authority of the Commander-in-Chief;” and I added—“It is necessary that this point should be clearly ascertained,” and requested “to be favored with His Excellency’s opinion “whether the Corps in question should be placed, *as contemplated in the Minute, original Minute*, under the orders of the Commander-in-Chief, or under those of the Board of Administration.”

Sir C. Napier had been requested, to reply to this question, so that the several matters pending might be “speedily adjusted.” He did not reply, however, till the 26th February 1850, when he expressed in a Memorandum his readiness to take the Irregular Regiments.

This Memorandum reached me at Calcutta after my return from the Straits’ Settlements in March. On 10th April it was recorded in a Minute; “The ten Irregular Regiments will be placed under the orders of “the Commander-in-Chief *as soon as possible*.” It was added, “I shall “be at Simla in a few weeks, and the several points of detail respecting “the additional equipment of these Regiments, the proposal of the Commander-in-Chief for an Officer to command the whole, &c., may be then “settled rapidly through the Adjutant General, when a G. O. will be issued “transferring these corps to the Commander-in-Chief.”

I reached Simla on 1st May. Some modifications were made, but the G. O. for transferring these corps was sent to the Adjutant General on the 26th June.

7. This simple statement of facts and dates is sufficient to show, that instead of having exhibited a want of confidence in the Commander-in-Chief by withholding from him the ten Irregular Regiments, I voluntarily proposed in the original Minute that the regiments, as soon as they were completed, should be made over to the Commander-in-Chief; that on receiving his proposal that they should be given to the Civil Government, I opposed it; and that on receiving His Excellency’s assent to take the regiments, I directed at once their transfer, and carried it into effect as speedily as was practicable.

I have further to remark that Sir C. Napier’s own Memorandum of November (1849) conclusively proves, that at the very time at which he has represented himself (in his Memorandum of July 30th) as anxious to resign his Command in consequence of the Irregular Corps not having been transferred to him, he had himself actually recommended officially

to the Governor General that they should not be transferred to him at all, but should be employed as Military Police under the Civil Government, and in the District of Peshawur.

8. I have now to advert to the second allegation, that in retaining the appointment of the Officers of the Punjab Irregular Force in the hands of the Governor General in Council, when the Force was to be transferred to the orders of the Commander-in-Chief, I made an “innovation;” committed a “breach of precedent;” and in so doing offered an “indignity” to Sir Charles Napier.

His Excellency’s statement is incorrect in regard to facts, and wholly erroneous otherwise.

9. The course I pursued was in strict accordance with the course followed by my predecessors on similar occasions. And when Sir C. Napier stated, that Lord Hardinge, in 1846, made over to the Commander-in-Chief the appointment of Officers in the Irregular Cavalry Corps he had lately raised, His Excellency should have added, that His Lordship’s doing so had been an exception to general practice and not the rule.

For the records of the Government show, that all the provincial and local corps that at various times have been raised, had at first their Officers appointed by the Governor General in Council, though the corps themselves were placed under the orders of the military authorities, and made returns to the Adjutant General.

When some of those local battalions became purely military corps, the appointment of Officers still remained with the Governor General in Council and the Commander-in-Chief made his recommendations only. Many local battalions so circumstanced, however, have remained in regard to appointment of Officers just as they were originally, and are still officered by the Governor General in Council.

10. This practice has prevailed from the first institution of local corps, and has been acted upon by successive Governors General, up to my immediate predecessor inclusive.

11. The “Corps of Hill Rangers at Bhagulpore” was “transferred from the Revenue to the Military Department” in 1792, and the Commander-in-Chief was requested “to issue the necessary orders in consequence.”

G. O. C. C., 14th July 1795.
G. O. P. C., 20th August 1806.

In 1795, the Ramghur Battalion was raised in the same manner.

These local corps greatly increased in numbers; so that in 1823, the Governor General in Council issued the following order regarding them :—

LOCAL CORPS.

56, (1.)

That the fourteen Battalions named in the margin be declared "Local

- | | |
|--|------------------|
| 1. Calcutta Native Militia, (Civil.) | } since reduced. |
| 2. Ramghur Local Battalion. | |
| 3. Bhaugulpore Hill Rangers. | } since reduced. |
| 4. Dinagepore Local Battalion. | |
| 5. Chumparun Light Infantry | |
| 6. 1st Nusseeree (Goorkha) Battalion. | |
| 7. 2nd Nusseeree (Goorkha) Battalion, (since reduced.) | |
| 8. Sirmoor (Goorkha) Battalion. | |
| 9. Kemaon Battalion, (Civil.) | |
| 10. Rungpore Light Infantry, (now the Assam Light Infy.) | |
| 11. Goruckpore Light Infantry. | } since reduced. |
| 12. Rampoorah Local Battalion. | |
| 13. Bencoolen Local Corps. | |
| 14. Mhairwara Local Battalion, (Civil.) | |

Battalions" raised for the service and defence of the Provinces or Districts in which they were formed or elsewhere on emergency, and liable to active service in the field; that they have rank and precedence next

after the troops of the line, and be considered as entitled to the benefits of the Invalid Pension Establishment, under Regulations to be issued separately.—*Govt. G. O., No. 8, 2nd May 1823.*

71.

These corps are clothed, armed, equipped and supplied with ammunition at the expense of the State, and under the same rules as prevail with troops of the line, excepting their belts and accoutrements, which are black instead of buff. They are supplied also, under the like orders, with Camp equipage and stores when necessary; the dress and discipline are the same, except that the men supply themselves with half-mounting, on which account Commandants are strictly prohibited from making any deduction except in cases of confirmed slovenliness or inattention of the men to cleanliness and the standing orders, which being special cases will be noted in orders, and the Adjutant directed to supply the parties deficient of half-mounting, deducting the actual cost thereof from the men's pay.—*Govt. G. O., No. 8, 2nd May 1823.*

The appointment of Officers to command Provincial Corps was at all times made by the Governor General in Council.

This appears by a letter from the Adjutant General, dated 30th March 1828, in which he submitted on the part of the Commander-in-Chief, Lord Combermere, a Memorandum which His Excellency had received from his predecessor, Sir Edward Paget, who in his turn had received it from the Marquis of Hastings.

This Memorandum detailed the appointments made by the Governor General in Council, and by the Commander-in-Chief respectively. Therein the appointments of "Commandants and Adjutants of all Police, Se-bundy, Nujeeb, or Provincial Battalions, which form no part of the Regular Army, although returns are received from all by the Adjutant General," are specified to be "in the direct gift of the Governor General."

12. Such has ever since continued to be the case in regard to many of these local corps. The two regiments of Light Infantry on the Assam Frontier, the Ramghur Battalion on the South-West Frontier, the Sappers on the Sikkim Frontier, the Calcutta Local Corps, the corps in Mhairwarah, in Marwar and Meywar, all have their Officers named by the Governor General in Council.

Lastly, when Lord Hardinge, whose practice Sir Charles Napier seeks to contrast with mine, raised a "Frontier Brigade" consisting of four Regiments of "Sikh Local Infantry" on the Sutlej Frontier, he retained the appointment of their Officers in the hands of the Governor General in Council, where it still remains.

13. Thus I have shown that for sixty years past the practice when Provincial Corps and Local Battalions were raised, even when they were placed upon a Frontier, was to retain the appointment of their Officers in the hands of the Governor General in Council.

When, therefore, I directed an Irregular Force of Local Corps to be raised in the Punjab, for service on the Frontier, I followed the example of my predecessors, and retained the appointment of their Officers for the Governor General in Council.

14. There was an additional and a special reason for doing so upon that occasion. The Bombay Army had shared in the conquest of the Punjab; it was fair that they should share in the appointments created in consequence of it. The Court of Directors have since directed that both Bombay and Madras Officers should be selected for these Corps. The position of the Governor General enabled him to exercise such selection with greater facility than the Commander-in-Chief.

15. The statement contained in the preceding paragraphs incontrovertibly shows, that in retaining the appointment of the Officers of the Punjab Irregular or Local Force in the hands of the Governor General in Council, while the force was placed under the orders of the Commander-in-Chief, I made no "innovation," for I acted in pursuance of long established practice; that I committed no "breach of precedent," for I strictly conformed to precedent; and consequently, that I did not offer to Sir C. Napier that "indignity" which the innovation and breach of precedent, incorrectly imputed to me, were supposed to involve.

16. These observations are recorded with no view to elicit a remark from any quarter, but simply that the complaints of Sir C. Napier against me may not stand upon the correspondence of the Government of India, unaccompanied by the refutation which I stated at the time I should supply for the information of those I had the honor to serve.

(Signed) DALHOUSIE.

7th May 1853.



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