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[*Reprint of*]

A LETTER

TO THE LATE RT. HON.

SIR ROBERT PEEL, BART., M.P.

SUGGESTING

The Repeal

OF THE

35th & 36th CLAUSES OF THE ACT 3 & 4 WM. IV. CAP. 85.

BEING

LORD GLENELG'S

NEW ACT FOR THE GOVERNMENT OF INDIA,

PASSED IN THE SESSION OF 1833,

RECEIVED THE ROYAL ASSENT ON THE 31ST OF AUGUST, THE LAST
DAY OF THAT SESSION.



LONDON :

RICHARDSON BROTHERS, 23, CORNHILL, E.C.

1858.



A RECOMMENDATION

TO THE

RIGHT HON. THE

EARL OF ELLENBOROUGH,

*For the immediate restoration of peace and order
in India, as well as the confidence of the
Native Princes in the Queen of England and
the British Government.*

Nazing Park, Waltham Cross,

23rd April, 1858.

MY LORD,

I have ventured to reprint a letter I felt it my duty to write to the late Right Hon. Sir Robert Peel in 1842 upon Indian affairs, and would recommend Her Majesty and the Members of the House of Lords and Commons to repeal Lord Glenelg's Act of Parliament, passed on the 31st of

August, 1833, forthwith, as it has been the main cause of the bloodshed and expenditure of treasure which has since ensued in India.

To retain the present Members of the Court of Directors of the East India Company as an independent council for India, to be presided over by an Indian Secretary of State, with full permission to sit in Parliament, if any of them can obtain seats.

To revert to the old policy of Lord Cornwallis, Lord Teignmouth, and Lord Wellesley; and restore without delay the dynasty of Oude, by replacing some member of the Royal Family of Oude upon the Musnud, with the title of Nawab and Vizier, instead of that of King.

And to declare a general amnesty towards all parties in India, excepting those who have been guilty of murder, &c., &c.

By so doing, peace, order, and prosperity will be quickly restored to India.

I also think it worthy of consideration, whether it may not be desirable that a chamber should be established at each of the Presidencies, in which the

vakeels or representatives of all the native Princes might meet and express their wants and wishes direct to the Governor and Council, without being compelled to make known their complaints or representations through the European officer of their district, as at present.

I have the honor to be,

MY LORD,

Your Lordship's obedient servant,

GEORGE PALMER.



TO THE RIGHT HONOURABLE

SIR ROBERT PEEL, BART., M.P.

RIGHT HONOURABLE SIR,

UNDER the 35th and 36th clauses of the 3d and 4th act of His late Majesty William IV., cap. 85, passed in the session of 1833, during the time Lord Glenelg (then the Right Hon. Charles Grant) was President of the Board of Control, the late ministers have been enabled to involve this country in the ruinous Affghanistan and China wars, without the consent of the House of Commons, or the knowledge of the people of England, who must eventually pay for them, and bear all the odium of their injustice, &c. &c. &c.

Therefore, I humbly submit that no time ought to be lost in obtaining the repeal of these most odious and mischievous clauses, so as to prevent any future minister from being able to commit similar acts, and to involve the nation in similar responsibilities. It is for the honour and interest of England, as well as of India, that the Court of Directors of the East India Company, who are an intelligent and independent body of gentlemen, and necessarily conversant with Indian affairs,

should have the opportunity, upon all vital and important questions, of expressing an independent opinion, and giving their advice to the minister of the Crown; as nearly all the cases of discredit and impolicy which have occurred in India during these last eight or nine years, have been entirely occasioned by the President of the Board of Control acting in an arbitrary manner towards the Secret Committee of the East India Company, without the advice or concurrence of the Court of Directors.

For instance, on the 12th September, 1833, the President of the Board of Control (Lord Glenelg) sent a despatch to the Court of Directors on the subject of forcing a very large payment from the King of Oude, which he required them to sign and transmit to India. But as the Court of Directors considered it to be highly impolitic and injurious, they refused to comply with Lord Glenelg's orders. He then obtained a mandamus from the Court of King's Bench, to compel them to obey his mandate, but they also successfully resisted this attempt to coerce them.

In June 1834, the Secret Committee of the East India Company, by order of Lord Glenelg, sent out a secret despatch to Lord William Bentinck, then Governor-General of India, and afterwards (Lord Heytesbury's appointment being cancelled) they confirmed these secret instructions to Lord Auckland, ordering the whole of the King of Oude's remaining territory and private treasury at Lucknow, supposed at that time to contain about £17,000,000 sterling, to be seized, &c. &c., in violation of all good faith, and of Lord Wellesley's treaty of the 10th November, 1801, which treaty was printed by order of Parliament in 1806, and sanctioned by the British nation at that time.

The President of the Board of Control and Secret Committee transmitted this secret dispatch to India, notwithstanding two solemn decisions had been previously come to by the Court of Directors of the East India Company, and by the Board of Control upon the subject; viz., “*that it would be highly impolitic to seize upon the King of Oude’s remaining territory, and that Lord Wellesley’s treaty of 1801 could never be violated with any degree of justice, honour, or advantage, by the British nation.*”

In 1835, the President of the Board of Control, Sir John Hobhouse, and the Secret Committee, withheld for some months certain letters addressed to Mr. Friell, the ambassador from the King of Oude, and also a letter addressed to His Majesty William IV. from the King of Oude, which letters had been entrusted by the Indian government to the Court of Directors for safe deliverance, and this was enacted without the knowledge or consent of His Majesty or the Court of Directors of the East India Company, and which letters they were eventually obliged to give up on the 3d of March, 1836, in consequence of the interference of His Majesty, through his private secretary, Sir Herbert Taylor.

On the 19th of December, 1835, and in May 1836, the President of the Board of Control, Sir John Hobhouse, and the Secret Committee, endeavoured, through Treasury orders, to get possession of the King of Oude’s property, sent as a present to His Majesty William IV. and Queen Adelaide, by the advice and with the concurrence of the Governor-General of India, Lord William Bentinck, without the knowledge of His Majesty, Mr. Friell, the ambassador from the King of Oude, to whom it was addressed, or the Court of Directors of the East India Company. Con-

sequently His Majesty was compelled, with the assistance of his private secretary, Sir Herbert Taylor, in April 1836, to put a stop upon the property, then in the West India Dock warehouses, to prevent its getting into the possession of the Secret Committee; and in May 1836, the Secret Committee put a stop upon the property by order of the President of the Board of Control, to prevent its getting into the possession of their Majesties, for whom it was sent to this country by the King of Oude, at the suggestion of the Governor-General of India.

In 1836, the President of the Board of Control, Sir John Hobhouse, and the Secret Committee, sent a most insolent and heartless letter to the King of Oude, in the name of His Majesty William IV. and Queen Adelaide, refusing the presents in an unhandsome manner, without the consent of His late Majesty or the Court of Directors. Which letter, it is reported, caused the King of Oude, Nusseer ood Deen Hyder, to be poisoned at the instigation of his prime minister, shortly after its receipt at Lucknow, in July 1837; the minister thereby thinking to do a service to the British Government.

The President of the Board of Control and the Secret Committee sanctioned the Indian Government in setting aside the two sons of the King of Oude, on the 7th of July, 1837, KywanJah, and Ferruck ood Deen Bushkt, (commonly called Moonah Jaun,) who had been recognised as the next heirs to the throne of their father, Nusseer ood deen Hyder, by Lord Hastings and Mr. Monkton (the British resident at Lucknow) in November 1814; and by Lord Amherst and Mr. Ricketts, on the 9th of October, 1827; also, by Lord Combermere, when Commander-in-Chief in India; and placing upon the throne an old and imbecile uncle of the

late king's, of the age of seventy-five, (Nusseer ood Dowlah,) without the consent of the Court of Directors or the British Parliament,—to the great dishonour and discredit of the British nation in the estimation of all the native Princes of India, and of all European nations to whom the transaction has become known.

In 1838, the President of the Board of Control and the Secret Committee, without the concurrence of the Court of Directors, or the consent of Parliament, neglected and insulted an enlightened Indian Prince of the highest rank, during the fourteen months he remained in this country, having come to England entirely for the purpose of obtaining an inquiry into the acts of the Indian Government at Lucknow in July 1837, (the Nawab Eckbaloodowlah,) the first cousin of the late King of Oude, and the grandson of Saadut Alli Khan, the Nawab of Oude, whose munificent acts towards the British nation, of supplying Lord Lake's army with large sums of money during the Mahratta war, and furnishing the Eighth Royal Irish Hussars with 900 horses at a few hours' notice, when that gallant regiment was dismounted, and obliged to serve on foot, were recognised and acknowledged by the House of Commons, on the 20th of June, 1806, as per Parliamentary Papers, printed on the 24th and 27th of June, 1806. The only returns for these munificent and generous acts that Saadut Alli Khan received from the British authorities in India, were a letter of thanks from Lord Wellesley, and a brace of Irish greyhounds from Sir James Vandeleur, the colonel of the Regiment. Nevertheless, his grandson, the Nawab Eckbaloodowlah, who had travelled so many thousand miles at so great personal inconvenience, was neglected and insulted by the Government authorities in England in 1838.

On the 11th of May, 1837, the Secret Committee, by the orders, aid, and assistance of the President of the Board of Control, having obtained possession of what portion of the King of Oude's property that then remained in the West India Docks, supposed to be of the value of about £500,000, upon the plea of returning it safely back to him, or his heirs, retained the great picture in this country, which had been painted expressly for his late Majesty William IV., under the personal superintendence of the King of Oude, Nusseer ood Deen Hyder, and which picture was, on the 1st of May, 1841, sold by Messrs. Rushworth and Jarvis, the auctioneers of Saville-row, without the knowledge or consent of Mr. Friell, the ambassador of the late King of Oude; or of Kywan Jah, and Ferruck ood Deen Bushkt, the two sons of the late Nusseer ood deen Hyder, whose property it became upon the death of their father.

All these instances, together with the dethronement of the Rajah of Sattarah, which may be added, surely prove the necessity for the repeal of the 35th and 36th clauses of the 3rd and 4th of William IV., cap. 85; especially as the honourable and independent Court of Directors, in 1833, appear, by the annexed extracts from the Correspondence that took place between them and the President of the Board of Control, the Right Hon. Charles Grant, (now Lord Glenelg,) to have anticipated the very evils and misfortunes which have now been forced upon the British nation.

The Right Honourable Charles Grant, President of the Board of Control, (now Lord Glenelg,) in a letter dated 14th of March, 1833, addressed to the Chairman and Deputy-Chairman of the East India Company, upon the subject of his new Indian Act, then under the consideration of Parlia-

ment, in noticing the apprehensions, &c., expressed by the Court of Directors in their letter of the 1st of March, 1833, lest the effect of his plan for the future government of India would be;—" That the East India Company, instead
 " of forming, as they now do, an integral, independent,
 " and important part of the machinery by which the
 " government of India is conducted, will be reduced to
 " a state of weakness and dependence incompatible with
 " the right performance of the duty assigned to them;" and their fear, " lest the Court of Directors should become
 " merely an instrument for giving effect to the Indian
 " Minister," and that Lord Glenelg's plan might be expected
 " to convert the Court into a mere Government Board;"—
 Lord Glenelg, on March 14, 1833, in reply to this statement of the fears and apprehensions of the Court of Directors, declared, " that His Majesty's Ministers believe
 " that the Court of Directors will, on the whole, preserve,
 " without sensible diminution, and in some respects with
 " increased effect, its present importance and independence
 " as a part of the machinery employed in the administration
 " of the government of India;" and he added, in a spirit of indignant disclaimer, these emphatic words: " Of course
 " it cannot be meant or anticipated that the Court shall be
 " reduced to the situation of a Government Board;" but, in the same letter, Lord Glenelg informed the Court of Directors, " that His Majesty's Ministers are clearly of
 " opinion, that in case of difference between the Court and
 " the Board of Control, no appeal to any third party on
 " the merits can be allowed, nor can any new or express
 " provision be made for *the communication of such cases to*
 " *Parliament.*"

Lord Glenelg added, " Even under the present system,
 " however, matters in dispute between the two authorities

“ in question may in many ways be brought under the
 “ notice of Parliament, and this species of reference will
 “ be equally practicable under the new arrangement.” But
 this has proved not to be the case, as in the instances of
 the wars in Affghanistan and China. The people of Great
 Britain have been involved in ruinous, bloody, and discre-
 ditable wars without the consent of the House of Commons,
 or the knowledge of the people of England, the Indian
 Minister having coerced the Secret Committee, under the
 35th and 36th clauses of 3 and 4 William IV., cap. 85, to
 transmit orders to India for these acts of aggression, being
 commenced and prosecuted for a time without the know-
 ledge of Parliament, he and his colleagues availing them-
 selves of the youth and confidence of the Sovereign, and
 their influence with the ladies of the bedchamber.*

The answer of the Court of Directors to Lord Glenelg’s
 letter of the 14th March was prompt and explicit; for, on
 the 18th March, 1833, the Chairman and Deputy addressed
 him a letter, in which they noticed the subject in the follow-
 ing terms:—“ If *this independence should cease*, the charm of
 “ the system by which the affairs of India have been
 “ hitherto administered would vanish; and the best, per-
 “ haps the only security for its continuance, when your new
 “ plan shall have come into operation, will be, in affording
 “ the Court of Directors the opportunity of giving publicity
 “ to their views in important cases of difference from the
 “ Board of Control. Under this impression, the Court
 “ suggested an appeal upon such cases, and the communi-
 “ cation of them to Parliament. You state that the King’s
 “ Ministers are disposed to allow of an appeal to some

* N.B. The expenditure of treasure for the prosecution of the Affghanistan war, to April 1842, has been upwards of £9,000,000; and the cost of the China war will be a very much larger sum.

“ tribunal, upon questions in which the Court of Directors
 “ may dispute the *legality* of the Board of Control’s acts.
 “ The Court apprehend that such cases are not very likely
 “ to arise; nor does it very readily occur to them that any
 “ other tribunal can be required to decide matters of *mere*
 “ *legality*, than the ordinary courts of law. The appeal
 “ *desired was upon the merits of cases, not indeed generally,*
 “ *but those of a special nature;* for it never entered into the
 “ contemplation of the Court that there should be a system
 “ of appeal resorted to upon every difference of opinion.
 “ They conceived that if the proposal were entertained,
 “ there would be little difficulty in limiting the right of
 “ appeal to cases in which long experience has proved it
 “ desirable; *so that if an Indian minister should take*
 “ *upon himself acts which appeared to the Court to be uncon-*
 “ *stitutional, to militate against the principles of good govern-*
 “ *ment, to interfere with substantial justice to our allies; or,*
 “ what will be of great importance under the new system,
 “ to invalidate or impair the security of the proprietors;
 “ *there should be some appeal against such exercise of au-*
 “ *thority, or at least some means of enforcing the PERSONAL*
 “ *RESPONSIBILITY of the act; which, as the Court think,*
 “ *would be best accomplished by requiring the communication*
 “ *of it to Parliament.*”

“ The Court much regret that ministers should decline
 “ to acquiesce in the latter proposal; and although, as you
 “ say, matters in dispute between the two authorities may
 “ in many ways be brought under the notice of Parliament,
 “ yet you must allow us to remind you, that, independently
 “ of the reluctance which the Court must always feel to
 “ push themselves before the Legislature in the character of
 “ disputants, there is great practical difficulty in bringing to
 “ the notice of Parliament important cases connected with

“ the Government of India. *Papers may, indeed, be called for, but unless the ministers concur in the motion, it must generally happen, as it has happened, that the papers are refused. We must repeat the conviction of the Court, that publicity as a rule, and not as an exception, is the most effectual method that can be devised for maintaining a whole-some check upon the exercise of power by the Board of Control.*”

It can scarcely be necessary to remind Lord Glenelg, or his late colleagues, that during the whole negotiations relative to the new Act of Parliament passed in 1833, the Proprietors and Court of Directors continued to urge their desire for appeal to Parliament, &c., in important matters of difference between the Court and the Board of Control; and that the Board and His Majesty’s Whig Ministers pertinaciously and successfully resisted that desire, requiring the Court to trust to the good faith of Lord Glenelg’s solemn pledge, “ *that their importance and independence should be preserved, and that the Court of Directors should never be reduced to the situation of a mere Government Board.*”

I have the honour to be,

Right Honourable Sir,

Your very obedient and humble Servant,

GEORGE PALMER.

NAZING PARK,

WALTHAM CROSS,

1st August, 1842.

APPENDIX.

*35th Clause of the 3rd and 4th of William IV. cap. 85.
Passed in the Session of 1833.*

“ And be it enacted, that the said Court of Directors shall,
“ from time to time, appoint a Secret Committee, to consist of
“ any number not exceeding three of the said Directors, for the
“ particular purposes in this act specified; which said Directors
“ so appointed, shall, before they or any of them shall act in
“ execution of the powers and trusts hereby reposed in them,
“ take an oath of the tenor following, (that is to say)—

“ I (A. B.) do swear that I will, according to the best of my
“ skill and judgment, faithfully execute the several trusts and
“ powers reposed in me as a member of the Secret Committee,
“ appointed by the Court of Directors of the East India Com-
“ pany: I will not disclose or make known any of the secret
“ orders, instructions, despatches, official letters, or communi-
“ cations which shall be sent or given to me by the Commis-
“ sioners of the affairs in India, save only to the other members
“ of the Secret Committee, or to the person or persons who
“ shall be duly nominated and employed in transacting or pre-
“ paring the same respectively, unless I shall be authorized by
“ the said Commissioners to disclose and make known the same.
“ So help me God.

“ Which said oath shall and may be administered by the
“ several and respective members of the said Secret Committee
“ to each other; and being so by them taken and subscribed
“ shall be recorded by the secretary, or deputy secretary, of the
“ said Court of Directors for the time being, amongst the acts
“ of the said Court.”

36th Clause—

“ Provided also, and be it enacted, that if the said Board of
 “ Control shall be of opinion that the subject-matter of any of
 “ their deliberations concerning *the levying war*, or making peace,
 “ or treating or negotiating with any of the native Princes or
 “ States of India, or *with any other Princes or States*, or touching
 “ the policy to be observed with respect to such Princes or
 “ States, intended to be communicated in orders, despatches,
 “ official letters or communications to any of the governments
 “ or presidencies in India, or to any officer or servants of the
 “ said Company, shall be of a nature to require secrecy, it shall
 “ and may be lawful for the said Board of Control to send their
 “ orders, despatches, official letters or communications, to the
 “ Secret Committee of the said Court of Directors, to be ap-
 “ pointed as is by this Act directed, *who shall thereupon, without*
 “ *disclosing the same, transmit the same according to the tenor*
 “ *thereof, or pursuant to the directions of the said Board of*
 “ *Control, to the respective governments and presidencies, officers*
 “ *and servants ;* and that the said governments and presidencies,
 “ officers and servants, shall be bound to *pay a faithful obedience*
 “ *thereto*, in like manner as if such orders, despatches, official
 “ letters or communications, had been sent to them by the said
 “ Court of Directors.”

POSTSCRIPT.

I beg also to annex, for your information, copies of the following correspondence:—

[COPY.]

To the Honourable the Court of Directors of the East India Company, &c. &c.

Nazing Park, Waltham Cross, March 23, 1842.

Honourable Sirs,—The questions to which I requested clear and distinct answers this afternoon, at the quarterly General Court, when I was interrupted by one of the members of your honourable Court, demanding to know whether I was a proprietor, or not, of East India stock, and consequently one of your constituents, were as follows:—

1st. By whose authority that portion of the valuable property sent as a present by the late King of Oude, Nusseer ood Deen Hyder, in 1835, at the suggestion of the Governor General of India, Lord William Bentinck, to their Majesties William IV. and Queen Adelaide, and delivered into the custody of one of your officers, on behalf of the East India Company, on the 11th of May, 1837, was sold by Messrs. Rushworth and Jarvis, (the Auctioneers,) of Saville Row, on the *1st of May*, 1841; viz., the great picture painted expressly for his Majesty William IV., under the personal superintendence of the late King of Oude, Nusseer ood Deen Hyder.

2d. To whose credit the proceeds of this sale have been carried.

3d. Whether the Court of Directors have taken any, and what steps to inquire by whom the two diamond necklaces, Nos. 1 and 3, intended for Her Majesty Queen Adelaide, were abstracted from this valuable property.

I have the honour to be, Honourable Sirs,

Your very obedient Servant,

(Signed) GEORGE PALMER.

To George Palmer, Esq., &c. &c.

East India House, April 28, 1842.

Sir,—Your letter of the 23d ultimo has been received, and laid before the Court of Directors ; and I am instructed to make the following replies to the questions therein contained :—

1st. The oil painting which formed part of the presents offered by the King of Oude, Nusseer ood Deen Hyder, to his late Majesty, and to which you refer as having been sold by auction in London, on the 1st of May, 1841, was, in pursuance of the desire of the donor, and by order of the Lords Commissioners of his Majesty's Treasury, made over by His Majesty's Board of Customs to the late Sir William Beechey, in order that an engraving might be made of it. The present King of Oude, whose property the painting became on the death of his predecessor, having made a present of it to Mr. Casanova, the artist who painted it, the Court made the necessary communication to Sir William Beechey's executors, in order that it might be delivered to that gentleman, since which time they have heard nothing upon the subject. 2d. With regard to the two diamond necklaces, considered by you to have been abstracted from the presents, I am directed to state, that this impression appears to have arisen from a clerical error in one of the lists furnished from India of the contents of the packages ; which error was detected by comparing the list in question with two other lists previously received. The presents, since they were returned to Lucknow, have been carefully examined by the British Resident, and some of the King's Ministers ; and being compared with the original English and Persian lists were found correct. I am directed to add, that in no case could it have been incumbent upon the Court of Directors to inquire into the supposed abstraction, the packages never having been in their custody, except at a later period, under the seal of the Board of Customs, and solely for the purpose of being shipped for India.

I am, Sir, your most obedient servant,

(Signed) JAMES C. MELVILL.

To James C. Melvill, Esq.

Nazing Park, Waltham Cross, May 5, 1842.

Sir,—I have the honour to acknowledge the receipt of your letter of the 28th ultimo ; and I grieve, for the honour of the

East India Company, that the Court of Directors should have been advised to offer, and have authorised you to make, such a reply to my letter of the 23d of March as that now under acknowledgment.

In regard to the oil painting, forming a part of the late King of Oude, Nusseer ood Deen Hyder's, *private* property, (the whole charge of the mission, and the cost of the articles composing the presents, being entirely defrayed out of the King's *private treasury*, by the express desire of Lord William Bentinck, and not from the public treasury of Oude,) which property the Honourable the East India Company's officers took possession of on the 11th of May, 1837, upon the plea of its being for safe custody, and for restoring the whole of it to Nusseer ood Deen Hyder, the King of Oude, as stated in Mr. Lawford's letter of the 9th of May, 1836, having at a subsequent period been made over by them to Sir William Beechey, "for the purpose of an engraving being made of it in pursuance of the desire of the donor," is a most unfortunate excuse for the honourable the Court of Directors to make, after they had omitted to reply to Mr. Friell's letter of the 1st of February, 1836, addressed to their Secretary, P. Auber, Esq.; and after they knew that certain members of their Secret Committee had, in conjunction with the President of the Board of Control, prevented his late Majesty William IV. from receiving this picture in particular, and such a *portion* of the present, as would have saved Nusseer ood Deen Hyder's honour, and eventually his life; which course, I am prepared to state, was the earnest desire and intention of his late Majesty William IV. to pursue, had it pleased the Almighty to spare his life for a short time longer. And particularly after the parties who had access to the documents received from India, having permitted the officer, Col. du Bors de Jausigny, entrusted with the 15,000 rupees, especially appropriated for defraying the expense of this engraving, AFTER the acceptance of the original picture by the King of England, to escape to France with this, and other funds belonging to the King of Oude, by communicating to him that portion of the confidential papers relating to his dismissal from the service of the King of Oude; which documents were entrusted by Nusseer ood Deen Hyder, and the Governor General of India, to the honourable the East India Company,

for safe deliverance to His Majesty William IV. and Mr. Friell, but which the Secret Committee thought fit to withhold from the parties to whom they were addressed, and did not deliver them up until compelled to do so on the 3d of March, 1836; and then only in consequence of the direct interference of his late Majesty William IV. through his private Secretary, Sir Herbert Taylor. In the mean time, the Secret Committee, having made numerous attempts to get the whole of the King of Oude's property out of the possession of the West India Dock Company, into that of the officers of the Honourable the East India Company, without the knowledge, consent, or concurrence of his late Majesty, or Mr. Friell, to whom the documents entrusted to the care of the Court of Directors stated the property was, in the first instance, to be delivered; one attempt having been made by a treasury order, as early as the 19th of December, 1835; but the whole of these attempts the Directors of the West India Dock Company very honourably resisted until the 11th of May, 1837, when they received an order under the seal of the King of Oude, which order had been extorted from him with great difficulty, and was accompanied by a protest or prayer against the rejection and return to India of the whole of his present, sent in good faith to the King of England, at the private suggestion and with the public approbation of the Governor General of India, Lord William Bentinck; which protest or prayer the Secret Committee withheld from the knowledge of his late Majesty, Mr. Friell, or the Directors of the West India Dock Company. Moreover, with reference to that passage in your reply where you state, "the present King of Oude, Nusseer ood Dowlah, whose property the painting became on the death of his predecessor, having made a present of it to the artist, Mr. Casanova, the Court made the necessary communication to Sir W. Beechey's executors, that it might be delivered to that gentleman." I deny most emphatically that upon the sudden death of Nusseer ood Deen Hyder, upon the 7th of July, 1837, a few days after the intelligence of the rejection of the present became known at Lucknow, that this painting, or the other portion of the present, became the property of the present occupant of the throne, Nusseer ood Dowlah; but, as it was purchased entirely from the resources of the late King of Oude's *pri-*

vate treasury, it became the property of his two sons Kywan Jah, and Forruck ood oon Bushkt, (commonly called *Moonah Jaun*,) whom the representatives of the British Government, Lord Hastings and Mr. Monkton, when at Lucknow in November, 1814, and Lord Amherst and Mr. Ricketts, on the 9th of October, 1827, acknowledged to be the next heirs and descendants of Nusseer ood Deen Hyder. In violation of which good faith, and in pursuance of a miserable policy, similar to that so wretchedly now developing itself at Cabool, the representatives of the British Government, and the East India Company at Lucknow, at twelve o'clock at night, on the 7th of July, 1837, placed the present King of Oude, Nusseer ood Dowlah, upon the throne of his deceased nephew, upon his signing the *Deed of Engagement* enclosed in the document marked No. 3, copies of which were printed by orders of the Parliament, on the 17th of July, upon the motion of the late Mr. Praed, in the House of Commons, and Lord Ellenborough in the House of Lords, on the 31st of July, 1838, of which the following is a copy, viz. "Lieutenant-Colonel John Low has "apprised me, through Mr. Shakespear, his second assistant, "of the death of Nusseer ood Deen Hyder, King of Oude. "The resident has also communicated the orders of the Govern- "ment of India respecting new engagements on the part of the "Company's Government with the Oude State. I hereby "declare, that in the event of my being placed upon the throne, "I will agree to sign any new treaty that the Governor-General "may dictate." And then, notwithstanding the British authorities had publicly, by their representatives, in November, 1814, and 9th of October, 1827, guaranteed to the people of Oude that Kywan Jah and Forruck ood oon Bushkt should succeed their Father, Nusseer ood Deen Hyder, the old and imbecile Nusseer ood Dowlah was placed upon the throne. The whole of the transactions of that eventful night of the 7th of July, 1837, so fully described in the papers before mentioned, and presented to Parliament at the end of the Session of 1838, already prove, that Nusseer ood Dowlah felt, at that time, that he had no title whatever to the throne; and the late accounts from Lucknow prove that he is still of the same opinion, by his having renewed his application to the Governor-General of India for permission now to resign it.

With respect to the two diamond necklaces, Nos. 1 and 3, considered to have been abstracted from the present intended for her Majesty Queen Adelaide, you inform me “ that you are “ directed to state, that this impression appears to have arisen “ from a clerical error in one of the lists furnished from India, of “ the contents of the packages; which error was detected by “ comparing the list in question with the two other lists previ- “ ously received; and that the presents, since they were returned “ to Lucknow, have been examined and compared with the “ original English and Persian lists, and were found correct; “ and that you are directed to add, that in no case could it have “ been incumbent upon the Court of Directors to inquire into “ the supposed abstraction,” &c. &c. &c. I beg to observe that the deficiency of the two diamond necklaces was first discovered by Mr. Friell, on the 19th November, 1836, upon opening the silver casket in the presence of the Custom House officers, the Honourable the East India Company’s officers, the West India Dock Company’s officers, and several other independent gentlemen, by comparing the contents with the list delivered to him with his other official papers, by the Chairman of the Court of Directors, on the 3d of March, 1836, and then he immediately made communications to that effect to the East India Company’s officers, and by letter to the President of the Board of Control, Sir John Hobhouse, on the 23d of November, 1836. Mr. Friell having then received a communication from Mr. W. Johnson, one of the Honourable East India Company’s officers, dated the 21st of November, 1836, enclosing him three new lists of the jewels intended for her Majesty Queen Adelaide, in one of which neither of the missing necklaces, Nos. 1 and 3, were mentioned; and in the other, the No. 1 was mentioned, but not No. 3; yet these lists were headed the same as the one received on the 3d of March, 1836, from the Chairman of the Court of Directors, viz. 24 articles for her Majesty, the Queen, &c. &c., yet in one list, 22 *were* only enumerated, and in the other 23. Moreover, these second lists appeared merely to have been authenticated at Calcutta by the signature of Mr. Macnaghten, whereas that original list, delivered to Mr. Friell by the Chairman of the Court of Directors, on the 3d of March, 1836, was authenticated by the British Authorities at Lucknow,—Colonel Low and Mr. Shakespear. Mr. Friell, in conse-

quence of these discrepancies, applied to the following persons : the President of the Board of Control, Sir John Hobhouse, by letters, dated 23d of November, 1836 ; Robert Gordon, Esq., the Secretary of the India Board, of the 8th December ; Lord Glenelg, then Secretary of State for the Colonial Department, of the 21st December ; and William Cabbell, Esq., of the India Board, of 27th December, 1836 ; suggesting that a copy should be obtained of the *original* Persian list and English translation, which had been prepared at Lucknow, in January or February, 1834, at the time the present was packed up and despatched to Calcutta, to be forwarded to England ; and which *original* lists he had the *honour* of presenting to *his Majesty William the Fourth at the levee on the 16th March*, 1836, and the *production of which* would have immediately settled the question relative to the correctness of the respective lists ; but Mr. Friell, notwithstanding he made the most earnest endeavours to have these *original* lists, or copies, produced for this purpose, entirely failed in doing so, and received the following reply to his application to Sir John Hobhouse from Robert Gordon, Esq., the Secretary to the India Board, dated 26th November, 1836, viz. :—

“ SIR,—I am directed by the Commissioners for the Affairs
 “ of India to acknowledge the receipt of your letter of the 23d
 “ inst. to the address of the President, and in reply to inform
 “ you that the West India Dock Company have made a similar
 “ report of the result of the recent examination which has been
 “ made as to the condition of a portion of the presents from
 “ the King of Oude, to the Secretary of State for the Colonial
 “ Department, a reply to which will be returned to that officer.
 “ *The list of the presents, to which you refer, is not in this*
 “ *office.*”

“ I am, Sir, your obedient servant,
 (Signed) “ R. GORDON.”

“ To P. FRIELL, Esq.”

As to the question of these two diamond necklaces having been originally in existence, and having been abstracted from the present previous to its being placed in the custody of the West India Dock Company, there can be but little doubt, as I have in my possession a letter from a highly honourable gentleman,

dated 11th June, 1841, in which he states, speaking of the jewels, “ I distinctly remember among them several large “ emeralds strung also with pearls, and a *diamond necklace*, “ bracelets, earrings, &c., making a complete suit, with a large “ comb for the hair, the front of which had a row of diamonds, “ which I was informed were expressly for her Majesty Queen “ Adelaide,” &c. &c. And this gentleman has repeatedly told me that he should be perfectly ready at any time, should he be called upon, to make an affidavit that he had seen these identical missing diamond necklaces previous to the presents having been deposited in the West India Dock Company’s warehouses. Although the original Persian list and English translation, which Mr. Friell received from the Chairman of the Court of Directors on the 3d of March, 1836, and presented to his late Majesty at the levee on the 16th March, 1836, were *never produced* for comparison, notwithstanding that gentleman’s *earnest entreaties to that effect*, I have reason to know that they were safely deposited in a box at Windsor Castle, and might have been produced any time at a few hours’ notice, had the authorities been disposed to apply for them; and it is possible that they may be in existence at the present time.

I have felt it my duty to be thus particular in entering into this important question, as my friend, Mr. Friell, the nephew of two of the late most respected Directors of the Honourable the East India Company,—Mr. Edmondstone and Mr. Lumsden,—by whom he was educated and brought up, has been nearly ruined in pursuance of the threat held out to him by the late President of the Board of Control, Sir John Hobhouse, in his letter of the 16th June, 1836, in which he stated, that because Mr. Friell would not become a party to the degradation of his master, the King of Oude, that “ he should report his conduct “ immediately, with suitable comments, to the Governor- “ General of India, and request his Excellency to lose no time “ in communicating thereupon with the British Resident at “ Lucknow,” &c. &c. Moreover, Mr. Friell was accused by the public press in Calcutta, the “ Calcutta Englishman,” in November, 1838, after his return to India, of having abstracted diamonds worth 60,000 rupees from the presents sent by the King of Oude to Queen Adelaide; whereas, it was notorious to the Honourable the *East India Company’s officers*, the West

India Dock Company's officers, as well as the Custom House officers, that no portion of the property had ever been in his possession from the time Colonel Du Bois de Jausigny was superseded, up to the time when it was all delivered over into the custody of the East India Company's officers on the 11th of May, 1837.

I have the honour to be, Sir,

Your very obedient and humble servant,

(Signed) GEORGE PALMER.

Copy of a Letter from Capt. Bristow, of the Ship Duke of Argyle, addressed to George Palmer, Esq.

Bromley, Middlesex, 11th June, 1841.

DEAR SIR,—In reply to your question relative to the presents sent home in my ship, Duke of Argyle, in August, 1835, which I then commanded, from the King of Oude to his late Majesty William IV. and Queen Adelaide, I beg to inform you the various packages, with the exception of a casket of jewels, were enumerated in the bill of lading, and delivered agreeably into the warehouses of the West India Dock Company. The silver casket of jewels was not under my charge, nor did I sign any bill of lading for them. Colonel Du Bois de Jausigny retained them entirely in his own custody; but I have a perfect recollection, somewhere upon the passage between St. Helena and England, of his bringing from his cabin the casket containing jewels, unlocking it, and showing me the contents; Mr. Friell, my chief officer Mr. Wood, and, I think, my surgeon, Mr. Sanderson, were also present. I distinctly remember amongst them several very large emeralds strung with pearls, and a *diamond necklace*, bracelets, ear-rings, &c., making a complete suit, with a large comb for the hair, the front of which had a row of diamonds; these, I was informed, were expressly for her Majesty Queen Adelaide. I remarked to the Colonel that the ship was entitled to a per-centage on the valuables, as would have been the case had I bullion on board, but I consoled myself that I was relieved from the responsibility: I can only further add, they were repacked in my presence,

and Colonel Du Bois took the casket again into his cabin. I landed that voyage at Falmouth, in company with Mr. Freill, and never afterwards saw the casket or any of its contents.

I am, dear Sir, your very obedient servant,
(Signed) HENRY BRISTOW.

*To James C. Melvill, Esq., Secretary to the Honourable
the Court of Directors.*

Nazing Park, Waltham Cross, 16th July, 1842.

SIR,—With reference to your letter of the 28th of April last, and my reply thereto of the 5th of May, I shall feel obliged by your informing me if you have received instructions from the Honourable the Court of Directors to furnish me with any more satisfactory answers to the queries I felt it my duty to put to the Honourable Court at the Quarterly General Court, on the 23d of March last, and also in my written communication of that date, as I shall consider it my duty, *without further loss of time*, to cause the whole of this correspondence to be placed before the House of Commons and the country; and in doing so, I beg leave to assure you that I have no desire whatever to inconvenience the Court of Directors, but to prevent, for the future, similar outrageous acts from being perpetrated by the Board of Control, through the agency of the Secret Committee, to the great dishonour and discredit of the East India Company, of which I am an humble Proprietor.

I have the honour to be, Sir,
Your very obedient servant,
GEORGE PALMER.