

East India Co t 20  
POPULAR TOPICS;

OR, THE

GRAND QUESTION DISCUSSED:

IN WHICH THE FOLLOWING SUBJECTS ARE CONSIDERED;

V I Z.

THE KING'S PREROGATIVE,  
THE PRIVILEGES OF PARLIAMENT,  
SECRET INFLUENCE,  
AND A  
SYSTEM OF REFORM  
FOR THE  
EAST-INDIA COMPANY.

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THE SECOND EDITION, CORRECTED.

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### A D V E R T I S E M E N T.

Although some considerations contained in the following pamphlet are founded on circumstances which happened previous to the dissolution of the late Parliament, at which period the first edition was published, the consideration of those circumstances appears to be so important, that it has not been deemed necessary to expunge the passages which relate to them.

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## POPULAR TOPICS, &c.

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**T**HE freedom of conversation is not among the least considerable of those privileges which are deservedly the boast of our country. But to speak with freedom, unless we think with propriety, and feel with dignity, is only the privilege of shewing our folly. It is as much the duty as it is the right of an Englishman, to make up his mind on the present public measures.

Much depends upon our conduct at this critical time — They are no trivial questions that are now debated — They regard the very existence of our constitution — Neither are they inconsiderable parties that we have before us. The Ministers of the Crown have differed from the House of Commons, and the Throne has appealed to the People. We are made the judges in as great a cause as ever was tried, and we ought not to shew ourselves by our heat, our rashness, or our ignorance, unworthy of the great situation we are called to.

In proportion to the magnitude of the object, arises the necessity of embracing every opportunity of investigating the grounds on which so material an opinion is to be formed. This investigation ought therefore to be carried on with temper, but by no means with indifference.

I flatter myself it will be a task not altogether fruitless, to endeavour at removing some of the prejudices which have been raised, (sometimes even in good minds) by the efforts of faction and malevolence; and with that view alone I venture to offer the following thoughts to the public perusal.

I will not attempt the weak, though common, imposition, of declaring, *I am not a party man.* — At this period, when two great parties divide the sentiments of the whole empire, he who professes to be no party man, owns either that he has not ability to form an opinion, or courage and honesty enough to declare it. However individuals may disagree on particular points with the leaders of the two parties, the grand principles on which they differ are such as claim every man's attention and decision.

I have formed a decided opinion — But it was not formed until I had made a careful and dispassionate examination. I have examined facts and arguments with caution, and am far from wishing that mine should not be looked into with the same jealousy.

The cause now before us is between Prerogative on the one hand, and the Privileges of the House of Commons, as Representatives of the People, on the other. This controversy, after having slept, or rather

ther appeared dead, for near a century, is revived again; and revived on the very same principles, and pursued with the very same spirit, with which it was carried on during the reigns of King Charles the First, King Charles the Second, and King James the Second. Whether those Princes were in the right, or the Commons of those days in the wrong, is not at this time worth disputing. Events have decided against the Stuart Kings; and from that time the House of Commons have been in the peaceable and uninterrupted practice of controlling every one of the Prerogatives of the Crown without exception. Till the latter end of the year 1783, there was no question about it — The moment a Minister lost his majority in the House of Commons, nobody was ever so absurd as to ask how he stood at St. James's. We expected as much that the next Gazette would give us the arrangement of a New Ministry, as that it would be published on its usual day. For this, I appeal, as a fact, to the observation of every man, high or low, attentive or careless, in the kingdom.

I do not wish at this moment to give any opinion of the *right*, or whether it ought to have been so or not; I speak only of the uniform *practice*, and of the undisturbed possession, as a matter of *fact*; and it is a matter of fact which, I apprehend, will not be disputed.

Our interest in the decision of the question of the right, is indeed considerable. — The Prerogative of the Crown is a valuable part of our Constitution; but Prerogative is a thing not peculiar to our Con-

tution. There is enough of it in the Constitution of France: it may exist, not only without the other parts, but it would exist without them in much greater simplicity and perfection. There is not a right on the part of the people which does not derogate more or less from Prerogative. — Prerogative is that peculiar kind of right in the Crown, which has nothing at all to do with the rights of the people, though it is very material to the being of our Government; but the Privileges of the House of Commons, though they are not essential to Government, (for Government may, as in France, or in Russia, be kept up in great force without them) yet without those privileges the people cannot be preserved in a free condition. Therefore, if we should happen to decide amiss in favour of Prerogative, we strengthen the Crown to our own prejudice; but if we support the House of Commons, even though they and we should be mistaken, it is an error on the side of our own liberty. The different consequences of a mistake are obvious. I say, that we should decide against our own liberty, were we to determine against the House of Commons; because, whether they are, or are not, correctly our representatives, according to the theory we meet with in books, we know this for certain, that in any controversy with the Crown, they can only exist by our support. Their strength therefore is ours; and if we impair their's, so as to strengthen the Crown, it may not be very easy for us to get back, either to them or to us, the weight which we have inconsiderately thrown  
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into another scale. Besides, it ought to be considered, that if the House of Commons should be in the wrong, the error is transient, because the body itself is fugitive; but whatever is gained to the Crown is permanent. The hope of regaining it will be vain.

As, therefore, the power of the House of Commons, in controlling the appointment of Ministers, has been so universally understood and allowed, that no Minister has hitherto so much as thought of risking a dispute on it, there is no reason why we should be in a hurry to interfere in this business by supporting a claim of this kind in the Crown, even though it should be found ultimately right; because, at worst, we are only where we have been ever since the Revolution.

I hope it is not among the new discoveries that we have been an inglorious and unhappy people during that period. As, then, we suffer nothing by our delay, we have time fully to consider whether we are to gain any thing by the change that is proposed, that is, by depriving the House of Commons of the weight it has hitherto held in the Government, through the free enjoyment of their right of bestowing their confidence upon whom they shall think deserving of it.

I say nothing here of an House of Commons always indifferently supporting every creature given to them by cabals of a Court. — We have seen enough of Houses of Commons of this description; and we shall see more, if we discourage every attempt towards

wards independency. I speak upon the supposition of a House of Commons, such as we have lately seen, standing on its own judgment, and engaged in a controversy with the Crown.

The case upon which the competency of the House of Commons was tried in the late disputes, and which we are perhaps finally to try, is this: — The late Ministry, I mean the Ministry of the Duke of Portland, Mr. Fox, Lord North, and others, was removed from his Majesty's Councils by the interference and advice of the present Ministers, then *acting in secret*. The reason assigned, at least the reason publicly assigned, was, that his Majesty (who we all know never has had any thing in view but the preservation of the liberties of the people) was highly irritated against that Ministry for having moved a certain bill, commonly called the East-India Bill, which passed through the House of Commons by a majority of one hundred and upwards.

The first thing to be enquired into on this subject is, whether it be right to turn out a Ministry on account of the conduct held by them in the House of Commons, and for having been supported by that House? This is not the concealed, but the publicly-avowed cause of their dismissal; and it is for this cause expressly that his Majesty is thanked in all the addresses.

It is very seriously to be considered, whether the public avowal, and approbation of the Crown's punishing men, not for their official, but for their parliamentary conduct, is consistent even with the



smallest idea of liberty? If this doctrine prevails, the House of Commons is under the absolute dominion of the Crown; since, for the first time, in the face of day, it is a maxim not only avowed, but applauded, that men should be punished by the King for what they do in that place.

If the addressors had thought that act of so dangerous a nature, they ought, by their dutiful petitions to the House of Commons, to have signified to them their sense of the bill whilst it was under consideration; for it was under consideration upwards of three weeks; it was printed in all the papers, and circulated into every part of the kingdom; yet from two places, and two places only, and one of them perfectly insignificant, was the least degree of displeasure expressed either to the Ministers or to the House of Commons upon that subject. If the people had controlled the House of Commons by their remonstrances, made in a constitutional way to that body, whether the loss of the bill might be proper or not, the freedom of the people would have been preserved; but when the addressors have thought proper to pass by the House of Commons totally; as if there was no such body existing, and to apply themselves solely to the Crown, they have, to the best of their power, annihilated the House of Commons. They have taught this fatal lesson, that the coercion of the House of Commons is not in the People, but in the King; for it is very remarkable, that they have considered nothing in the Constitution relative to this bill, but his Majesty on the one  
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hand, and his late Ministry on the other. Instead of considering the King and his Ministers as but *one* thing, and Parliament as *another*, they consider the King and his Ministers as two things, and Parliament as nothing. I hope and trust that the leaders in the addresses have rather proceeded wantonly and inconsiderately in this business, than that they have been actuated with that premeditated malice to the Constitution and to the liberty of the people, which their addresses seem strongly to imply.

The next step with regard to this bill tends more fully to clear up the spirit of this memorable transaction. After passing the House of Commons with so great a majority, and with such apparent acquiescence of so great a part of the kingdom, it was carried up to the House of Lords. There another opportunity occurred for a constitutional application, by petition, to another branch of the Legislature. This branch (though not the representative of the people) still is not to be considered as absolutely one and the same thing with the Crown. It has some connection, through the medium of property and other ties, with the popular part of the Government: and it is so constituted, that it may be independent if it pleases. But no petition from any one corporation in the kingdom, (except the East-India Company, which was the party concerned) was presented to the House of Lords. It was publicly known, and never has been denied, that upon a canvass of that House, the bill would have been supported by as great a majority

majority as that which carried it through the House of Commons. But its fate was very different.

If even in the House of Lords the bill had been thrown out upon the petition of the people, it would have fallen from the judgement given by them upon it. But it is necessary to mark in how different a manner, and upon principles how much the reverse of all popular judgement, it was lost.

A noble Lord, a very near relation of Mr. Pitt, and in the closest political connection with him, came out of the King's closet, and by the use of his Majesty's own name, and by menaces of his personal displeasure to every Lord who should vote for that bill, prevailed upon several Lords of the Bedchamber, and others in office, to retract their declarations, and withdraw their proxies: thus was the bill thrown out in the House of Lords by a majority of eight.

In this place I do not enter into a discussion concerning the merits of the measure itself. There can be no doubt that the mode of disposing of it was the most unconstitutional that ever was known in the history of the corruptions of Parliament. In the House of Commons, the Ministers were avowedly turned out by the King's private advisers, for their public conduct in that House; and for a measure there approved. And a majority in the House of Lords was obtained by the use of the King's own name, intimating private and personal favour or displeasure to the Peers.

Hitherto the sense of the people had no share whatever in dictating any part of this conduct; the whole was carried on by the mere acts of the Crown, directly attacking the liberties of the people through the independence of Parliament.

In this situation things continued till the first address appeared. In the mean while there was another opportunity for the interposition of the people with Parliament. Mr. Pitt gave early notice, that he would bring in a bill for regulating the East-India Company according to his ideas, with strict attention to all the rights of the Crown, and to all the chartered Privileges of the Company. This was no easy task. On the one hand, every thing taken away from that Company in favour of the Crown, must be, for so much, a derogation from their Charter. On the other, every privilege and power to be left in the hands of those, who, it was not denied, had grossly abused them, must, for so much, stand in the way of all reformation. His work was difficult, even in itself, and if it were to meet with no opposition at all. But the difficulty was much greater, from the circumstances which attended it. Some of those who had supported the former bill were men of the greatest abilities; and several of them were known to be much more conversant with the subject than Mr. Pitt ever pretended to be. The Members could not be supposed to approve of a project directly contrary to their own. Mr. Pitt, under these perplexities, had another difficulty much more essential to struggle with. The majority had just  
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declared against him, as an object unworthy of their confidence. At this time the petitions of the people to the House of Commons would have been seasonable and constitutional; and the bill proposed evidently wanted all their countenance and support. If Mr. Pitt should assert, that he had not time to obtain the countenance and support of the people to his measure; the plain answer is, that there was time sufficient from his first suggestion of the bill to its rejection, for petitions from several places which have since addressed. But if such means were not furnished on account of the rapidity of his proceedings, he was under no sort of necessity for hurrying on his India Bill; but he might have waited until the sense of the people, upon which he now professes to be governed, could be fairly taken and declared. Indeed, this would not have answered the grand purpose, in which, not the support of this or any bill was the object. The thing aimed at, was, by an inversion of the Constitution, to make the Crown the organ of the popular voice; to establish the King as the Representative of the People; and afterwards to have the royal authority recognized in that character.

Thus the King is called upon, as the future policy of his reign, to separate himself from his Ministers; and, without any previous communication with them, or any previous interposition of his people, by his own mere personal authority to dictate to both Houses the conduct which they are to pursue. Let me repeat it, and impress this fact on your minds, that

the Addressors have imitated exactly the Secret Advisers, by whom they are guided, and whom they support. These Addressors never gave any notice of their sentiments to either House of Parliament; but when the strong, personal act was now done for the first time in the King's own name, then they came forward, not to reprobate the obnoxious measure which in their own persons they might have done before, but to applaud and encourage this mode of getting rid of it. Here is, indeed, a great revolution in this country.

Had this signification of the pleasure (real or pretended) of the Crown, for the purpose of corrupting and intimidating Members of Parliament been conveyed through the Ministers themselves, it would have been very blameable; but still, though a bad and corrupt act, it would have left Administration on its antient bottom. People would know the sentiments of the Crown through the ordinary medium. But by those sentiments being conveyed through a private channel, this irregular communication proved as noxious to the cause of Government, as it was fatal to constitutional freedom. The Influence of the Crown, in corrupting Parliament, has been long talked of; and, in some instances very justly. But it was never publicly known and avowed before. If now that it is known and avowed it is to be supported in this nation; we certainly have no right hereafter to complain of any Minister or Member of Parliament, who gives way to the seductions or terrors of the Crown, to which we have ourselves  
given

given a sanction, as open and avowed as the corruptions which we authorize.

On this point I shall not say a great deal more. It is sufficiently clear. Let a parliamentary measure be what it will, it is not necessary or proper, that on account of a bad Act of Parliament, the freedom of Parliament itself should be destroyed for ever. The matter of the same addresses which subvert that freedom, might, properly applied, (that is to the House of Commons, and turned into petitions) easily have obtained the *repeal* of the act, if it had passed, and had, on consideration, appeared mischievous either to Prerogative or to Charters. Innumerable are the bills which have been repealed on the tenth part of the popular clamour which is now excited by the same arts as were lately used to corrupt the House of Lords. Why was not this course taken? It was natural and obvious. But then it would not answer the purposes of the secret cabal, who are indifferent about that or any other bill. Their views were for the correction of the popular part of the Legislature. The repeal of an act is as regular and as legal as the making of it; but this would not do. The point, and the only point, to be carried, was the establishment of the direct use of the King's name, to influence Members of Parliament.

This leads me to consider the next great topic in present discussion among the people; that is, the merits of the East-India Bill. It is proper that persons who have not yet addressed, or who would reconsider the addresses they have made, may know  
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something of the merits of that scheme, for the rejection of which, some have been willing to sacrifice the only security they have, or can have for their dearest rights and liberties.

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## SYSTEM OF REFORM

FOR THE

## EAST-INDIA COMPANY.

THE bill for the regulation of the East-India Company, brought into Parliament by Mr. Fox, has been eagerly caught at by his enemies and those of the public, as being a subject peculiarly calculated to cast an odium on an Administration expressly formed upon an address of the House of Commons. That address prayed that his Majesty would be graciously pleased to form an Administration in which that House and the nation might have confidence. There is no doubt that such an Administration must necessarily, on the first opportunity, be destined to destruction by those secret advisers who have been hitherto the makers of Administrations, and had always been accustomed to make Administrations upon very different principles from those required by the House  
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of Commons. They knew that the India Company must be reformed, or the nation must be ruined; and they knew that it could only be reformed by a strong and decisive measure. Accordingly they (Mr. Pitt in particular) were the first and loudest in calling for such a measure, both at the end of the last session and at the beginning of this. They no sooner had what they called for, than they thought they had found the means of ruining the old and formidable enemies of their system. Here Mr. Jenkinson, the old secret adviser, the same Mr. Jenkinson who confessed himself to be a secret adviser in the House of Commons, took, what he very seldom takes, a very active part. He took two grounds for his attack, and Mr. Pitt, his disciple, followed him with great fidelity. The first of these grounds was with regard to the rights of the Company; the second with regard to the rights of the Crown. The first was taken to destroy the Ministry of the people, with the people themselves; the second to undermine that obnoxious Ministry at Court, and by raising a violent cry from St. James's, to alarm all the high prerogative men in the kingdom.

Before I proceed to remark on this proceeding of Mr. Jenkinson, and his follower, Mr. Pitt, I will briefly state the heads of this bill, so much abused and so little understood.

The preamble recites, and recites with great truth, that under the present administration of India, the natives are cruelly oppressed, and all the affairs  
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of the Company mismanaged, to the imminent danger of that great branch of the national interest. The bill, therefore, appoints seven Directors for four years, to manage the political affairs of the Company, and nine Assistant Directors, who, under their control, are to carry on the commercial system. The King is to nominate to all vacancies in the Superior, and the Proprietors to those in the Inferior Board.

In cases of mismanagement in the Directors, the Proprietors have a right to petition his Majesty; and these Directors, without any complaint at all from the Proprietors, as well as upon complaint, are removeable by address from either House of Parliament. By this means they are under the most continual and vigorous controul that could be devised — They may be removed even on *suspicion*, which is not the case of the present Directors. But then the grounds of that suspicion must be *publicly* assigned, and *publicly* debated — This is the poison which the secret advisers could not swallow; because it made public discussion, and not low intrigue and private cabal the judge of a man's character and his situation.

As the concealment of the state of the Company's affairs, had frequently been the cause that neglects and misdemeanours had accumulated to such a degree, as to produce the greatest embarrassments in their affairs — The act provides, that the Company's accounts shall be regularly submitted to Parliament; who, of course, will be, and are found to be the judges of any errors that may appear in the administration of their affairs. By this provision the Com-

missioners

missioners were to act under the eye and direction of Parliament, and the faith of the public was in a manner pledged for the security and welfare of the Company.

Both Directors and Assistant Directors were in that bill prohibited from holding any place whatsoever under the crown; or any other place under the Company; and from being in any way concerned in the Company's shipping or commerce. This is a regulation so evidently founded in wisdom and sound policy, that it would be an insult to any man's understanding to explain its utility.

In order to prevent improper persons becoming Directors or Assistant Directors, the bill enacts, "That no person charged with peculation or oppression in India," within two years before his nomination, shall be eligible to either office, till the Directors shall have exculpated him, and recorded the reasons for their opinion — And in order to give time for the production and examination of such charge, the person accused must have resided in Great Britain two years from his return from India, previous to his election.

Collusion and participation between the Directors and their servants was suspected as one of the great causes of the misdemeanours in India — For preventing any collusion between the new Directors named by the bill, and the Company's servants, it is enacted, that "whenever any charge of corruption, peculation, oppression, extortion, receipt of presents, usury, breach of orders, or other  
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“grievous offence,” made in India, shall be transmitted home; the Directors shall, within twenty days after the receipt thereof, examine into such charge; and if they shall not think proper “either to recal or order a prosecution against the person so charged,” each Director’s reasons for the same must be recorded: and no persons thus charged are to be permitted to return to India, till the same shall have been investigated, and the reasons for permitting their return shall have been recorded.

Here at once was the axe laid to the root of corruption; and I will venture to assert, that every man, of whatever party he may be, must allow, that the clauses above recited do immortal honour to the hearts as well as to the heads of the framers of this bill.

Such are the leading features of this famous bill; and nothing will be found in it which affords the slightest pretext for the seditious clamour raised by the present Ministers and their accomplices, as if it were an invasion of property.

This act appoints new persons to conduct the Company’s affairs, but they are by no means to alter the trust by which they were formerly conducted; nor does it bring any new charge upon them whatever, either on a private or public account. On the contrary, it is expressly provided in the bill, that the concern shall be managed for the benefit of the Proprietors: and to give them a greater satisfaction on that point than they had ever received, it directs, that the accounts should be regularly laid before them

at certain periods, of the true state of their affairs — the *management*, and the management only, not the *property*, is indeed taken out of the hands of those called the Proprietors for a limited time.

If the former management had been good and safe for the interests of the *real* Proprietors, the change made by the bill in that management would have been unjustifiable: but as it was notorious that those who had for many years been active in the conduct of the Company had abused their trust, to the great detriment of the stock, and, indeed, to the hazard of the whole; and as it was morally certain, that they would persevere in that abuse, the placing the Company's affairs in safe and proper hands was a security to their property, and not an invasion of it.

There is besides, a property in the East-India Stock, as much to be provided for and secured as that of the Stockholder, that is, the property of the *Creditor*, who has trusted the Company to the amount of *several millions*, for whom no sufficient security could be provided without the interposition of Parliament. If the Parliament were to interpose, they must in a degree pledge the public faith (at least as far as the object enabled them) for the payment of those debts. It was obvious, that if Parliament should take upon itself this charge, they were bound by their duty to the public to see that the creditor should be provided with such a management of that estate, which was the common security for all demands upon it, as would prevent the stock from

being wasted, to the prejudice of the just claimant. This absolutely obliged the House of Commons to a change of hands, unless they meant to leave the care of such an interest of immense importance, to the nation as well as individuals, to the care of those who had brought it to the edge, and, perhaps, beyond the edge of ruin.

The reader will perceive, with some indignation, the malignity of Mr. Jenkinson and Mr. Pitt, and their emissaries, who have thought proper to represent the provident measures taken by the representatives of the people for the security of property, as a violent invasion of it. The bill avowed the taking of the conduct of that part of the national affairs out of the hands of the present managers. It did this by the same authority (that is, by the authority of Parliament) by which they were originally vested in those hands.

The extreme mismanagement of the Company's affairs, was not only notorious in general, but the House, before it proceeded to the remedy, had ascertained the nature and strength of the disease by a strict and diligent enquiry, which lasted, without interruption, for several years. They have printed the result of those enquiries in many volumes. — Mr. Jenkinson and Mr. Pitt, who complain so bitterly that the management of affairs was taken out of the hands of their friends in Leadenhall Street as an injury, ought in common decency to have said something to invalidate the evidence against them, contained in the Reports of the Committees of the  
House

House of Commons. — The Company petitioned the House, and they have been heard at the bar with great patience. They have never once so much as attempted to disprove a single article contained in them, though a general and very strong charge of abuse stood in the preamble of the bill as its very foundation. Instead of defending their conduct, they asserted their rights — Rights which were never denied to exist, but which it was insisted ought to be put into other hands for theirs and the public benefit. Charters! Charters! was the cry of the secret advisers of his Majesty. This was what alarmed Buckingham House. The Royal Ear was wounded; the teeth of Monarchy were set on edge by every rent given to the sacred parchment of Charters. But a sober man, who was not Charter mad, and who had learned his law and his morals somewhere else than at the Back Stairs and at the India House, would have asked whether Charters were given for the purposes of oppressing whole nations, and of destroying the trade of a great part of the world.

Unfortunately this cry was applicable to the prejudices of the people of this country, and therefore on its *general* grounds it may require more discussion than this particular case would make it deserve for this purpose.

That some Charters are sacred things it is readily allowed. Why? Because some of them are securities to liberty against power. But is the East-India Charter of this description? Is it a security for any man's liberty? Yes, says a proud Nabob, it is a security

curity for our franchises. Examine this plea, and see what these franchises are — They are the power of governing, or rather oppressing thirty millions of men. A pretty kind of liberty and franchise this, which means a despotic, an unaccountable, and uncontrollable authority over the lives and properties of mankind! This is the chartered right of Nabobs and oppressors, which is injured by the bill of the House of Commons.

It is a certain fact, that the East-India Company's Charter is, in its nature, the very reverse of that Magna Charta which is the foundation of our liberties. “ Magna Charta \* is a charter to restrain  
 “ power, and to destroy monopoly; the East-India  
 “ Charter establishes monopoly and creates power.  
 “ Political power and commercial monopoly are not  
 “ the rights of men; and the rights to them derived  
 “ from Charters, it is fallacious and sophistical to  
 “ call the chartered rights of men.

“ This very Charter, which is held out to exclude  
 “ Parliament from correcting malversation with re-  
 “ gard to the high trust vested in the Company, is  
 “ the very thing which at once entitles and imposes  
 “ a duty upon Parliament to interfere with effect,  
 “ wherever power and authority, originating from  
 “ themselves, are perverted from their purposes.  
 “ Charters are kept when their purposes are main-  
 “ tained; they are violated when the privilege is  
 “ supported against its end and object.”

\* Vide Mr. Burke's Speech.



It might appear by the clamour raised from Buckingham and the East-India Houses on this occasion, that the Company's Charter had been always religiously observed by Parliament. The very reverse is true. Parliament always made such regulations as they thought fit, without the smallest attention to that Charter. In the years 1772 and 1773, Parliament, with the entire consent of Buckingham House, and, indeed, by the agency and management of the great assertor of Charters, Mr. Jenkinson himself, entirely changed the Company's Constitution, and disfranchised the far greater part of the Proprietors; but not, as on this occasion, from any delinquency alledged. Parliament did then, what they have not done now; they invaded the Company's property by reducing their dividends from 12 and one half to 6 per cent. They compelled them to pay a certain quantity of their debts. They forced them to accept Judges at the nomination of the Crown, and a Supreme Government in Bengal, appointed for a number of years, without the least consent of theirs; and they charged the revenues with vast sums of money for the maintenance of both those establishments. Yet in the year 1773 there was comparatively no sort of clamour whatsoever. The true reason was this, the Secret Advisers of the Crown were themselves the authors of this scheme; and the instruments and runners of Government were not then employed to inflame the minds of the people. What is more material, as the India delinquents were not then struck at, their enormous fortunes were not employed,

as now they are, to attack the regulations of 1773. But by the bill of the House of Commons, they felt that they were at length to be called to an account for their offences. The source of their profits was to be dried up. They, therefore, made a common cause with the Secret Advisers of the Crown; and, he is little acquainted with the state of this nation, who wants to be told, how much a combination of Indian Gold and Court Influence is able to effect in every part of it.

But let us suppose, that Mr. Fox's bill was the very first Parliamentary interference. Is any man weak enough to conceive that Parliament ever gave a Charter conferring power which they never were to control, and establishing a monopoly which they never were to correct? If the power is abused by corruption or oppression, are they not bound to resume it? Is there then to be a Charter of Government given to any man, or set of men, to rob and murder millions at their pleasure? Or, is a monopoly to be given to any Company, in the trade of which the nation is deeply concerned, without guarding the public against the effects of its bankruptcy?

As to the Company's abuse of their political power, I do not find it seriously denied. Parliament has had that subject long under their consideration, and the facts which the two Committees have reported ought to be proved (as I have just now mentioned) to be without foundation, before we condemn the care and diligence of our Representatives in providing a security for the unhappy people of

India, against the rapaciousness and oppression of the Company. Methinks common justice, as between man and man, would require a strict examination before the House of Commons was condemned; even though the authority of the House of Commons as a branch of our Legislature, *and a branch of Legislature peculiarly our own*, did not of itself command an high degree of respect towards its deliberate proceedings.

It has hitherto been unusual with Englishmen to take the part of Prerogative against the safety and liberty of a whole people. Formerly they would have asked, when any magistrates were called to an account for their peculations and oppressions, (even though they were the highest) whether those magistrates deserved this animadversion? I therefore wish my countrymen, whenever any addressses are handed to them to be signed, censuring the House of Commons, on account of what they have done against the *Prerogatives* of the East-India Company, to ask, whether that body stands charged with having done any thing against the *rights* and the happiness of the *people* which Parliament had appointed them to govern? The factors for addressses, impudent as they are, will not dare to answer you, No. But, if they should do what hitherto they have never done, if they should controvert the facts on which the House of Commons has made its regulations; — call upon them to state those facts, and to prove them groundless. This is the only way by which you can preserve your easy candour from being the dupe of their

fraud and imposture ; and to prevent you, whilst you think yourselves only assertors of a Charter, from being made accomplices in a tyranny.

The second object of the care of Parliament in putting the Company's affairs into commission, was the great disorder in their commercial concerns. The public receives, (or rather ought to receive) a million and an half yearly in customs from that trade. If these customs are not paid, the fund assigned to the public creditor must prove deficient in the proportion of the Company's failure; and this deficiency must be made good by taxes on the people of England. There is already about a million deficient in what the Company ought to pay. And the Company have bills upon them, under various descriptions, amounting nearly to three millions more. Of these there are a great part, of which the Company comes to Parliament, and begs the assistance of the Legislature to enable them to put off the payment for three years.

If Parliament should find this failure owing to incurable mismanagement; are they not bound *to us*, their constituents, to take care of our interests; and put this great concern into safer hands? This is a question for plain men; but, it is a question which the address brokers, who are no plain men, take care never to mention to us, that are so. But because they are silent upon it, I wish to be more explicit, and shall lay it before you somewhat at length.

The interference of Parliament, with regard to the Company's political power, is supported on their

breach of faith with the allies, and oppression of the subjects of this kingdom ; and the interference with their trade is grounded on their bankruptcy.

Respecting the Company's bankruptcy, that fact may be safely assumed ; for whether they may be eventually solvent (which is a very dubious matter at best (they are at present unable to carry on their business without relief from Parliament. Their own petition for that relief is a public acknowledgment of bankruptcy ; as much an act of bankruptcy as any known in the law, with regard to the transactions of private merchants.

But then, say they, if Parliament would but suffer our present system to remain unchanged, and permit us to borrow money elsewhere, we should soon redeem our affairs. In reply, let it be asked, would not the national credit be pledged for any sums borrowed by them with the consent of Parliament ? and, is it likely, that the pursuit of the same measures which have produced their present distress, will be the means of extricating them from it ?

The repeated breach of treaties, and violation of public faith, by the Company's servants, have rendered the British name odious in Hindostan. — The detail of facts, in support of the abuse of the Company's Charter, would be too long to be inserted in this little pamphlet ; but, lest I should be accused of making assertions without proof, I refer for the catalogue of our misdemeanours in India, (and long indeed it is) to Mr. Burke's speech, where it is stated

fully : but this does not stand on the testimony of that gentleman, however respectable.

Every one of these facts, and many more than he states, are supported by the evidence of the Company's records, printed in the Reports of the two Committees of the House of Commons. — Many libels have been circulated in answer to that speech, but in none are the facts denied to agree with the Reports; nor are the Reports denied to agree with the Records: this is answer enough to all such petulant ribbaldry.

Almost every dispatch received from India produces melancholy proofs of the ruin which our mismanagement has occasioned. If these abuses were accidental, perhaps so strong a measure as Mr. Fox's bill might not be necessary to cure them; but they are habitual, they proceed from radical defects in the constitution of the Company. A thorough reform at home is absolutely and indispensably necessary to produce a reform abroad. Pure streams cannot be expected to flow from a contaminated source; and with imperfections existing in the Company's vital part, no regulation can possibly be lasting or effectual in India.

Those persons who have attended General Courts at the India House, must be convinced how improper it is to trust a considerable branch of the British empire in the hands of those who act there, and are called the Proprietors. The connections subsisting between servants abroad, and Proprietors at home, may produce consequences more to be dreaded, as  
those

those consequences do not always arise from principles which can be severely censured. They arise often from gratitude; a principle, with which, when the best men are actuated, they may, with the best intentions, unwittingly become the worst tools of factious and designing individuals.

Where a reciprocity of gratitude exists between the servant and the master; and where opportunities continually occur to each, in which the warmest feelings of friendship may be indulged, surely it is neither illiberal nor unfair to suspect, that a mutual return of good offices may be attended to, rather than the interests of a community to which most people think that no gratitude is due, and to which the ties of interest bind but in a very small proportion, when opposed to the advantages to be derived from the patronage of a powerful individual. If the active ruling part of the Company, who form the General Court, who fill the offices, and direct the measures (the rest tell for nothing) were persons who held their stock as a means of their subsistence, who in the part they took were only concerned in the government of India, for the rise or fall of their dividend, it would be indeed a defective plan of policy. The interest of the people who are governed by them, would not be their primary object; perhaps a very small part of their consideration at all. But then they might well be depended on, and perhaps more than persons in other respects preferable, for preventing the peculations of their servants to their own prejudice. Such a body would  
not

not easily have left their trade as a spoil to the avarice of those who received their wages\*. “ But now  
 “ things are totally reversed ; the vote is not to protect the stock, but the stock is bought to acquire the vote ; and the end of the vote is to cover and support, against justice, some man of power who has made an obnoxious fortune in India ; or to maintain in power those who are actually employing it in the acquisition of such a fortune ; and to avail themselves in return of his patronage. So that all the relations of the Company are not only changed, but inverted. The servants in India are not appointed by the Directors, but the Directors are chosen by them.

In order to remedy the evils which in the nature of things must result from this diseased constitution of the Company, it has been absurdly proposed to place a control over the Company more fully than at present in the hands of his Majesty’s Ministers. But what has been the effect of that control which the act of 1773 afforded to Administration? The cry of abuses in the East, which has been so faintly heard in the Court Room at the India House, has died away ere it could reach St. James’s ; and Parliament might, till this moment, have remained in the dark with respect to those transactions, had it not been for the laborious investigations of Committees appointed by itself for that purpose.

\* Vide Mr. Burke’s Speech.



But allowing that Ministers should prove watchful over our affairs in India, do the supporters of Mr. Pitt's system of reform (if it can be called a reform) consider the danger of trusting such control in the hands of various successive Administrations, composed of men different in politics, opinions, and interest? Whilst they own the pernicious effects of fluctuating interests in the city, will they commit the Company's welfare to the same change of guardians at the other end of the town? Do they consider the danger of increasing the power of the Crown, (which they for a while affected so much to dread) by placing such control in the hands of the immediate servants of the Crown? And lastly, (I must repeat it) do they consider that whatever alternative they adopt, the Company's charter must still be infringed?

“ \* As to the objection made to the bill, of its  
 “ tendency to promote the interest of a party, I must  
 “ consider it altogether contemptible. The king-  
 “ dom is divided into two parties; it ever has been  
 “ so divided, and it ever will be so divided; and if  
 “ no system for relieving the subjects of this king-  
 “ dom from oppression, and snatching its affairs  
 “ from ruin can be adopted, until it is demonstrated,  
 “ that no party can derive an advantage from it, no  
 “ good can ever be done in this country.”

It has been urged as a serious objection, that the Minister will name his friends and persons of his own

\* Vide Mr. Burke's Speech.

party — Whom should he name? Should he name his adversaries? Should he name those he cannot trust? Should he name those to execute his plans, who are the declared enemies to the principles of his reform? Let the man who makes such an objection tell me that he would not name his own friends if *he* were in the Minister's situation.

But the bill renders the Directors as independent of the Minister, as the Judges are of the Crown — That Director must be a shallow politician indeed, who would risque every consequence of the high responsibility vested in him, to become the tool of a man, who by a change of Administration, would not only lose the power of protecting him, but whose former connections with him would mark the delinquent as one of the first victims of the successful party. From his Sovereign and from Parliament he is to expect either protection or punishment, according to his merits or demerits; and he will be taught to seek his safety in justice and independence.

Another objection is, that the bill will hurt public credit.

It has been said, if you violate this Charter, what security has the Charter of the Bank; in which public credit is so deeply concerned? I answer in Mr. Burke's words; “in the like case it has no security at all. If the Bank should by every species of mismanagement, fall into a state similar to that of the East-India Company; if it should be oppressed with demands it could not answer, engagements which it could not perform, and with  
“ bills

“ bills for which it could not procure payment ; no  
 “ Charter should protect the mismanagement from  
 “ correction, and such public grievances from re-  
 “ drefs.”

What is the Charter of the Bank ? It is a monopoly to a very great degree, and this monopoly could not be created, except by public authority, and for the public benefit. The authority which creates, must superintend it ; and if the Bank, instead of an instrument to circulate public credit and private commercial credit, should destroy both, is any one really such an idiot as to think that their Charter could be pledged against the offences of the Directors, and the relief of the nation ? But in what degree of peril is the Bank, if its circumstances are as they appear to be ? They have no foreign settlements, where oppression and speculation sap the very foundation of their existence—Their property may be compared to a fertile estate of no larger size than the eye of the owner can comprehend—Their interests do not lie at the mercy of wicked or ignorant agents ; and like the prudent landholder, whose experience teaches him, that rack rents must eventually destroy his revenue, they are content with such dividends as their situation can warrant ; and thus secure a permanent and increasing prosperity by their own wisdom and moderation.

I have endeavoured to discuss with my countrymen these two great topics of conversation, which are indeed as interesting as any that ever were discussed in England ; for, if on the one hand, it be true, that

this was a bill of a tendency dangerous to the British Constitution, it is not denied to be a bill of infinite benefit to the people of India. That people form a part of the great body which composes the strength of this nation, and therefore ought to be attended to, and as carefully provided with a constitution suitable to their wants and circumstances, as the people of this country are provided with a constitution suitable to theirs. This is a demand of common equity. But I hope I have proved beyond a doubt, that these dangers to the Constitution are wholly imaginary, and the invention of men who excite false alarms, in order to divert your minds from the real attempts which they are making on your liberty. But on a supposition that this bill was of the nature which it is described to be, it cannot be more fatal to your Constitution than the measures which have been taken to destroy it. They do nothing for the benefit of India: on the contrary, they have prevented every attempt towards its relief. They have brought all our affairs, abroad and at home, into such distraction, as never was known in this country; and have kindled up the flames of such animosities and contentions, as late posterity may not see extinguished.

If my countrymen shall think these sentiments worthy of their consideration, I shall shortly submit to them some other subjects for discussion.