PAPERS

RELATING TO

THE RESIGNATION

BY

GENERAL SIR CHARLES NAPIER, G.C.B.,

OF THE

OFFICE OF COMMANDER-IN-CHIEF IN INDIA.

(PRESENTED TO PARLIAMENT BY HER MAJESTY'S COMMAND.)

Ordered, by the House of Commons, to be printed,
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PAPERS relating to the RESIGNATION by General Sir Charles Napier, G.C.B., of the Office of Commander-in-Chief in India.

Extract Military Letter from Bengal, dated 28 May 1850. (No. 88.)

22. Para. 20 of separate letter No. 183, dated 5th September 1845, acquainted your Honourable Court that the government of Lord Hardinge had, after mature deliberation, resolved that money compensation to native troops, for high price of provisions, should be allowed on the aggregate of the price of all the articles composing the ration of the sepoys, and not upon each separate article, as was directed by the Order of March 1844.

23. The documents forming the present collection will apprise you that his Excellency the Commander-in-Chief, without any previous reference to Government, and apparently without any inquiry whatever, acting on an erroneous statement submitted by Brigadier J. B. Hearsey, C.B., commanding at Wuseerabad, issued orders that compensation should be granted to the native troops in the Punjab, in accordance with the older regulation, his Excellency having considered the revised one to be "impolitic and unjust," and that it only required "to be brought to the notice of the Government to insure its immediate rectification."

24. Our sentiments regarding this assumption by the Commander-in-Chief of the functions of the Supreme Government, and a statement of the difficulty and embarrassment produced by the act of his Excellency, are recorded in a minute of the Most Noble the Governor-general on Consultation, 19th April 1850, No. 902.

25. Further proceedings on this subject will be duly reported.

(No. 13.)

From Lieutenant-Col. P. Grant, c.b., Adjutant-General of the Army, to Major R. Wylie, Serving Secretary to the Government of India, Military Department.

Sir,

I am directed by the Commander-in-Chief to forward to you, for the purpose of being submitted to the Honourable the President of the Council of India in Council, copy of a letter addressed to me by Brigadier J. B. Hearsey, c.b., commanding at Wuseerabad, No. 21, of the 11th instant, with annexments, drawing attention to the difference between the rates of compensation for the dearness of rations to the native troops contained in the pay and audit regulations for 1845, and those specified in the code, published in 1849.

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

By the new regulation, the aggregate of the bazaar cost of the whole ration is calculated, and from this the government rate, also aggregated, is deducted, so that at Wuseerabad, as shown by the statement of the commissariat officer, dated the 11th instant, each native soldier is said to lose one anna and six pies per mensem, by the operation of the new regulation.

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

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

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

I have, &c.

Head-Quarters, Camp Rawul Pindee, 20 January 1850.

(No. 21.)

From Brigadier J. B. Hearsay, c.b., commanding at Wuzeerabad, to the Adjutant-General of the Army.

Sir,

Having noticed that the new pay and audit regulations differ from the old ones on a subject I deem of some importance, and as this difference has not been directed to be explained to the native troops, and relates to compensation for food when it sells at a high rate, I do myself the honour to state it for the information of his Excellency the Commander-in-Chief.

The orders regarding compensation, as copied from the old pay and audit regulations, are transcribed and appended, vide Letter (A.), so that when otta and flour by the old pay and audit regulations sold for twelve or fourteen seers per rupee, it was made up to the sepoys by a money compensation to fifteen seers. When dholl sold for seven or eight seers per rupee, it was made up to ten seers. When ghee sold for one and a half seer per rupee, it was made up to two seers. When salt sold for six or seven seers per rupee, it was made up to eight seers. All these articles of food were calculated separately, and compensation granted accordingly.

In the new pay and audit regulations, as copied and appended, vide Letter (B.), this is altered, and it is ordered that the aggregate of all the prices of the above articles of food is to be struck by the commissariat officer, and the compensation in money to the sepoys is to be calculated from that aggregate; so if a man does not eat dholl and it sells cheap, its cheapness of price is to be considered in the dearness of flour, and deducted therefrom.

This appears to me to be altogether a new regulation, and it ought to be carefully explained to the sepoys on parade, if it is to be the rule for the future, and to be enforced, and not thus introduced for the first time in a new edition of pay and audit regulations.

Appendix, Letter (A.)

Old Pay and Audit Regulations.

Copy from Addenda, section 25, page 1018, article 281.—"It is known to the troops that when the price of otta is above fifteen seers the rupee, compensation in money for the excess of price is now given to them, at the rate of a seer a day for each man."

282. "With a view of providing, as is done in Her Majesty's service, that the soldier's ration shall never cost him more than a fixed moderate sum, the Governor-general in Council thinks it expedient to extend the principle of giving compensation in money, in case of high prices, to the other minor articles composing the sepoys' ration, and it is accordingly notified, that whenever the price of dholl is above ten seers the rupee, that of ghee above two seers the rupee, and of salt above eight seers the rupee, compensation money for the excess of price will be given to the troops, at the rate of two chittucks of dholl, one chittuck of ghee, and one-third of a chittuck of salt a day each man."

283. "With a view of providing, as is done in Her Majesty's service, that the soldier's rations shall never cost him more than a fixed moderate sum, the Governor-general in Council thinks it expedient to extend the principle of giving compensation in money, in the case of high prices, to the other minor articles composing the sepoys' ration; and it is accordingly notified, that whenever the price of dholl is above ten seers the rupee, that of ghee above two
RESIGNATION OF SIR C. J. NAPIER.

"seers the rupee, and that of salt above eight seers the rupee, compensation money for the excess of price will be given to the troops, at the rate of two chittocks of dholl, one chittock of ghee, and one-third of a chittock of salt a day for each man."

284. "This rule is made generally applicable to the troops of all the Presidencies."

APPENDIX, LETTER (B.)

NEW PAY AND AUDIT REGULATIONS OF 1849.

Under head of Native Infantry, their Pay and Allowances, Section 25, page 249:

Article 22. "On such and all other occasions when money rations are sanctioned to native troops, companies, or establishments, under the head 'extra charges,' at the rates published in orders by officers commanding divisions or detachments at the close of each month, on a certificate from the commissariat executive officer of the current prices of each article in the bazars, or of the rates at which they have been issued from the public stores, as the case may be, with a calculation, in the following form, of the value of each man's rations for the month:

- Rice, 30 seers, at seers per rupee
- Dholl, 60 chittocks, at do. do. do.
- Ghee, 30 do. do. do.
- Salt, 10 do. do. do.

Monthly value of each ration.—Total for a month of 30 days

Do. do. 31 days

23. "A copy of the order publishing the rates to be furnished as a voucher to the Audit Department, by officers commanding."

24. "When, from scarcity of provisions in the bazars, rations are issued from the public stores, the same will be charged to corps by the commissariat, at the following rates—Regimental officers will continue to draw the 'money rations' in their regular abstracts, as laid down, to prevent confusion."

"For Fighting Men."

- Wheat, flour, or rice, each 1 seer per diem, at 15 seers per rupee.
- Dholl do. do. 2 chittocks at 10 ditto.
- Ghee do. do. 1 ditto at 2 ditto.
- Salt do. do. ½ ditto at 8 ditto."

Page 252.—Article 31. "Native troops, wherever stationed, are at all times entitled to compensation in money, whenever the price of provisions forming their diet shall exceed Rs. 3. 8. per messen; and public establishments when the price shall exceed Rs. 2. 8. 8. per messen; those sums being respectively the aggregates of the rates of the several articles composing the rations, laid down in Article 24, and bills for compensation for the excess in price are to be submitted by commanding officers to the commissariat officers attached to the division, &c., in which their corps may be stationed, by whom the charges will be checked and adjusted."

AGGREGATE.

Bazar Rate.

<table>
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<tr>
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<tbody>
<tr>
<td>31 Seers of otta, at 13 seers 9 chittocks per rupee</td>
<td>-</td>
<td>2 4 6 p.</td>
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<tr>
<td>3 Seers 14 chittocks dholl, at 11 seers 2½ chittocks per rupee</td>
<td>-</td>
<td>5 6 p.</td>
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<tr>
<td>1 Seer 15 chittocks ghee, at 2 seers ½ chittock per rupee</td>
<td>-</td>
<td>15 3 p.</td>
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<tr>
<td>10½ Chittocks salt, at 16 seers 8 chittocks per rupee</td>
<td>-</td>
<td>- 7 p.</td>
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Deduct Government Rate.

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<th>Description</th>
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<th>Rs. a. p.</th>
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<tbody>
<tr>
<td>31 Seers of otta, at 15 seers per rupee</td>
<td>-</td>
<td>2 1 2 p.</td>
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<tr>
<td>3 Seers 14 chittocks dholl, at 10 seers per rupee</td>
<td>-</td>
<td>6 2 p.</td>
</tr>
<tr>
<td>1 Seer 15 chittocks ghee, at 2 seers per rupee</td>
<td>-</td>
<td>15 6 p.</td>
</tr>
<tr>
<td>10½ Chittocks salt, at 8 seers per rupee</td>
<td>-</td>
<td>1 3 p.</td>
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Difference

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<tr>
<td></td>
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<td>3 8 ½ p.</td>
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Otta only.

<table>
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<th>Description</th>
<th>Rate</th>
<th>Rs. a. p.</th>
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</thead>
<tbody>
<tr>
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<td>-</td>
<td>2 1 2 p.</td>
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So. A 3
The latter showing that each fighting man would receive 1 anna 6 pies more if the old system of compensation were adhered to, which would amount in a regiment of (say) 1,000 men to Rs. 93. 12.

(signed)  
E. R. Mainwaring,  
J. B. Hearsey, Brigadier,  
Commanding at Wuzeerabad.

(No. 331.)

From Major R. Wyllie, Officiating Secretary to the Government of India, Military Department, to Lieutenant-Colonel P. Grant, C.B., Adjutant-General of the Army.

Fort William, 14 February 1850.

Sir,

I am directed to acknowledge the receipt of your letter, No. 13, of the 20th ultimo, submitting copy of a despatch from Brigadier Hearsey, commanding at Wuzeerabad, reporting the circumstances of his having noticed a difference between the regulation recorded in the pay code of 1845, and that laid down in the code of 1849, relative to the compensation to the native soldiery for the dearness of their rations, and intimating that the Commander-in-Chief, being persuaded that the alteration in question has been made without the circumstances of the case being fully and clearly explained to Government, and considering it to be both impolitic and unjust, has ordered that compensation shall be issued to the native troops serving in the Punjab, in accordance with the rule published in the code of 1845.

2. In reply, I am desired by the Honourable the President of the Council of India in Council to observe, for the information of the Commander-in-Chief, that Brigadier Hearsey has wholly misled his Excellency in stating that the rule in the code of 1849 is "altogether a new regulation," as the following brief history of the regulations on the subject will show his Excellency.

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

4. Compensation seems to have been subsequently passed, on special applications, to the native troops at other stations of the army where a scarcity of otta prevailed; but the rule was not extended to the native soldier throughout this presidency until the year 1844, when Lord Ellenborough's government, in the General Order No. 79, dated 12th March of that year, in defining the allowances admissible to the troops serving in the province of Scindia, ruled that compensation should be granted, not for dearness of otta only, as formerly, but also for the several minor articles (dholl, ghee, and salt), composing the native soldier's rations. This is the order entered in the code of 1845. P. 1018.

5. In the following year, Lord Hardinge's government resolved to sanction a more liberal scale of allowances, and other advantages, to the troops in Scindia; and at the same time to relieve the native soldiery generally from the expenses to which, up to that period, they had been subjected in providing their own huts, and for the wages of certain of the servants necessarily employed with native corps; and as the rule of March 1844 had been found, in practice, very troublesome and inconvenient, as well as injurious, as much as, though at the same stations, one of the minor articles of ration may occasionally be more expensive, the other articles may as frequently be procurable at rates favourable to the soldier, advantage was taken of the opportunity thus afforded to introduce the existing rule, and accordingly in paragraph 3 of the G. O. G. G. in Council, of the 15th August 1845, it was declared that compensation would be granted "whenever the price of provisions forming the native soldier's diet shall exceed "three rupees eight annas (3. 8.), the aggregate of the rates for the several "articles, as laid down in the G. O. of the 26th February 1824," for troops on service.
RESIGNATION OF SIR C. J. NAPIER.

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

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

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

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

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

I am, &c.

(signed) R. Wylle, Major,
Officiating Secretary to the Government of India,
Military Department.

Council Chamber, Fort William,
14 February 1850.

MINUTE by the Governor-General of India, dated 13 April 1850.

The letter addressed to the Military Secretary to the Government of India, dated 20th January 1850, by the Adjutant-general of the army, relative to the mode of calculating compensation for sepoys' rations, has been submitted to me, so that the orders of the Government may be given upon it.

I entirely concur in the opinion expressed by the President in Council, in paragraph 9 of letter to the Adjutant-general, 14th February 1850; and I view with regret and dissatisfaction the orders which the Commander-in-Chief intimates he has issued to the officers in the Punjab.

There was no room for doubt as to what were the intentions of the Governor-general in Council on the point, if the G. O. of 1847 had been referred to. If there had been doubt, the obvious and proper course for his Excellency was to have referred the matter for the consideration of the President in Council, and to have awaited his reply before he gave an order which he had no power to issue, and which did not in any respect call for haste.
The Commander-in-Chief has issued this order with reference to troops in the Punjab. His Excellency well knows the difficulty of reversing an order issued regarding pay, and he must be aware that that difficulty becomes an impossibility after what has recently occurred in the Punjab. The effect, therefore, of his Excellencey's act has been to re-establish in the Punjab (for the Governor-general in Council will not sanction the extension of the change to districts to which his Excellencey's order has not applied) a different rate of allowances from that which will prevail in other provinces; and thus, in great measure, to thwart the endeavour which the Governor-general in Council has been making to assimilate the soldiers' allowances in every province of the presidency.

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

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

(signed) Dalhousie.

(No. 451.)

From Major R. Wylie, Officiating Secretary to Government of India, Military Department, to the Adjutant-General of the Army.

Sir,

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

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

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

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

5. But the Governor-general in Council, from a consideration of the papers before him, feels it necessary to intimate, for the future guidance of his Excellencey, that the Governor-general in Council will not again permit the Commander-in-Chief, under any circumstances, to issue orders which shall change the pay and allowances of the troops serving in India, and thus practically to exercise
RESIGNATION OF SIR C. J. NAPIER.

exercise an authority which has been reserved, and most properly reserved, for the Supreme Government alone.

I am, &c.

(signed) R. Wyllie, Major,

Officiating Secretary to Government of India,

Military Department.

Council Chamber, Fort William,

13 April 1850.

From Major
R. Wyllie to the
Adjutant-General
of the Army,

13 April 1850.

From the Adjutant-General of the Army to the Secretary to the Government of India, Military Department, with the Most Noble the Governor-General.

Sir,

With reference to a despatch, No. 451, of the 13th April last, from the Officiating Secretary to the Government of India, Military Department, relative to certain orders issued by the Commander-in-Chief for suspending in the Punjab the enforcement of the rules laid down in the Pay Code of 1849, on the subject of compensation for sepoys' rations, I have now the honour to forward in reply, for submission to the Most Noble the Governor-general, a memorandum in original by his Excellency, dated the 22d instant, together with its annexment of the 2d March last, by the late Adjutant-general of the army, Lieutenant-colonel P. Grant, c. b.

I have, &c.

(signed) H. T. Tucker, Lieutenant-Colonel,

Adjutant-General of the Army.

Simla, 26 May 1850.

For the Governor-General of India in Council.

MEMORANDUM.

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

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

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

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

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

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

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

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

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

The foregoing statement explains what the compensation is, and Lord Hardinge's modification of it, though known to the Government, was (as Brigadier Hearsey's letter, confirmed by Sir Walter Gilbert, explains) not known to the sepoy's of the army generally. It had not, to my knowledge, come into operation in any station of the Punjab till last Christmas, when the rise of provisions at Wuzzoobad suddenly called for the application of the new rule, which, but for Brigadier Hearsey, would have unexpectedly introduced to the sepoy's new regulation, at the very moment when mutiny had appeared at this station in a very formidable shape. The aforementioned commissariat statement shows that this new rule deprived each sepoy of one anna and six pies per month, which he would have received by the old rate.

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

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

Seeing the great peril to which the Indian Government was exposed by the mutinous spirit which had appeared among the troops, it seemed to me that the greatest caution and the promptest decision on my part were necessary; and I resolved at once to suspend the operation of the new rule for an additional reduction from the pay of the sepoy at a moment so alarming, on the same day reporting what I had done.

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

I now come to the letter written by the Adjutant-general to Major Wyllie, by my orders, on the same day that I wrote to Sir W. Gilbert, and stating what my orders to that general officer were. This letter explains the whole case to the Supreme Government, and I awaited its orders. My belief is, that everything therein stated is perfectly correct, especially my conviction that "the change thus made, to the injury of the soldier, was both impolitic and unjust." I will add my belief, that had I not suspended the operation of the new rule, the then existing danger at Wuzzoobad would have been much increased, and very possibly would have produced bloodshed: for the sepoy's had become daring, and, about 10 days after, very nearly seized the fortress of Govindghur.

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

With regard to Lord Gough's opinion, referred to in Major Wyllie's letter, dated...
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dated 14th February 1850, the assertion is easily disposed of. See a memorandum given by Lieutenant-colonel Grant, the Adjutant-general. I have thus endeavoured to set the whole of my conduct in its proper point of view, and in all its details, before the Governor-general in Council, because I consider that I acted as it became the Commander-in-Chief to act, and I would again act in similar circumstances. But I do not consider that the real question is, whether I acted with judgment or without judgment; I consider the real question to be this, whether the Commander-in-Chief in India, removed to a great distance from all higher authority (the highest being even at sea), in a moment of great danger, surrounded by a hostile population, and with an army of upwards of 40,000 men infected with a mutinous spirit, was justified, or not justified, in using his discretion, and promptly dealing with danger in the manner which he thought most effectual for the safety of India.

This is the real question.

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

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

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

Head Quarters, Simla, (signed) C. J. Napier, General,
22 May 1850.

Head Quarters, Camp, 2 March 1850

I beg to submit, for your Excellency's consideration, with reference to paragraphs 3, 4, and 5, that the real question is not how or under what circumstances the rule to which you have objected was framed, but whether, at the present time, when the allowances in the Punjab have been reduced to the ordinary province rates, it is prudent or politic to enforce a rule which deprives the native soldier of even the trifling addition to the ration-compensation to which he was entitled under the older regulation, framed by Lord Ellenborough, and published in the Pay Code of 1845.

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

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

(signed) Pat. Grant, Lieutenant-Colonel, Adjutant-General of the Army.

Memorandum by the Commander-in-Chief, 22 May 1850.

Memorandum by the Adjutant-General, 2 March 1850.

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

† At Wazerrabad it is stated to amount to one anna six pies per mensem.
5. In continuation of paragraphs 22 to 25 of our general letter, No. 88, dated the 28th May 1850, we have the honour to transmit further proceedings in the Military Department regarding the suspension in the Punjab by his Excellency the Commander-in-Chief of the orders issued by the Government of Lord Hardinge, in 1845, regulating the grant of compensation to native troops for dearth of provision.

6. The memorandum of his Excellency on this subject, and the minute in reply of the Most Noble the Governor-general, recorded on the proceedings as No. 41, of the 13th July 1850, have already been transmitted to your Honourable Court from the Secret Department. Copies are now forwarded to complete our military "collections."

7. The Military Board, it will be observed, have been called on to furnish statements showing to what extent compensation has been issued under the order of 1844, and also under that of 1845.

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Minute by the Governor-General.—Dated Simla, 14 June 1850.

I had the honour of receiving, on the 28th of May, a memorandum by the Commander-in-Chief, in reply to the letter No. 451, 18 April 1850, addressed to the Adjutant-general, for his Excellency's information, by direction of the Governor-general in Council, on the subject of the orders relative to compensation for sepoys' rations in the Punjab.

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

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

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

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

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

7. In several other passages his Excellency has, in like manner, termed it a new rule; he stigmatises it as unjust and impolitic; asserts it to be a "breach
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“of public faith to the soldiers;” and, finally, his Excellency has not thought it unbecoming his position to state that “it suddenly, and without explanation, tampered at a most critical moment with the sepoys’ money.”

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

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

10. On the 30th April 1844, the Governor-general in Council, Lord Ellenborough, issued a general order, granting compensation for ration to sepoys, in the following terms:

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

“With a view of providing as is done in Her Majesty’s service, that the soldier’s rations shall never cost him more than a fixed moderate sum, the Governor-general in Council thinks it expedient to extend the principle of giving compensation in money, in case of high prices, to the other minor articles composing the sepoys’ rations, and it is accordingly notified that whenever the price of dholl is above 10 seers the rupee, that of ghee above two seers the rupee, and that of salt above eight seers the rupee, compensation-money for the excess of price will be given to the troops, at the rate of two chittocks of dholl, one chittock of ghee, and one chittock of salt a day, each man.”

11. That rule was of short duration. It was rescinded (not in 1847, as his Excellency has supposed, but) on the 15th August 1845, when the Governor-general in Council, Lord Hardinge, directed that compensation should be paid whenever the price of provisions forming the soldier’s diet shall exceed Rs. 3.8. on the aggregate of the rates for the several articles laid down in G. O. of 26th February 1824.

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

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

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

15. In the absence of any explanation by his Excellency of the preceding passage, it is difficult to understand how it should come to pass that the sepoys should perfectly know and understand the regulation of 1844, which lasted only for 17 months, and yet that they should not know the regulation of 1845, which has endured for three times that period; or how it should come to pass that the sepoys should be familiar with a former rule, which has been done away with for four years and a half, and yet should know nothing of the existing rule, which has been in active operation during all that time.

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

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

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

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

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

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

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

23. The principle on which the compensation rule of 1844 was founded is defined in the general order dated 30th April 1844. It is this: “That the soldier’s ration shall never cost him more than a fixed moderate sum.”

24. The amended rule of 1845 strictly adheres to that principle, and gives full effect to it in its operation under all circumstances of price. The several articles composing the soldier’s ration can never cost him more than the specified moderate sum of Rs. 3. 8.; for however much the market price of those articles may exceed at any particular time that fixed sum of Rs. 3. 8., the difference between the market price and the fixed sum above mentioned is immediately paid to the soldier in cash, and in addition to his pay.

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

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

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

Precisely the same course was pursued by the Government of India in recent conquests as that which has now been followed by the Governor-general in Council. When, as the result of the war of 1846, the Jullundur Doab and other territories were dispossessed from the kingdom of the Punjab, and added to this empire, the same measures as the present were enforced. The war allowances were continued as an indulgence for a time; on the relief of the occupying troops, those war allowances were withdrawn, and ultimately the relieving troops were placed on the ordinary rate of provincial pay, and the ordinary scale of allowances, including the compensation rate of 1845, was established also.

27. What possible reason can there be why the just measures which we pursued in respect of our first conquest in the Punjab should not be followed, when further conquests in the same country have been added to it? What possible reason can be alleged to show that it is impolitic to introduce into the Baree and neighbouring

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neighbouring doabs the same rule of compensation which was at once established, and has been acted upon in the Jullundur Doab? Why, in short, should the rule of compensation for soldiers' rations be different in the province of the Punjab from that which prevails in every other province of the Indian empire?

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

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

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

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

I cannot sufficiently express the astonishment with which I read, on the 26th May, the intimation then made to the Government by the Commander-in-Chief, that in the month of January last a mutinous spirit pervaded the army in the Punjab, and that insubordination had risen so high and spread so wide, as to impress his Excellency with the belief that the Government of the country was placed at the time in a position of "great peril."

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

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

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

31. But I do not need to rest this conclusion upon inference. There is direct evidence in its support, the evidence of the Commander-in-Chief himself. At the very period of which I am treating, his Excellency issued a General Order to the army, the terms of which directly disproved the existence of extensive mutiny or danger to the State. In that order of 16th January 1850, Sir C. Napier recorded these remarkable words: "I have seen most of the armies in the world, and I have never seen one that is better paid or better cared for, than the army of the East India Company; neither have I ever seen a more obedient, more honourable army." His Excellency did not conceal that insubordination existed, nor evade the mention of it; but he characterised its nature, and described its extent, when he added, "I will not allow a few malignant, discontented scoundrels to disgrace their colours and their regiments by an insolent attempt to dictate to their Government what pay that Government shall give to soldiers towards whom it has always been both just and generous."

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

33. The course of subsequent events has not impeached the substantial correctness of his Excellency's estimate of the comparative extent of the mutiny. One regiment, indeed, left in ignorance of the intentions of the Government through the scandalous disobedience of his orders by the officer who commanded it, unhappily fell from its duty, and was betrayed into acts of violence and insubordination. If the state of feeling in surrounding corps had been such as is now alleged, the mutiny of the 60th would have been a spark sufficient to light the whole into a flame. But no symptoms of such feeling appeared. The native regiments who were at hand showed themselves ready to act against the mutineers cheerfully and with vigour. So helpless were the men of the 60th themselves of sympathy or support, that they actually piled their arms at the word of command, and were marched out of Govindghur to await the arrival of the announcement of their fate. Disarmed and disgraced, they were marched across the Sutlej; and during all that time, and from that time to this, not a voice has been raised, either to imitate their example, or to pity their fate.

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

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

36. Time and events have justified the confidence I entertained; for while I admit and lament that partial disaffection has prevailed, and that some misguided men have been betrayed into open mutiny, yet neither the frequency of the offence nor the number of the offenders has been sufficient to justify the sweeping inculpation which has been pronounced by his Excellency on the troops that occupied the Punjab. I feel it to be my duty, therefore, to vindicate the Bengal army from the unjust and injurious imputations which its Commander-in-Chief has cast on 40,000 of its number, and to declare my firm conviction, that while some in its ranks have disgraced their names, the great body of the troops in the Punjab have been true to their colours and faithful to their salt.

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

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

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

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

40. On this head, his Excellency denies that he assumed any authority at all, for he says that the order to substitute the rule of 1844, for that which existed was stated to be “pending the result of a reference to the Supreme Government.”

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

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

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

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

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

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

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

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

48. Thus munificently and indulgently treated, no increase of what he now enjoys can reasonably or justly be demanded by him. To concede at any time hereafter, merely because discontent is threatened: to concede because a demand is made, however numerous those who demand, however menacing the aspect of affairs, would, in my judgment, be, under any circumstances, a grievous error. It would serve no purpose but to add to the arrogance of the disaffected, and uselessly to postpone the struggle which, under such circumstances, must come at last. To direct such a measure would be the worst weakness of which a ruler could be guilty, and so long as I have the honour of administering the government of India, it shall never be placed in the power of a General in command to commit the Government to so feeble and so fatal a policy.

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

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

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

52. It would be very easy for me to cite instances in proof of what I have now
advanced, but it is unnecessary. Sir Charles Napier has himself placed on
record an ample acknowledgment of the support I have afforded to him. On the
26th February last, in a memorandum forwarded to the Governor-general in
Council, his Excellency expressed himself in these words:—"The Commander-
in-Chief in India has not the authority to fulfil the duties of his position in
this and many other matters, as I have personally stated to his Lordship more
than once; but I do not mean by this, that I am denied any support from his
Lordship, quite the contrary. I complain of the system, which I think objectionable, and had not his Lordship given me the support which he has, I would
not have remained a month in India. But I have to thank his Lordship, not
the system, for that support."

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

54. When the mutiny of the 66th regiment determined his Excellency to resort
to vigorous measures, he issued a general order, in which he directed that that
regiment, officers, non-commissioned officers, and men, should forthwith be dis-
banded; he ordered that the officers and men of the Nusseeree battalion should
be transferred to the 66th regiment; and lastly, that the Nusseeree battalion should
again be raised by its commanding officer.

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

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

After careful examination of public documents and semi-official or private
correspondences, I have been unable to find a single phrase which can be con-
strued into the bestowal of such powers. Most certainly no such delegation of
authority or power was ever contemplated by me.

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

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

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

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

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

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

59. I am much concerned that the retirement of Sir Charles Napier from the head of the Indian army should appear to be in any way connected with any public act of mine. I regret still more that his Excellency should have permitted himself thus hastily to resign his high command on grounds so insufficient and untenable, and that he should abandon the charge so honourably intrusted to him, merely because the Government under which he acts will not concede to him the power of altering the pay or allowances of the troops under his command, whenever in his discretion he may judge it necessary so to do.

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

Simla, 14 June 1850.

(signed) Dalhousie.

Extract Military Letter from Bengal (No. 66.), dated 19th April 1851.

4. In continuation of paragraphs 5 to 7 of our general letter, No. 139, dated 24th August 1850, we have the honour to forward, for the purpose of completing our military collections, the accompanying papers, already transmitted to the Secret Committee by the Most Noble the Governor-general, comprising a memorandum by Sir C. J. Napier, G. C. B., late Commander-in-Chief, dated Simla, July 1850, and Head-quarters, Camp, 4th December 1850, on the subject of his resignation of that office, and the occurrences which preceded it; together with a minute recorded by his Lordship in reply, on the 28th January 1851.
CORRESPONDENCE, &c. RELATIVE TO THE

EXTRACT Fort William Military Consultations of the 7th of March 1851.

No. 2c.—Military Department.

From Captain F. D. Atkinson, Assistant-Secretary to the Government of India, Military Department, with the Governor-General, to Major R. Wylie, Officiating Secretary to the Government of India, Military Department, Calcutta.

Sir, 3 February 1851.

In continuation of letter No. 122 A, of the 14th June 1850, I am directed to inclose, for the information of the Honourable the President in Council, copy of the undermentioned correspondence:

Despatch from the Adjutant-general of the army, No. 1,362, dated 10th December 1850, inclosing a memorandum by Sir C. Napier, dated July and 4th of December 1850.

Reply to above, No. 2 A, of this date.

Minute of the Most Noble the Governor-general, dated 28th January 1851.

Letters to, and from, the officer commanding the Governor-general's body guard.

Communication to the Foreign Department, No. 2 b, of this date.

I am, &c.

(signed) F. D. Atkinson, Captain,
Asst. Sec. to the Government of India, Military Department, with the Governor-General.

No. 1,362.

From Lieutenant-Colonel H. T. Tucker, C. B., Adjutant-General of the Army, to Colonel J. Stuart, C. B., Secretary to the Government of India, in the Military Department, with the Most Noble the Governor-General.

Sir, 10 December 1850.

I am ordered by the Commander-in-Chief to transmit to you, for submission to the Most Noble the Governor-general, a memorandum * in original by his Excellency, bearing date, Simla, July 1850; and Camp, 4th December 1850.

I have, &c.

Simla, 10 December 1850.


MEMORANDUM in reply to the Governor-General's Minute of the 14th June 1850.

I must beg leave to deny the first assertion made by his Lordship in this paragraph: I suspended the execution of the order; and to suspend was not to cancel.

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

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

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

* Forwards a Memorandum by the Commander-in-Chief in reply to the Governor-general's Minute of the 14th June 1850.
RESIGNATION OF SIR C. J. NAPIER.

Paragraph 2.

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

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

Para. 7.

Contains nothing more than an offensive sneer. The only reply I shall at present make is the reiteration of every word that I formerly used. I formed my opinion of the details from what I heard from the Adjutant-general, Lieutenant-colonel Grant, from Sir W. Gilbert, and from Brigadier Hearsey, and from my own judgment as regarded the existing danger, in which we all concurred; and here it may be right to say who Brigadier Hearsey is, for with him, who was on the spot, the whole affair originated. Brigadier Hearsey was born and brought up in India; he has served all his life as a regimental officer with native troops, and is considered by the whole Bengal army not only to be one of its most distinguished officers, but to be more intimately acquainted with the language, feelings, and character of the sepoys, than perhaps any other officer, civil or military, in the service of Government; and it was because of his being so thoroughly aware of the angry feelings of discontent which pervaded the minds of the whole of the native regular troops in the Punjab, that I gave the very greatest weight to his opinions. Had I not done so, and that the discontented troops at Wuzearahad had broken out into open mutiny, one general cry of reprobation would have instantly arisen against me throughout all the British empire. Had Brigadier Hearsey not acted as he did, then on him would have fallen the blame; for the Commander-in-Chief of such an immense army as this, can only act on the reports of his commanders of divisions, brigades, and regiments. Whether Brigadier Hearsey, Sir W. Gilbert, Lieut.-colonel Grant (the Adjutant-general), and myself, formed views that were correct, or the contrary, is not the question; they were the best we were able to take, and I acted upon them, with entire success, when failure would have been ruinous, and, to use the words of the Governor-general a month before, "would be worse than a defeat by an enemy in the field." Had I done otherwise I ought to have been dismissed the service. That the crisis was most dangerous, every one knew perfectly well; and no one was more alive to the danger than the Governor-general himself, whilst he remained within the reach of a knowledge of what was going on. It is therefore the more unaccountable to find his Lordship, after having been at seas, far beyond the reach of knowing the events that were in progress, attempting, by erroneous assertions, and arguments discordant with facts, to dispute the opinions of men on the spot, and deny the tendency and symptoms of overt acts infinitely more serious than any of those which had previously excited his alarm when he was on the scene himself.

There was the mutiny! 40,000 sepoys were more or less infected with this bad spirit: we were in the midst of a hostile population; the Governor-general was far away on the high seas;
CORRESPONDENCE, &c., RELATIVE TO THE
séas; the Supreme Council 1,500 miles distant; the whole
responsibility of quelling this mutiny rested upon me. I was
obliged to decide to the best of my judgment. I had no reason
to doubt the statements of Brigadier Haresey and his commis-
sariat officer, sustained by Sir Walter Gilbert and the Adjutant-
general of the army, in reference to the orders and the practice
under which they had been serving all their lives; and I had
no time, in the circumstances, to scrutinize their statements by
reference to Calcutta. I had necessarily to decide at once, and
I did so without a moment's delay. Armed soldiers in mutiny
cannot be dealt with by the inexcusable procrastination which
I am found fault with by my Lord Dalhousie for not adopting.
Whether my decision was the best that could have been come
to, does not enter into the question. I did what I thought
right, and I succeeded, without cost, too, either of money or of
life! Now it is impossible for his Lordship to show that a
different course might not have failed, after both had been
expended. This is the whole question, but his Lordship
ingeniously eschews it.

Paragraph 3.

Paras. 8 to 21. In these paragraphs the Governor-general reverts to my
memorandum, dated 22nd May, and, wholly neglecting the
grounds on which I based the defence of my order relative to
the rations, his Lordship fixes upon a number of comparatively
unimportant details, and therefore I shall not lengthen this
memorandum by answering these observations of the Governor-
general, but allow, without entering further into the discus-
sion, that I may have been misled by Brigadier Haresey and
Lieutenant-colonel Grant, neither of whom seems to have re-
called the circumstances of the case which his Lordship, after
the danger had been averted by me, and with full time to
apply to the public offices, has discussed in 13 paragraphso
But his Lordship has, as I before said, studiously avoided
answering the following, and all important, paragraphs of my
memorandum:— "But I do not consider that the real ques-
tion is, whether I acted with judgment, or without judg-
ment. I consider the real question to be this,—whether
the Commander-in-Chief in India, removed to a great dis-
tance from all higher authority (the highest being at sea),
in a moment of great danger, surrounded by a hostile popu-
lation, and with an army of upwards of 40,000 men infected
with a mutinous spirit, was justified, or not justified, in
using his discretion, and promptly dealing with danger in
the manner which he thought most effectual for the safety
of India. This is the real question." And this is precisely
the question which his Lordship has so unjustly decided in
his reprimand of the 13th April, but so carefully avoided the
discussion of in the minute under reply.

Finally, I completely succeeded in putting a stop to a widely-
spread and spreading mutiny in the Bengal army, probably
the most dangerous that had ever appeared in that army,
because founded upon the claims of the soldier to dictate to
Government what rate of pay he should receive—a principle
which, in all ages and among all nations, has been perilous to
the state and popular among the troops, and which principle
had just destroyed the Punjab Government! Not only that,
but numbers of the relatives of our sepoys, then claiming
more pay, were among the actors in the very army which
had so recently destroyed their own Government, on the very
spot where the sepoys were now following the identical plan
pursued by the Sikh army, of employing agitators to go from
company to company, and from regiment to regiment. Had
the
RESIGNATION OF SIR C. J. NAPIER.

Paragraph 4.

Paras. 22 to 28. These seven paragraphs of his Lordship's minute are devoted to disprove my opinion, "That the rule of compensation established in 1845 is unjust and impolitic." My opinion remains the same after reading his Lordship's seven paragraphs against it, and hereafter I shall probably explain my reasons for that opinion. Still, it was merely an opinion expressed to superior authority, and, right or wrong, I was bound to express it.

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

Paragraph 5.

Paras. 29 to 59. The remainder of his Lordship's minute is contained in these thirty paragraphs, the drift of which is merely to prove that there was no mutiny in the army, and that I never believed that one existed; that my own orders prove this, and that I have libelled the Bengal army. Now, I assert the very reverse of all this to be the case. I assert that every man in India, including the Governor-general himself (whose own letters prove it), knew that there was a very extensive spirit of mutiny among the troops. That this mutiny, being grounded on the desire to get higher pay, was in the very greatest degree dangerous. That great alarm existed in consequence. That I was not only aware, but told the Governor-general of it. That my own orders prove its existence, and not only my knowledge of it, but also the pains I took to conceal from the army the extent of the danger. Common sense called upon me to conceal this danger, lest it should spread still wider, and the whole army, learning that a great number of regiments were combined in the Punjab, might join. No one could exactly tell how far the bad spirit had spread, and to have made a parade of it in public orders would have been madness.

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

I will take these paragraphs seriatim, and reply as shortly as I can to each, and begin with the—

Para. 29. His Lordship need not have expressed any "astonishment" at what was known to every one, and himself among the rest. See my letters to him on the subject, as well as several of his own to me, showing that he had been informed of the danger before he went to sea. When at sea he knew nothing about the progress of what was going on; but on his return he found that a strong fortress had been nearly seized by a regiment in open mutiny; that the mutiny was for an increase of pay; this made it of the most dangerous kind, uniting Mahomedans and Hindoos in one common interest. That five regiments had
CORRESPONDENCE, &c. RELATIVE TO THE

Memorandum by
the Commander-in-
Chief, dated Simla,
July 1850, and
Head Quarters,
4 Dec. 1850.

Paragraphs of the
Governor-General's
Minute.

Para. 29. had manifested openly their mutinous disposition. That the men of one, the 32d, had openly declared their intention of consulting with other regiments. That some had said, "What "can we do now, with two European regiments in cantonment "with us? wait till we can consult with the other regiments." That the fortress nearly seized had a large treasure in specie in it. That it had cannon and ammunition in it. His Lordship knew all these things. He also knew that an extraordinary correspondence had been going on between all the native regiments. Will he deny that we had about 40,000 native troops in the Punjab, having the same will, interests, and feelings as those regiments that had already shown a bad spirit? Will he deny that the Punjab population was hostile, and well armed?" His Lordship will scarcely venture to deny these facts, which are patent to all India; and does he pretend "astonishment" beyond expression, at my saying that there was peril in such a state of things? If so, I can only express equal astonishment, and pass on to

Para. 30. In this paragraph his Lordship expresses his incredulity that "the army was in mutiny, and the empire in danger;" a swelling and exaggerated mode of expression: a statement which I never made, as his Lordship asserts that I did. The whole army was not "in mutiny;" but a mutinous spirit pervaded a large portion of that part of the army which occupied the Punjab. This misrepresentation of my words is not argument, so I pass on to

Para. 31. His Lordship says (and in saying so evinces but little acquaintance with the subject he treats of), that my going to Peshawur entitles him, "with certainty, to infer that no extensive mutiny or public peril existed, as has since been supposed." This is one of those assertions which his Lordship has been pleased to substitute for argument, as I will in this instance endeavour now to show.

The mutinous spirit first broke out at Rawul Pindee, in July 1849. I was then at Simla. It next displayed itself at Delhi in November 1849. I was on the spot. It then showed itself at Wuzzlebad in December, and finally it burst forth at Umritsir in January. Here were evidences of long-continued design and correspondence; a correspondence so alarming, that one general officer asked me to order the letters to be opened privately, which I refused to authorise, because I was prepared for the worst, and there was something revolting in the act. Moreover, all my information concurred in saying that there was such a correspondence going on, and that the plan of the mutineers was to oppose the Government by passive resistance; namely, to refuse the pay of seven rupees, and demand Scinde pay of 12. Before proceeding, let us see what passive resistance leads to. The sepoy refuses to accept his pay; he is respectful in his demeanour, and does his duty correctly in all other ways. This can only go on a few days. Then comes want of food, and one side must give in, or recourse be made to violence. The Government cannot give in. Suppose 30 or 40 regiments take the course of this passive resistance (and when his Lordship left India, five regiments had), what could prevent a collision with the Government? Who could say that more regiments would not join? In this state of things, who will pretend that there was not great peril? No one but the Governor-general in his after reflection upon past dangers, which I had overcome, but which had not surrounded him as they did me. He was far away seeking health on the ocean, and the Supreme Government was at Calcutta, 1,500 or 2,000 miles distant. I was alone, and the whole responsibility was thus thrown upon the Commander-in-Chief.

So
So circumstances I decided to proceed to Peshawur for the following reasons, and I have never changed my opinion:—

1st. There are two points where our position in the Punjab is more exposed to danger than in any others, Peshawur and the Manjha. My reasons for considering these points to be the weakest do not enter here. I had that experienced officer Sir Hugh Wheeler posted in the Jullunder, and he had with him an excellent European regiment, besides a large force of irregulars, whose pay was regulated by a different principle from that of the sepoys, and they were, therefore, supposed to be faithful. Besides being an excellent soldier, Sir Hugh Wheeler has spent his whole life among the sepoys, and is master of their language. Who, let me ask, was more fit to control the large portion of sepoys in the Jullunder than this officer? No one.

The next and still safer station of Lahore was under the distinguished Sir W. Gilbert, who had under his hand two European regiments, a strong force of European artillery, and a large body of irregulars. Sir Walter also speaks the native language. My fixed presence was as little wanted here as in the Jullunder. The next station was Wuzzerabad. There Brigadier Hearsey commanded. If any man could deal with the sepoys, he could, and he had three regiments of Europeans with him. Under him, therefore, Wuzzerabad was as safe as I could make it.

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

Now, where would the Governor-general have had me fix my head-quarters? In each of these places my presence could have done no good, and would, in some measure, have shackled the above able officers in their own command. Well, we now came to Attock and Peshawur, to which last place I had sent the able Sir Colin Campbell. This position, in case of an open mutiny of the sepoys in the Punjab, became most important, because the moment a mutiny broke out in open violence, Peshawur would, as well as Attock, have been exposed to an attack from the Afghans, and from Gholab Sing, through the Baramulla Pass. Lord Dalhousie asserts that, because the troops at Peshawur had the high pay, "no disatisfaction could possibly arise." I must take leave to tell his Lordship, that he knows but little of soldiers: if he thinks they would not unite in a common cause. Still I will admit, that where the high pay existed, there would be a fair probability of the sepoys being contented. But does his Lordship imagine that if the mutiny broke forth, as there was great probability of its doing, that he could hold Peshawur? It appears that his Lordship has no just idea of the danger of such a crisis, nor how such a crisis was to be encountered, looking forward to safety with indiscreet confidence. Had all happened that might have happened, the Queen's troops, comparatively few in number, would have been isolated at each station. The Sikhs and Afghans would inevitably have been in arms. What the Maharaja would have done no man can tell, but he would have had power to do us all possible mischief. I might have been obliged to withdraw the European force at Peshawur, recrossed the Indus, and marched upon Lahore.
Lahore, gathering the Europeans as I swept along, engaged with the enemy during the whole march. It would have been impossible to divine what would happen, and what would not, and if my presence was useful at one place more than another, it was probably at Peshawur. But my duty was to move rapidly from station to station, and to conceal the great danger which existed; it was to show no fear of mutiny; to confide in my sepoy escort, and to brave the worst; trusting to my own resources if that worst happened, and in the meantime to lose no opportunity of winning the confidence of the troops; which last was one reason among several for my going with them to Kohat, because, under fire, a commander gains the confidence of his troops; for this reason I was delighted to have an opportunity of expressing my feelings towards them, when I wrote the despatch of the 16th February, which the Governor-general thought proper to suppress. It has since been published, and the Bengal army know that I am not the man either to conceal their deeds, or to libel them.

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

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

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

Paragraph 6.

Paras. 31 and 32. This has been answered in my last paragraph, and the "irreconcilable contradictions" reconciled without the least difficulty, as they only existed in his Lordship's imagination; but I must again beg to remind his Lordship that a grave misrepresentation of my words is repeated in paragraph 32, where I am stated to have informed the Government, in my letter...
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Memorandum by the Commander-in-Chief, dated Simla, July 1850, and Head Quarters, 4 Dec. 1850.

Paras. 31 and 32.

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

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

Paragraph 7.

Paras. 33, 34, and 35. In these paragraphs the Governor-General endeavours, by the most extraordinary and the most disingenuous course of reasoning, to describe the perfect obedience of the Indian army after I had put down the mutiny, as if that submissive state was not the result of the measures I had taken to quell mutiny! The last circumstance his Lordship has endeavoured to cast out of sight altogether. This appears to me so extremely absurd and unfair, that I shall not at present vouchsafe any answer.

Paragraph 8.

Para. 36. The only notice I shall at present condescend to take of this paragraph is, a distinct denial. I have cast no "unjust and injurious imputations on the Bengal army." His Lordship's endeavours to turn the Bengal army against one who has led their battalions in action, and who they know to have done his duty towards them, both in action and out of action, is as weak as it is unjustifiable, and there I leave it, with this observation, that to forget good service is common among men; but to enjoy the safety resulting from good service, and then endeavour to make the man who produced that safety appear criminal, is unusual; and I willingly leave to the Governor-general any satisfaction which he may be able to derive from such a line of conduct.

Paragraph 9.

Para. 37. This paragraph consists in a concatenation of mere assertions, which I dispute, and have shown to be fallacious. I also here record my entire dissent from his Lordship's convictions: and having far more experience than his Lordship, and having also been on the spot, whereas he was at sea, I consider that I am best able to judge. I cannot, however, avoid referring his Lordship to a third repetition of his misrepresentation of my words, which I find in the last line but one of his paragraph 37.
Paragraph 10.

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

Paragraph 11.

Para. 39. Already fully answered. This is merely repetition of a former paragraph.

Paragraph 12.

Paras. 40 and 41. In these his Lordship gives a quotation from the Adjutant-general’s letter to Government, leaving out that which contradicts the crime of defying the Government, which is implied in these paragraphs. I said, “confident of the support of Government,” the Commander-in-Chief has directed, &c. As this letter was dated the same day as my order, the “confident in the support of Government” shows that I considered my own act as merely a secondary one, waiting for the sanction (or the reverse) of the Government, and not issued insolently to usurp the power of Government. But this is not all. I sent to his Lordship an extract from my order, which does not permit of being mis-stated, or of doubt; and his Lordship quotes it in part. My orders to Sir W. Gilbert contained directions that they were only to be obeyed pending a reference to Government. I quoted the exact words to Lord Dalhousie, and I here do so again:—“I have the honour, by direction of the Commander-in-Chief, to request that you will cause instructions to be immediately issued to the several officers of the Commissariat Department concerned, to adjust the compensation in accordance with the old regulations as laid down in the code of 1845, pending the result of a reference which will be made to the Supreme Government on the subject,” and which was made on that same day, namely, the 20th January. There never was a more unjust, unfair, and unfounded accusation against a man in my position than that of charging me with an attempt to usurp those powers which belong to the Supreme Government alone! After which groundless accusation, no man having proper respect for his position as Commander-in-Chief could hold that commission.

Paragraph 13.

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

Paragraph
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Paragraph 14.

His Lordship has devoted these six paragraphs to the display of a vast number of truisms, which I am not aware that any one is inclined to dispute, and this has been done ostentatiously enough, in opposition to a claim which his Lordship has been pleased to put into my mouth; for I positively deny that I ever made any claim so perfectly ridiculous. My answer may therefore be short.

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

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

Paragraph 15.

His Lordship in these paragraphs has assumed, and without the slightest foundation for the assumption, that I wanted to alter the pay and allowances of the troops at my own discretion. Having assumed this most erroneous position, he proceeds to say that I complained of denial of support in the post; and then he overturns the complaint of his own creation, which he so gratuitously endeavours to fix upon me. All this is making out a case which has no existence in fact. My complaint was as distinct as the sun in the heavens. I stated in my Memorandum, that the absence of any higher power to refer to for a decision, had driven me to act to the best of my judgment, and with success, for which I deserved thanks, and received reprimand. After describing this single fact (for the whole case referred to regards but one fact), I concluded thus, "Such are the shackles put upon my conduct as Commander-in-Chief; such is the support which I may expect in future difficulties. So circumstanced, I no longer feel safe, "and I shall resign a command which I could not retain under "-"our restrictions with advantage to the public service." Do the words "on this occasion," authorize his Lordship's sweeping assertion that I complained of denial of support in the post? Assuredly not, and the proofs which he adduces to show that he had given me support on other occasions are unnecessary,
unnecessary, for I never questioned it. On the contrary, I always and openly acknowledged it. It was his duty to give it to me; and had I not received it, I should have resigned sooner. But all that his Lordship has stated in these five paragraphs is fighting with a shadow. The one complaint I made (for I did not make "complaints"), was not groundless; it was just, and no officer of my rank, and in the position I stood, could submit to such an offensive reproof as I had received. It was impossible for me to remain Commander-in-Chief after that reprimand. Lord Dalhousie seems to think that his having given me support on previous occasions gave him the right to inflict on me this unjustifiable reprimand, for no reprimand is justifiable unless the man reprimanded has been culpable; and no man can be culpable who has fully succeeded under very difficult circumstances. His Lordship is in error. His former support gave him no right to withdraw support on this occasion, of which he must have been aware at the time.

Paragraph 16.

In this paragraph his Lordship says, that he did not authorise the acts which he enumerated in paragraph 54, and of which he afterwards approved, and that he is unable to explain on what "misapprehension," I said, "having resolved to use the "powers entrusted to me by the Governor-general," and the Governor-general denies having entrusted me with such powers. I will, therefore, by quotations from his Lordship's letters to me, endeavour to show that my "misapprehension," if I did misapprehend, which I deny, was a very natural one, and that most men in the same situation would, in like manner, have misapprehended. As his Lordship says it was a misapprehension, be it so; all I can say is, that it was a very happy misapprehension, and one for which I deserve thanks. It was fortunate for the East India Company that I was driven by circumstances to act by my own judgment, and that the Governor-general was not present to prevent my taking advantage of such an opportunity of placing the obedience and discipline of the Bengal army on a sounder base than it was before, which, in consequence of a private letter that I received from his Lordship at the time, I have reason to believe would have been the case. However, the good is done, and I hope no measure will be taken by his Lordship that may undo it!

To proceed with the extracts from the Governor-general's letter, which made me consider myself authorised to say I used "the powers entrusted to me by the Governor-general."

In the first place, I can show by his letters that, from the first, he approved of all I did relative to the mutiny when it first appeared at Rawul Pindee, and also in the various personal interviews which I had with his Lordship on the subject. But let all this pass, and come to later transactions, when matters became more serious. (The underlining is chiefly mine). On my reporting the affair of the 41st to the Governor-general, he writes on the 11th November, from Loudianah, "I am very sure of your doing everything that is right in the circumstances that may arise, whatever they may be." On the 30th December he writes from Mooltan, "The conduct of the 32nd distresses me in every way. It is unreasonable, and on every ground unpardonable. The original creation of an allowance extra was a short-sighted and impolitic as well as an unnecessary act; but the Government cannot allow the act and its evils to extend into futurity. I am very sure that the course you contemplate is the truly merciful one. No punishment can be too severe for the men who deliberately instigate to mutiny; and although
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"although I am as little bloody-minded as most men, I
should be quite prepared to advise, if called upon, that
these men should be put to death. It is true that it is said
transportation across the seas has more terror than death;
I very much doubt it; and I conceive that the promptitude
of the punishment in retribution of the act, and in presence of
those who partially shared in it, would have a greater effect
in repressing similar offences, than the more distant punish­
ment of banishment. I am very glad you are where you are,
and I feel quite at ease when the conduct of measures con­
sequent on such offences is in your hands."

On the 18th of January his Lordship writes to me from
Scinde:—"I quite agree with you in being prepared for dis­
content among the native troops on coming into the Punjab
under diminished allowances. I looked with great anxiety to
the result of a measure that was indispensable from the first,
and I am well satisfied to have got so far through it without
violence as we have. The sepoy has been overpetted and
overpaid of late, and has been led on by the Government
itself into the entertainnent of expectations, and the mani­fes­tation of a feeling which he never held in former times.
"The Government and yourself have no doubt of the perfect
justice and perfect necessity of their present orders, and
they must be enforced. I would fain hope that flying
rumours are exaggerated, and that your prompt and decided
action at Delhi and Wazirabad will check all future designs.
"I saw the 41st at Moortan; it has behaved perfectly well
since it left Delhi; and the men, Major Halford tells me,
have seemed ashamed of themselves ever since," (that is to
say, ever since I dealt with them). "If my hope be dis­
appointed, the course of action you indicate is the only
right one; indeed it is the only possible one. A yielding
or a compromise in this case would be worse than a defeat by
the enemy in the field, and would make our own army more
formidable to us than the Khalsa has been. In this point,
then, our sentiments are in perfect unison; and whenever
anything may occur which requires, or would be benefited by
the support of the Government, that support will be unre­servedly given. All testimony has led me to form the opinion
you hold of the efficiency and fidelity of the Gurkha corps. If
an immediate increase of the pay were necessary to enable you
to command the services of these corps, in the event of dis­
affection among the native infantry, I would at once issue
an order for the increase; but the terms of their own con­
tract of enlistment entitle you to call upon them to move
anywhere on emergency, and as you can thus avail yourself
of them fully, and at once, if they should be needed, I think
it better to wait for the reply from the Court, which in
another month will reach me. I will make use, in the mean­
time, of recent events, for the purpose of strengthening argu­
ments, which I feel satisfied the Court have already felt to
be sufficient."

Now let me ask whether, taking all these letters, and the
sentiments therein expressed together, I, holding the high
office of Commander-in-Chief, and having long military expe­
rience, and sent to India under no ordinary circumstances of
danger, was not fully warranted to take upon me to act as I
did, and to consider that I had been entrusted with the dis­
cretionary power which, on the spur of the occasion, I exer­
cised? and was that power without precedent? No; for Lord
Gough had it, and I myself, when only a major-general in
Scinde, had been invested by Lord Hardinge with this very
discretionary power to disband one or more regiments, if I
thought it necessary. I did not think it necessary, neither did
I think it necessary to disband the 13th and 22d native infantry in the preceding year, when the measure was recommended by Colonel Benson, because I thought it premature to disband for passive resistance like that shown by these two regiments; but when I found that five had exhibited a mutinous disposition, and that one had attempted to seize the strong fortress of Govindghur, then I did think the most prompt and severe measures necessary to quell the mutiny, and authorised by the letters above quoted; yet these measures the Governor-general now holds forth as criminal! Yes, it was high time for me to resign a command where every exercise of sound judgment in my own profession, attended with perfect success, has been considered an encroachment on his Lordship's power, and a misdemeanour, if not a crime. While I found support I acknowledged it. When it ceased I resigned.

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

Paragraph 17.

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

Paragraph 18.

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

For my part, being conscious that I have done my duty, and being convinced that the mode in which I have done it, although disapproved by the Governor-general, has been highly beneficial to the interests of the Government, the country, and the army, whilst the course which he maintains that I should have pursued was calculated to ensure great public disaster, I cannot feel otherwise than confident of receiving, when
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Paragraphs of the Governor-General’s Minute.

Para. 58.

Simla,
July 1850.

when the real facts are understood, the full approval of my Sovereign, the Government, and my countrymen, as well as of the Honourable the Court of Directors.

(signed) C. J. Napier, General, Commander-in-Chief.

Head-Quarters Camp,
4 December, 1850.

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

(signed) C. J. Napier General, Commander-in-Chief.

No. 2A.

From Captain F. D. Atkinson, Assistant Secretary to Government, Military Department, to Lieutenant-Colonel H. T. Tucker, Adjutant-General of the Army.

Military Department.

Sir,

I am directed to acknowledge the receipt of your despatch, No. 1,362, dated 10th December last, and in reply to enclose, for submission to his Excellency the Commander-in-Chief, copy of a minute recorded by the Most Noble the Governor-general on the 28th ultimo, in reply to the memorandum by Sir Charles Napier, g. c. b., dated July and 4th December 1850.

I have, &c.

Camp, Kote,
3 February 1851.

(signed) F. D. Atkinson, Captain,
Assistant-Secretary to Government,
Military Department.

Minute by the Most Noble the Governor-General.

28 January 1851.

1. The Adjutant-general of the army has lately transmitted to me a memorandum, written by his Excellency Sir Charles Napier, in reply to a minute which I recorded on the 14th June 1850, regarding the intimation conveyed to me in a memorandum dated 22d May, of his Excellency’s intention to resign the command of the army in India, together with the reasons which he alleged for that act. The present memorandum bears date, Simla, July 1850, and 4th December 1850, but it did not reach me until after Sir Charles Napier had ceased to command the army.

2. In this document his Excellency reiterates the statements he had before advanced, and contradicts in nearly every point the reply that has been given. Thrown into the form of a running commentary on the several paragraphs of my minute, the memorandum repeats so frequently the same statements under various heads, re-words the same arguments, and traverses so often ground already traversed before, that it would probably prove confusing and perplexing to one who was not acquainted with the cause of previous discussion on the subject of which it treats. Nevertheless, I should be well content to leave my defence to the statement I have already submitted, and to rely on the minute recorded on 14th June as furnishing a full reply, as well to the memorandum which now professes to answer it, as to the previous paper of the 22d May. I am unwilling, however, to appear to treat with indifference any document, even though posthumous, which
which has proceeded from a Commander-in-Chief of this army. I shall, therefore, have the honour of submitting in the following paragraphs such further observations as may appear to me to be necessary. In so doing, I shall adhere, for distinctness' sake, to the same order in which the several branches of this question were discussed in the minute of 14th June, collecting under each head everything which is to be found in his Excellency's memorandum that may be connected with the topic and may call for any notice.

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

I. That the rule respecting the compensation for sepoys' rations, which his Excellency set aside as a new rule, was not a new rule, but one previously established and acted upon in practice.

II. That it was not an unjust or impolitic rule; but in all respects the reverse of this.

III. That no such emergency, no such perious crisis, did exist, as to justify the terms in which his Excellency described it.

It was further shown,

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

V. That full support had been given to his Excellency by me during the period of his command, and that he had no sufficient ground for intimating an opinion that support would not be given to him in future difficulties.

I shall now again review these several heads successively.

4. I. That the rule respecting the compensation for sepoys' rations, which his Excellency set aside as a new rule, was not a new rule, but one previously established, and acted upon in practice. In his present memorandum, advertizing to my reference to the act of the Commander-in-Chief "in cancelling an order of the Governor-general in Council regarding sepoys' compensation for rations," his Excellency Sir C. Napier objects, "I must beg leave to deny the first assertion made by his Lordship in this paragraph. I suspended the execution of the order, and to suspend is not to cancel." In reply, I have to observe, that in describing the act of the Commander-in-Chief as a cancelling of the order of the Government, I used the term advisedly, and advisedly I repeat it. I dealt in my minute with the acts of the Commander-in-Chief as they were in reality—not as they professed to be. I brought forward prominently in my minute the explanation (advanced by his Excellency in his memorandum of 22d May, and again in the paper before me) which was founded on his having declared that he suspended the order "pending the result of a reference to the Supreme Government." I stated that his Excellency must be well aware that if the order were once issued by him, the chuse of reservation to which he pointed became an empty form. The reversal of an order by the Commander-in-Chief conveying advantages to the troops, would, under any circumstances, be inexpedient, from the dissatisfaction it must necessarily create among those affected by it, and the lowering of his authority which it would produce; but to reverse it under the circumstances which had then existed was practically impossible, and doubly so if the state of the army were really such as his Excellency believed it to have been. Wherefore the order of the Commander-in-Chief respecting the compensation for sepoys' rations was at that time final; consequently, the phrase I employed was strictly correct, for, under such circumstances, to suspend was to cancel.

5. Having thus replied to the objection which his Excellency has raised to the mode in which I described the measure he had adopted relative to the rule for ration
for rations' compensation, I proceed to notice his Excellency's remarks on the paragraphs which treated his view of the rule itself.

Upon them his Excellency observes, "In these paragraphs (Minute 14th June, 8-21) the Governor-general reverts to my memorandum of 22d May, and, wholly neglecting the grounds on which I based the defence of my order relative to the rations, his Lordship fixes upon a number of comparatively unimportant details, and therefore I shall not lengthen this memorandum by answering these observations of the Governor-general, but allow, without entering further into the discussion, that I may have been misled," &c. Sir Charles Napier has done wisely in attempting no answer to a refutation of his views, which, being founded on facts and official documents, was in itself unanswerable.

6. With this remark I should have passed to the next division of the subject, but that his Excellency, in the sentence above quoted, has alleged that, in the paragraphs on which he was commenting, I wholly neglected the grounds on which I based the defence of my order relative to the rations. Further on in the same paragraph his Excellency remarks, "But his Lordship studiously avoided answering the following and all important paragraphs of my memorandum:" But I do not consider that the real question is, whether I acted "with judgment or without judgment. I consider the real question to be this—whether the Commander-in-Chief of India, removed to a great distance from all high authority (the highest being at sea), in a moment of great danger, surrounded by a hostile population, and with an army of upwards of 40,000 men infected with a mutinous spirit, was justified, or not justified, in using his discretion, and promptly dealing with danger in the manner which he thought most effectual for the safety of India? This is the real question. And this is precisely the question which his Lordship has so unjustly decided "in his reprimand of the 13th April, but so carefully avoided the discussion of "in the minute under reply." To this I rejoin that if, by the words contained in the foregoing passages, Sir Charles Napier meant to object that I had not noticed the large question contained in his quotation in the 13th paragraph, on which he was immediately commenting, his objection is unreasonable; for, as my minute declaredly treated the several divisions of the subject separately, it was not possible that the paragraphs which were exclusively allotted for the consideration of one portion of the subject should enter on the discussion of another and very different portion of it. But if Sir Charles Napier means to allege that the question contained in the passage he quotes was nowhere discussed in my minute, I have to state that his Excellency is in error. The passage quoted by his Excellency was not transcribed in full, but I question raised in it as to the right of the Commander-in-Chief to use his discretion in the manner which he thought most effectual for the safety of India, was entered into and fully discussed in paragraphs 43-48 of my minute of June, paragraphs which are commented upon by his Excellency in his present memorandum, and which will again be adverted to in this minute.

7. It was shown that the rule of rations' compensation was not an unjust or impolitic rule, but in all respects the reverse of this. This portion of the question was discussed in paragraphs 22 to 27 of the minute, 14th June. Adverting to them, Sir C. Napier observes: "My opinion remains the same, after reading his Lordship's seven paragraphs against it." Subsequently, his Excellency adds, "The Governor-general thinks he has overturned my argument on this irrelevant point. I shall not discuss it with his Lordship."

It is unnecessary for me to dwell on a point which is abandoned. I will, therefore, only observe, that "my acts" on this head in no respect contradict my expressed opinions. Just and politic as was the rule which his Excellency thought proper to supersede, its restoration could only have been effected by a reversal of his Excellency's order. The reasons which were valid against such reversal were fully stated in paragraphs 40, 41, 42 of the former minute, and

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* Minute, 4 Dec., Para. 3.
† Memo., 22 May.
‡ Minute, 14 June, Paras. 43-48.
‖ Ditto, 14 June, Paras. 24-27.
¶ Ditto, 4 Dec., Para. 4.
** Ditto, 4 Dec., Para. 4.
|| Ditto, 4 Dec., Para. 4.
‡‡ Ditto, 4 Dec., Para. 4.
§§ Ditto, 4 Dec., Para. 4.
and have already been repeated in the present paper.* It is unnecessary to repeat them a second time.

8. Having thus finally disposed of the first of those pleas on which Sir C. Napier, on 22d May, justified his order respecting sepoys' compensation for rations; having shown that the order set aside was well established, in use just and fair, and that his Excellency had not directly or indirectly been called upon to enforce a new rule by which fresh reductions of pay were imposed upon the sepoy, I proceed to review again his Excellency's second plea, founded on the alleged extraordinary and perilous circumstances in which he was acting. This portion of the question was examined in paragraphs 29 to 39 of the minute of 14th June, wherein it was shown—

III. That no such great emergency, no such perilous crisis, did exist, as to justify the terms in which his Excellency described it in the memorandum of the 22d May. Sir Charles Napier has commented on these paragraphs at considerable length, reiterating in them, as in other portions of the memorandum, his former assertions regarding the perilous nature and extent of the mutiny which he affirms to have existed; endeavouring to combat the arguments by which he was met, as well as to explain acts and words to which reference was made, and advancing such further statements as render it necessary that I should again enter into some details.

9. Before engaging, however, in detailed examination of the question at issue, I desire to notice a charge of misrepresentation which his Excellency has brought against me. Commenting on paragraph 30 of my former minute, Sir C. Napier states, "In this paragraph his Lordship expresses his incredulity that "the army was in mutiny and the empire in danger," a sweeping and exaggerated mode of expression: a statement which I never made, as his Lordship asserts that I did.† The whole army was not 'in mutiny,' but a mutinous spirit pervaded a large portion of that part of the army which occupied the Punjab. This misrepresentation of my words is not argument, so I pass on to paragraph 31." Subsequently, in reference to paragraph 32, 14th June, Sir C. Napier observes, "I must again beg to remind his Lordship that a grave misrepresentation is repeated in paragraph 32, where I am stated to have informed the Government, in my letter 22d May, that on the 20th January the army was in mutiny."† Again Sir C. Napier states, "I cannot however avoid referring his Lordship to a third repetition of his misrepresentation of my words, which I find in the last line but one of his paragraph 37.§ The charge of misrepresentation is frivolous. I have nowhere imputed to Sir C. Napier, that he stated "the whole army was in mutiny." I have nowhere imputed to him that his statement respecting the mutiny applied to any other than the army of the Punjab. When, in the minute of 14th June, I first introduced the topic, I did so in the words his Excellency actually used, and those words I literally quoted. I quote my own paragraph again, and the mere citation of its terms will prove the accuracy and fulness with which I repeated the statements his Excellency set forth. In paragraph 29 of minute 14 June were these words—"in various passages of his memorandum his Excellency states that when he issued the order on the 20th January, relative to sepoys' compensation, 'mutiny had appeared in a most formidable shape,' that the officers in command were in 'very critical and dangerous circumstances,' that it was 'a moment of great danger,' that he was 'surrounded by a hostile population and with an army of upwards of 40,000 men infected with a mutinous spirit,' and finally, that the Indian Government, by reason of this mutinous spirit, was exposed to 'great peril.'" These are his Excellency's words; a reference to them and to the 10th paragraph** of his memorandum of 22d May, in which his Excellency speaks of "the great peril to which the Indian Government was exposed by the mutinous spirit which had appeared among the troops," and a similar reference to the 15th paragraph,†† in which his Excellency described himself

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* Para. 4. † Minute, 4 Dec., Para. 5. ‡ Ditto, ditto, Para. 6. § Ditto, ditto, Para. 9. ¶ Ditto, ditto, Para. 5. ¶¶ Ditto, 14 June, Para. 59. ** Ditto, 22 May, Para. 10. †† Ditto, ditto, Para. 12

* Mr. I 80.
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himself as surrounded by "an army of upwards of 40,000 men infected with a "mutinous spirit," will conclusively establish the fact, that Sir C. Napier did assert that the army of 40,000 men by which he was surrounded was in mutiny, and in mutiny to such an extent as to place the State in great peril. A further reference to other portions of my minute will show, that in the frequent allusions made to his Excellency's statement therein,* I sedulously restricted its application to a portion of the Bengal army; to that army with which the Commander-in-Chief was placed,--to the army of the Punjab,—the only army which could indeed be referred to, since it alone was affected by the causes of discontent. No man, after such literal quotation in the first instance, and after such careful repetition, on my part, of the phrase which was actually employed by Sir C. Napier, could by possibility misapprehend the casual expressions, less precisely worded, which Sir C. Napier has picked out. No man has construed, or could construe, my minute as representing that his Excellency had affirmed the existence of formidable mutiny in the whole Indian army, or in the whole army of Bengal, or in any other army than the army in the Punjab, to which it was actually attributed by his Excellency in the words I have repeated again and again. Nor could Sir C. Napier himself have affected to see any misapprehension, or risk of misapprehension, attaching to those words of mine, excepting under the influence of that querulous spirit which has unhappily marked so much of his recent correspondence with the Government of India, and which has inclined him to discover an injustice in each letter, a reprimand in each request, and a grievance in everything.

10. I have stated that, in my former minute,† it was maintained that no such general or perilous mutiny existed in the army in the Punjab as that described by the Commander-in-Chief. Omitting many minor evidences to the contrary, the existence of such a mutiny was declared to be irreconcilable with the official acts and words of the Commander-in-Chief at the time.

11. It was irreconcilable with his acts, since if any such mutiny had existed in the plains, it was inconceivable that at such a time his Excellency should have left them and proceeded to the frontier. His Excellency combats the inference herein drawn from his official acts, and enumerates the reasons which induced him to proceed to Peshawur. These reasons are of various kinds.

First, it was necessary that he should become acquainted‡ with the troops, become acquainted with the country,§ and select cantonments, &c. &c. Second, he had able and trustworthy officers,—Brigadier Wheeler, at Jullundur; General Gilbert, at Lahore; Brigadier Hearsey, at Wuzeebad. Third, if his “presence was useful at one place‖ more than another, it was probably at Peshawur.” To these reasons, I reply: first, that however important the duties here described by his Excellency may ordinarily be, they sink into insignificance when compared with the vital importance of suppressing such a mutiny as his Excellency alleges to have existed. Nor would any of them, or all collectively, have been permitted by the Commander-in-Chief to divert his attention for a day from the management of the perilous difficulties with which such a state of things would have surrounded him; secondly, whatever may be the abilities of the several officers, whom his Excellency has named, I must repeat my conviction already expressed, that if the extensive and dangerous mutiny which his Excellency describes had then existed, he would not have left to any subordinate officer whatever the task of dealing with such events, or thrown upon them the responsibility thereof. Thirdly, after very frequently perusing the remarkable exposition of his Excellency's views of the advantage and necessity of his proceeding at that time to Peshawur, I am compelled to say that it has not convinced my mind, nor will it convince the minds of others either, that the best means by which the head of the army could prevent a serious outbreak of insubordination was by quitting the scene of it, or that the choicest measure which the Commander-in-Chief could have adopted, in January last, for promptly repressing a mutiny in the plains, was to march to Peshawur across the Indus. If 40,000 men had then been infected with a mutinous spirit, so as to put the State in great peril,
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peril, the Commander-in-Chief would at once have placed himself where he would be able to act with most authority and effect to repress the spirit and to avert an outbreak. His Excellency is compelled to admit that the cause of discontent being the reduction of allowances, there was no probability that the troops at Peshawur would have shown insubordination, since no reduction was ordered there. Wherefore, with few exceptions, the whole of the 40,000 men, among whom the mutinous spirit prevailed, were in the plains of the Punjab: the first duty and object of his Excellency was to repress that spirit, to prevent its breaking out into open and violent mutiny, and for that purpose he would unquestionably have remained in the midst of it. It was the post of danger, and he would not have quitted it: it was the point of action, and he would have abided by it. He would have remained* (not "shutting himself up in a can- 'comma), or in the fortification of Lahore, cowering under the insolence of "mutinous troops," as his Excellency, utterly without warrant, asserts I would have him do, but he would have remained), moving rapidly "from station to "station," if he thought proper, showing "no fear of mutiny," but near at hand to the scene of discontent; I say he would have remained there, because there he would be best prepared to exercise the full authority of his office, and would give confidence by his presence to the action of those who served in their several stations under him. He would have remained there, because there information could best be had of all that was occurring from time to time: there the course of action to be adopted could be most clearly seen; and there the orders he might resolve to issue could best be executed with the promptitude which gives half their value to vigorous resolutions. In one word, if formidable mutiny had been in the plains of the Punjab, the Commander-in-Chief would have remained where he most readily could learn all that was doing; where he could best resolve what ought to be done, and where he could most speedily execute whatever he might resolve. This is the course of action, consonant with reason and common sense, which the Commander-in-Chief would have followed, if 40,000 men had been in mutiny in the plains. The course pursued by Sir Charles Napier was directly the reverse, and I repeat the conclusion, that it was irreconcili·able with the existence of such a mutiny as he asserts.

12. Further, it was shown in the minute of 14th June that the existence of such a mutiny as his Excellency affirmed was inconsistent with his own official words;† since, at the period in question, he issued a general order to the army, the terms of which directly disproved the existence of extensive mutiny or danger to the State. Justifying the general order to which I have adverted, Sir C. Napier observes:—"My own orders prove its existence (the mutiny), and the "pains I took to conceal from the army the extent of the danger:" Common "sense called upon me to conceal this danger, lest it should spread wider still, and "the whole army, learning that a great number of regiments were combined in "the Punjab, might join. No one could exactly tell how far the bad spirit had "spread, and to have made a parade of it in public orders would have been "madness." Subsequently his Excellency observes:—"On the other hand, his "Lordship would have had me proclaim, in my remarks on the sentence of "doomed mutineers, my belief that a considerable portion of the Punjab army "was tainted with a mutinous spirit! Proclaim to them their numbers and "their strength!" His Excellency is quite in error; I would by no means have had his Excellency adopt any such course. I must be permitted to point out, that to withhold from the army the knowledge that formidable mutiny existed in its ranks, is one thing; but if formidable mutiny did exist, to tell them there was none at all, would be another, and a very different thing. In like manner, if 40,000 men were in dangerous mutiny in the Punjab, to make no mention to the army of the fact would have been to preserve a judicious silence; but if 40,000 men really were in mutiny, then to tell the army that they were an honourable and obedient army, and that the mutineers were only a few discontented scoundrels, would have been to proclaim a deliberate untruth. Sir C. Napier is utterly incapable, under any circumstances, directly or indirectly, of lending himself to an untruth. When, therefore, his Excellency in his general

* Minute, 14 June, para. 5.
† Ditto, ditto, para. 31 A.
‡ Ditto, ditto, ditto.
§ Ditto, ditto, ditto.

13. of any affi rm partial or altogether offend by the "Gov " mut " ther " (M. " tra " per " that " mut " sigl " mutin " mome " of 14t " inc " di " by an in dar

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general orders, announced the existence of a mutiny, and described its extent as inconceivable, and when the description of its extent so given is corroborated by all information, and confirmed by the course of contemporary events, I give entire credence to the testimony his Excellency bore to the then existing condition of the army in the Punjab. And when his Excellency, under whatever impressions, announces subsequently that 40,000 men had been in mutiny and the State in danger, I am bound, in the exercise of free judgment, to reject that opinion as irreconcilable with his Excellency's recorded declarations at the time, and as unsupported either by testimony or facts.

13. Again, in the minute of 14th June, it was maintained that the existence of any mutiny in the army in the Punjab, such as that which his Excellency affirmed, was inconsistent with the course of known events. It was stated that partial disaffection had prevailed—that partial mutiny had appeared; but it was altogether denied that either the frequency of the offence or the number of the offenders was sufficient to justify the sweeping inculpation subsequently advanced by the Commander-in-Chief. Upon this Sir Charles Napier observes:—"The "Governor-general, in this paragraph,* chooses to assume that there was no "mutiny, and chooses to forget that I had quelled the mutiny; for that reason "there was no mutiny when he wrote his minute. Again in these paragraphs† "(M. 14th June, 33, 34, 35) the Governor-general endeavours, by the most "extraordinary and the most disingenuous course of reasoning, to describe the "perfect obedience of the Indian army after I had put down the mutiny, as if "that submissive state was not the result of the measures I had taken to quell "mutiny. The last circumstance his Lordship has endeavoured to cast out of "sight altogether." To this I beg leave to reply, that I have in no respect forgotten the extent to which his Excellency repressed mutiny; that I have never withheld from him the fullest credit that was due for suppressing all the mutiny that ever existed in the Punjab; further, that I never have for a moment disputed that some mutiny did exist. But I maintained in the minute of 14th June, as I again maintain now, that the mutiny so repressed was partial, inconceivable in degree, comprising comparatively few in numbers, and that it did not justify the Commander-in-Chief in representing that he was surrounded by an army of 40,000 men infected with mutiny, so as to place the Indian State in danger.

14. The question at issue is, the real extent of this mutiny. The character and extent of a mutiny can only be determined by the overt acts in which it shows itself, and by the character and extent of the measures which are sufficient to repress it. In this view I shall first examine the several cases which his Excellency recites.§ I use his own words. "The mutinous spirit first broke "out at Rawul Pindee, in July 1849. I was then at Simla. It next displayed "itself at Delhi, in November 1849. I was on the spot. It then showed itself at "Wuzeerabad in December, and finally it burst forth at Umritisir in January." These were the cases that occurred. The following were the circumstances:— At Rawal Pindee the men of the 13th and 22d regiments native infantry declined to receive their pay, on which the first reduction had then been made. Without recourse having to any coercion, they subsequently thought better of it, and took their pay. Courts martial were afterwards held. In the 13th regiment, a native officer and four men were dismissed the service, seven other sepoys were imprisoned for four months. In the 22d regiment, one officer and six men were dismissed, one officer suspended, and ten sepoys imprisoned for four months. The next case occurred at Delhi, in the 41st regiment. After the order respecting reduction had been read on parade and explained, the men returned to the lines, piled arms, but for a time would not take off their accoutrements, and it was considered that a bad spirit was shown. A message was sent by the Commander-in-Chief, who was then on the spot, to the native officers, saying that he would recommend their dismissal if any insubordination took place. Nothing ever took place, and they marched a few days afterwards to Mooltan. The next case occurred at Wuzeerabad, where the sepoys of the 32d regiment N. I. were about to refuse their pay. The first four who refused were taken out of the ranks.

* Minute, 14th June, Para. 6.  † Ditto, ditto, Para. 7.  ‡ Ditto, 4th Dec., Para. 5.

Para. 5.
ranks, tried then and there, sentenced to imprisonment, their irons were put on their legs, and they were marched off in presence of the brigade paraded. The pay was then proceeded with, and not another man refused it. Five other men were subsequently tried, a havildar for concealing, and four men for inciting; the above mutiny. The havildar was dismissed the service; the four men were condemned to death. The Commander-in-Chief commuted the sentence to transportation for life. Lastly, the 66th regiment mutinied at Govindgarh, and were wholly disbanded. The circumstances are well known, and need not be repeated. These were all the overt acts of insubordination or of mutiny that occurred, beginning with the 13th and 22d regiments six months before, and ending with the 66th. After the fullest weight has been given to the open mutiny of the 66th, to the passive resistance commenced, but abandoned on the first exercise of authority, by those who refused to receive their pay, and to the conduct of the 41st regiment, who, in truth, never did anything at all, I unhesitatingly uphold the declaration I have maintained, that there was partial disaffection, but no such extensive or formidable mutiny as his Excellency has affirmed.

15. In order that the real character and extent of the alleged mutiny may be further tested, I proceed now to examine the character and extent of the measures by which the mutiny was quelled. These were of two kinds: the one was the relaxation of the rule for regulating compensation for sepoys’ rations; the other was the infliction of punishment on those who had offended. It does not vary clearly appear, from his Excellency’s memorandum, to which class of measures he most attributes the suppression of the mutiny.

16. Adverting to the alteration of the rule respecting compensation for rations, he observes.* "The Governor-general was far away on the high seas! The Supreme Council 1,500 miles distant. The whole responsibility of quelling this mutiny rested on me. I was obliged to decide to the best of my judgment. I had no reason to doubt the statements of Brigadier Hearsey and his commissariat officer. Whether my decision was the best that could have been come to does not enter into the question. I did what I thought right, and I succeeded, without cost, too, of either money or of life." Again, he says immediately afterwards, † "Finally, I completely succeeded in putting a stop to a widely-spread and spreading mutiny in the Bengal army, probably the most dangerous that had ever appeared in that army." From these passages it would be inferred that his Excellency attributes the suppression of the then existing mutiny in the Punjab to the measure he adopted respecting ration compensation. Now, what was the extent and nature of that measure? Sir Charles Napier has himself described it in the present memorandum, and I shall merely quote the words in which he characterises it:—"The fact is, that the compensation for rations is a rare occurrence, and I know officers of long service who never yet saw it enforced. The amount which Government lost by my suspending the rule (which applied for the first time to the troops at Wuzzerabad) was only about (63) sixty-three rupees a month on a regiment of 1,000 men." ‡ Thus, it appears that the measure which successfully quelled the mutiny in the Punjab was the re-establishment of a rule, the operation of which would be of infrequent occurrence, and which, on the rare occasions on which it came into play, would give about three halfpence a month to each man for the month during which it operated. This is the measure which Sir Charles Napier represents as of such importance and moment that it could not bear the delay of a reference to the Supreme Government. "Armed soldiers in mutiny," he observes, § "cannot be dealt with by the inexusable procrastination which I am found fault with by my Lord Dalhousie for not adopting." This is the measure which, as his Excellency states, successfully quelled the mutiny, without cost of money or of life! It may have quelled the mutiny. If it did,—if a boon of three halfpence to each man for a month, receivable so rarely that many officers in a long service never saw it received at all,—if such an insignificant boon as this did really suffice to quell the mutiny in the Punjab, then it is impossible for any man living to contend that the mutiny so quelled was a really formidable...

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* Minute, 4th Dec., Para. 3. † Ditto, ditto, ditto. ‡ Ditto, ditto, Para. 14.
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formidable mutiny, extending over 40,000 men, and of such a nature as to make the moment dangerous and critical, or to put the State in peril.

17. On the other hand, it is to be inferred from many other passages in the present memorandum, that his Excellency attributes the suppression of the then existing mutiny in the Punjab to the measures he adopted for meeting and punishing the offence. These measures were the dismissal and imprisonment of men who refused their pay in the 13th, 22d, and 32d regiments. A message to the native officers sufficed to repress any symptoms of mutinous spirit which had been shown in the 41st. The measures were promptly taken, judicious, just, and effectual for their end; but is it possible for any man seriously to contend that measures of no greater extent and severity than this would have sufficed to repress all the main force of a mutiny which had so possessed an army of 40,000 men as to have made the moment dangerous and critical, and put the State in great peril? Yet these measures were sufficient to subdue the main force of the mutiny; for if a formidable mutinous spirit still remained when the 66th regiment broke into disaffection, and if soldiers always "unite in and common cause," (and his Excellency tells me that I "know little of soldiers" if I think they would not do so), how is it to be accounted for, that when the 66th mutinied for pay, the native regiments who came up, not only showed no sympathy with them, but exhibited the utmost alacrity in preparing to act against them? If 40,000 men were still infected with a spirit of formidable mutiny, how is it to be accounted for, that when the 66th mutinied for pay, and did it in the violent and startling manner described by his Excellency, no corps in all the 40,000 showed the least community of feeling, or inclination to join? It is only to be accounted for by admitting the conclusion which I have from first to last maintained, namely, that a formidable mutinous spirit did not exist; that the army of 40,000 men was not tainted with mutiny to such an extent as to justify the assertion that the feeling was general, and the State thereby in danger. It is only to be accounted for by admitting that the mutiny was partial. Openly and generally displayed in the 66th regiment, and exhibited in the four other regiments named, but existing in a degree so inconsiderable as to have been promptly and finally put down by the first manifestations on the part of his Excellency, and the officers under his command, of their determination to permit no act of insubordination in the ranks of this army, and no resistance to the just and reasonable orders of the Government which it served. Whether, therefore, Sir C. Napier attributes the suppression of the mutiny that did exist to the one class of measures which he adopted, or to the other, or to both conjointly, it is clear to demonstration that that mutiny was not of the character and extent he has subsequently affirmed.

18. Sir C. Napier, in his present memorandum, has advanced further statements in corroboration of his declarations regarding the mutiny in the Punjab, to which it is necessary that I should advert. His Excellency observes,* "That the crisis was most dangerous, every one knew perfectly well, and no one was more alive to the danger than the Governor-general himself, while he remained within the reach of a knowledge of what was going on. It is therefore the more unaccountable to find his Lordship, after having been at sea, far beyond the reach of knowing the events that were in progress, attempting by erroneous assertions, and arguments discordant with facts, to dispute the opinions of men on the spot, and deny the tendency and symptoms of events that acts infinitely more serious than any of those which had previously excited his alarm when he was on the scene himself. There was the mutiny! 40,000 sepoys were more or less infected with this bad spirit."† "Again I assert that every man in India, including the Governor-general himself (whose own letters prove it), knew that there was a very extensive spirit of mutiny among the troops. That this mutiny, being grounded on the desire to get higher pay, was in the very greatest degree dangerous. That great alarm existed in consequence. That I was not only aware, but told the Governor-general of it."‡ Further, his Lordship need not have expressed any astonishment at what was known to every one, and himself among the rest. See my letters to him on the subject, as well as several of his own to me, showing that he had been informed

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* Minute, 4 Dec. Para. 2. † Ditto, ditto, Para. 5. ‡ Ditto, ditto, ditto.
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“informed of the danger before he went to sea.” In these passages, Sir C. Napier, re-affirming the existence of dangerous mutiny, asserts further, that no one was more alive to the danger than I was; that great alarm existed; that Sir C. Napier had told me of it in his letters; that my alarm was excited, and that my own letters prove it. In a subsequent paragraph, his Excellency quotes largely from my private letters addressed to him at the time, relative to the symptoms of mutiny which had appeared.

20. Whatever may be my opinion of the character of this act, I have no reason whatever to regret its results. I beg to draw full attention to the quotations of my letters given by Sir C. Napier. I beg to refer to them in proof of the entire accordance of the sentiments of my private correspondence with the statements of my official papers, and in corroboration of my declaration that I never for one moment regarded the state of affairs to which his Excellency refers as having reached a dangerous crisis; that I never either experienced or exhibited alarm. There is not one sentence in the quotations given by the Commander-in-Chief, or in any other of the letters, which countenances the assertion that I recognised the existence of any such great public emergency as that which he now vainly labours to establish. In truth, if my private letters had been written under the guidance of a spirit of prophecy, they could not have foreshadowed more accurately than they do the explanation of my public views, given in paragraph 35 of the minute of 14th June; for the passages cited from my private letters show that I was prepared for the exhibition of discontent among the troops upon whom the reduction fell, that (regard being had to the large number simultaneously affected by the change) some anxiety was necessarily felt by me during the progress of the change; but that having confidence in the judgment and resolution of Sir C. Napier, and relying on the perfect justice of the act itself, and guided by experience of similar measures successfully carried into effect before, I held that no concession could for a moment be dreamt of, and was confident that the change would be effected, if not without some violence, at all events with general submission. These views are established by the quotations already given. Since Sir C. Napier has thought proper to produce them, I will add, generally, that further quotations would have proportionately strengthened the proofs already given; moreover, further quotation from my letters would serve to relieve me from an imputation which the memorandum of his Excellency must necessarily have cast upon me. No one who has read that document can have failed to observe the repeated allusions it makes to the fact of my having been at sea during a portion of the period of which we have been treating. His Excellency, by the frequency of these references, most unquestionably, though, no doubt, unintentionally, must have created the impression that I improperly quitted my post at a time of great danger, and proceeding to sea, left to him the responsibility of dealing alone with the danger which I knew to be impending. It is very true that serious failure of my health compelled me, under medical advice, and with the permission of the Court, to proceed to sea for one month; but before I left the Punjab I intimated that I did not anticipate the occurrence of anything extraordinary for the present; that if I had so anticipated, I should not have proposed to go; and that if any unfavourable intelligence should reach me on my way, I should at once return to this frontier, wherever I might be, or whatever might have been planned. These few words conclusively show that I saw no such public danger, as Sir C. Napier asserts; they show that if I had seen such danger, I would not have quitted the frontier; and that as I did ultimately proceed.

21. Spirit place by to un unit of a great or to with such up t late hav ing gle nz c and g en mac an i nut I w now ter the of G. me bar all .

* Minute, 4 Dec., Para. 16.
† Ditto, 14 December 1849.
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ceed to sea, I did not recognise (as Sir C. Napier erroneously declares my letters prove) any such great emergency as he has subsequently sought to affirm. The sentiments of my private letters have now been made known; the sentiments contained in the public minute are upon record. Both are in close conformity to the declaration I have throughout maintained, that there was partial discontent in the army in the Punjab, but no general mutiny putting the State in great peril.

21. Again, Sir Charles Napier has affirmed, that the existence of a mutinous spirit and of insubordination, which had risen so high and spread so wide as to place the Government in great peril, was made known to me before I went to sea, by letters from his Excellency. In reply, I have to state, that the letters addressed to me by Sir Charles Napier, during the period to which reference is made and until I went to sea, communicated to me the existence of partial manifestations of mutiny in the corps which have been already named. The letters dwelt with great truth and justice on the danger of permitting any such spirit to gain head or to extend; they expressed a firm determination to deal vigorously and severely with every case that might occur; and assumed, with perfect confidence, that such measures would be attended with success. But the letters of Sir C. Napier, up to the time at which I proceeded to sea, did not convey, and were not calculated to convey, the impression that his Excellency regarded the mutiny as having extended generally over the army in the Punjab, or as placing the State in great peril. Not only so, but even at a subsequent period, when his Excellency addressed me relative to the mutiny in the 66th, while he pointed out the necessity for striking at once and with vigour, and while he referred to the spirit and to the time as appearing to him to be very dangerous, he did so on the general ground of the possibility of further extension of the same spirit; but he made no statement which conveyed, or was calculated to convey, to my mind, an impression that he entertained those opinions relative to the actual extent of mutiny then prevailing in the Punjab, which he has subsequently maintained. I will not quote the contents of private letters addressed to me in proof of what I now advance; but lest my refraining from so doing should in some way be misunderstood, I have caused copies or extracts to be made of everything contained in these letters, connected, however remotely, with that state of affairs in the army of the Punjab, which arose out of the reduction of allowances directed in the G. O. of October 26th, 1849. They have been copied in the Secret Department, and will be transmitted to the Honorable the Secret Committee, in whose hands they will be safe. At the same time, I shall forward copies or extracts of all my own letters which in any way refer to the same question.

22. Again, Sir C. Napier states, that I knew "the men of one (regiment), the "32d, had openly declared their intention of consulting with other regiments." "That some had said—"What can we do now with two European regiments in "cantonments with us? Wait till we can consult with other regiments."

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

23. Again, Sir Charles Napier states,† that I knew that an extraordinary correspondence had been going on between all the native regiments, a correspondence, he subsequently states, "so alarming, that one general officer asked me to order the letters to be opened privately, which I refused, "because I was prepared for the worst, and there was something revolting in the act." Admitting the fact to be so, it proves nothing: an increase in the quantity of the correspondence proves nothing as to its nature.‡ An addition to the ordinary number of letters does not prove that the contents of those letters are reasonable. If his Excellency felt at the time, that the circumstances of the case were not sufficiently strong to justify his ordering the letters to be examined as reasonable then, they are not sufficiently strong to justify a conclusion

* Minute, 4 Dec., Para. 5. + Ditto, ditto, ditto. † Ditto, ditto, ditto.
CORRESPONDENCE, &c. RELATIVE TO THE

conclusion that the letters actually were reasonable now. There is not even a presumption against them. In truth, whatever presumption there is, tends the other way; for I have been informed by the officer who was president of the Court of Inquiry, that when the 60th regiment mutinied, the whole body of their correspondence was seized and examined, and that not a trace of treason, or conspiracy, or mutiny was found in it all. This statement shall be placed on record.

24. I have now examined, in tedious but unavoidable detail, everything which has been advanced by his Excellency Sir Charles Napier, in maintenance of the opinion he recorded on the 22nd May, relative to a mutiny alleged to have extended in a dangerous degree over a large portion of the Bengal army. I submit to the judgment of the Honourable Court of Directors, that the issue of this examination firmly establishes the conclusion recorded by me on the 14th June, and proves that while discontent did prevail on the reduction of allowances, and while open mutiny appeared, the discontent and mutiny were partial; that the spirit of the army affected by the reduction was generally submissive and subordinate, and that there did not exist throughout 40,000 men in the Punjab a spirit of mutiny, such as to place the Government of India in great peril.

25. It may be convenient to sum up in one view the reasons on which I have based the conclusion that has thus been maintained. I deny that the general mutiny alleged did exist in the army in the Punjab, becausc,—

I. No report whatever of such a state of things was made by his Excellency Sir C. Napier to the Government. If 40,000 men had been so deeply infected with a mutinous spirit as to place the Government of the country in great peril, the Commander-in-Chief could not have neglected to report the existence of such formidable dissatisfaction at the time, and could not have dared to conceal it.

II. Because at that time Sir C. Napier did not report the existence of discontent among the troops in the Punjab regarding the reduction of allowances, but he defined its actual extent, and described it as "a most unprovoked state of insubordination in some regiments."*

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

III. Because at the time at which Sir C. Napier was thus reporting to the Government the existence of discontent to an inconsiderable extent, he made similar, but still stronger statements, to the whole army in his G. O. of 16 January. If 40,000 men were then in such mutiny as has been alleged, his Excellency could not and would not have proclaimed to the whole army that the mutineers were a few discontented scoundrels.

IV. Because the existence of such a mutiny as has been alleged, is inconsistent with his Excellency's own acts,† as shown already at such length, as to render a recapitulation unnecessary.

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

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

26. I have every confidence that the views, which it has been necessary for me to repeat, and to enforce in the present minute against whatever has lately been

* Letter from Adjutant-general to President in Council, No. 13, 20 January 1850.
† Minute, 14 June, Para. 31, and 28 January, Para. 11.
been advanced by Sir Charles Napier, will appear to the Honourable Court of
Directors to be as convincing as those which were submitted to them on the
14th June. But if there should be any lingering doubt left on the mind of the
Court, after their perusal of the several documents now submitted to them; or
if the discussion shall have been renewed in England, and any uncertainty shall
have been felt by Her Majesty’s Government, or by Parliament, or by the public,
regarding the facts at issue, then I beg respectfully to suggest that I should be
instructed to have recourse to a measure, which will bring at once to test the
facts, that one way or other must be capable of easy proof. Let instructions be
sent to me for the appointment of a commission for the purpose of instituting a
searching inquiry into this question, whether 40,000 men were, or were not, at
the period named, or at any period during his Excellency’s command, in such a
state of mutiny in the Punjab, as to render the circumstances of the time danger­
ous and critical, and to place the Government of India in great peril? Let the
commission have before them the general of division, the brigadier, the staff
who have been quoted by his Excellency; let them summon every officer and
man from whom anything calculated to exhibit the full and clear truth can be
drawn. And when they have so done, I am very certain that the Court of
Directors will have before them an overwhelming body of evidence, amply
justifying my words, when I said, regarding the mutiny alleged by Sir C.
Napier, "That however convinced his Excellency himself may be of the cor­
rectness of these representations, I contradict and condemn them as extra­va­
gant and mischievous exaggerations."

27. Before I pass on to the next division of the subject, I wish to notice a few
points which occur incidentally in this part of Sir C. Napier’s memorandum, but
which I have hitherto passed over, in order that the consideration of the main
question might not be interrupted. In paragraph 6, Sir C. Napier observes on
paragraphs 31 and 32 of minute of 14th June—"His Lordship asserts as an
admitted fact, that one regiment, left in ignorance of the intentions of the
Government, was betrayed into acts of violence. This was not the case. No
regiment was ignorant of the intentions of Government. Major Troup, of the
66th regiment, in common with many others, did not obey his orders; but
those orders were nevertheless read to the whole regiment, as Lord Dalhousie
knew, for I forwarded the proceedings of the Court of Inquiry to the Govern­
ment, in which proceedings the fact was distinctly stated by one of the Euro­
pean officers, and was known to every one. Why his Lordship chooses to
make this erroneous assertion, is therefore best known to himself; the 66th
were not ‘betrayed into mutiny,’ they had planned it long before.” My words
were these:—"One regiment, indeed, left in ignorance of the intentions of
the Government through the scandalous disobedience of his orders by the
officer who commanded it, fell from its duty, and was betrayed into acts of
violence and insubordination.” The assertion here made is substantially and
literally correct.

Sir Charles Napier, in contradicting it, is himself mistaken. I made my
statement after perusal of the proceedings of the aforesaid Court of Inquiry; I
have carefully re-examined those proceedings, and have found, as I anticipated,
that my original statement, which his Excellency has contradicted, is entirely
correct. The orders of the Government were not read to the 66th regiment; no
European officer says so before the Court; and the whole body of evidence,
without any exception, distinctly proves that they were not read to the regiment.
The order was read to the orderly haudlers, and was explained to them by the
serjeant-major, in such a manner as a European serjeant-major may be sup­
pessed likely to explain such an order in a language foreign to him. But the
order never was explained to the regiment at all. It never was read to the regi­
ment at all till the eve of the mutiny at Govindgarh. In proof of this, I refer
as well to the evidence before the Court of Inquiry, as to the general or­
der issued by the Commander-in-Chief at the time. In that document, his Ex­
cellency observed, “Major Troup had not previously read and explained to the
sepoys of his regiment the G.G.O. dated 25th October 1849, when he received
those

* Minute, 14 June, 1850, Para. 28. † Ditto, ditto, Para. 23. ‡ Court of Inquiry, Para. 30.
§ Serjeant-Major Myers. † General Order by Commander-in-Chief, 27 Feb. 1850.
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1 those orders at Lucknow, in November. Those orders were issued by the
2 Governor-general, through the Commander-in-Chief, for the express purpose
3 of preparing the minds of the sepoys for the just and necessary cessation of a
4 temporary allowance, graciously granted to the troops during the war. To
5 cause those sepoys to discuss, to consider, and thoroughly to understand that
6 reduction, was the object of issuing those orders; and they must, from the
7 sound principle on which they were based, have brought a conviction of their
8 justness to the minds of the sepoys. The Government of India has appointed
9 an interpreter to every regiment, for the purpose of translating orders to the
10 native corps; yet Major Troup left to a serjeant-major to explain, not to the
11 men, but to the ordinary havildars to explain to the sepoys, one of the most
12 important and critical orders that ever was issued by a Governor-general, and
13 which the Commander-in-Chief had specially directed to be carefully
14 explained by commanding officers to the regiments. These paragraphs
15 prove that the regiment was left in utter ignorance of the intentions of the
16 Government, so far as their commanding officer was concerned. I have further
17 to state, that as the intentions of the Government were never explained to the
18 regiment by the commanding officer, so they never were explained to the
19 regiment by any other person. The adjutant deposes: "It was never ordered
20 through me that the order in question should be explained to the orderly
21 havildars by the serjeant-major, although I suggested two or three times to the
22 commanding officer that the order should be explained to the regiment." In reply
23 to the query, "By whom was the order in question explained to the orderly
24 havildars; and where they specially directed to promulgate the same to the
25 regiment?" the commanding officer deposes, † "that he caused the order to
26 be explained by the serjeant-major to the orderly havildars of companies, in
27 the same way as all other orders are, which are not specially directed to be
28 promulgate on a general parade;" adding, "and I adopted this course with
29 regard to this particular order for this purpose, that it should not be more
30 canvassed and conversed upon than all other orders which Government is pleased
31 to issue." The commanding officer thus confirms the evidence of his adjutant;
32 he shows that not only he did not explain the order to the regiment himself,
33 but that he purposely abstained from causing any other person to explain the
34 order to the regiment, or to anybody except to the orderly havildars.

35 The rest of the evidence shows that the object of the commanding officer
36 was fully attained, and that the order never was read, far less explained, to the
37 regiment by anybody, until the 1st February, when a mutinous spirit had already
38 appeared. No European officer states that the order was previously read to the
39 regiment; no officer of any kind, no witness examined, states that the order was
40 read to the regiment. A cloud of witnesses, on the contrary, depose that the
41 order was not read to the regiment, and that the regiment knew nothing about it,
42 except from rumour or surmise. Thus the subadar of the grenadier company is
43 asked, § "Do you mean to say that the Government order for the discontinu
44 ance of Scinde allowances was not explained to the regiment previous to the
45 1st February 1850?"

46 He replies, "No; the order never was explained, and it was only known to the
47 regiment by a rumour picked up upon the road from Lucknow." Again, the
48 subadar of the light company is asked, † "Before the reading of the Govern
49 ment order, discontinuing the Scinde allowances, on the parade in the after
50 noon of 1st February, do you think it was generally understood in the regi
51 ments, that they would receive the same pay as at Lucknow?"

52 He replies, "Until the order in question was promulgated, on the 1st February,
53 we knew nothing about it, excepting by reports, to which we paid slight atten
54 tion." The jemadar of the light company, in reply to the same question, says, || "The regiment knew nothing of the order in question until it was read out on the
55 parade, excepting through reports, which were not paid much attention to." The
56 question was not put to the officers of 1st and 2d companies. † † It was put in
57 the same words to the officers of the 3rd, 4th, 5th, 6th, 7th, and 8th companies,
58 and answered by them all in the same sense as by the officers of grenadier and

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* Court of Inquiry, page 30.
† Ditto, page 29.
‡ Ditto, page 28.
§ Ditto, page 29.
¶ Ditto, ditto.
light companies. It was put to one of the non-commissioned officers, who replied, "We knew nothing about it till the 1st February, excepting from reports, to which we paid no attention." Lastly, Lieutenant Carter states† that on 2d February he further reported thus:—"One of the men asked me 'why the order that was read out to the regiment the previous evening had not been read to it previous to leaving Lucknow?'" The evidence thus quoted from all ranks in the 66th regiment proves that the order of the Government never was explained to the 66th regiment, nor even read to them, till the eve of their mutiny. The existence of the order for reduction, of course was known to the sepoys of the 66th regiment; but the general order of the Commander-in-Chief, and the evidence of the Court of Inquiry, both demonstrate that my statement was in all respects correct, when I said, that by the disobedience of their commanding officer, the 66th regiment was left in ignorance of the intentions of the Government. They were left in total ignorance both of the terms of the order and of the intentions of the Government in issuing it,—in total ignorance of those facts and reasons connected with the order, which, had they been explained, might have preserved the 66th regiment, like other regiments similarly situated, in faithful adherence to its duty until this day. I will only add, that after careful re-perusal of the evidence, I find no warrant there for his Excellency's concluding statement, that the 66th had "planned" the mutiny "long before." There is not in the whole proceedings a tittle of evidence to that effect: there is a great deal of evidence against it, and the commanding officer deposes directly to the contrary. Being asked,‡ "Do you mean to say, that previous "to the 31st January, no reason had been given to you, directly or indirectly, to "suppose that your regiment was inclined to be disaffected, in consequence of "the discontinuance of the extra pay?"—Major Troup replies, "No reason "whatever had been given to me, nor had I any reason to suppose anything of "the kind."

28. In connexion with the mutiny of the 66th regiment, Sir C. Napier has the following passage:§ 'Adverting to remarks on the disbandment and subsequent measures contained in the 55th paragraph of minute, June 14, he says, "It was fortunate for the East-India Company that I was driven to act by my own "judgment, and that the Governor-general was not present to prevent my "taking advantage of such an opportunity of placing the obedience and disci­ "pline of the Bengal army on a sounder basis than it was before, which in con­ "sequence of a private letter that I received from his Lordship at the time, "I have reason to believe would have been the case. However, the good is "done, and I hope no measure may be taken by his Lordship that may undo "it." I am unable to understand the passage quoted above. I presume, how­ "ever, that it is meant to cover an insinuation that, if I had been present at the time, I should somehow have thwarted Sir C. Napier's endeavours to place the discipline and obedience of the Bengal army on a proper basis. If I am right in my construction of the purport of this passage, I have only to give to it a full contradiction. My public despatches and my private letters are both before the Honourable Committee. If they will do me the honour of referring to them, I make bold to say that throughout this affair they will find at least as firm and uncompromising a resolution expressed by me to adhere to the mea­ "sures, and to follow the line of policy best calculated to enforce obedience and uphold discipline in the Bengal army, as was declared in the words of the late Commander-in-Chief, or shown in his acts.

29. I think it necessary very briefly to notice a remark by his Excellency on another subject, made incidentally in the course of his present memorandum. In paragraph 8|| he alludes to "the despatch of the 16th February" (relative to the expedition to Kohat) "which the Governor-general thought proper to "suppress." Since the despatch in question was disposed of in exactly the same way as any other despatch, I infer that when Sir Charles Napier states that I suppressed his despatch, he means that I did not publish it in the newspapers. It is perfectly true that I did not so publish it. The want of publication did not cause the deeds of those engaged to be concealed, or his Excellency's appro­
bation to be unknown. He had already proclaimed both very fully in a general
order which he issued. Nor did it leave the sentiments of the Government
uncertain, for they also were published in general orders to the army. Publi-
cation of a despatch in the journals is expedient only where the magnitude
of the event described renders it advantageous to the state that it should be widely
known; or where its details make it of general interest to the community at
large. In the case of the Kohat expedition, neither the importance of the event
nor its results seemed to render publication at all necessary, or even expedient.
There had been no publication before of the reports of affairs on a similar scale,
of which there have been many since I assumed this government. Only a few
weeks previously another expedition marched from Peshawur against the hill
tribe of Eusofzyes. It was admirably conducted, completely executed, and brilli-
nantly successful. The despatch was sent to me by the Commander-in-Chief;
but it was not published in the newspapers; but his Excellency made no complaint
that that despatch had been "suppressed." I know no reason why a different
view should be taken of the report of the expedition which followed, merely
because the Commander-in-Chief accompanied without commanding it; nor
why his Excellency should take the liberty of stating that I had suppressed a
despatch of his, merely because I did not print it in the Indian newspapers.

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

IV. That the power which Sir C. Napier claimed for the Commander-in-
Chief, in the concluding paragraphs of his memorandum, was unprecedented
and inadmissible. The claim thus preferred by his Excellency was put forth in
the concluding paragraphs of his memorandum of 29th May. It was discussed
in paragraphs 43-49 of the minute of 14th June. It was there shewn to
involve an extent of authority which had never before belonged to any Com-
mander-in-Chief in India, which, if conceded, would make the power of the
head of the army co-ordinate with that of the Government itself, and which
could not be permitted to exist in any constituted Government. Adverting to
these paragraphs, Sir Charles Napier now observes, * "His Lordship has
"devoted these paragraphs to the display of a vast number of truisms, which
"I am not aware that any one is inclined to dispute; and this has been done
"ostentatiously enough, in opposition to a claim which his Lordship has been
"pleased to put into my mouth; for I positively deny that I ever made any
"claim so perfectly ridiculous. My answer may therefore be short.

"First, that his Lordship has worked himself up to a long description of this
"claim made, not by but for me, to a dictatorship, and which he so nobly avows
"his determination to resist, while he is Governor-general of India, but which
"never entered my head till I was amused by reading the Governor-general's
"description of it." Having here denied that he ever made this claim, Sir C.
Napier proceeds to declare what his claim was:— "Secondly, My real claim was
"simply this: that, when placed in a position of danger and responsibility, in con-
"sequence of both the Governor-general and the Supreme Government being far
"beyond my reach, when I was obliged to act on my own responsibility, and at
"my own discretion; when, in so doing, I did my best, and moreover with per-
"fect success, I might not be submitted to a public, severe, and unjustifiable
"reprimand. That was my real claim, and not the dictatorship of India." In
these sentences his Excellency Sir C. Napier feebly attempts to explain away
the remarkable words of his former memorandum. That the Commander-in-
Chief, acting on his discretion in difficult circumstances with success, should
be protected from severe reprimand, was not the claim put forward by Sir C. Napier.
He made no reference or allusion to reprimand. His Excellency took far up
higher and broader grounds. The words which were employed by his Exce-
llency are too wide and comprehensive to be restricted to the limited sense in
which he now would have them construed, while such limited sense is totally
irreconcilable with the terms of the context. Sir C. Napier's words were these;†
"I consider the real question to be this, whether the Commander-in-Chief in
"India, removed to a great distance from all higher authority (the highest being
"at sea), in a moment of great danger, surrounded by a hostile population, and

* Minute, 4th December, para. 14.
† Minute, 29th May, pages 7, 8.
RESIGNATION OF SIR C. J. NAPIER.

with an army of upwards of 40,000 men infected with a mutinous spirit, was not justified in using his discretion and promptly dealing with danger in the manner which he thought most effectual for the safety of India? This is the "real question." And having observed that this discretion had been refused to him, he declared his conclusion that he could not retain a command, "under such restrictions," with advantage to the public service.

In thus stating the question at issue between himself and the Government, regarding the powers of the Commander-in-Chief, and in further declaring his own determination to resign, since that question had been decided in the negative, Sir Charles Napier claimed for the Commander-in-Chief of the army in India that, when removed to a distance from the Supreme Government, and placed in circumstances of difficulty, he should be entitled to "use his discretion and promptly to deal with danger in the manner which he thought most effectual for the safety of India," that is to say, in plain English, that at a distance from the Government, and placed in circumstances which he considered dangerous, the Commander-in-Chief might do what he pleased, as he pleased, without restriction. Such was the general authority which his Excellency claimed. The particular powers which he was prepared to exercise under such general authority had already been shown by the issue of his order altering the rate of sepoys' ration compensation; and the full extent to which he insisted on that specific power being practically conceded to the Commander-in-Chief was proved in the concluding paragraphs of his memorandum of 22d May, where, having adverted to and partially quoted the letter from the Government, in which it was intimated that the Governor-general in Council would "not again permit the Commander-in-Chief, under any circumstances, to issue orders which shall alter the pay and allowances of the troops serving in India," he thereupon at once proceeded to declare that, so circumstances, he no longer felt safe, and would resign a command which he could not hold with advantage under such restrictions. This brief review of his Excellency's words and acts will suffice to show that I correctly represented the claim put forward by Sir C. Napier, when in the 45th paragraph of Minute 14th June I stated, "Sir C. Napier therefore openly and broadly claims for himself, as Commander-in-Chief of this army, the power of altering the pay and allowances of the troops under his command whenever, in his discretion, he may judge it necessary to do so." This brief review will further show that the claim advanced by Sir C. Napier was no gentle claim for exemption from reprimand, but a claim for power, and that the refusal of such power was the ground of his resignation. I am not at all surprised that Sir C. Napier should desire exceedingly to explain away the unparalleled claim which he advanced. It is natural that he should be solicitous to retrace the false step he has taken, and should be anxious to disclaim such pretensions when exposed to him in their deformity. But Sir C. Napier has placed those claims on record in characters too distinct to be obliterated by mere disclaimers, or by affecting now to regard them as ridiculous. They were formally advanced. The consequences which would have followed the concession of them were fully shown in my former minute; and they were justly refused as unprecedented and inadmissible.

31. The prominence which Sir C. Napier has recently given to the reprimand contained in the letter from the Secretary to Government, of 13th April, and frequently mentioned in the preceding paragraphs, calls for some remark. In the present memorandum his Excellency ascribes to the reprimand an importance and influence far beyond all that was given to it in his former paper. He even intimates that on that alone he resigned.* He designates it an "intemperate reprimand, to which no man could submit without baseness, an undeserved and uncalled-for reproof," and "offensive."† To this I have to reply, that the letter in question is already before the Court. A reference to that letter, to its substance and manner, will supply the best refutation of these assertions, and will, in itself, suffice to show that Sir C. Napier's words are without warrant, when he describes the letter as either intemperate or offensive. Still less will those who are acquainted with the circumstances under which this despatch was written be disposed to concur in the opinion that it was undeserved or uncalled for. The

* Minute, 4th December, para. 17. † Ditto, pars. 14, 15.
order issued by the Commander-in-Chief regarding the compensation for sepoys' rations, even if it had been an isolated act, would have required explicit notice by the Government. But it was not a single incident. It is well known that for some time previously the tone assumed by Sir C. Napier towards this Government, in the official papers submitted by him on subjects of general importance, had been of such a nature as to convince the Government that it would shortly become absolutely necessary to take measures for maintaining the just limits of its own powers, and for protecting its authority against disrespect. In order to show that this conviction was not founded on over-sensitiveness, or on any such unsubstantial ground, it may be mentioned that, when the documents to which I have alluded reached the Home authorities, they thought it necessary immediately and voluntarily to convey to the Governor-general in Council, an assurance "that the Home Government "will not permit his authority to be disputed by any functionary subjected "to his control." It is essential for the public interests that those entrusted "with supreme power should be implicitly obeyed; and it is also necessary that "any advice given to them should be tendered in respectful language, and with "a due regard to the usual forms of official correspondence." While such was the attitude which the Commander-in-Chief had assumed towards the Government under which he served, a despatch was received, announcing that his Excellency considered that the rule respecting sepoys' rations compensation was unjust and impolitic, and that he had accordingly suspended it, which I have repeatedly shown was, under such circumstances, practically to cancel it. The rule was a well-established rule. It was perfectly just and politic; no sufficient reason was given for its reversal; the act was entirely beyond his Excellency's authority; and although the financial question involved in the change was insignificant in amount, yet the effect of the change was to thwart the course of measures in the Punjab, by again needlessly establishing a difference in principle and regulation where the Government had been labouring to restore uniformity. Having regard as well to the act itself as to the circumstances which had preceded it, the Governor-general in Council now felt it to have become quite necessary that he should point out to Sir C. Napier the proper limits of his Excellency's authority, and should intimate that they must not again be exceeded. Accordingly, the letter of the 13th April was addressed to his Excellency. He was informed that the Governor-general in Council concurred in the view previously expressed by the President in Council; further, that he viewed with regret and dissatisfaction his Excellency's act, which, it was stated, called for no haste, while it interfered materially with the measures which the Government had been pursuing. The order of the Commander-in-Chief was confirmed; whatever it gave was continued, and his Excellency's authority was upheld before the army; but Sir C. Napier was informed, for his future guidance, that the Governor-general in Council would not permit the Commander-in-Chief again to alter the pay and allowances of the army, and thus to exercise an authority which belonged only to the Government of India. Such was the substance of the letter. Very few will be found acquainted with the circumstances I have now narrated, who will attempt to maintain that it was either undeserved or uncalled for. The measured language of the letter, and its expressions, free from all discourtesy, will speak for themselves to any one who may choose to read it, and will effectually disprove the statement, that it was intemperate or offensive. If the resolution of the Supreme Government, not to permit the Commander-in-Chief of the army to exceed his own authority was told plainly, it was high time that it should be so told; if the tone of the prohibition was peremptory, it was not one whit more so than was required by the circumstances of the case, and by the character of the officer to whom it was addressed.

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

V. That full support had been given to Sir Charles Napier during the period of his command, and that he had no sufficient ground for intimating an opinion that support would be withheld from him in future difficulties. This topic was treated in paragraphs 49-68 of the minute of 14th June. Upon these Sir Charles Napier thus comments.‡ The Governor-general "proceeds to say that

* From Secret Committee, 24th June 1850. † Minute, 14th June, paras. 49–68. ‡ Minute, 4th December, para. 15.
RESIGNATION OF SIR C. J. NAPIER.

"I complained of want of support in the past, and then he overturns the com-
plaint of his own creation, which he so gratuitously endeavours to fix upon
me. All this is making out a case which has no existence in fact. My com-
plaint was as plain as the sun in the heavens. I stated in my memorandum
that the absence of any higher power to refer to for a decision had driven me
to act to the best of my judgment, and with success, for which I deserved
thanks, and received a reprimand. After describing this single fact (for the
whole case referred to regards but one fact), I concluded thus: 'Such are the
shackles put upon my conduct as Commander-in-Chief, such is the support
which I have received on this occasion, and such is the support which I may
expect in future difficulties. So circumstanced, I no longer feel safe, and
shall resign a command which I could not retain under such restrictions with
advantage to the public service.' And then his Excellency asks, "Do the
words, 'on this occasion,' authorise his Lordship's sweeping assertion that I
complained of denial of support in the past?" Premising that the assertion to
which he refers was not a sweeping one, I reply that most unquestionably his
Excellency's words, which he has quoted, do authorise the statement I made
that he complained of want of support in the past. My words were these; after
quoting the commencement of the paragraph, which his Excellency has also
quoted, I proceeded: * "In these sentences Sir Charles Napier represents him-
self as aggrieved by restrictions placed upon him by the Government of India,
and by such a denial of support in the past that he can no longer expect to be
supported in any future difficulties." These words most accurately represent
Sir Charles Napier's statements, as quoted by himself. He did represent himself
as "aggrieved by restrictions placed upon him by the Government of India,"
for he said, † "Such are the shackles put upon my conduct as Commander-in-
Chief." He did represent himself as aggrieved by "such a denial‡ of support
in the past that he could no longer expect to be supported in any future diffi-
culties;" for he said, § "Such is the support I have received on this occasion,
and such the support I may expect in future difficulties;" expressions followed
immediately by the announcement of his resignation as the consequence.

Though Sir Charles Napier limited his complaint to the transactions of one
occasion, it was not the less a complaint of want of support in the past, upon
which he founded his declaration of his hopelessness of all support in the future.
The words of my minute do not extend his Excellency's meaning beyond the
limit set to it by his own words; and I cannot comprehend on what ground Sir
Charles Napier now describes as a complaint of my creation his own plainly
expressed complaint, set down by himself, in his first memorandum, and quoted
by himself in his second, of want of support on the occasion which led to his
retirement. Sir Charles Napier having complained of a want of support in the
past in a specified instance, it was necessary for me to show, if I could, that no
proper support had been refused to him on that occasion. But it was necessary
for me to do a great deal more, and to show that no support had ever been
withheld from him by me, either on that or any other previous occasion in the
past. Sir Charles Napier says, † "The proofs he adduces that he had given
me support on other occasions were not necessary, for I never questioned it.
On the contrary, I always and openly acknowledged it. I take the liberty,
however, of saying that these proofs were quite necessary, and for the reasons
that follow. Sir Charles Napier forgets that my minute was not written for his
information only, but for the information also of my superiors and his. When
a Commander-in-Chief resigns, avowedly in consequence of some act of the
Governor-general, it must always be necessary for the latter functionary, for his
own credit, to show that he had not unnecessarily done any act which could
lead to such an event. But when Sir Charles Napier was seen resigning the
high command which he had so lately assumed, abandoning the honourable
trust so honourably committed to him, and on the declared ground that he
could no longer expect support from the Governor-general in future difficulties,
it became indispensably necessary, for my own reputation, that I should show to
the satisfaction of the Court of Directors not only that I had not withheld any
support

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* Minute, 14th June, para. 50.
† Ditto, para. 50, and 22d May, para. 8.
‡ Ditto, 14th June, para. 50.
§ Minute, 22d May, para. 8.
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Minute by the Governor-General, 28 Jan. 1851.
support that was due on the occasion chiefly indicated, but that I had not withheld support at any time from the Commander-in-Chief during the whole period of his service in India; that, on the contrary, my support had been so cordial, so undeviating, so effectual from first to last, that his Excellency had no just ground for declaring "that he had no hope of support in the future," and that his resignation was not justly to be attributed for blame to me. These were the reasons which made it my duty to put forward in my own defence the full proofs contained in the minute of 14th June, of the continuous support which his Excellency Sir Charles Napier had received from me. They conclusively show that the recording of such proofs was not "unnecessary," or "fighting with a shadow." *

33. In the 54th paragraph of the minute 14th June I pointed out that his Excellency was under some misapprehension when he spoke of "the powers" † entrusted to him by "the Governor-general." In the present memorandum ‡ Sir Charles Napier proceeds to show that he had good ground for assuming that powers had been entrusted to him by me. He does so by large quotations from my private letters, showing that I approved of what his Excellency had done regarding the mutiny in the 13th and 22d Regiments, &c., that I expressed full confidence that his Excellency would do whatever might be necessary in the circumstances that might arise, and had assured him that whenever the support of the Government could be given beneficially, it would be given unreservedly. Having cited these quotations, Sir Charles Napier asks whether he was not warranted in considering that he was entrusted with the discretionary power which, on the spur of the occasion, he exercised? I reply that Sir Charles Napier was most fully warranted by the contents of these letters in believing that the utmost support of the Government would be afforded to him, and that he would be cordially sustained in any exercise of a wise and necessary discretion; but Sir Charles Napier was not warranted thereby in publicly proclaiming that powers had been entrusted to him by the Governor-general. In every public despatch, in every private letter, ample support was given or implied; but neither in public despatches nor in private letters was it ever intimated that the ordinary powers of the Commander-in-Chief would be increased by powers to be vested in him by the Governor-general; and for this plain reason,—it was competent to me to give and to promise full support; it was not competent to me to delegate the powers which belonged to my office. Sir Charles Napier observes that it follows from what I said that my predecessors have not known the limits of their authority. I have no doubt that whatever my predecessors actually did was done both legally and wisely. I speak only for myself. So speaking, I have to state that the power of dismissing the commissioned officers of a regiment, without the sentence of a court-martial, is vested in the Governor-general in Council alone, and he has no authority to delegate that power to another. Sir Charles Napier was, no doubt, entirely justified in promptly declaring the dismissal of the officers of the 66th Regiment, and he was promptly and cordially supported in doing so; but he was in error when he stated in his General Order§ that in doing this he was about "to use the powers entrusted to him by the "Governor-general." The considerations which induced me to advert to this minor point were set forth in the 55th and 56th paragraphs of the minute of 14th June, and need not be repeated.

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

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* Minute, 4th December, para. 15.
† Ditto, 14 June, para. 55.
‡ Ditto, 4th December, para. 16.
§ General Order of Commander-in-Chief, 27th February 1850.
∥ Minute, 4th December, para. 16.
RESIGNATION OF SIR C. J. NAPIER.

withdrew from Sir C. Napier the credit of quelling a formidable mutiny among 40,000 men in the Punjab, because no such mutiny ever existed. And believing, as I did, that the statement that 40,000 troops in the Punjab were so infected with a mutinous spirit as to have placed the Government of India in great peril, had cast an unjust and injurious imputation on those troops, I emphatically contradict it. Sir C. Napier imputes to me that in so doing I have endeavoured to turn the Bengal army against him. But I must be permitted to remind his Excellency that, as the head of this Government, I have as deep and as close an interest in the honour of the Bengal army as any other man can claim. When, therefore, I saw unjust aspersions cast on the credit of a large portion of its members, I chose to shield it from those aspersions, though the hand of its own chief had flung them. I am confident that my act in so doing will be ascribed to its real motive by those who shall judge my conduct; that it will be attributed not to a petty and unmeaning wish to lower Sir C. Napier, but to the true cause from which it sprang; namely, my desire to uphold, as I ought to do, the reputation of a body of men whom I believe to have served faithfully under my authority.

35. I have now adverted to every topic and to every passage in Sir C. Napier's memorandum, dated 4th December, which appears to me to call for any remark; I desire only to offer a single observation on the language and style of the document before me. The official papers addressed by Sir C. Napier to the Government
From Captain F. D. Atkinson, Assistant Secretary to the Government of India, Military Department, with the Governor-General, to Major W. Mayne, Commanding Governor-General’s Body Guard.

Military Department.

Sir,

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

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

1st. When the 66th regiment mutinied at Govindghur, was the correspondence of the regiment taken possession of?

2d. Did the correspondence seized include merely the day’s dák, or the letters retained previously in the men’s possession?

3d. Was the correspondence examined?

4th. If so, was there found, on examination, any trace of treason, or conspiracy, or of preconcerted mutiny?

3. The

* Minute, 4th December, para. 18.  † Ditto, 14th June, para. 58.
3. The Governor-general will be glad if you would be so good as to reply to these questions to the best of your knowledge and recollection, and at your earliest convenience.

I am, &c.
(signs) F. D. Atkinson, Captain,
Assistant Secretary to the Government of India,
Military Department, with the Governor-general.

Camp, Thuthee,
4 February 1851.

From Major W. Mayne, commanding Governor-General’s Body Guard, to Captain Atkinson, Assistant Secretary to Government of India, Military Department.

Sir,

I have the honour to acknowledge the receipt of your letter of this day’s date, calling upon me, as having been president of the Court of Inquiry assembled to investigate the conduct of the 66th regiment N. I. at Govindghur, in February 1850, to answer, for the information of the Most noble the Governor-general, certain questions, which I here transcribe, together with my replies thereto.

Question 1. When the 66th regiment mutinied at Govindghur, was the correspondence of the regiment taken possession of?

2. Did the correspondence seized include merely the day’s dák, or the letters retained previously in the men’s possession?

3. Was the correspondence examined?

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

Answer 1. All the papers and correspondence of the 66th regiment were seized by my orders, immediately after that regiment quitted the fort.

2. The papers seized included not only the day’s dák, but the correspondence of months before.

3. The whole of the papers and correspondence were examined by Captain Siddons, formerly interpreter 1st light cavalry, who was a member of the Court of Inquiry.

4. Not one word, as I was informed, of a treasonable nature, or indicative of any preconcerted plan of mutiny, was found among the documents seized.

I am, &c.
(signed) W. Mayne, Major,
Commanding Governor-general’s Body Guard.

4 February 1851.

No. 2 b.

Office Memorandum.

Military Department.

Read a despatch from the Adjutant-general of the Army, No. 1,362, dated 10th December 1850, enclosing a memorandum by Sir Charles Napier, G. C. B., dated July and 4th December 1850.

Letter to the Adjutant-general of the Army, No. 2 a, of this date, enclosing a minute by the Most noble the Governor-general, dated 28th January 1851.

Letters to and from the officer commanding the Governor-general’s body guard.

Ordered, That a copy of the foregoing correspondence be transmitted to the Foreign Department, in continuation of No. 122, dated 14th June 1850.

(signed) F. D. Atkinson, Captain,
Assistant Secretary to Government of India,
Military Department, with the Governor-general.

80.
Memorandum of the Duke of Wellington, upon the subject of Sir Charles Napier's Letter of the 22nd of May 1850, requesting permission for him to resign the Office of Commander-in-Chief of Her Majesty's Forces in the East Indies. London, July 30, 1850.

There can be no doubt that the suppression of mutiny among troops, particularly if at all general or extended to numbers, and the restoration of order and subordination to authority and discipline among troops who have mutinied, is the most arduous and delicate duty upon which an officer can be employed, and which requires in the person who undertakes it all the highest qualifications of an officer, and moral qualities; and he who should undertake to perform the duty, should enjoy in a high degree the respect and confidence of the troops, as well as of the government by which he should be employed.

Under ordinary circumstances, an officer employed on such service, even if the Commander-in-Chief of the army, is highly instructed by the government by which such a service is required; and he is particularly instructed in respect to the terms which he is to hold out to the mutineers, whether pecuniary or other.

But even when a Commander-in-Chief is himself in supreme command in the field, and it is his duty to direct the measures for the suppression of a mutiny of the troops and to restore order, whether himself personally or by others, it has not been unusual to instruct him in respect to the terms, whether pecuniary or other, which he is to offer and to grant to the mutineers.

The arrangement cannot be otherwise regularly settled, as it rarely happens that military mutineers do not require something, or that it is not necessary to perform some act, before order is thoroughly established, which is not consistent with the provisions of the existing law, and which the Commander-in-Chief cannot have authority to carry into execution.

According to strict rule, the Commander-in-Chief, or any other officer employed in quelling a mutiny and in restoring order and subordination, ought to have the instructions and authority of Government to engage for, and carry into execution such measures;

circumstances should have occasioned the omission fully to instruct the Commander-in-Chief, or an officer employed to quell a mutiny and to restore subordination and legitimate order, and such officer should have assumed authority with which he should not have been regularly invested, it is usual and it is but fair towards one who should have undertaken the performance of duty so necessary, but so arduous and dangerous, to examine minutely all the circumstances attending the case, to see that the mutiny really existed—that it was formidable on account of the numbers engaged in it—on account of the territorial extent in which it existed—on account of the political circumstances of the country at the moment,—that it was urgently necessary to interfere and settle and stop the mutineers immediately;—that there was no time for reference to distant authority, and reference for superior orders on the measures considered necessary to be adopted.

Accordingly, I have inquired for and called in vain for the inquiries of the Governor-general in Council, or the President in Council, into the fact of a general mutiny of the native troops in the service of the East India Company, stationed throughout the Punjab in the month of January 1850, and most particularly the mutiny of the native corps at Wazirabad at that period.

What corps—whether European or native—were in the neighbourhood, and within reach of one, two, or three marches at that moment.

I see no inquiry whatever upon this subject.

I required information from the President of the Board of Control in respect to dates connected with these transactions. I have been able to obtain none.

Yet I am certain that if the Governor-general in Council had examined this subject minutely, as his Lordship in Council ought, before he recorded the minute which appears against his colleague in Council, the Commander of H. M.'s Forces in the field, in command of the troops in the Punjab, there would have been no want of information in the offices of the India House which would elucidate the whole transaction.

Since writing the above, I have received from the Board of Control, papers which
which contain a review of the course of proceeding of the Government of India in relation to the orders given by General Sir Charles Napier in respect to the payment of certain troops at Wuzeeerabad, of which the President in Council at Fort William, and afterwards the Governor-General, had disapproved, and which led to the resignation of his office of Commander-in-Chief of H. M.'s forces in India, by General Sir Charles Napier.

A close examination of the papers sent to me by Sir Charles Napier himself with his report of the transaction, convinced me that there was no mutiny of the troops at Wuzeeerabad in December 1849, or January 1850. There were murmurings and complaints, but no mutiny. The commanding officers of the troops had already warned the troops of the dangerous consequences of refusing the pay offered to them when the pay-day should come.

The pay-day had not been fixed; the fixation thereof might be postponed.

But if the sepoy's required money, a measure, not uncommon, might have been adopted; that is to say, that of making to each of them an advance on account.

In short, the Commander-in-Chief should have availed himself of every resource to prevent or delay the explosion of disorder, and to avoid the extreme measure of altering the regulation of Government, which, on the contrary, it was his duty to enforce.

I put out of the question altogether his opinion that the regulation was impolitic and unjust. His Excellency had no right to consider of such an opinion, and to act upon it at Wuzeeerabad.

He ought to have given such an opinion to the President in Council, and to have gone to Fort William, taken his seat in the Council, and there, with that body, have discussed his opinion upon the regulation.

He had no right to act upon that opinion at Wuzeeerabad, in December 1849, or January 1850, and above all, to omit any measure which would avoid or even delay the explosion of the mutiny of the troops, in order that he might alter a regulation which he considered impolitic and unjust.

He states that the regulation had not been considered by the military authorities. It had been adopted by Lord Hardinge when he was Governor-general and Lord Gough the Commander-in-Chief; Lord Hardinge, one of the 1st military authorities in England, particularly in matters of financial regulation.

It was re-enacted in a new form by Lord Dalhousie, that is, in a pay-day, and was again considered and adopted by General Lord Gough, and from the period of its first adoption, during the Government of Lord Hardinge, had been promulgated to the army, and had been the governing rule.

It is true that the object of the regulation being to give troops compensation for the high price of provisions when they should be serving in the field, and the price of provisions having been in those years, in the country-quarters and cantonments of the troops, at a lower rate than that predicated in the regulation, it had seldom, if ever, been necessary to carry into execution the regulation, and its details were not accurately and familiarly known to the officers or troops.

Since writing this, I have seen a statement that the regulation had been carried into execution in parts of the army in the field in the Punjab, in 1848.

But it appears, according to Sir Charles Napier's statement, that there existed in the country a general mutiny, which pervaded the whole army of 40,000 men in the Punjab, in the month of January 1850.

Where is the report? Where is the evidence of that mutiny, except in Sir Charles Napier's report sent to the Horse Guards, and in the 66th Regiment, the corps at Govindghur, which had been suppressed in a most signal manner without difficulty and without effort?

It appears that the 66th Regiment at Govindghur, having mutinied, piled its arms in the fort under the orders of its officers, was marched out, disbanded, and sent into the Company's provinces, in this very month of January 1850, with the knowledge of the whole army of the Punjab, and that there had not been the sign of movement of a man in favour or support of the mutinous regiment, thus punished and disarmed, the Commander-in-Chief having quitted Wuzeeerabad and proceeded on his march to Peshawur.

On the 16th of January, he issued to the army a General Order, as follows:—

"I have seen most of the armies in the world, and I have never seen one that is better cared for than the army of the East India Company. Neither have I ever seen a more obedient, more honourable army. I will not allow a few "malignant, discontented cowards to disgrace their colours and their regiments, by..."
Correspondence, &c. Relative to the

Memorandum of the Duke of Wellington, upon the subject of Sir C. Napier's Letter, of the 22 May 1850, requesting permission to resign, 30 July 1850.

"by an insolent attempt to dictate to their Government what pay that Government should give to soldiers towards whom it has always been both just and generous."

Thus it appears that his Excellency did not conceal that insubordination existed, nor evade the mention of it, and that he characterised its nature and described its extent.

This was the order issued by General Sir Charles Napier to the army on the 16th of January 1850, of which army he, on the 20th of January, reported that 40,000 men in the Punjab were in a state of mutiny.

There is no recorded report of the existence of such mutiny in any part of the country, excepting the one in the 66th Regiment, at Govindghur, above adverted to, and which it is concluded is the exception to the universal applause of the conduct and feelings of the army conveyed in the Government order of the 16th, the substance of which I have mentioned.

I have not got an official copy of this order; I have copied it from a report of it in a minute by the Governor-general in Council.

I have now performed the painful task of reviewing this whole transaction brought under my consideration, first, by the report of Sir Charles Napier, dated the 29th of May 1853, and subsequently by letters from the President of the Board of Control, in which he transmitted for my perusal the documents sent to the Court of Directors of the East India Company by the Governor-general in Council.

I have no hesitation in stating my opinion that there existed no sufficient reason for the suspension of the rule or order of the 15th of August 1845 at Wuzerabad.

That the Governor-general in Council was right, and did no more than his duty, in the expression of his disapprobation of the act of the Commander-in-Chief, in suspending an order of Government in relation to the pay of the troops, and in ordering the adoption of a former repealed order providing for the same object.

I regret that the Commander-in-Chief, Sir Charles Napier, should have thought proper to resign the highest and most desired situation in the British army, to fill which he had been selected in a manner so honourable to his professional character. But as he has resigned, and I declare my decided opinion that the Governor-general in Council could not with propriety have acted otherwise than he has expressed his disapprobation of the conduct of General Sir Charles Napier in suspending the order of Government of the 15th August 1845 at Wuzerabad, I must recommend to Her Majesty to accept his resignation of his office.

(signed) Wellington.

Military Despatch from the Court of Directors to the Government of India.

7th August 1850, No. 18.

Reply to paragraphs 22 to 25 of Military Letter from the Government of Bengal, dated 28th May, No. 88, and to a Letter from the Governor-general to the Secret Committee, dated the 14th June 1850, No. 11.

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

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

Dholl, if above ten seers per rupee, at the rate of two chittack per man per day.

Ghee, if above two seers per rupee, at the rate of one chittack per man per day.

Salt, if above eight seers per rupee, at the rate of one-third of a chittack per man per day.

3. In the year 1844 your Government extended the compensation to the several minor articles composing the native soldier's ration, viz. dholl, ghee, and salt, in the proportions and at the prices named in the margin, with the avowed object of providing, as is done in Her Majesty's service, that the soldier's ration shall never cost him more than a fixed moderate
4. This regulation, which involved the necessity for settling with the soldier for each separate article of diet, was found in practice to cause great complication in the accounts, and also frequently to give more than was intended; for it not only, as observed by the Governor-general, secured to the sepoy his ration at the fixed moderate sum of three rupees and a half per month, but, even if his ration should actually have cost him less than that fixed sum, it would frequently give him an additional payment in cash, in consequence of some one or more of the minor articles being dear.

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

6. This rule was in strict accordance with the intention expressed in that of 1844, and was in accordance with the rule in force in Her Majesty’s army and in the European corps of our army.

7. The above order, and the other orders published at the same time, granting advantages to the native soldiers, as specified in the margin,* were translated into Hindostanee in the Persian and Nuggaree characters; were published in general orders by the Government and Commander-in-Chief; and were circulated in the same language to every regiment in the army.

8. We may observe that, before these several orders were adopted, they were sent for the consideration of the Commander-in-chief in India (Lord Gough), who recorded the following general remarks upon them:—

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

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

10. The rule, thus deliberately established and carefully promulgated, was duly observed for upwards of four years, viz., from August 1846, to January 1850, when the occurrences took place which are detailed in the papers now before us.

11. It may here be observed that, by a general order dated the 2d June 1849, a revised code of pay and audit regulations was published by your Government. This code contained the order of 1845-47, as above specified, in substitution for that of 1844.

12. Brigadier Hearsey, C. B., commanding at Wuzerabad, addressed a letter to the Adjutant-general of the army, on the 11th of January 1850, stating that, having noticed that the revised code of pay and audit regulations which was promulgated in June 1849, differed from the old code as to compensation for food when it sells at a high rate, and “as this difference has not been directed to be explained to the native troops,” he thought it necessary to bring the matter under the consideration of the Commander-in-Chief, at the same time forwarding statements to show that the rule of 1845 was less beneficial to the troops at that particular

* Revision of Scinde allowances, hatting money, payment of certain regimental establishments, privileges to native officers and sepoys in respect to judicial and revenue proceedings.
We have to express our surprise that an officer of the experience and the compensation received difficulty of the in error see that the rule of 1845-7 was not ordered hastily or unadvisedly (otlncjl, the endeavours that retro troops. l:j~e adopted as being perfectly just, equitable, and politic by without, as far as Government are aware, a single objection being 20 the army; but his Honour in Council does not consider it expedient to do Commander-in-Chief its immediate rectification. real state of the case until the arrival of the Most Noble, Governor-general that, there was no room for doubt as to what were the intentions of the army; and which to claims from several regiments at Lahore to receive, retro- and which they would have received had the orders of Government, and that which they would have received had the orders of 1844 continued in force.

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

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

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

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

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

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

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

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

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

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

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

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

"46. Herein his Excellency claims a power which has never heretofore belonged to any Commander-in-Chief in India; which is not enjoyed by the Commander-in-Chief of the British army itself; and which no constituted Government could ever allow. To concede this claim would confer on the Commander-in-Chief of this army for the future an authority disproportioned to the position in which his commission has placed him, and would render his power co-ordinate with that of the Government itself. The Government of India is responsible for the finances of the empire, and for the great interests which are closely dependent on their adjustment and right administration; but, if the pay of the army is to be placed under the control of its commander, the revenue of the country will, in all time to come, be at the mercy of any general in command, whose
22. The soundness of these views is unquestionable. As observed by us on a somewhat similar occasion, the "supreme civil and military power, which in all governments must reside somewhere, is, at your presidency, vested by Act of Parliament in the Governor-general in Council, subject to the control of the authorities in Europe. All other authorities and powers must be held and exercised in subordination to that supreme authority."

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

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

We are your affectionate friends,

(signed) W. L. Melville. R. Jenkins. J. Shepherd.

London, 7 August 1850.