

*The Rev. Dr. Sprague with the kind suggestion of*

# PARLIAMENTARY REPORT

ON

*J. P. Buckingham*

## MR. BUCKINGHAM'S CLAIMS

TO

COMPENSATION FROM THE EAST INDIA COMPANY.

ALSO,

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SUBMITTED TO THE CALM AND IMPARTIAL CONSIDERATION  
OF THE FRIENDS OF JUSTICE.

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1836.



## ADDRESS TO THE READER.

THE length of time which has elapsed since the injuries inflicted on me were first perpetrated, and the distance of the country in which the transactions occurred, have both contributed to the difficulty of keeping the facts of my case constantly before the public—in such a form as to make them easily read, and as easily remembered; so that I have suffered the greatest disadvantage from the misconceptions and the prejudices which have sprung up in some quarters, and have been industriously propagated in others, respecting the facts themselves—and still more so respecting the inferences to which these facts were made to lead.

It is my earnest desire, therefore, to recall the attention of the friends of justice to the facts proved in evidence—to the opinions pronounced by public men in England and in India—to the petitions from various parts of the country—and above all, to the most recent intelligence from Bengal; by which it will be seen that public honours and public rewards were bestowing by the whole of the British and Indian community on the acting Governor-General of India, for his removal of all restrictions from the press of that country;—that medals were struck, and public entertainments given, at which the principal functionaries of the Indian government attended;—while the city of Calcutta was illuminated in honour of this liberation of the Indian press, by putting it on the footing of the press of England, subject only to the jurisdiction of a Court of Law, and the Trial by Jury.

For advocating this Freedom of the Indian press—and *for this alone*, was I first banished without trial, and then despoiled of a most valuable property, without conviction of any crime:—and after twelve years of unceasing efforts to obtain redress—with the testimony of no less than three Governors-General of India in favour of the soundness of my views, and the utility of my public labours:—namely, Lord Hastings, Lord William Bentinck, and Sir Charles Metcalfe—three of the ablest public men that ever presided over the government of that country;—after an *unanimous* decision of a Select Committee of the House of Commons in favour of my Claims to Compensation for the injuries sustained—the Resolutions to that effect having been drawn up by the President of the India Board himself (Mr. Grant, now Lord Glenelg), and the general feeling of India and of England, most extensively and powerfully expressed in my favour—I still remain unrecompensed and unredressed.

The world will therefore judge, whether it is just, or becoming, or even expedient, that one man shall be despoiled and trampled in the dust for being the first to advocate a great public good—while another shall be honoured and rewarded for accomplishing the selfsame object;—whether, if it be a public virtue to establish the Liberty of the Press in India, it could have been a public crime to commence its advocacy, and to recommend its adoption:—and whether, if injustice were committed in thus punishing one whose views have been subsequently adopted by the highest authorities in the land, it is not high time that the injustice should be remedied and redressed:—more especially as all the great objects for which I contended in India, and for my advocacy of which alone, I was thus banished and despoiled;—namely, Freedom of Settlement, Freedom of Publication, and Freedom of Trade,—have since been granted to India, by the late Charter Act for that country, which, having passed through both Houses of Parliament, and received the Royal Assent, is now the established law of the land.

Believing, therefore, that an accurate knowledge of the facts of my case is all that is wanting to obtain for me the sympathy and support of all just minds, I have endeavoured to compress them into the smallest possible compass; and desire only that the following pages may be perused in that fair and candid spirit, with which every other person, placed in my situation, would desire his own judges to be imbued.

London, Feb. 10, 1836.

J. S. BUCKINGHAM.

## PETITION FOR PRIVATE BILL.

(PRESENTED FEB. 9, 1835.)

*To the Honourable the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled.—The humble Petition of James Silk Buckingham, late of Calcutta, in the East Indies,*

SHEWETH,—That your Petitioner resided, as a British subject, from the year 1818 to the year 1823, in Calcutta, in Bengal, and during that time, by the expenditure of large sums of money, amounting in the whole to about the sum of Twenty Thousand Pounds sterling, and by great labour and exertion, established a Daily Newspaper, called *The Calcutta Journal*, and which Journal, in the year 1823, had become a very valuable property, and then yielded a very large income and profit, amounting annually to about the sum of Eight Thousand Pounds sterling.

That in the year 1823, your Petitioner was the sole Editor of such Journal; and was beneficially entitled to Three Hundred and Thirty Shares therein as Proprietor, the whole having been divided into Four Hundred Shares, of the value of One Thousand Sicca Rupees, or upwards of One Hundred Pounds sterling, each.

That the acting Governor-General for the time being (who filled this office for a few weeks only, between the periods of the departure of one Governor-General and the arrival of another as his successor) disapproved of an article which appeared in the said Journal, in the said year 1823, but did not cause any prosecution or criminal proceeding to be instituted against your Petitioner in respect of such publication, but did, by his own authority, and without any form of trial or conviction, banish your Petitioner from his Property and Connexions in India.

That after such banishment, the Governor-General of India for the time being, did, by the exercise of his own authority, and without any prosecution or criminal proceeding, cause the said Journal to be wholly suppressed; and refused to permit any person to publish the same, so long as your Petitioner, although absent from India, should continue to possess any interest in the same, or derive any benefit therefrom.

That by the exercise of such power and authority on the part of the Governor-General of India as before mentioned, in suddenly suppressing the said Journal, without any trial or conviction whatever,—all the capital embarked therein, and all the gains and profits which would have arisen from the continuance of the said Publication, were wholly destroyed and lost to your Petitioner, to the amount, in capital, of his Three Hundred and Thirty Shares, of the value of One Hundred Pounds Sterling each, and in income of more than three-fourths the annual profits of the Concern, besides losses, in debts rendered irrecoverable from others, and liabilities incurred by himself, amounting in the whole to upwards of Forty Thousand Pounds Sterling.

That the whole of the matters and things hereinbefore recited, have been proved before a Select Committee of your Honourable House, which, on the 4th of August, 1834, reported their Resolutions and Evidence to the House, declaring *unanimously*, that Compensation ought to be made to your Petitioner by the East India Company, for the losses hereinbefore described.

That the said Select Committee, wishing to leave the amount of such Compensation open to an amicable adjustment, stated in the said Resolutions, as their only reason for abstaining to name the exact sum, that “they entertained a hope that the said East India Company would take the matter into their favourable consideration, and thus render the further interference of Parliament in the next session, to fix such amount, unnecessary.”



That these Resolutions, thus unanimously adopted by the said Select Committee of your Honourable House, were communicated by the President of the Board of Control, Mr. Charles Grant (now Lord Glenelg), by whom the Resolutions were framed, to the Court of Directors of the East India Company, accompanied by the expression of a hope that they would be taken into their early and favourable consideration: And that at the same time, your Petitioner addressed the said Court of Directors, expressing his perfect readiness to accept of any fair and equitable compromise, and to abide by any award or arbitration, which might be made by any impartial Tribunal to which the matter might be referred; to which applications, on the part of the Board of Control, and of your Petitioner, the only answers returned were those of a refusal to comply with the recommendation contained in the Report of the said Select Committee of your Honourable House, or to entertain the question of Compensation, to any amount, or in any shape whatever.

That the further interference of Parliament, to fix the amount, and provide for the payment of the Compensation thus declared by the said Select Committee to be due to your Petitioner, which had been reserved for exercise in the event of the East India Company's refusal of justice, having thus become necessary to be exercised, your Petitioner was advised that a Bill should be submitted to your Honourable House as the proper and constitutional mode of obtaining the redress sought for by your Petitioner, as this was one of those cases for which there was no remedy by the ordinary course of law: but for which Parliament alone could provide, as it had recently done in the instance of a Bill passed through both Houses, and receiving the Royal Assent so recently as the year 1832, by which the East India Company were ordered to pay the sum of Twenty-three Thousand Five-hundred and Eighty-two Pounds sterling, to the Representative of James Hodges, Esquire, in respect of a Claim which the said Company had resisted and refused, but which the Act of Parliament (2d and 3d of William IV., c. 112, July 11, 1832) compelled them to pay; and which payment is entered in their Financial Accounts, printed by Order of the House of Commons (No. 235, May 25, 1835, page 16) as being "made in obedience to the Act 2d and 3d William IV., cap. 112."

That such a Bill, founded on the unanimous Resolutions and Report of the Select Committee of your Honourable House, and conformably to the precedent hereinbefore recited, was introduced during the last session of Parliament, by the honourable Member for Pool (Mr. Tulk), which Bill was carried on its first reading, by a large majority—was afterwards read a second time without a division—and after Counsel had been heard at the bar of your Honourable House on behalf of the East India Company, was about to be considered in a Committee of the whole House, as a Public Bill, when a technical objection was taken by the right honourable the President of the India Board (Sir John Hobhouse), as to the form of proceeding, which it was contended ought to have been that of a Private instead of a Public Bill.

That this objection, rendering it impossible, from the lateness of the session (August 28, 1835), to proceed with the measure as a Private Bill, it was withdrawn for the present, on that ground only, with the general understanding that such Bill, if introduced as a Private Bill, early in the ensuing session, should be allowed to pass through the stages to which the Public Bill had previously arrived, without opposition, in order that it might be referred to a Committee to consider its details.

Your Petitioner, therefore, humbly prays that your Honourable House will permit such Bill to be introduced and brought in, in order that the ends of justice may be obtained, by such Bill securing to your Petitioner the payment of that full Compensation which your Select Committee reported to be due to your Petitioner; and which, as it cannot be obtained by appeals either to the justice or the generosity of the East India Company—and is equally without the means of recovery by any form or process of law—the authority of Parliament is alone competent to enforce.

London, February 9, 1836.  
19, King Street, St. James's Square.

J. S. BUCKINGHAM.

## PARLIAMENTARY REPORT

ON

### MR. BUCKINGHAM'S CASE.

SELECT COMMITTEE—HOUSE OF COMMONS—AUGUST 4, 1834.—Ordered to take into consideration the circumstances connected with the suppression of the *Calcutta Journal*, in the year 1823, and the loss of property entailed on Mr. Buckingham in consequence of that measure; and to report their opinion to the House, as to whether any and what amount of Compensation ought to be granted to Mr. Buckingham for his losses on that account.

Mr. Charles Grant  
Mr. A. Baring  
Lord Granville Somerset  
Mr. Guest  
Mr. Langdale  
Mr. Robert Gordon  
Mr. Stuart Mackenzie  
Mr. Charles Ross  
Mr. Williams Wynn  
Mr. Cutlar Fergusson

Mr. Hume  
Mr. John Smith  
Colonel Torrens  
Mr. Walter  
Mr. H. Fleetwood  
Mr. Bernal  
Lord Althorp  
Lord Ashley  
Mr. Alderman Thompson

Mr. Lambton  
Captain Maxfield  
Mr. Hughes Hughes  
Mr. W. S. Gladstone  
Sir Robert Peel  
Mr. Abercrombie  
Mr. Wilks  
Mr. Baines  
Mr. F. Shawe

Major Beauclerk  
Mr. C. A. Walker  
Lord John Russell  
Mr. Pendarves  
Sir Thomas Fremantle  
Sir W. Trevelyan  
Mr. Blake  
Mr. Robert Clive  
Major Keppell

#### RESOLUTIONS REPORTED TO THE HOUSE.

1. "Resolved, That it appeared to your Committee that Mr. Buckingham resided in Bengal from the year 1818 to 1823, under a licence of the East India Company, and was engaged as principal Proprietor and Editor of the *Calcutta Journal*, which was then a highly profitable Concern, yielding to himself and the other proprietors a large annual income."
2. "Resolved, That it appeared to your Committee, that in the year 1823, in the exercise of the discretion vested in the Governor-General, Mr. Buckingham was, by the acting Governor-General, ordered to quit India within two months."
3. "Resolved, That it appeared to your Committee, that after the departure of Mr. Buckingham from India, the *Calcutta Journal* was, by order of the Governor-General, altogether suppressed."
4. "Resolved, That your Committee, without impugning the motives which actuated the measures of the Government, feel that those measures have in their consequences, proved to Mr. Buckingham and his family, penal to a degree which could not have been contemplated at the time of their adoption."
5. "Resolved, That your Committee are therefore of opinion that Compensation ought to be made to Mr. Buckingham."
6. "Resolved, That your Committee abstain from expressing any opinion as to the amount of Compensation, in the hope that that subject will be taken into the favourable consideration of the East India Company, and thus the interposition of Parliament, in the next session, to fix such amount, be rendered unnecessary."

#### FACTS PROVED IN EVIDENCE.

1. THAT Mr. Buckingham was residing in India, in the year 1818, under the legal sanction of a licence granted him by the East India Company, in England, and recognised by their public authorities in Bengal.
2. That he established, at considerable labour and expense, a daily newspaper, entitled the *Calcutta Journal*, which is described by one of the principal functionaries of the Indian government, as having "created a great taste for literature, and the prosecution of enlightened pursuits," and which is also proved by others to have been very generally read and approved by the British community of India.
3. That, animated by the public professions of the Governor-General of India, Lord Hastings, as to his removal of all restrictions from the Indian press, save those of a responsibility to the regular legal tribunals, and the verdict of a jury, Mr. Buckingham, commented occasionally himself, and at other times permitted his correspondents to comment, on the public measures of the government in that country.
4. That some of these articles were complained of, to the extent of seven or eight only in the course of about five years, some few of them being made the subject of legal prosecution, and others only of remonstrance and warnings of banishment in the event of their being repeated.



5. That in the only legal proceeding which was persevered in and carried before a jury, Mr. Buckingham was acquitted; and that in the cases merely remonstrated against, the explanations and reasons tendered by Mr. Buckingham, in his replies to such remonstrances, appear to have convinced the Governor-General that the articles complained of did not deserve the severe punishment of removal from the country.

6. That on the resignation of Lord Hastings, a short period elapsed before the arrival of his successor, Lord Amherst; until which, the supreme authority was exercised by Mr. John Adam, as Senior Member of Council.

7. That during this interval an appointment took place, by which the office of a clerk for the supply of stationery to the public departments of Government was conferred on the Reverend Dr. Bryce, the head of the Presbyterian Establishment in India.

8. That Mr. Buckingham wrote in his Journal an article, in which the duties of such an office were shown to be incompatible with a due discharge of the reverend gentleman's sacred functions.

9. That for writing and publishing this article, Mr. Buckingham's licence to reside in India was withdrawn, and he was ordered, without a trial, investigation, hearing, or any process of law, to quit India, on pain of being seized and sent out of the country by force.\*

10. That at this period, and for some time before, Mr. Buckingham's Journal was in such general esteem and request, as to have become extremely profitable, yielding an income of between 6000*l.* and 8000*l.* a year, and being estimated at the full market-value of four lacs of rupees, or 40,000*l.* sterling. On this estimate it was divided into 400 shares of 100*l.* each, seventy of which were purchased by bankers, merchants, civilians, and others, on which the purchasers realized large dividends of actual profit, which were paid to them at quarterly periods.

11. That on his arrival in England, Mr. Buckingham found that the India Directors, and the Board of Control, had both concurred, not merely in condemning the measure of Dr. Bryce's appointment, but in annulling it on the ground of its impropriety, and ordering Dr. Bryce to be immediately removed from his office.

12. That notwithstanding this, the Court of Directors refused to permit Mr. Buckingham to return to India, even to collect the sums of money that were due to him there, which, from the nature of his business, were very widely scattered, by which he was prevented from winding up his affairs, and saving something from the wreck.

13. That subsequently to Mr. Buckingham's banishment from India, where he left his extensive establishment under the protection of the laws as they then stood, and which were sufficient to guard it from any violation, a new by-law or regulation was passed by the Indian Government, giving themselves the power (which previously had no existence) of placing every

*\* The following is an exact Copy of the Article itself.*

"The reverend gentleman named below, (Dr. Bryce,) who, we perceive by the Index of that useful publication, the Annual Directory, is a Doctor of Divinity and Moderator of the Kirk Session, and who, by the favour of the higher powers, now combines the office of Parson and Clerk in the same person, has no doubt been selected for the arduous duties of his new place from the purest motives, and the strictest possible attention to the public interests. Such a Clerk as is here required, to inspect and reject whatever articles may appear objectionable to him, should be a competent judge of the several sorts of pasteboard, sealingwax, inkstands, sand, lead, gum, pounce, tape, and leather; and one would imagine that nothing short of a regular apprenticeship at Stationers' Hall would qualify a candidate for such a situation. All this information, however, the reverend gentleman no doubt possesses in a more eminent degree than any other person who could be found to do the duties of such an office; and though, at first sight, such information may seem incompatible with a theological education, yet we know that this country (India) abounds with surprising instances of that kind of genius which fits a man in a moment for any post to which he may be appointed.

"In Scotland, we believe, the duties of a Presbyterian minister are divided between preaching on the Sabbath, and on the other days of the week, visiting the sick, comforting the weak-hearted, conferring with the bold, and encouraging the timid, in the several duties of their religion. Some shallow persons might conceive, that if a Presbyterian clergyman were to do his duty in India, he might also find abundant occupation throughout the year, in the zealous and faithful discharge of those pious duties which ought more especially to engage his devout attention; but they must be persons of very little reflection indeed who entertain such an idea. We have seen the Presbyterian flock of Calcutta take very good care of had abundant time to edit a controversial newspaper, long since defunct, and to take part in all the meetings, festivities, addresses, and flatteries, that were current at the time. He has contrived to display this that hath much (to do) still more shall be given, and from him that hath nothing, even the little that he hath shall be taken away; this reverend doctor, who has so often evinced the universality of his genius and talents, whether within the pale of divinity or without it, is, perhaps, the very best person that could be selected, all things considered, to take care of the foolscap, pasteboard, wax, sand, gum, lead, leather, and tape of the Honourable East India Company of Merchants, and to examine and pronounce on the quality of each, so as to see that no drafts are given on their Treasury for gum that will not stick, tape short of measure, or inkstands of base metal."

Journal in the country under a licence, to be granted by the Governor-General, and to be revocable at his pleasure, without reason assigned.

14. That the Editor left in charge of Mr. Buckingham's Journal republished in it, section by section, and from time to time, the contents of a pamphlet, originally published in England, written by the Hon. Leicester Stanhope, on the subject of a Free Press in British India, which publication was not complained of, nor remonstrated against in any way, during its progressive appearance.

15. That several days after this republication had been completed, and when no injury was even alleged to have been either produced or apprehended from its circulation, the Government of Bengal issued an order, without any previous trial, hearing, or investigation, withdrawing the licence of Mr. Buckingham's Journal, forbidding its further appearance, and thus annihilating, at a single stroke, a property of considerable value, when its principal proprietor was at a distance of many thousand miles, and could therefore have no means of explanation or defence.

16. That the agents of Mr. Buckingham, who were bankers and merchants of the first respectability in India, endeavoured to obtain from the Government there a renewal of the licence; but after various pretexts for delay, during all which time a large and expensive establishment of men was kept up in daily hope, grounded on the positive promise of such renewal, the Indian Government at length came to the determination, that while the types, presses, and other materials belonged to Mr. Buckingham, no licence should be granted to any one to use them: thus making the property utterly valueless to him.

17. That one of their own servants, Dr. Muston (who was a son-in-law of one of the members of the Government, Mr. Harrington) having made an advantageous offer to lease or rent the use of types, presses, and other materials, for the period of a year, to carry on a Journal for his own benefit, the Indian Government, though they were perfectly satisfied with the editor, who was indeed one of their own officers, refused to grant a licence for such a paper, on the alleged ground, that they had no security but that at the end of the year for which the lease was to be given, the influence and control of Mr. Buckingham might again return to the Paper, though Mr. Buckingham was then in England, and, as was well known to the Indian Government, would not be permitted to return.

18. That after still further ruinous protraction and delays, the avowed determination of the Indian Government not to allow the property to be used for the establishment of any Journal, so long as Mr. Buckingham was to derive any pecuniary benefit from it, compelled the agents of that gentleman to sell it on such terms as they could obtain, in a market, where by the very operation of this determination of the Government, there could be few competitors for its use; and accordingly, the materials of an establishment, which it cost upwards of 20,000*l.* sterling, and five years of time, to bring to the state of perfection and profit described, were sold for so small a sum, and had become encumbered with such heavy charges by the delays and difficulties adverted to, as to leave Mr. Buckingham not only without proceeds, but very largely in debt.

19. That the licence which the Indian Government refused to grant to Dr. Muston, to carry on a Journal, by renting Mr. Buckingham's materials, from which both parties might have been benefited, the same Government granted to Dr. Muston himself, immediately that he became possessed of these materials as his own; the effect of this being, therefore, not to suppress the sentiments which the Journal might contain, as the Editor would in both cases be equally free from Mr. Buckingham's control, but to take the profits from the original owner, and transfer them to the subsequent possessor.

20. That the copyright or goodwill of this long-established and popular Journal, with all its consequent profits, thus taken from Mr. Buckingham, and conferred upon Dr. Muston without purchase or consideration, was ultimately sold by the latter gentleman for his own benefit, to the Proprietors of another Indian Paper, the *Bengal Harkaru*, to whom the subscribers were accordingly transferred.

21. That Mr. Buckingham has now been in England eleven years, during which he has been subjected to the greatest difficulties, arising out of the losses described; but he has, nevertheless, persevered in every legitimate and honourable mode of appealing to the India Directors, to the Board of Control, and to Parliament; the Authorities of the Government of India being so protected, as to render it impossible to obtain redress from them through a Court of Law.

22. That the result of all these proceedings has been to entail on Mr. Buckingham the total ruin of all his property and prospects in India, by the utter extinction of his Establishment there, which was not over-estimated at the value of 40,000*l.* sterling; and by the accumulation upon himself, as the party responsible for all the liabilities of the Concern, of debts to the extent of nearly 10,000*l.* more.



## OPINIONS OF EMINENT PUBLIC FUNCTIONARIES IN INDIA, IN FAVOUR OF A FREE PRESS IN THAT COUNTRY.

### *Sir John Malcolm,—General of the Army at Madras.*

Publications in England on the affairs of India have been rare, except on some extraordinary epochs, when attention has been forcibly drawn to that quarter, and a groundless alarm has been spread of the mischiefs which (many conceive) must arise from such free disclosure, and consequent full discussion of the acts of the Indian Governments. This practice, in my opinion, will have a direct contrary effect. It must always do great and essential good. The nature of our possessions in India makes it necessary that almost absolute power should be given to those intrusted with governments in that quarter; and there cannot be a better or more efficient check over these rulers, than that which must be established by the full publicity given to their acts, and the frequent discussion of all their principles of rule. Such a practice will expose imprudence and weakness, however defended by the adherence of powerful friends in England; and it will be more certain to prevent oppression or injustice, than the general provisions of law, which may be evaded; or the check of superiors, who may, from conceiving the cause of an individual identified with that authority itself, feel themselves condemned to support proceedings which they cannot approve. This practice, in short, restrained as it always must be, by the laws of our country, within moderate bounds, must have the most salutary effects. Its inconveniences are obvious, but trifling when compared to the great and permanent benefits which it must produce; and I am confident that every effort made to repress such discussion, is not merely a sacrifice to personal feeling and to momentary expedience of one of the best and most operative principles of the British Constitution, but a direct approximation to the principles of that ORIENTAL TYRANNY which it is, or ought to be, our chief boast to have destroyed.—*Sir John Malcolm.*

### *Sir Simon Toller,—the E. I. Company's Advocate-General at Madras.*

The wisest political arrangements have been made for the public safety, and to prevent the recurrence of those dreadful scenes. The Governor-General in his answer to the address of the inhabitants of Calcutta, has, with a manly frankness, developed the motives of his policy, and has appealed to the public mind for its rectitude, and I am persuaded that he has not appealed in vain. A government, when conducted with wisdom and patriotism, has nothing to conceal. It is involved in no mysteries; the clearer and the stronger the light in which its principles and proceedings are presented to the public eye, the more it will be applauded.—*Sir Simon Toller.*

### *Mr. Staveley,—Member of the Supreme Court at Madras.*

To all that has fallen from my honourable friend who has just sat down, I give my full assent, and add my voice to his in commendation of that freedom, than which, in my opinion, a greater blessing cannot be bestowed upon an Eastern Empire. And Sir, I know no law, no reason, no policy, why it should not be employed to its fullest extent. I say, Sir, I know no law. There is none upon your statute-book which restrains the liberty of the Indian press. I speak in the hearing of those who will correct me, if I am wrong. I know no regulation; and they are present who can set me right if I am in error. That there is no reason in such restraint, my honourable friend who has preceded me has shown you fully; that there is no policy in it, I will prove to you before I finish. If you desire to reign within the hearts of your subjects, and govern by their affections, you must free their thought from restriction, and the expression of it from restraint. For what improves intellect, but the collision of mind; and what reconciles the mind to its rulers, but the proof that its rulers are occupied for its good; and how shall this be known, if the great avenues of knowledge are closed up?—*Mr. Staveley.*

### *Address to Lord Hastings from the Inhabitants of Madras.*

While contemplating this important subject, it must have occurred that to the attainment of truth, freedom of inquiry was necessary; that public opinion was the strongest support of just government, and that liberty of discussion served but to strengthen the hands of the executive. Such freedom of discussion was the gift of a liberal and enlightened mind; an invaluable and unequivocal expression of those sentiments evinced by the whole tenor of your Lordship's administration.—*Madras Address.*

### *Reply of Lord Hastings to the Address from Madras.*

My removal of restrictions from the press has been mentioned in laudatory language. I might easily have adopted that procedure without any length of cautious consideration, from my habit of regarding the freedom of publication as a natural right of my fellow subjects, to be narrowed only by special and urgent cause assigned. The seeing no direct necessity for these invidious shackles might have sufficed to make me break them. I know myself, however, to have been guided in the step by a positive and well-weighed policy. If our motives of action are worthy, it must be wise to render them intelligible throughout an empire, our hold on which is, opinion. Further, it is salutary for supreme authority, even when its intentions are most pure,

to look to the control of public scrutiny. While conscious of its rectitude, that authority can lose nothing of its strength by its exposure to general comment; on the contrary, it acquires incalculable addition of force. The government which has nothing to disguise, wields the most powerful instrument that can appertain to sovereign rule. It carries with it the united reliance and effort of the whole mass of the governed. And let the triumph of our beloved country, in its contest with tyrant-ridden France, speak the value of a spirit to be found only in men accustomed to indulge and express their honest sentiments.—*Lord Hastings's Reply.*

### *Mr. Cutlar Fergusson,—Member of the Supreme Court of Bengal.*

Mr. Fergusson rose, on the part of his client (Mr. Buckingham), to show cause against the rule for a criminal information against the *Calcutta Journal*. In moving for that rule, the Advocate-General (he observed) had entered very largely, and more than was usually done, into the reasons which gave rise to his motion, in which he should endeavour to follow him. That learned gentleman had told their lordships that it was three years since the boon of the liberty of the press had been bestowed on India. He would tell them, however, that it was three years since the restrictions formerly illegally imposed on that liberty had been removed by a statesman and a friend of India, characterized by the liberality and magnanimity of his sentiments, who had thus conferred an inestimable blessing on this country, which would cause him to be remembered with gratitude by future generations; for if there was any one blessing likely to be more productive than another of great and lasting benefit, it was certainly that liberty of discussion, through the exercise of which, every suggestion for its improvement, and the advancement of its interests, might be brought into the field of fair and open argument, and, if proved to be of advantage, adopted for the general good. He was ready to admit that the liberty of the press was subject to some evils, although he regarded it as the greatest blessing that could be conferred on society; but he knew of no boon that could be granted which was capable of producing so many beneficial effects as this, by its bringing into discussion, and to the notice of the Government, an infinite number of subjects connected with the interests of this immense empire over which its sway extended, and with the amelioration of the condition of our Indian subjects.

### *Sir Edward Hyde East,—Chief Justice of the Supreme Court of Bengal.*

His Lordship, the Chief Justice, Sir Edward Hyde East, then passed to the consideration of the merits of the case before the Court. They had nothing to do, he considered, with the liberty of the press abstractedly. The Government of the country, with the advice and sanction of the authorities at home, had established that liberty; and he considered that a free press, or the liberty of publication without a previous censorship, was calculated to produce much good.

### *Mr. Cutlar Fergusson,—on the Responsibility of Indian Governors.*

The discussion which had given rise to this action had arisen in consequence of a question started, and long and warmly disputed by very unlearned persons, he thought, as to the power of the Governor-General to transmit, without trial, British subjects licensed to reside in India. Giving his opinion as a lawyer, he must say he thought there was no doubt of the existence of the power to transmit persons licensed to reside; and persons residing in India without a licence were, in a legal sense, committing a misdemeanor every day, which the law, however, overlooked. But the power of transmission, although it did exist, was a matter of high trust and responsibility, which should not be exercised but on occasions that imperatively called for it. He did not see that any such occasion had arisen, and he hoped that no such occasion would ever occur, nor did he believe that it would ever be exercised as long as the government of India was in the hands of its present rulers. Such a power had been vested in the Government, because a monopoly of the trade of the country having been given to the East India Company, all others were considered as interlopers, who should be removed from the country if their conduct was obnoxious to the servants of the Company. But this power of transmission, like the power of the servants of the Crown during the suspension of the Habeas Corpus Act, and every discretionary power, could not be exercised without high responsibility, and was not to be used on slight occasions. In both these trusts the ends of justice were to be satisfied and not defeated; and no lawyer would deny but that wrongs, occasioned by the undue exercise of this or any other purely discretionary power, would be heard and redressed.

### *Sir Edward West,—Chief Justice of Bombay,—on the same subject.*

When the India Company sent out orders for imposing restrictions on the press at Bombay, the two judges of the King's Court there, Sir Edward West and Sir Charles Chambers, rejected it as an infringement on the liberty of the subject, and wholly repugnant to the laws of England. Their judgment was pronounced so recently as 1826, when all the facts and all the arguments of the preceding cases were fully before them; and on that occasion the Chief Justice, Sir Edward West, used these expressions, namely: "It may be remarked, that the power of sending British subjects home from India, as it has been exercised over the press, was probably never contemplated by the Legislature:" an opinion in which all history bears him out. It was a power given merely to remove from India rival traders, under the old monopoly, and meant for commercial purposes alone; it is, therefore, wholly a perversion of this power to apply it to persons whose only offence is, that they entertain and express opinions not agreeable to the Government,



*Lord William Bentinck,—late Governor-General of India.*

In addition to the publicly-expressed opinions of the noblemen and gentlemen named above, a letter has been addressed to Mr. Buckingham by LORD WILLIAM BENTINCK, the late Governor-General of India, in reply to a request made to him to state frankly his opinion, as to whether the Freedom of the Press, exercised by the *Calcutta Journal*, had been productive of good or evil to India;—of which the following is an extract:

"My early determination was not to interfere with the Press; and I had, therefore, no occasion to compare the different degrees of freedom of discussion prevailing before and subsequent to my arrival. The boldness of language which I have heard ascribed to you, did not probably exceed that which has been assumed by the *Calcutta journals* in latter years; but its novelty would probably alarm all those, and especially the older functionaries, who consider the existence of a Free Press to be incompatible with the safety of our Indian empire. I am happy to say that this apprehension has gradually given way to as general a conviction that *Free Discussion*, instead of producing any of those dreaded evils, has been *productive of great benefit*, and has led to a *very perceptible improvement of our administration*. Under an assumption of the correctness of these suppositions, I, in my time, should have *seen with satisfaction* the circulation of a journal, conducted with the ability which has distinguished all your writings.

"I am, Sir, your obedient servant, W. BENTINCK."

*Sir Charles Metcalfe,—present Governor-General of India.*

As a concluding testimony in favour of the importance, safety, and undoubted benefit of the Freedom of the Press to India, and the consequent impolicy and injustice of punishing with utter ruin any individual for being the first to give that blessing a practical exercise in that country, the following extract is given from the speech of SIR CHARLES METCALFE, the present acting Governor-General, who succeeded LORD WILLIAM BENTINCK, in reply to a Public Address presented to him by the British and other inhabitants of Calcutta in the year 1835, on the subject of the Freedom of the Press in India. These are Sir Charles Metcalfe's own words:

"I look to the increase of knowledge, with the hope that it may strengthen our empire; that it may remove prejudices, soften asperities, and substitute a rational conviction of the benefits of our Government; that it may unite the people and their rulers in sympathy; and that the differences which separate them may be gradually lessened, and ultimately annihilated. Whatever, however, be the will of Almighty Providence respecting the future Government of India, it is clearly our duty, as long as the charge is confided to our hands, to execute the trust to the best of our ability, for the good of the people. The promotion of knowledge, of which the *Liberty of the Press* is one of the most efficient instruments, is manifestly an essential part of that duty. It cannot be that we are permitted by Divine authority to be here merely to collect the revenues of the country, pay the establishments necessary to keep possession, and get into debt to supply the deficiency. We are, doubtless, here for higher purposes; one of which is to pour the enlightened knowledge and civilization, the arts and sciences of Europe, over the land, and thereby improve the condition of the people. Nothing, surely, is more likely to conduce to these ends than the *Liberty of the Press*. Those who object to it are further bound to show that it is not salutary for the Government and its functionaries to have the check of a Free Press on their conduct, and that the exercise of arbitrary power over a restricted press is preferable to the control of the laws over a free one—*assumptions which cannot be maintained.*"

*Latest Intelligence from India.*

Accounts have been received from Madras up to the 7th of September, 1835. They state that measures were in progress to celebrate the establishment of a FREE PRESS in India by Sir CHARLES METCALFE. As a public expression of the feelings of satisfaction with which this great measure was received in India, it was proposed, among other things, that a MEDAL should be struck off in honour of Sir Charles, for establishing the Freedom of the Press in that country.

At Calcutta a grand dinner had taken place to celebrate the establishment of the Freedom of the Press, and in honour of Sir Charles Metcalfe, who had broken down the restrictions heretofore exercised over this important organ of the people. Several gentlemen from the Government-house were present, and the principal Parsee merchants. Among the toasts were, "The Freedom of the Press;" "Sir Charles Metcalfe, the Liberator of the Press in India;" "The Regeneration of Poland;" "Success to the cause of Freedom and Reform;" "Lord Grey and the Reform Bill;" &c. &c. Many excellent speeches were delivered; in one of which it was stated, that Sir Charles Metcalfe saw the censorship established in 1800, and thirty-five years afterwards he had removed all restrictions, opposing, as it was believed he had done, the wishes, and at the risk of the displeasure of the Court of Directors. The health of Sir Charles was drunk with the greatest enthusiasm. In the evening, many of the principal houses in Calcutta were illuminated.

## OPINIONS OF PUBLIC MEN IN ENGLAND, AS TO THE TREATMENT OF MR. BUCKINGHAM, AND HIS JUST CLAIMS TO REDRESS.

*Mr. Lambton,—now Lord Durham.*

"Mr. Buckingham has been the victim of the most CRUEL OPPRESSION, not warranted by sound policy or expediency, but arising from a wanton and aggravated spirit of despotism. If such things are allowed to go unredressed, it is idle to talk of the responsibility of the Indian Government. I do maintain that Mr. Buckingham has suffered from the grossest tyranny, and that to suffer the repetition of such practices is to endanger the very existence of the empire."

*Sir Francis Burdett,—East India Proprietor.*

"He had heard nothing which could palliate the act of tyranny, for he could call it by no other name, which had been committed against Mr. Buckingham. He felt bound to declare that a more gross case of cruelty had never been presented to the notice of the House. The object before the House at present was, the relief of an individual whom he considered to have been treated with a cruelty unmerited and almost unparalleled."

*Mr. Denman,—now Lord Denman.*

"Mr. Buckingham had been torn from his business, from his friends, from all his hopes, and had been sent to a distant country, where he was ruined, and was, perhaps, on the very verge of beggary. It was horrible to hear of such things. It was horrible to see any thing like an attempt to introduce into this country that Indian atmosphere, which he for one was not prepared to breathe. He considered this to be one of the most cruel, oppressive, and unjustifiable acts, which he had ever known to have been committed by a British Governor, in the history of the Colonies, bad as they were."

*Mr. Scarlett,—now Lord Abinger.*

"Mr. Scarlett observed, that no action could be brought against the Government of India for the exercise of that prerogative, and the only mode of redress therefore left was that stated by the noble lord, a Select Committee of Inquiry. He was surprised that the House, who were said to be the guardians of the lives, the liberties, and properties of the people, could hear one clause of the petition read without instantly affording the petitioner the means of redress. The petitioner stated that he was banished from India himself, and that the licence or copyright of his *Journal* was taken from him and co-proprietors, without compensation, and presented as a gift to the son-in-law of one of the members of the government. Could the House endure this statement without endeavouring to ascertain its truth? Not only was he banished, but the most valuable part of the property he left behind him was also taken from him without consideration. If these statements were proved, the Government of India deserved the reprehension of the House and the country, for punishing a man without trial. Without giving him the opportunity of defending himself, they transported him and destroyed his property, and then the only answer they gave him was, that it was given to his friend Dr. Muston. He was unwilling to use any harsh terms, but this conduct was not only oppressive but corrupt; and should his noble friend, acting upon the hint given him by the right honourable gentleman opposite, give notice of a motion for a Select Committee of Inquiry on another day, he would certainly support him."

*Sir Charles Forbes,—East India Proprietor.*

"I have found that Mr. Buckingham, ever since his arrival in England, has acted up to the character which Mr. Palmer gave of him in the letters which he brought with him from India. The more I have seen of Mr. Buckingham, the more highly I think of his character and talents. A more humane man than he is does not, to my knowledge, exist; and there are persons present who can testify that he has afforded relief to others at a time when he has been very much in want himself. If gentlemen have doubts on this subject, the fact can be proved by Mr. Buckingham's friends, for friends he has, who will stand by him, whatever may be the result of this day's proceedings. Yes, Sir, I am proud to say he has friends who will support him, and the advocate the cause of justice against oppression over and over again, to the termination of the East India Company's charter; ay, even to the conclusion of that which may follow; and I earnestly hope they may never lose sight of the object they have in view until they have accomplished it."

*Mr. Hume,—East India Proprietor.*

"Mr. Buckingham's case ought not to be considered an isolated one. Every one who feels for the situation of his countrymen in the Colonies, where despotic power prevails, ought to make common cause with him. It is a case of great importance, and I hope that Mr. Buckingham will receive the support to which his talents and his misfortunes alike entitle him. The state-



ments which were originally made by Mr. Buckingham have been most fully borne out by the evidence given before the Committee of the House. I do not speak of the evidence of Mr. Buckingham or his friends, but of the documentary proof afforded by the East India Company. Under these circumstances, I consider Mr. Buckingham's case to be not only one of great individual hardship, but also of infinite general importance. By supporting Mr. Buckingham, we shall at once evince our admiration of his conduct, and our detestation of the power by which he has been oppressed."

*Mr. J. B. Lewin,—formerly Advocate-General in India.*

"On the private and public merits of Mr. Buckingham we are all agreed. The only difference between us is, whether any public man could have braved better than he has braved the particular difficulties of his situation. Do you not yearn with sympathy towards a man, whose private conduct has been admitted on all hands to be free from reproach, and whose public conduct, though open and manly in the extreme, has been productive to him of nothing but suffering and disappointment? Mr. Buckingham has done well, and suffered well, for your sakes. Be it yours to provide that he is also indemnified well for the losses he has sustained. If ever a man deserved the support of his fellow-countrymen, it is Mr. Buckingham."

*The Honourable Douglas Kinnaird,—East India Proprietor.*

"Mr. Buckingham is entitled to sympathy, as a gentleman of unimpeached character, who is suffering under a great calamity, without being in any degree the author of his own misfortunes. There is not a single India Director who would not, with all his heart, make some compensation, but for this reason, that they dare not censure any of the acts of their servants abroad. There is not an individual Director with whom I have ever conversed on the subject, who did not say that Mr. Buckingham's was one of the hardest cases he had ever heard of. They all acknowledge that they have not a word to say against him as a man and a gentleman; they would willingly meet him on friendly terms in a private room; but they say, if we afford him redress, if we save him from destruction, we pass censure upon the despotic power existing ten thousand miles off, and that we dare not do."

"It has been said that Lord Hastings, if he had remained in India, would have found it necessary to banish Mr. Buckingham, as had been done by his successor. But I have it under Lord Hastings's own hand, that Mr. Buckingham never wrote any thing, and he, Lord Hastings, believed that he never would have written any thing which could induce him to resort to so severe a measure. For my own part, having had frequent and almost uninterrupted personal intercourse with Mr. Buckingham, from the moment of his arrival in this country up to the present period, I can declare that I never met with a gentleman, who under the difficulties and distresses with which he has had to contend, behaved with more consistency and uprightness—or showed a greater disposition to behave in a fair and conciliatory manner. It is not a little to his credit, that, after standing before the public eye for so long a period, with the most searching scrutiny applied to every incident of his public and private life, no man can put his hand upon his heart and point out any one of his acts as dishonourable."

*Lord John Russell,—Chairman of the Parliamentary Committee.*

"I am of course in possession of all the facts which were laid before the Committee, and I am prepared to state, that having listened attentively to all that transpired in the Committee, my opinion of the hardships suffered by Mr. Buckingham is, instead of being weakened, materially strengthened, by the experience and knowledge I have thus acquired. What we have met here to consider is, the great hardships and grievous losses sustained by Mr. Buckingham, in consequence of conduct, which, so far from attaching any blame to him, is in my opinion, highly honourable and praiseworthy, and perfectly conformable to those rules of conduct and those examples of freedom, which we are accustomed to admire and hold up for imitation by others of our own countrymen."

"For my own part, having had an opportunity of reading all these articles published in Mr. Buckingham's Journal, which were particularly found fault with by the Indian government, I can undertake to say that there is not one of those articles, although they must all have been written and inserted in the hurry inseparable from the publication of a Daily Paper, which not only does not reflect the slightest stain on the character of the writer, but are such as would do honour to any man possessing an honest zeal for the welfare of the community in which he lived, and such as there is every reason to believe were written and published with a perfect conviction, on the part of the author and publisher, that he was serving the cause of truth, and was therefore entitled to the thanks of his fellow-subjects, and the approbation of a wise and benevolent Government."

## PARLIAMENTARY DEBATE

ON

## THE CLAIMS OF MR. BUCKINGHAM

TO

*Compensation from the East India Company,*

FOR THE DESTRUCTION OF HIS PROPERTY IN INDIA.

HOUSE OF COMMONS,

AUGUST 28, 1835.

Mr. TULK moved the Order of the Day for the House to resolve itself into a Committee of the whole House, on the Bill to enable Mr. Buckingham to recover Compensation from the East India Company, for the destruction of his property by the acts of their servants in India.

Sir J. HOBHOUSE said that he was anxious to know from the Speaker whether this was to be considered a private or a public bill?

The SPEAKER was understood to reply that it was undoubtedly a private bill.

Sir J. HOBHOUSE then began to read one of the standing orders with respect to the reception of private bills. It was laid down in the standing order, which he read to the House, that the House would not receive any petition for a private bill after the 13th of March; that no private bill should be read a first time after the 13th of April; and that no report should be received after the 13th of June. He thought, therefore, that this standing order of the House precluded their proceeding with this bill.

The SPEAKER was understood to say that the further consideration of this bill, though a private one, was not shut out by the standing order which had been read; for the House had it in its power to dispense with such orders if it pleased; and this very day the royal assent had been given to several private bills introduced without compliance with such orders.

Mr. HUME said he was really surprised that the right honourable baronet, the President of the India Board, should now raise a technical objection to a bill, the principle of which had been admitted by its passing through a second reading. After the full discussion given to the subject on its first introduction, and the large majority by which the question was then carried, notwithstanding the opposition of the right honourable gentleman, he had hoped that the House would have heard no more of any obstacles thrown in the way of a claim founded in justice, and entitled to the consideration of every just mind. (Hear, hear.) Indeed he must say it was an act of cruelty to Mr. Buckingham to interpose such a technical objection at such a moment as this; for what were the facts of the case? Why these: that the late Cabinet of Lord Grey, composed of very nearly the same members as the present Cabinet of Lord Melbourne, granted a Committee of Inquiry—which Committee reported unanimously that Mr. Buckingham ought to receive compensation—the resolutions being drawn up by the hand of Lord Glenelg, then and still a Cabinet Minister, and approved by the noble Secretary of State for the Home Department (Lord John Russell), now the leader of the House of Commons, and yet, in the face of all this, the new President of the India Board, in opposition to his predecessors, as well as to his colleagues, came forward, after failing to carry the House with him on the merits of the question, to put it aside by a purely technical objection. (Hear, hear.) He confessed that this conduct of the right honourable baronet was to him perfectly unaccountable; and he must say that he thought he would have done himself more honour if he had come forward manfully, waving all technicalities, and put the question on its merits alone, for on these only ought it to be decided. (Hear, hear.)

Sir J. HOBHOUSE said that the objection he had stated was no technical one, but an objection which had been very properly taken by the Counsel for the East India Company when they were heard at the bar. If this bill were to be proceeded with, contrary to the established rules of the House in the case of private bills, the East India Company would not have time to get



up their case in a proper manner. Justice could not be done to either party, unless the question were referred to a Committee up stairs, and it would not be possible that a determination could be come to by such a Committee during the present session of Parliament.

Mr. O'CONNELL hoped that the bill would be allowed to go forward as it had commenced—as a public bill. The House had permitted it to be brought in as such, it had been read a second time as such, counsel had been heard before their bar instead of before a committee, which would have been the proper place had the bill been regarded as a private one; and now when the opponents of the bill were beaten on its merits, and had not an argument left to stand on, they turned round and met it with a miserable technicality. (Hear, hear.) Really it was high time that such courses as these should be laid aside; they were unworthy the character of a tribunal of justice; and if ever there was a case in which they were unbecoming, this was one. (Hear, hear.) Why, what was the allegation of the counsel? That Mr. Buckingham's paper was full of articles, dangerous to the safety of India, and that his banishment without trial, and the subsequent suppression of his Journal, were necessary to its security. Now look at the facts. In the space of five years of a daily publication, five articles were complained of, not as libellous or false, but as disagreeable to the Indian government, as all strictures on their conduct were sure to be. Of these, explanations had been given of four of them, which were so satisfactory even to that complaining government, that nothing more was said of them. The fifth was prosecuted and carried before a jury, and Mr. Buckingham was instantly acquitted. (Hear, hear.) Was not that an answer to the assertion of his Journal being full of dangerous articles? But then it was said that he was banished in due form of law, though there was no trial and no conviction be it remembered, but a mere summary order for his departure. Why it was this very circumstance of its being an oppression committed under colour of law, that made it so worthy the attention and redress of this House. If it had been, strictly speaking, illegal, the courts of law would have afforded a remedy; but the grossest acts of injustice might be perpetrated under colour of law, and this was one of them—(hear, hear)—and on that ground alone, he must say, he thought the House bound to interfere, for the protection of the subject against oppression was one of its dearest functions and highest duties. (Hear, hear.) It was said, too, that there was no time to consider the subject properly during the present session. Why should there not be time? The evidence lay in a very small compass, and the House might hear it and determine on the amount of compensation that should be given, in a single sitting. There was always time for justice, if persons were but willing to employ it for that purpose. (Hear.) For himself, he must say, that he thought a clearer case of robbery had never been established than that which had been perpetrated towards Mr. Buckingham. Not even the history of the Colonies—bad as it was—could present another such case of unparalleled wrongs; for after the acquittal by the government for four of the articles complained of—and acquittal by a jury for the fifth—he was banished for a sixth article, which so far from being an improper one, was a mere anticipation of the very judgment passed by the India directors themselves. It condemned in very mild and gentle terms, the appointment of a Scotch parson to be a Stationer-General, and the tenor of the article was to show that the two offices were incompatible—that the person holding the two should abandon one and adhere to the other—be either parson or stationer, but not both—as in that case the duties of either would be sure to be neglected. And what really happened? Why this. That as soon as ever this appointment was heard of in England, it was condemned by the Court of Directors—condemned by the Board of Control—and condemned by the General Assembly of Scotland, to whom the parson was amenable, and was annulled by all three—though Mr. Buckingham, who had been the first to call public attention to its impropriety, was made the victim of his public virtue—(hear, hear)—for really this was an act which did him honour, and for which he should have been thanked and rewarded, instead of being banished and ruined. (Hear, hear.) He trusted, therefore, that the right honourable baronet would waive these technical obstructions, and let the House deal with the question on its merits, as on those alone it ought to be decided. (Hear, hear.)

Mr. WILKS said he concurred entirely in every word that had been uttered by the honourable and learned member for Dublin; and added his earnest prayer that the House would not suffer justice to be defeated by a mere technicality. (Hear, hear.) It was now more than nine years ago that he (Mr. Wilks), being then a Proprietor of India Stock, had joined with his friend Sir Charles Forbes, Mr. John Smith, the eminent city banker, Sir Henry Strachey, Sir John Doyle, the honourable member for Middlesex, and others,—all as much interested in the welfare of India as any member of that House could be—to bring the subject of Mr. Buckingham's wrongs before the Court of Proprietors at the India House. He was familiar with the subject, therefore, from the beginning, and he had watched its progress to the end: and he must say, that during all that period up to the present moment he had never entertained but one opinion on it, which was this—that Mr. Buckingham was most unjustly, oppressively, and cruelly deprived of his personal liberty and ruined in his property, not only without having committed any fault, but for conduct which did him the highest honour, and which could never be mentioned but to his praise. (Hear, hear.) The facts were so familiar to the people of England generally, that this was the almost universal senti-

ment; and his conviction was that the conduct of the right honourable baronet (Sir John Hobhouse) in opposing this just and reasonable claim would excite the greatest astonishment wherever it was known, if even stronger feelings were not engendered by it. Mr. Buckingham, he would contend, had acted with the greatest delicacy in not pressing these claims forward before. He had suffered much time to elapse, and the delay was imputed to him as matter of blame; but when the motives and reasons of that delay were known, it would be seen that not the slightest blame could be fairly imputed to Mr. Buckingham for its occurrence. He must repeat that Mr. Buckingham's case was one of the greatest hardship he had ever known; that his claims to compensation were founded in the strictest justice: and that he should lament to see them set aside upon a mere matter of form, while the House, in every step it had yet taken, had acknowledged the principle of the bill and recognised the claim as just and reasonable, leaving its amount open to compromise and adjustment in the committee. For these reasons, he sincerely hoped that the bill would be allowed to go forward as a public bill, and secure the sanction of the House at least in the present session. (Hear, hear.)

Sir R. M. ROLFE opposed the claim on various grounds; one, that Mr. Buckingham had been warned of the consequences of the course which he was pursuing, but that he had nevertheless persevered in that course; another, that it was not in India, as in England, where any government might laugh the attacks of the press to scorn, knowing that there was a popular assembly in which those attacks, if unjust, might with ease be repelled; a third, that if the claim were granted, it would assume the shape of a tax on the natives of India, who were altogether uninterested in the subject.

Mr. BUCKINGHAM said, that it was with great reluctance that he presented himself to the notice of the House on this occasion; but in doing so he was actuated by two powerful motives, each of them, he believed, of sufficient force to satisfy the House that he was justified in the course he was about to take. His first motive was a desire to set himself right with the House, as to certain personal imputations that he thought had been most unjustly cast upon him by the right hon. President of the Board of Control; and his second motive was a desire to save the time of the House and shorten the discussion, by putting them in possession of the main facts of the case in as brief and connected a form as the extent over which it was necessarily spread would admit. (Hear, hear.) On these two grounds he entreated the indulgence of the House while he addressed to them the few observations which he thus felt it his duty to offer. The right hon. baronet (Sir John Hobhouse) had, in his first speech, delivered on the introduction of the bill now before the House about a week ago, deprecated the presence of any hon. member during a debate on a question in which he was himself personally interested, and complained of his (Mr. Buckingham's) presence, as being unprecedented and embarrassing; he had next described the measures taken by him (Mr. Buckingham) to put hon. members in possession of his case by sending them a printed paper, and to ensure their attendance by issuing a written circular—as wholly inconsistent with the character of a member of parliament. Now these were very grave accusations, such as, if substantiated, would deservedly prejudice him in the eyes of his constituents and the country, and indeed render him unworthy to sit among those by whom he was now surrounded. Yet this had been the statement which had gone forth to the world, and he therefore felt it his duty now to rise in his place and give these imputations his most strenuous and most unqualified contradiction. (Hear, hear.) But he would not content himself with this, he would show to the House that he was acting on well-established precedents, on examples of the strictest honour, on rules of every day practice, as well as of reason and common sense. (Hear, hear.) As to example and precedent, he would content himself with quoting two of recent date as sufficient for his purpose. When the hon. and gallant admiral, the member for Devonport (Sir Edward Codrington), brought forward the claims of himself and his brother officers and seamen, to the prize money due for the capture of the Turkish fleet at Navarino, that gallant admiral, then belonging to a profession, the very soul of which is honour, felt no scruple whatever in being himself the individual to advocate the claim, to make the motion, and to take the lead in carrying it to a close; and not a whisper was breathed on either side of the House in objection to such a course. (Hear, hear.) And if it should be said that the gallant admiral was claiming for others as well as for himself (though his own share was by far the largest in the amount that he claimed for the whole), so also in his, Mr. Buckingham's case, there were others, whose property had been invaded, and to whom compensation was due, he meant the seventy English gentlemen who were co-proprietors with himself in the *Calcutta Journal* at the time of its suppression, and whose rights he was bound to defend and advocate as well as his own. (Hear, hear.) But there was a case still more in point, in which the amount was much larger, and the claimants more numerous; he meant the case in which twenty millions sterling had been voted by that House as compensation to the West India proprietors for the abolition of slavery. Of these gentlemen there were several who were members of that House, and he would ask whether there was any feeling of delicacy which kept these gentlemen away when the case of their compensation was coming on for discussion? (Hear, hear.) On the contrary, was it not notorious, not only that they were uniformly all present, but that the greater number of them spoke in favour of their claims, and that they all voted for the large sum of money of which they were to share in the receipt. (Hear, hear.) Did any one



condemn them for this? and was it not the constant practice for honourable members, belonging to the various interests which were represented in that House, agricultural, manufacturing, and shipping, to be present, take part in, and vote on questions affecting their pecuniary interests, without reproach and without blame? Now as to voting on his own claim, or even on that of his co-proprietors, he (Mr. Buckingham) had abstained from doing this: and he only wished that other gentlemen pecuniarily interested in the decision of various questions that came before the House, whether for the adjustment of tithes, the appropriation of corporate property, or the regulation of the corn laws, would only follow his example, and abstain from [voting on questions in which their pecuniary interests were at stake. (Hear, hear.) At least he felt that in the course which he had taken of being merely present at the debate, he had done nothing of which persons of the nicest honour could complain; and indeed he could not at all understand why his presence should have been so embarrassing as the right honourable baronet (Sir John Hobhouse) declared it to be to himself, unless, indeed, which he was not willing to suppose, the right hon. gentleman wished to speak more freely of him in his absence than he could venture to do to his face. (Hear, hear.) Why the general rule was to solicit any member to be in his place when any observations were about to be made on his character, on purpose that he might be present to answer any charge or remove any misconception: and as the case then under discussion was one that affected his (Mr. Buckingham's) reputation as much as it did his fortune, he should have felt himself liable to the imputation of fear or shame if he had been absent from his place on so important an occasion. As, however, he felt neither of these, but was conscious of his own integrity, as well as of the justice of his claim, he was determined to be in his place to defend both, and to show the House that he dreaded no investigation, and wished to shun no reproof. (Hear.)

As to the complaint raised by the right honourable baronet of his (Mr. Buckingham's) having forwarded to the members a printed statement of his case, and a circular desiring their attendance on the debate, to hear and judge for themselves, and give their votes accordingly; this was even more groundless than the preceding. Every one must be aware, that as these transactions took place many years ago, and in a very distant quarter of the globe, it was hardly probable that honourable members should be familiar with them in all their details; and as the evidence on the subject filled a large folio volume, which it was very unlikely most members would read, considering the vast mass of papers presented to them for examination every morning during the session, he thought he should be consulting their convenience, and advancing the ends of justice, if he placed in the hands of every member as brief a view of the case as he could possibly compress within the compass of a single sheet of paper. This was done; and the sheet contained only extracts from the large volume of Evidence arranged in consecutive order. These were, first, a list of the Select Committee appointed by the House in the last session to consider of the facts;—secondly, the resolutions reported by that Committee after hearing the evidence;—thirdly, an analysis of the principal features of the evidence itself;—and lastly, the opinions of Lord Durham, Lord Denman, Sir Charles Forbes, Mr. Kinnaird, Mr. Hume, and Lord John Russell, on the whole case. (Hear, hear.) To show the perfect openness and fairness of this course, a course pursued every day, and on every kind of question brought before the House, it might be added that copies of this statement were sent to the opponents as well as to the advocates of the bill; to the ministers as well as to the opposition; and the right honourable baronet himself admitted that a copy had been also sent to him. (Hear.) No wonder, however, that he found this to be so inconvenient, and that he tried to make it appear so objectionable a mode; because when the names of the Committee came to be read, and their unanimous decision in favour of compensation came to be examined; when the analysis of the evidence came to be scrutinized; and above all, when the opinions of the eminent and honourable persons named came to be repeated—they were sure to carry such conviction to all unprejudiced minds, as to make it exceedingly difficult for the right honourable baronet to shake such convictions, or to alter the conclusions to which such facts and such authorities would compel almost every impartial person to come on the subject in question. (Hear, hear.) But the very circumstance which made this document so disagreeable to the right honourable baronet, was that which made it especially valuable in his (Mr. Buckingham's) eyes. Not a fact in it could be controverted—not an opinion in it could be overturned, and there it still remained, unrefuted and irrefutable, for present conviction, as well as for future reference and use. (Hear, hear.) As to the circulars that were issued to request the attendance of members, he (Mr. Buckingham) had very high and very unexceptionable authority for such a course;—for almost every morning he himself received a written circular from the Treasury, sometimes respectfully requesting his attendance to put the Speaker in the chair, or in other words, to assist in making a House, when the Ministers wished this for their own purpose: sometimes merely requesting his attendance on some important debate; at other times most earnestly and most particularly urging attendance for some certain division expected to come on in the evening,—the lines being underscored to give the utmost possible importance to the injunction—and these delivered at the public expense, by the public messengers of the Treasury. (Hear, hear.) What therefore it was not unbecoming in the Government to do, it could hardly be wrong in any

individual member to follow,—more especially as the invitation was merely to attend, without asking support, or endeavouring, in any way whatever to influence the decision of the party attending. (Hear, hear.) He hoped, therefore, that he had set himself right with the House, and if so, he should satisfy his constituents and the country, that in being present at the debate—in providing the printed statements of the case—and in sending the circulars requesting the attendance of honourable members, he had done nothing of which persons of the nicest sense of honour could complain, nothing for which there was not example, precedent, and abundant reason; and that, therefore, the imputation of his having acted in a manner inconsistent with the character of a Member of Parliament, was wholly without foundation. (Loud cheers.)

He would now, however, with the permission of the House, address himself to the subject of the Bill, and the arguments of the learned counsel against it; and in doing this he was happy to say, that besides the general authorities for such a course, before referred to, he was able to cite the particular authority of the right honourable baronet opposite (Sir John Hobhouse) himself. On the occasion of his (Mr. Buckingham's) explaining to that right honourable gentleman the reasons which induced him to give circulation to the printed statement of his case, he said that one of his motives was a desire to put honourable members in possession of its leading facts, which he might not perhaps have an opportunity of stating in his own person by a speech from his place in Parliament: as there might be some difficulty, especially if the hour should be late, of his obtaining any lengthened hearing:—to which the right honourable baronet replied that he (Mr. Buckingham) need not be under any apprehension on that account, as the House would be bound to hear any gentleman addressing himself to their attention on a subject so intimately connected with his own interests and character—(hear, hear); though it was not easy to reconcile this opinion of the right honourable baronet with his subsequent declaration, that he (Mr. Buckingham) ought not to have been even present at the debate: for how any member could address himself to the House, or obtain their hearing, without his being present within its walls, it was rather difficult to understand. (Hear, hear.)

Sir J. HOBHOUSE rose and said—He certainly did not recollect having said what had been attributed to him. He had no doubt that he had said so, because the honourable gentleman (Mr. Buckingham) had asserted it; but it had certainly since escaped his recollection.

Mr. BUCKINGHAM resumed, and said he could repeat with the greatest confidence the statement he had just made. His own recollection of the matter was perfectly clear, however faint might be the recollection of the right hon. gentleman; and considering that the conversation occurred only a few days ago, he was rather surprised at the imperfection of a memory from which it could have escaped so soon. (Hear, hear.) But leaving this topic, he would now approach the subject of the Bill, and advert to the arguments of the learned counsel whom the East India Company had employed to speak at the bar of the House, where they had been heard at length against it, and in doing so he should compress as much as possible his references to facts, and his deductions of inferences from these in support of his opinions. He laboured, indeed, under the great disadvantage of having no less than three powerful counsel arrayed against him in this affair, for in addition to the learned Sergeant, Mr. Spankie, and his learned colleague, Mr. Wigram, both connected with India, and intimately acquainted with Indian affairs, there was the right hon. baronet, the President of the India Board, who stood to him (Mr. Buckingham) in the nominal relation of a judge—for the Board of Control was appointed as a Court of Appeal against oppressions committed by the East India Company, and to control and revise their proceedings generally—but who was, in reality, counsel against him on this occasion, and pleaded with all that warmth and zeal which would no doubt give great satisfaction in certain quarters. Notwithstanding these disadvantages, great as they were, he should be able to show to the House, that all the counsel taken together, (the learned Solicitor-General included) had made no satisfactory defence for their clients, and left their conduct wholly unjustified, as it was, indeed, wholly unjustifiable. The first learned gentleman (Mr. Spankie) began, and he was followed in this respect by the learned gentleman opposite (Sir R. M. Rolfe), by stating, that on his (Mr. Buckingham's) arrival in India, the press was under severe restrictions, and that he, knowing this to be the case, was fairly visited with the punishment he had received for his disregard of its regulations. But this was not correct. On his (Mr. Buckingham's) arrival in Calcutta, in the year 1818, the press appeared to be as free as in England; and the previous censorship having been abolished, this was the general impression. It was found, however, about three months after his (Mr. Buckingham's) Journal was established, but it was not known to him before, that when the censorship was removed, certain written rules or resolutions of the Council were substituted in their stead; and certainly as a specimen of regulations for the press they were a great curiosity. But these never had the force of law, because the charter enjoined that all regulations before they could become law, should be passed through the Supreme Court, and receive the sanction of the King's Judges in India. These regulations never were so passed—and never received such sanction—so that they formed no more a part of the law of India, than did a bill before it received the royal assent form a part of the law of England; the parallel was



perfect in all its parts. It was not until after he (Mr. Buckingham) had been banished from India, without a trial or hearing, for a pretended infringement of these then unlawful resolutions—for there was no real infringement even of these in the article complained of—that these resolutions were passed into a law with the proper formalities, thus giving them an *ex post facto* application, or rather punishing an individual by banishment and ruin on a mere circular resolution, and then making it law afterwards, a course never before pursued, perhaps, in any civilized community. (Hear, hear.)

But the learned gentleman dwelt at great length on the utter incompatibility of a free press with the safety of India; and by some few on the conservative side of the House this sentiment was cheered, as well as by the right hon. baronet—who seemed to agree in the sentiment, that in India a free press was a very dangerous engine. Now in opposition to these questionable authorities—questionable because they spoke in quality of advocates or counsel—and those at the bar at least hardly responsible for the sincerity of their opinions—he (Mr. Buckingham) would venture to name as high authorities at least, and quite as disinterested, in the opinions of the East India Company's advocate-general at Madras, Sir Samuel Toller, of Mr. Staveley, an eminent barrister at the same presidency, and of the inhabitants of that settlement generally, including the civil and military servants of the East India Company, and officers of the King's army in India. The opinions of these several authorities would be found at page 54 and 55 of the Printed Report and Evidence on the Suppression of the *Calcutta Journal*.

The opinion of Lord Hastings, in reply to the Address from Madras, was even still stronger; and considering that he was the highest authority in India, being at that time Governor-General, it was likely that some deference should be paid to it. It was an opinion founded on the largest and most enlightened views of state policy and government, and its soundness had been confirmed by all history, whether in India or elsewhere. The answer of Lord Hastings was to be found at page 55 and 56 of the Report. To these high authorities might be added others from the legal profession, one from Mr. Spankie himself while pleading before the King's Court in India, and one from the judge presiding on the bench, Sir Edward Hyde East, which would be found at page 64 of the Report.

The learned counsel had urged a singular reason why the freedom of the press, which he admitted was of so much value here, was dangerous in India, which was this—that there the juries were so regardless of the interests of the government, that they could not be prevailed on to convict for any censures passed on the acts of those in authority. Now those who were the least acquainted with the actual state of society in India knew this—that all the grand juries were formed chiefly of the East India Company's own servants, civil and military,—and with these there could be no difficulty in getting any bill of indictment found that might be wished; while all petty juries were formed of British-born subjects, who, by the very fact of their being British-born, were every one of them living in India by sufferance, and were liable to be removed from the country at the will and pleasure of the government, with or without reason assigned. With such dependent juries as these, there could surely be no erroneous in point of fact, and most inconclusive in its inference. He quoted, indeed, the opinions of Sir Thomas Munro,—certainly a very able military man, but not a very liberal statesman, or sound politician; and as his opinion of the danger of a free press to India was par. 13.

But to this might be opposed the opinions of quite as distinguished an authority on Indian affairs, Sir John Malcolm, who, in a published volume challenging the criticism of the world,—and not a private despatch to the India Directors, which the document of Sir Thomas Munro was,—asserted the very opposite principle, and contended for the great advantage as well as perfect safety of free discussion even in India, where, indeed, he seemed to think it of much more importance than even in this country. His opinion would be found at page 127 of the Evidence.

But the most striking fact of all, perhaps, was this,—that while these alarms were so strongly raised by Sir Thomas Munro and Mr. Sergeant Spankie, the most recent authority, Lord William Bentinck, who had but just returned from India, as well as Sir Charles Metcalfe, who was now the Governor-General, had allowed the press of India to be as free as that of England; and there had been neither banishments of editors nor suppressions of journals during all the period of their government; though in no period of its history had it ever been more tranquil or more safe. The able minutes of those two Governors in favour of the liberty of the press in India, would be found at pages 139 and 141 of the Evidence.

Nor need the House wonder at this; for in the most difficult and perilous times of Indian history, he meant in the time of Warren Hastings, when the British power was feeble in the extreme compared with its present strength; when, besides the Mahomedan and Hindoo States with which he had to contend, the arms of the French were powerfully arrayed against him; and when the Dutch and Portuguese still held settlements on the continent of India;

even then the press of Calcutta was as free as that of England, and no one ever thought of resorting to any other mode of coercing or restraining it, but that of a trial by jury, and conviction and punishment by due course of law.

The greatest importance would, however, be attached, perhaps, to the opinion of Lord Hastings himself, who was the individual most deeply interested in preserving the tranquillity of a country, for the safety of which he was responsible to the authorities at home; and what was the testimony that Lord Hastings had given on the subject of his (Mr. Buckingham's) conduct in the management of that very press which had been so erroneously described as mischievous and inflammatory to the highest degree? Lord Hastings's authority was quoted by the Honourable Douglas Kinnaid at a public meeting, and would be found at page 155 of the Evidence. He said,

"Lord Hastings, whilst he remained in India, was frequently applied to by the members of his council to send Mr. Buckingham away. On those occasions public and official letters were addressed to Mr. Buckingham, but Lord Hastings was always satisfied by the judicious reasoning with which that gentleman supported and maintained the positions he had advanced. It has been said that Lord Hastings, if he had remained in India, would have found it necessary to banish Mr. Buckingham, as had been done by his successor. But I have it under Lord Hastings's own hand, that Mr. Buckingham never wrote any thing, and he (Lord Hastings) believed he never would have written any thing, which could induce him to resort to so severe a measure. (Hear, hear.) I state this under his lordship's own hand, and with his authority to make it public."

It might be asked, indeed, how such a power could be put into exercise, if exercised at all, for so trifling an offence as that which in his (Mr. Buckingham's) case had called it forth; and this, indeed, seemed so unintelligible to most persons, that they could not reconcile it with probability, and many could not believe but that the assigned reason was not the real one. A brief explanation would, however, solve all the difficulty. The truth was this: that Lord Hastings, when he first went out to India as Governor-General, came fresh from his associates in England, imbued with all the liberal spirit of a high-minded English statesman—and he determined that there should be introduced into India as much of the spirit by which he himself was influenced, as he should find to be safe and practicable. Accordingly, he granted freedom to the press—had all offenders tried before they were punished—and acted in general upon the sound maxims of constitutional freedom and equal justice. But the members of council who formed his cabinet were all of them servants of the East India Company—brought up in the school of monopoly and despotism, and imbued with all the prejudices of their Asiatic position and education. Lord Hastings was for freedom; his council were for coercion; and these two antagonist principles were in constant warfare. (Hear, hear.) Now the part that he (Mr. Buckingham) took in the conflict was the part of freedom. He advocated and upheld the views of Lord Hastings, he therefore was the eulogizer of the head of the Government, and the disloyalty was on the other side. But by so much as he applauded Lord Hastings's views, by so much did he render himself obnoxious to the members of the council, who thought and felt differently. Thus it was, that while Lord Hastings remained in India, he (Mr. Buckingham) was safe; but the moment that nobleman quitted the helm of power—from that moment his doom was sealed—and accordingly the very first occasion that presented itself for carrying their predetermined resolution into effect, was seized on, and he (Mr. Buckingham) was banished—without trial, without hearing, without conviction, without defence. (Hear, hear.) It was thus that he fell a victim to his attachment to the liberal principles by which Lord Hastings's Government was characterized, and in the conflict between himself and his council, he (Mr. Buckingham) fell a sacrifice. (Hear, hear.)

The learned counsel had said, too, that if any wrong had been done, the Governor-General should have been sued for damages or prosecuted for his offence—and this, too, had been the language held on a former evening by the Honourable Secretary to the India Board (Mr. Vernon Smith). But both these honourable gentlemen knew very well that the Governor-General by whom this great wrong had been perpetrated, had died on his passage to England, so that no proceedings could be followed up against him; and next they knew, or ought to know, that supposing him to be alive, there was no possibility of reaching him through any process of law in this country. (Hear, hear.) He would not hazard such an opinion as this on any light authority; but this had been distinctly stated in the debate on Lord John Russell's motion for a Select Committee, in 1826—in which Mr. Scarlett (now Lord Abinger, one of the learned judges of the land) delivered a speech so remarkable for the strength of its expressions, and the soundness of its views, that he trusted the House would permit him, not merely to point to the page of the Evidence in which it might be found—page 142—but to read it entire. It was as follows:

"Mr. Scarlett observed, that no action could be brought against the Government of India for the exercise of that prerogative, and the only mode of redress therefore left was that stated by the noble lord, a Select Committee of Inquiry. He was surprised that the House, who were said to be the guardians of the lives, the liberties, and properties of the people, could hear one clause of the petition read without instantly affording the petitioner the means of redress. The petitioner stated that he was banished from India himself, and that the licence or copyright of his Journal was taken from him and co-proprietors without compensation, and presented as a gift to the son-in-law of one of the members of the Government. Could the House endure this statement without endeavouring to ascertain its truth? Not only was he



banished, but the most valuable part of the property he left behind him was also taken from him without consideration. If these statements were proved, the Government of India deserved the reprehension of the House and the country for punishing a man without trial. Without giving him the opportunity of defending himself, they transported him and destroyed his property, and then the only answer they gave him was, that it was given to his friend Dr. Muston. He was unwilling to use any harsh terms, but this conduct was not only oppressive but corrupt; and should his noble friend, acting upon the hint given him by the right honourable gentleman opposite, give notice of a motion for a Select Committee of Inquiry on another day, he would certainly support him."

This speech revived his recollection of what constituted the very worst part of the whole affair, and which had been, strange to say, passed over in entire silence by every one of the speakers who had opposed themselves to the progress of the Bill; for neither the Right Honourable President of the India Board (Sir John Hobhouse)—nor his zealous coadjutor and secretary (Mr. V. Smith)—nor their near ally, the learned Solicitor-General (Sir R. M. Rolfe)—nor the honourable proprietor of East India Stock (Mr. Robinson)—nor either of the learned counsel (Mr. Spankie and Mr. Wigram), had said one word about the transfer of the copyright—made valuable by his (Mr. Buckingham's) capital and labour—to Dr. Muston, who had bestowed on it neither the one nor the other; but who, after its transfer by the Indian Government, sold it for his own benefit, and realized the profit. (Hear, hear.) The whole of this transaction was so extraordinary, and he would say so indefensible, that he did not wonder at its being glossed over in silence by those who wished to palliate so bad a cause; but it should be his duty to draw it forth a little from its present obscurity. The history of the affair was this:—When he (Mr. Buckingham) quitted India, he left the whole of his Journal and its attendant property under the management of competent persons, who, as the law then stood, could not be punished but by legal process, and could not be arbitrarily banished, as he had been, without trial or conviction of any offence—for this was a distinction reserved for those who were of British blood—no other person could be so tyrannically dealt with. (Hear, hear.) While, however, he (Mr. Buckingham) was thus relying on the security of the property he left behind him, the Government of India were already concocting measures for its destruction; as, in one of the public despatches from India, which would be found at page 82 of the Evidence and page 54 of the Appendix, they stated their intention to provide measures for meeting the case, or, in other words, suppressing the Journal; but desired to get its chief proprietor out of the country first, that they might not be troubled with his opposition. (Hear, hear.) The following was an extract from that despatch:

"Your Honourable Court will observe, that Mr. Buckingham signified his intention of placing the conduct of his paper, during, what he calls, his temporary absence, in hands which are not tangible, except by process of law. Some such expedient was to have been expected. We do not apprehend much inconvenience from the executive of this threat; and we shall immediately proceed to the adoption of such measures as may be calculated to meet the case.

"It is further, in our judgment, expedient to keep distinct the question referring to Mr. Buckingham's individual offences and the matter immediately arising out of it, from the general measures to be taken for suppressing the licentiousness of the press in the hands of India-born or other editors, who cannot be summarily removed, and to suspend any measures for the latter purpose until the proceeding directed against Mr. Buckingham personally shall be completed, by his actual removal from India. Mr. Buckingham is understood to have made arrangements for returning to England, in a ship that will leave the river in a few days, and, under the circumstances stated, it is obviously undesirable to take any measure which might prevent his carrying this intention into effect."

Accordingly when he (Mr. Buckingham) had embarked, and was fairly out of the way, the Government of Bengal first passed the resolutions for the press—for the pretended infringement of which, he (Mr. Buckingham) had been banished—through the Supreme Court, giving them then for the first time the force and power of law. (Hear, hear.) They next had another law drawn up by Mr. Sergeant Spankie, who was then their Advocate-General, the object of which was to prohibit all books as well as newspapers which the Governor-General chose to denounce; and to subject persons having them in their possession, whether they were printed in England or elsewhere, to severe fines and imprisonment for this heinous offence. As a specimen of law-making by a British lawyer, there were some of the clauses that deserved to be preserved among the curiosities of literature, for their utter want of resemblance to any thing to be found in modern days. The clauses would be found at pages 75 and 76 of the Evidence.

This truly Indian law was opposed by the right honourable and learned Judge Advocate, who is now in the House, (Mr. Cutlar Fergusson,) and his objections to its legality were so strong and so well founded, that they ought to be read by every member of the House, who desires to form an opinion on the subject. They would be found at page 77 of the Evidence.

It might be added, that when an attempt was made in July, 1826, three years subsequent to the transactions at Calcutta, to introduce this same Asiatic piece of legislation into Bombay, the two King's Judges of the Supreme Court there—Sir Edward West and Sir Charles Chambers—rejected it with disdain, as wholly repugnant to the laws of England, and as such, contrary to the Charter of the Supreme Court, and wholly inadmissible as a lawful regulation; as would be seen at p. 78 of the Evidence. (Hear, hear.) Yet it was upon this illegal regulation, and by virtue of this illegal power, that the *Calcutta Journal* was, soon after his (Mr. Buckingham's) banishment, wholly suppressed and destroyed. (Hear, hear.) Indeed, it might

be said that this regulation was made and passed with no other view or object;—and too skillfully it effected its destructive end. The facts of the case were these:—Soon after the passing of this illegal regulation, there arrived, among other books from England, a pamphlet, written by the Honourable Leicester Stanhope, an intelligent and honourable man—and an intimate friend of the right honourable baronet opposite (Sir John Hobhouse.) This pamphlet treated, among other things, of the advantages of a free press to India, and the evils of a censorship; and was filled chiefly with reports of the public proceedings at Madras, on the occasion of the British inhabitants of that presidency having sent up from thence an address of congratulation to Lord Hastings, thanking him for having taken off the censorship from the press in India. As this pamphlet lay for sale at every bookseller's shop, where any person might buy it for half a crown, it was thought perfectly safe to republish it in sections from day to day for the information of the British residents in that country; and accordingly the following slow and cautious process of publication was followed:—First, there was an announcement of an intention to publish; which passed unnoticed by any censure, intimation, or complaint. Then there was a first section published. This, too, passed over without exciting any notice. The subsequent sections were then published from time to time, and the whole was spread over several days, without exciting the least attention from the Indian government or any of its functionaries. Yet, after the whole had been completed some days, and the matter had been passed over in entire silence, there was issued a mandate, as severe as it was unexpected, for the immediate suppression of the Journal, the licence of which was withdrawn, on no other ground, than that the Editor had published some articles in favour of a free press, which was one of the prohibited topics, and therefore it was declared that not another number of the Journal should again appear. (Hear, hear.) To some honourable members, this suppression of a public journal might not appear so great a violation of property as the seizure and confiscation of its presses and types: but a moment's reflection would show that as violations of property they were equally severe, with this difference, that the suppression of the publication, and the consequent destruction of the copyright, would in most cases be ten times, and in some instances, probably twenty times the greatest evil of the two, as in the case of the *Times* newspaper. If an order from the Home Office should be sent down to the *Times* to-morrow morning, suppressing that journal, and utterly prohibiting its future appearance, the destruction of property, in the value of its copyright or powers of production, would probably be little short of 200,000*l.*, while its presses, types, and machinery, might not sell for 5000*l.* at auction. A still stronger case might be given of the *Quarterly Review*. It had probably no types, nor presses belonging to it at all, and not a shilling's worth of any tangible property connected with its copyright, as it would be printed at any printers who could execute the work best and cheapest. Yet, it was more than probable that if the *Quarterly Review* were suppressed, and all its future numbers prohibited from appearing, Mr. Murray would hardly estimate his loss at less than 100,000*l.* of capital, from the loss of an equivalent yearly profit. (Hear, hear.) The sudden suppression of the *Calcutta Journal*, was a measure of this description. Its productive power as a mine or source of daily profit, was gone, and the types and presses that remained were of little value, compared with that which by this arbitrary decree had suddenly been destroyed. (Hear, hear.) To show what a reign of terror this period of confiscation and destruction had become, an anecdote might be mentioned to the House. It was this:—that when some numbers of the *Quarterly Review* reached India, containing among its announcements stitched in at the end, the prospectus of a new work on India, entitled the *Oriental Herald*, the bookseller to whom they had arrived, was so terrified lest this prospectus of a publication from England, about to call in question the measures of the Indian government, should subject him to the penalties of Mr. Sergeant Spankie's act, that every one of the forbidden sheets was torn out before the *Quarterly Review* itself could be exposed for sale. (Hear, hear.);

The Journal thus suppressed, its agents made an effort to get it revived; and the Government of India promised from day to day to grant a new licence. A large establishment of printers and pressmen, with clerks, messengers, and other requisite assistants, was kept up, on full pay, waiting from day to day the pleasure of the Governor-General, and many weeks of time was thus consumed, every day deteriorating greatly the value of the property, besides adding largely to the actual loss. At length a verbal assurance was given that the Journal should be revived, and on the faith of this a new prospectus was issued; but this prospectus adverting briefly to the late regulations for the press, as being in their nature calculated to throw a damp on the freedom of discussion, and make the Journal less interesting than before, which was put forth indeed as a sort of apology for its apprehended inferiority in attractiveness;—this innocent announcement, written too by a personal friend of one of the members of Council, and most devoted to the Government, drew down the new displeasure of the Governor-General, or his chief secretary, and the revived Journal was put down almost before its appearance, and was literally strangled in its birth by the very hands of the person who had but just given it existence. (Hear, hear.) Still further negotiations and further delays went on, till at length it was resolved by the Government of India, that the Journal should not be revived, but under an editor of their own choosing; and even when that editor was appointed, he being one of their own servants, and son-in-law of one of the Cabinet Ministers,







or member of the Indian Council—they then further resolved that even the editor of their own choice should not be permitted to carry on the Journal, so long as he (Mr. Buckingham) or any of his former co-proprietors had any beneficial interest in the profits accruing from the same—thus making it no longer a war against certain sentiments, but a personal persecution; and assigning as a reason for this proscription, that unless it was made, he (Mr. Buckingham) might again return to India, to exercise a control over his own property; though this could not be done without the permission of the Directors in England (hear, hear); so that at length the whole property was transferred to Dr. Muston, the editor of their own choice—and the copyright made his, without any consideration—which copyright he subsequently sold to the proprietors of another paper in India, to whom its Subscribers were transferred, and realized to his own private and personal use, the profits of this transaction. If this then were not a robbery—perpetrated under the authority and sanction of the Indian Government—though under due form of law—he knew not what could deserve that name. (Hear, hear.) The whole of the correspondence on this subject, where every one of the facts here stated would be seen to rest on testimony the most conclusive, would be found at page 143 to 148 of the Evidence, to which, therefore, honourable members might refer.

Indeed, one of the strongest proofs that could be offered of this persecution being personal, and not being confined to mere hostility to the liberty of the press, was this: that on his (Mr. Buckingham's) first hearing of these destructive proceedings towards his property in India after he had left it, he applied to the Court of Directors in England, where he then was, for leave to return to India for ever so short a period, and under any securities that they might require, merely to wind up his affairs, pay his just debts, and receive the various sums of money due to him from persons scattered over the face of the whole country, so that he might close all his accounts and return home with what he might be able to gather up from the wreck; but even this just and reasonable request was peremptorily refused and in addition to the loss occasioned by the destruction of all his property, was entailed upon him, by this refusal, the loss of large sums of money then owing to him, and which never could be otherwise recovered, and debts accumulated upon him, for which he was still held liable, and might at some future period be compelled to pay. (Hear, hear.)

The Board of Control was then appealed to for interference, as a Court of Appeal; but there also redress was equally denied; and, as it now appeared, for the strongest of all reasons, namely, that the authorities of that Board had been secretly encouraging the India Directors and their servants abroad to the commission of the very acts complained of; a fact only brought to light by the production of the secret documents from the India House confirmatory of this view; so that to grant redress to him (Mr. Buckingham) would be to pass censure on themselves. The case was then brought for the first time before the House of Commons, on the 25th of May, 1824, by Mr. Lambton, now Lord Durham, on which occasion the Whig opposition benches were crowded, and cheers of indignation at Indian tyranny were both loud and deep,—the right hon. baronet opposite (Sir John Hobhouse) joining in those cheers as loudly and as cordially as any among the number;—and if hon. members would turn to the report of that debate they would find in what strong terms of reprobation Mr. Lambton, the bosom friend of the right hon. baronet, as well as Sir Francis Burdett, then the right hon. baronet's colleague in the representation of Westminster, and above all, Mr. Denman, now Lord Chief Justice of the King's Bench, spoke of the conduct of the Indian authorities, which it was now the painful duty of the right hon. gentleman to palliate, if not to defend. Their speeches would be found at pages 133 to 135 of the Evidence. He would content himself with reading an extract from one of them only: namely, Mr. Denman.

“MR. DENMAN (now Lord Chief Justice) said, when he heard the honourable Chairman of the Court of Directors talk of the five warnings which Mr. Buckingham had received against the commission of the offence with which he was charged, it naturally occurred to him to ask the honourable Chairman why the offender had not been brought into a court of justice. He would answer that. Unless the power were allowed freely, at home and abroad, of canvassing the conduct of persons in authority, discontent would soon take a more alarming form than that of speech, and swell into danger upon every occasion. At the time that Mr. Buckingham was charged with the offence in question, he had brought an action in the Supreme Court against the proprietors of the *John Bull* newspaper, by whom an action had also been brought against him, so that he was in the double capacity of plaintiff and defendant; yet Mr. Adam had torn him from his business, from his friends, from all his hopes, and had sent him to a distant country where he was ruined, and was perhaps on the very verge of beggary. It was horrible to hear of such things; it was horrible to see any thing like an attempt to introduce into this country that Indian atmosphere, which he, for one, was not prepared to breathe.

“He trusted Parliamentary inquiry would be instituted into the treatment that Mr. Buckingham had experienced. It had been considered necessary to submit the conduct of individuals situated as Mr. Buckingham had been situated to the judgment of a court of law in India in several instances; if in one, why not in all? Was it not in Mr. Buckingham's favour, that in the civil action which he had himself brought for a libel on his character, he had recovered damages, and that the revival of the criminal information against him by Mr. Adam was considered so unwarrantable by the judge, Sir Francis Macnaghten, that he refused to send it to a jury, and declared the whole proceeding to be cruel, oppressive, and illegal?

“With respect to Mr. Adam, it did happen that that gentleman was an old schoolfellow of his, and he recollected him to have been a boy of a most amiable and gentle character. Nevertheless he must declare, that on the present occasion Mr. Adam seemed to him to have committed one of the most cruel, oppressive, and uncolonial acts which he had ever known to have been committed by a British governor in the histories of the colonies, bad as they were. (Hear.) So far was his conduct in the transaction from deserving to be regarded with indulgence, except, indeed, from the circumstance of his not being in this country to defend it, that in his

(Mr. Denman's) opinion it ought to receive the most marked and general reprobation; but although Mr. Adam was not in the country to defend himself, he had published his defence; and no person could read that defence without finding in it Mr. Adam's own condemnation, and seeing the arbitrary and uncontrolled power which he had exercised.”

These, too, were no doubt the real sentiments of the right hon. baronet (Sir John Hobhouse), if he were free to utter them. But it was not as the member for Nottingham that he opposed this bill; for his constituents could never sympathize with him in this position;—it was not even as a member of the Cabinet that he opposed it for his noble colleague, the Secretary of State for the Home Department (Lord John Russell) had voted in favour of the bill, and his noble friend the member for Yorkshire (Lord Morpeth) was found in the majority also, on the recent division, in its favour—(hear, hear)—while he believed that other members of the Cabinet, by their absence, marked their want of coincidence with the right hon. baronet in his present views. It was, in short, merely as President of the Board of Control, and in that capacity alone, that he (Sir John Hobhouse) acted in this opposition to the claims contended for by the bill.

Sir J. HOBHOUSE rose and said, that the honourable gentleman opposite had no right to say this; that he had perused the evidence himself, and opposed the bill not *ex officio* merely, but on principle and conviction, that the claims it put forth were neither reasonable nor just.

Mr. BUCKINGHAM resumed, and said, that the right honourable gentleman had asserted in his place, that as President of the India Board, it was his duty to defend the rights and interests of the East India Company, more especially as they had now no directors sitting in the house, and he was their only official representative. (Hear, hear.) Now it was quite true that there were no India directors at present in the house, because there was not a man among them who could present himself to any popular constituency with the least chance of a successful election. Their despotic principles and antiquated notions were unsuited to the age and to the country, and therefore they could find no favour in the people's eyes. (Hear.) But there was, at least, one gentleman, who, till very recently, had been a director of the East India Company, and who had held that situation since his return to this country; he meant the right honourable who had learned Judge-Advocate (Mr. Cutlar Fergusson), whom he was glad to see in his place, and who would correct him if he were wrong. This right honourable and learned gentleman, and who was familiar with all the transactions under consideration, and who had defended the liberty of the press in India, had also spoken in favour of his (Mr. Buckingham's) claims to compensation, not only in that house, but in the Court of Directors also, and still, he believed, adhered to his formerly expressed opinion, that the destruction of his (Mr. Buckingham's) property in India was most uncalled for, and his claims to compensation both reasonable and just. (Hear, hear.) This right honourable gentleman, though not a Cabinet minister, was a member of the present government, holding the high office of Judge-advocate-general; and yet, notwithstanding this he possessed sufficient independence to hold and proclaim opinions the very reverse of those maintained by the right honourable the President of the India Board. (Hear, hear.)

After the debate in Parliament on Mr. Lambton's presentation of the first petition, the subject was brought before the Court of Proprietors of India Stock, by the Honourable Douglas Kinnaird, proposing a grant in partial compensation for the losses sustained; and when it was stated that this motion was supported by such men as Sir Charles Forbes, Mr. John Smith, Major Carnac, Sir Henry Strachey, and Sir John Doyle, and supported by 157 Proprietors of India Stock, who gave their votes in favour of the grant—but were overruled by the directors and their dependants—the House would form some idea of the strength of his cause. Mr. Douglas Kinnaird was also the intimate friend and associate of the right honourable baronet (Sir John Hobhouse), and he (Mr. Buckingham) had reason to believe, that up to that period, at least, their opinions on the case were similar; for there was no difference in the terms of indignation with which each of them expressed their abhorrence of the Indian tyranny of which he (Mr. Buckingham) had been made the victim. (Hear, hear.)

Sir JOHN HOBHOUSE again rose and said, that he had never made any speech in public on the subject; and that it was neither fair nor usual to advert in Parliament to private opinions expressed in private society, on matters of public discussion.

Mr. BUCKINGHAM resumed, and said he would not press that point further,—not because he conceded to the soundness of this distinction, for he did not really perceive the difference between a private opinion and a public one, when the truth or the sincerity of an advocacy or an opposition to any particular measure was in question. For his own part, his private and his public opinions were always in accordance, and he hoped they always would be,—though with gentlemen filling official situations, such distinctions might be very convenient. He had other and stronger proofs of this discrepancy between the public and private opinions of the right honourable baronet,—but as he had promised not to press the subject further, he would abstain from adverting to them. (Hear, hear.)

He came, then, to the next step in the progress of these proceedings, which was the presentation of the second petition to the House of Commons by Lord John Russell, in 1826, when



the Whig opposition supported the noble lord in his motion for a Select Committee to inquire into the case, with as much zeal and ardour as they before supported Mr. Lambton in 1824; and it was rather remarkable that though the right honourable baronet (Sir John Hobhouse) was now opposed to the bill, and had declared that if he had been in Parliament in 1834, he would have voted against the Committee, on whose report it was founded; yet that in 1826, he not only voted for the Committee, but acted on it, and was one of its most zealous members. (Hear, hear.)

Sir J. HOBHOUSE again rose and said, that he had not spoken on the question, and that though his name had been put on the Committee he certainly was not a zealous member of it, nor did he distinctly recollect that he had ever attended. (Hear.)

Mr. BUCKINGHAM resumed, and said, that a reference to the debates at that time would show that on a subsequent attempt being made by the Tory ministry to set aside the decision in favour of the Committee being appointed, he (Sir John Hobhouse) had spoken in condemnation of such an attempt, and had supported the noble lord (Lord John Russell) by his speech, and by his vote, and by his attendance also. (Hear, hear.) But that Committee did not conclude its labours, in consequence of a sudden and unexpected dissolution of Parliament, though its Evidence was nearly complete. The matter then remained dormant for eight years till 1834; and as this had been made a ground of objection to its revival now, it having been contended that this long silence was a proof of the claim being abandoned as hopeless by the claimant himself, he (Mr. Buckingham) would explain very shortly to the House why that was the case. The only reason was—that from 1826 to 1830, a Tory government was in office, and no reasonable hope existed of any motion for the revival of the Committee being crowned with success. From 1830 to 1832, the discussions on the Reform Bill occupied all minds, in Parliament and without, and made it desirable to wait until a Reformed House should be assembled. To that Reformed House he (Mr. Buckingham) was himself returned a member, and by as free, as intelligent, and as honest a constituency as any in the kingdom. But during the first year 1833, there were so many subjects of high and important interest pressing for consideration, that motives of delicacy prevented him from obtruding amidst these his own claims, or his own wrongs. (Hear, hear.) In the following session of 1834, however, his honourable friend, the member for Middlesex (Mr. Hume), moved for the appointment of a Select Committee to inquire into the case, which was granted without opposition from any single individual, and the names of its members being jointly approved by the Whig and Tory presidents of the India Board (Mr. Grant and Mr. Wynn), the Evidence taken before the Committee of 1826 was referred to their consideration. Mr. Peacock, a gentleman from the East India House, was heard as an advocate and as a witness for two entire days in behalf of the East India Company; and all the documentary testimony which he could bring from his employers, some of it the most secret and confidential kind, was admitted and printed with the rest of the Evidence. After both sides had been fully heard, and the whole Evidence fully considered, the Committee met, according to appointment, to consider its Report. The resolutions submitted for adoption were drawn up by the hand of Mr. Charles Grant, then President of the India Board, occupying exactly the same situation as that now filled by the right honourable baronet opposite (Sir John Hobhouse), and equally pledged to defend the rights and interests of the East India Company, whenever they were not inconsistent with the superior rights and interests of justice. The Committee was very fully attended, by a majority of its entire number, including two of the present Cabinet Ministers (Lord Glenelg and Lord John Russell), two of the Secretaries to the India Board (Mr. Robert Gordon and Mr. Stuart Mackenzie), the ex-President of the Board of Control, and two of its ex-Commissioners (Mr. Williams Wynn, Lord Granville Somerset, and Mr. Charles Ross), with other members of opposite politics; and the resolutions declaring that Compensation ought to be granted to him (Mr. Buckingham) for his losses of property occasioned by the acts of the government in India, were passed unanimously, and without a single dissentient voice (hear, hear)—the amount being left open, in the hope that the India Company would [themselves] adjust this, and render any further parliamentary interference in the next session to fix the amount and enforce its payment, unnecessary. These resolutions were communicated to the Company, accompanied by a very humble appeal to their generosity, and offering to leave the amount entirely to any mode of arbitration that they might appoint. But this appeal was unconditionally rejected, and the application treated with disdain. (Hear, hear.) There was but one course then left—to appeal again to Parliament for that interposition which the resolutions of the Select Committee contemplated in the event of a refusal, and which the honour of Parliament seemed pledged to exert. The change of Ministry during the recess again presented a new obstacle; but even then the subject was not lost sight of, having been presented to the consideration of the new President of the Board of Control. Before any definitive answer could be given, another change restored the liberal ministry to power, and then a second recess to enable them to mature their plans, occasioned still further delay. At length the House resumed its sitting, and not a day was lost in appealing to the Leader of the House of Commons for his decision on the matter. Several weeks elapsed, however, before it could be determined whether the support of the Government collectedly could be given to any mea-

sure for redress; and it was at length determined that the great pressure of other and more important business prevented its being taken up as a Government measure; but encouragement was given to the belief, that if brought forward by some private or independent member of the House, it would not have to encounter any opposition from the Government as a body, and might receive the support of some of the Cabinet in their capacity of individual members. (Hear, hear.) He was not perhaps at liberty to say more on this subject, as private opinions were not deemed fit subjects of reference in public debate. But the issue had shown that, taking the whole of the members of the Cabinet, more had voted for it than against it; and that the greater number had absented themselves from the discussion and the division, in proof of their strict neutrality.

The first notice of motion for leave to bring in the Bill was placed on the Order Book for the 14th of July, now nearly six weeks since. In every attempt made to bring it on, it was defeated on every other ground than its merits. Sometimes it was too early in the evening—at other times it was too late; then it was shifted, as a notice of motion, to follow after the orders of the day; when it had become itself an order of the day, it was then pushed aside to give precedence to the orders of Government; sometimes it was deferred because it was inconvenient to take it in the order in which it stood on the list; at other times it became a dropped order, because there were not members enough to form a house; and it was thus more than a month on the books before it came on for actual discussion. The result of the division on the first reading had shown the feeling of the independent portion of the House in its favour; and the principle of the bill was now admitted to be sound and unobjectionable, with a certainty that it would at once be voted into Committee, were it not for the new and unexpected obstacle that had now been stated, on a mere technicality. (Hear.) But if he were asked why he should object to postpone the consideration of the subject to the next session, his answer would be—first, that twelve years had already elapsed, during which it had had as much consideration as it was ever likely to receive again; having been so repeatedly before the House and the country, that all those who took any interest in the progress of public affairs must be tolerably familiar with the outline of the subject at least:—and next, that he was now past the prime of life, and had children grown up and dependent on him for support; and that having seen, during the present session, two of his personal friends, as young, and to the full as healthy, as himself—he meant the late members for Hull and Belfast, drop into the grave—he knew not but that he, too, might descend to the tomb before another session might arrive, and he was not willing that his children should lose the benefit of his advocacy, for it was their property as much as his own, that he wished to have restored to them, while he had yet life and health to persevere in their claims for justice. (Hear, hear.) Those claims he had now presented to the House in the best way that the circumstances of the case would admit of his doing at the present moment; and if he had justified himself to the House in the steps he had taken, and shown that there was nothing inconsistent with his character as a member of parliament, in being present at the debate, and taking part in the discussion, though he should not, of course, presume to give a vote on the question, he should sit down with a consciousness of having done his best to discharge a solemn duty; and for the rest, he had the fullest confidence in the justice and integrity of the independent portion of the House of Commons; in their hands he was willing to leave his case, and to their judgment he should bow with resignation and submission, believing, as he did, that they would consult the ends of justice as paramount to every other consideration. (Cheers.)

Mr. WARBURTON was entirely in favour of the principle of the bill; but if the bill were a private one, he should think that for the honourable gentleman's own sake—looking at the great expense by which it must be accompanied—it would be most advisable that it should be withdrawn for the present session. Such a course of proceeding would in no respect prejudice its introduction in the shape of a private bill, early next year, when it might be taken up at the stage at which it had now arrived; and be allowed to be read a first and second time without opposition from the India Board.

Mr. TULK said he should be quite prepared to act upon the suggestion of the honourable member for Bridport (Mr. Warburton) if it were understood that, on the introduction of the bill next session, the first and second reading should not be opposed.

Sir JOHN HOBHOUSE said, that having stated how distinctly, and with what earnestness he was opposed to the principle of the bill, he knew not how such a pledge could be required from him. He begged to observe, that Mr. Buckingham was mistaken when he supposed that his (Sir J. Hobhouse's) opposition was merely *ex officio*. He had more than once told the honourable gentleman that that was not the case; and he thought he had some reason to complain of the manner in which the supposition was repeated. He did not know that he had any great difficulty in saying that the bill, if withdrawn now, might be permitted to arrive at a similar stage to that in which it at present stood. The principle of the bill had not yet been agreed to. He confessed that he was unwilling to make any sort of bargain upon the subject; and knowing how strongly he was opposed to the principle, and seeing that the greater num-



ber of his colleagues were not present, he knew not how the honourable gentleman could expect him to enter into any arrangement which should affect the course of proceeding next year. After the course which things had taken, it was a little too much to expect that he should give way. He had certainly anticipated that the chair would have stopped the debate before it had been extended to so great a length.

The SPEAKER conceived that he had no right whatever to stop the debate. He begged to state, however—what indeed he had before observed—that he considered the bill to be a private one, and to repeat that, being a private bill, if it were to be proceeded with this session, it was necessary, in compliance with the standing orders of the house, that seven clear days' notice should be given between the second reading and the committal, whether to a committee of the whole house or to a committee up-stairs. That being the case, he could only put it to the House whether it would be possible to proceed with the bill at this period of the session.

Mr. AGLIONBY expressed a hope that some understanding might be come to, that the bill should, in the next session, be allowed to pass through the first and second reading, and go into committee at once, as the House was clearly in favour of the principle, and the details could be best settled in committee.

Mr. PRAED, the late secretary to the India Board, opposed the bill, and deprecated the idea of asking the President of the India Board to make any agreement on the subject.

Mr. ROBINSON, as a proprietor of India stock, protested against the power of the House to compel the East India Company to make compensation.

Mr. BAINES said that he approved entirely of the principle of the bill, and had hoped to have seen it pass into a law. But if the right honourable baronet (Sir John Hobhouse) insisted on pressing his technical objection, of course the bill could not be proceeded with any further during the present session. Under these circumstances, he should advise his honourable friend (Mr. Tulk) to withdraw it for the present, and re-introduce it as a private bill early in the next session. He could not sit down, however, without saying that a stronger or clearer claim to compensation had never in his mind been made out than had been established by Mr. Buckingham. He (Mr. Baines) had attended all the sittings of the committee—he had heard all the evidence while it was proceeding, and he had read it all over carefully since, and no conviction was ever deeper on his mind than this—that in all Mr. Buckingham's conduct in India, in the management of his Journal, his moderation had been exemplary in the extreme; there was not an article that could be characterized as inflammatory, intemperate, or unfair; and he doubted whether any journal could be named in which so uniform a course of mild and temperate argument, and fair and impartial statement of facts, could be found. Yet, notwithstanding this, his punishment had been more severe than had ever before been inflicted on any public writer of whom he had ever heard—banishment from all his property and friends, and utter ruin of all his hopes and prospects; these were the rewards heaped upon him for all his careful and honourable exertions to promote the good of his country. (Hear, hear.) He thought it was impossible that the House could continue to refuse him redress, notwithstanding the argument of the honourable member for Worcester (Mr. Robinson) that the House could not compel the India Company to pay compensation; which argument, by the by, came with a very odd grace from the gentleman who had only a day or two since given notice that early in the next session he should bring in a bill to compel the East India Company to pay compensation to some of their discharged public officers. (A laugh.) He trusted, however, that the right honourable baronet (Sir John Hobhouse) who was so careful of the interests of the East India Company, would use his powerful influence to prevail on that wealthy body to enter into some compromise with Mr. Buckingham, and afford him some redress, which they were well able, and ought to be willing to do. (Hear, hear.) He was persuaded that the interests of the East India Company, and the reputation of the right honourable baronet, would both be advanced by such mediation; and between this and the next session there would be ample time for such an arrangement. (Hear, hear.) If, however, they would come to no terms, he did hope that the honourable member for Poole (Mr. Tulk) would persevere in his intention of bringing in the bill as a private bill in the earliest part of the next session, when it should have his most cordial support, as he doubted not it would that of the House at large; for it was impossible that honourable members could make themselves acquainted with the facts without giving the claims their most cordial support. (Hear, hear.)

Mr. WILKS said that his opinions in favour of the bill remained unaltered; indeed, he had not heard a single argument of any weight against it from any quarter. But as they were met by a technicality, wholly independent of the merits of the case, and this technicality was to be persevered in, he feared there was now no course left but to withdraw the bill for the present session, and re-introduce it early in the next, when he felt assured it would receive that general support to which, the more the subject was examined, the more it would be proved entitled to receive. (Hear, hear.)

Mr. TULK said, that under the new and unexpected circumstances of the technical objection which had arisen, he could only withdraw the bill for the present, and promise his early introduction of it as a private bill in the ensuing session. (Hear.)

## PETITIONS TO PARLIAMENT.

*The following Circular has been addressed by Mr. Buckingham's Constituents at Sheffield to the leading Merchants and Manufacturers of the principal Towns in the Kingdom.*

SHEFFIELD, Nov. 4, 1835.

WE, the undersigned, Merchants and Manufacturers of Sheffield, being deeply sensible of the services rendered by our Representative, Mr. Buckingham, to the mercantile and manufacturing interests of this country, by his long and arduous labours to obtain for them the opening of the Trade to India, China, and the countries of the East, from which they were formerly so injuriously excluded by the Trading Monopoly of the East India Company; and conceiving that such services give him a powerful claim to the support and assistance of all who regard the opening of those countries as likely to be of advantage to the mercantile and manufacturing interests of Great Britain, have determined for ourselves to petition both Houses of the Legislature in favour of the Bill about to be revived early in the next session, for enabling Mr. Buckingham to recover from the East India Company full and ample Compensation for the arbitrary and unnecessary destruction of his property in India, subsequently to his being banished from that country without a trial, merely for calling public attention to those abuses which all good governments ought to reward rather than punish a man for his endeavouring to reform.

Believing that there must be thousands in every part of this kingdom, who would readily join us in this legal and constitutional mode of endeavouring to obtain redress for a patriotic but injured fellow-subject, we take the liberty of enclosing you the draft of Petitions to both Houses of Parliament, which we shall be glad if you will have written out, with any variations in the form and expressions which you may see fit, and obtain for them all the signatures you can in your town and neighbourhood.

They may be submitted at once for signature in such places as you think best, and kept open for that purpose until the meeting of Parliament is announced to take place, when it will be desirable to have them closed, and forwarded to one of the Representatives of your town or county, for early presentation to the House of Commons; and to such Members of the House of Peers as may be most intimately connected with the locality from which the Petition may be sent.

We shall be happy to hear from you at your convenience on this subject, and to do any thing in our power to promote the object we have in view, which is simply Justice to an innocent and injured man.

We are, Sir, your obedient Servants,

WM. IBBOTSON	JOSIAH DAVY	EBENEZER ELLIOTT	JOSH. JOHNSON
WM. VICKERS	JOHN HALL	FRANCIS HOLE	GEO. P. NAYLOR
EDW. VICKERS	GEO. ROEBUCK	JON. ROEBUCK	EDWARD GILLBEE
WM. ATRINSON	EBENR. BIRKS	JOSEPH FRANCE	M. COXON
WILLIAM JACKSON	THOS. LINLEY	WM. BARTON	JOHN BRIDGEFORD
SAM. WOODCOCK	ANT. WHITTAKER	JOHN SHEPHERD	JAMES LECK
JNO. SWINDEN	BENJ. DENTON	SAMUEL NAYLOR	GEO. JOHNSON
JOSH. WOODCOCK	JOSH. WIGFULL	ELLIS EYRE	&c. &c. &c. &c.

### *Places from which Petitions have been already sent up.*

Annan	Canterbury	Edinburgh	Leeds	Plymouth	Southwark
Antrim	Cheltenham	Exeter	Leicester	Portsea	Stockport
Ashton	Cheystow	Falmouth	Liskeard	Portsmouth	Stoke
Barnstaple	Chester	Fareham	Liverpool	Preston	Street
Bath	Chester	Glasgow	Lostwithiel	Reading	Sudbury
Bedford	Cockermouth	Glasgow	Louth	Redruth	Taunton
Belfast	Colchester	Gosport	Lyme Regis	Rochdale	Tavistock
Beverley	Coleford	Greenock	Macclesfield	Ross	Todmorden
Bideford	Colne	Grimby	Manchester	Salford	Truro
Birmingham	Coventry	Guildford	Nantwich	Salisbury	Uxbridge
Blackburn	Crediton	Haddington	Neath	Selby	Warrington
Bolton	Creykerne	Halifax	Newcastle-on-Tyne	Shelton	Warwick
Boston	Darlington	Hanley	Newport Pagnell	Sheffield	Wellington
Bradford	Denbigh	Helston	Newport Monmouth	Sherborne	Whitby
Brecon	Derby	Hereford	Newport, I. of Wight	Shepton Mallet	Whitchaven
Brighthelmston	Dowlais	Huddersfield	Nottingham	Shields N & S	Wigan
Bridport	Dublin	Kendal	Okelhampton	Southampton	Wilsden
Burnley	Dundee	Kircaldy	Oldham	Southsea	Winchester
Burslem	Durham	Launceston	Olney	St. Monance	Yeovil
Chelmsford	Ennis	Leamington	Perth		

\* \* \* Petitions from other places are in progress; but those from the Towns named above had arrived on the opening of the present Session (1836); and to show the general character of the sentiments expressed in them, a few only of the whole number are given in the following pages.



## SHEFFIELD—NOTTINGHAM—LEEDS.

*To the Lords Spiritual and Temporal (and to the Commons of the United Kingdom of Great Britain and Ireland) in Parliament assembled.—The humble Petition of the Merchants, Manufacturers, Traders, and other Inhabitants of Sheffield,*

HUMBLY SHEWETH,—That your Petitioners have read in the Parliamentary Reports and in the Public Journals, the following Resolutions of a Select Committee of the House of Commons, appointed to examine into all the facts connected with the banishment of James Silk Buckingham from India, and the subsequent Suppression of the *Calcutta Journal*, of which he was Editor and chief Proprietor: and which Resolutions the said Select Committee had unanimously agreed to and reported to the House of Commons, on the 4th of August, 1834, viz:

1. "Resolved, That it appeared to your Committee, that Mr. Buckingham resided in Bengal from the year 1818 to 1823, under a Licence of the East India Company, and was engaged as principal Proprietor and Editor of the *Calcutta Journal*, which was then a highly profitable concern, yielding to himself and other proprietors a large annual income."
2. "Resolved, That it appeared to your Committee, that in the year 1823, in the exercise of the discretion vested in the Governor-General, Mr. Buckingham was, by the acting Governor-General, ordered to quit India in two months."
3. "Resolved, That it appeared to your Committee, that after the departure of Mr. Buckingham from India, the *Calcutta Journal* was, by order of the Governor-General, altogether suppressed."
4. "Resolved, That your Committee, without impugning the motives which actuated the measures of the Government, feel that those measures have, in their consequences, proved to Mr. Buckingham and his family penal to a degree which could not have been contemplated at the time of their adoption."
5. "Resolved, That your Committee are, therefore, of opinion that Compensation ought to be made to Mr. Buckingham."
6. "Resolved, That your Committee abstain from expressing any opinion as to the amount of Compensation, in the hope that that subject will be taken into the favourable consideration of the East India Company, and thus the interposition of Parliament, in the next session, to fix such amount, be rendered unnecessary."

That your Petitioners have since learned, with pain and disappointment, that, although these unanimous Resolutions of the Select Committee of the House of Commons, were duly laid before the East India Company, by the then President of the Board of Control (now a member of the House of Peers, and one of His Majesty's Cabinet Ministers, as Principal Secretary of State for the Colonies), the said East India Company refused to grant such Compensation, and declined to entertain any proposition whatever on the subject.

That your Petitioners humbly beg to assure your Honourable House, that they regard such a denial of Justice as this to be highly derogatory to the British name and reputation: as it appears to your Petitioners that a British subject has been banished without trial—punished without conviction—and ruined in all his fortune and pursuits without even the allegation of his having been guilty of any crime.

That the great Charter of English Liberty guaranteed to the subjects of this realm, that no man should be punished but by the judgment of his peers—that all punishments should be proportioned to the offence—that there should be no wrong without a remedy—and that Justice should neither be delayed nor denied to any man.

That in the case of the said James Silk Buckingham, your Petitioners regret to perceive that all these principles of English Liberty have been violated, without necessity, and without adequate cause; for he has been punished without judgment of his peers—his punishment has been wholly disproportioned to his alleged offence—he has suffered a grievous wrong, without having any remedy at law for the same—and for more than twelve years past, during which the facts of his case have been so often before the public as to be familiar to almost every one who reads, Justice has been delayed and denied—without his having yet been proved to be guilty of any other offence than that of advocating, in India, that Freedom of Trade, Freedom of Settlement, and Freedom of Publication, which were formerly denied to Englishmen in that country, but which are now happily made, by the last Charter for India, the established law of the land.

Your Petitioners cannot bring themselves to believe that the advocating and practising in India, what both Houses of Legislature, and His Majesty on the Throne, have since sanctioned and approved, and what the most distinguished Governors-General of India, past and present, have publicly declared to be as great a blessing and advantage to India as it is to England, and to every other well governed country (namely, the Freedom of the Press—subject only to the control of the laws, as administered by a Judge and Jury) ought to be considered in any other light than that of a public virtue and a public good: and, therefore, they humbly conceive, that the summary banishment and arbitrary ruin of an honourable individual, without trial or conviction—on no other alleged ground, than that he was guilty of advocating and practising the Freedom of the Press—cannot be defended by any principle of the British Constitution, to the very spirit and essence of which it is wholly and entirely repugnant.

Your Petitioners, therefore, humbly implore your Honourable House, that you will be pleased to give your sanction to such a Bill as may enable the said James Silk Buckingham to recover from the East India Company that Compensation, which the Select Committee of the House of Commons reported it to be their unanimous opinion that the said East India Company ought to make to him, for the destruction of his property, occasioned by the measures hereinbefore mentioned.

## EDINBURGH.

*To the Lords Spiritual and Temporal (and to the Commons of the United Kingdom of Great Britain and Ireland) in Parliament assembled.—The Petition of the Inhabitants of Edinburgh,*

HUMBLY SHEWETH,—That your Petitioners have read in the proceedings of Parliament, the following Resolutions unanimously agreed to by a Select Committee of the House of Commons, and reported to that Honourable House on the 4th of August, 1834, viz.:

1. 'Resolved, that it appears to your Committee that Mr. Buckingham resided in Bengal from the year 1818 to 1823 under a licence of the East India Government, and was engaged as principal Proprietor and Editor of the *Calcutta Journal*, which was then a highly profitable concern, yielding to himself and other proprietors a large annual income.'
2. 'Resolved, That it appeared to your Committee that in the year 1823, in the exercise of the discretion vested in the Governor-General, Mr. Buckingham was, by the Acting Governor-General, ordered to quit India within two months.'
3. 'Resolved, That it appeared to your Committee, that after the departure of Mr. Buckingham, from India, the *Calcutta Journal* was, by order of the Governor-General, altogether suppressed.'
4. 'Resolved, That your Committee, without impugning motives which actuated the measures of the Government, feel that these measures have, in their consequences, proved, to Mr. Buckingham and his family, penal to a degree which could not have been contemplated at the time of their adoption.'
5. 'Resolved, That your Committee are therefore of opinion that Compensation ought to be made to Mr. Buckingham.'
6. 'Resolved, That your Committee abstain from expressing any opinion as to the amount of Compensation, in the hope that that subject will be taken into the favourable consideration of the East India Company; and thus the interposition of Parliament in the next session to fix such amount, be rendered unnecessary.'

That your Petitioners have learned, with disappointment and surprise, that notwithstanding these most cogent Resolutions, the East India Company have refused the Compensation declared to be due to Mr. Buckingham. That your Petitioners consider that refusal a denial of justice; remedy a direct exercise of that control over the acts of the East India Company which is constitutionally vested in Parliament.

That your Petitioners cordially concur in the conclusion come to by the Legislature, and to a certain extent by the Board of Control itself, that the principles, for his advocacy of which Mr. Buckingham was banished from India, and his property and prospects in life sacrificed, are constitutionally and essentially sound—namely, Freedom of Trade, Freedom of Settlement, and Freedom of Publication; all of which are now, by the last Charter for India, recognised and established as law; and they humbly maintain that, instead of patrimonial ruin and reproach, Mr. Buckingham deserves the gratitude of his country, and of India itself, for his conduct.

Your Petitioners, therefore, humbly entreat your Honourable House, that you will be pleased to give your sanction to such a Bill as may enable the said James Silk Buckingham to recover from the East India Company that Compensation which the Select Committee of the House of Commons reported it to be their unanimous opinion that the said East India Company ought to make to him for the destruction of his property occasioned by the measures hereinbefore mentioned.

## GLASGOW.

*To the Honourable the Commons of Great Britain and Ireland, in Parliament assembled.—The Petition of the undersigned Merchants, Manufacturers, and other Inhabitants of the City of Glasgow, and its Vicinity,*

SHEWETH,—That your Petitioners have heard, with the most painful feelings, of the destruction of the Property of James Silk Buckingham, Esq., a British Subject, residing in Bengal, by the suppression of the *Calcutta Journal* by the Indian Government, and of which he was the chief Proprietor, without any trial or conviction of any crime.

That your Petitioners have heard with astonishment of the refusal of the East India Company to grant any Compensation to James Silk Buckingham, Esq., for the serious injuries he has sustained through the arbitrary conduct of their servants in Bengal, notwithstanding the unanimous resolutions of a Select Committee of your Honourable House having reported that such Compensation ought to be made to him.

That such a refusal on the part of the East India Company, in the face of the unanimous resolutions of the Select Committee of your Honourable House, has a direct tendency to obstruct the ends of Justice, and is disrespectful to the authority of Parliament.

May it therefore please your Honourable House to take such steps as to your wisdom may seem meet to secure to the said James Silk Buckingham, Esq., that full Indemnity and Compensation to which he is entitled by the decision of the Select Committee appointed by your Honourable House, and your Petitioners will ever pray.



## DUBLIN.

*To the Honourable the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled.—The humble Petition of the Merchants and other Inhabitants of the City of Dublin,*

SHREWETH,—That the losses sustained by JAMES SILK BUCKINGHAM, Esq. in India, in consequence of the indefensible and unjust conduct of the East India Company's Officers there, are matter of public notoriety in Great Britain and Ireland.

That the justice of his claims on the Company for full and ample Compensation has been honourably recognised by the unanimous decision of a Committee of your Honourable House, who have reported as their opinion that to such Compensation he has a just and a fair claim.

That your Petitioners have heard with regret, and indeed with astonishment, that the Directors of the East India Company have refused to comply with the terms of that just Report.

Your Petitioners, therefore, respectfully solicit that your Honourable House will adopt such measures as you may deem meet to ensure to the said JAMES SILK BUCKINGHAM the Compensation to which he is so justly entitled; that thus the free and noble principles of the British Constitution may in his case be cleared from the reproach of sanctioning the longer continuance of the great injustice which has been practised on this talented individual by the East India Company, for no other reason than because he had the manliness to advocate those principles of Free Discussion which it is the proudest boast of Britons to maintain both at home and abroad.

## SOUTHWARK.

*To the Honourable the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled.—The humble Petition of the undersigned Traders, Merchants, and Inhabitants of the ancient Town and Borough of Southwark,*

SHREWETH,—That your Petitioners have heard with regret and surprise, that after a Committee of your Honourable House had examined into the claims of JAMES SILK BUCKINGHAM, Esq., for Compensation for the losses sustained by him through the conduct of the servants of the East India Company in Bengal; and after that Honourable Committee had reported that such Compensation ought to be made; its Report was rejected by the said East India Company, who refused to make any adjustment of those claims when solicited so to do; although the sufferer would have been ready and willing to have entered upon an amicable arrangement, and agreed to any reasonable and just proposition to that effect.

That your Petitioners, as Englishmen, who value the Constitution of their country, feel deeply grieved to see the deliberate decisions of any portion of the Legislature treated with contumely, or brought into disrepute and contempt; yet such must be the case if, after the appointment of a Select Committee of your Honourable House, and the Report and recommendation of that body founded upon the facts produced before them in evidence, such Report and such recommendation be treated with silent contempt or open opposition, whether by a private individual or by a Company of East India Directors.

Your Petitioners, therefore, humbly entreat your Honourable House to protect and preserve your own privileges and authority, as well as to secure the ends of Justice, by passing such measure as in your wisdom shall seem meet to secure to the said James Silk Buckingham that full and ample Compensation to which, in the opinion of your own Committee, he is so fully and fairly entitled.

## EXETER.

*To the Honourable the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled.—The humble Petition of the Inhabitants of the ancient City and Borough of Exeter, in the County of Devon,*

SHREWETH,—That your Petitioners regard the security of Property as the foundation of civilized society, and the distinguishing characteristic of all just and equitable Governments.

That this security of Property has been disregarded and violated, in the arbitrary suppression of the *Calcutta Journal*, without trial or conviction; the said *Journal* having been principally the property of James Silk Buckingham, a British subject, in conjunction with other co-proprietors, to whom certain portions of that property belonged.

That the Select Committee of the House of Commons appointed to examine into the facts of the case and report their opinion thereon to the House, showed a proper regard to the rights of Property by reporting it as their unanimous opinion that Compensation ought to be made to the said James Silk Buckingham for the losses entailed on him by the arbitrary suppression of his *Journal* in Bengal.

That the refusal of the East India Company to attend to the decision of the Select Committee, is not only an obstruction of Justice, but is calculated to bring the authority of your Honourable House into contempt.

That your Petitioners, therefore, humbly pray that your Honourable House will take such steps as to your wisdom may seem meet, to secure to the said James Silk Buckingham the full Compensation awarded to him by the Select Committee aforesaid.

## LIVERPOOL.

*To the Honourable the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled.—The humble Petition of the Inhabitants of Liverpool, in the County of Lancashire.*

SHREWETH,—That your Petitioners have read, in the Parliamentary Reports and in the public Journals, that a Select Committee of your Honourable House was appointed to examine into the facts connected with the banishment of James Silk Buckingham, Esq. from India, and the subsequent suppression of the *Calcutta Journal*, of which he was the Editor and principal Proprietor at that time; which Select Committee unanimously adopted and agreed to certain Resolutions, which were reported to your Honourable House on the 4th of August, 1834.

That by the 5th of these Resolutions it is resolved "That your Committee are therefore of opinion that Compensation ought to be made to Mr. Buckingham."

That by the 6th of these Resolutions it is resolved, "That your Committee abstain from expressing any opinion as to the amount of Compensation, in the hope that that subject will be taken into the favourable consideration of the East India Company, and thus the interposition of Parliament, in the next session, to fix such amount, be rendered unnecessary."

That your Petitioners have since learned, that, although these Resolutions were duly laid before the East India Company by the then President of the Board of Control (now a Member of the House of Lords, and his Majesty's Secretary of State for the Colonies), the East India Company have refused to grant any Compensation, or to entertain the subject in any way.

That your Petitioners view with apprehension this total disregard of the unanimous Resolutions of a Select Committee of your Honourable House, as above expressed in favour of Mr. Buckingham's claims.

Your Petitioners would venture to submit that India, with its overwhelming and defenceless population, is so far removed from the superintendence of this country, that when any act of oppression and injustice is brought to light, the character of the British nation is involved in the prompt redress of such injustice; not only as due to the party oppressed, but as a wholesome check upon power, comparatively speaking uncontrolled, but often, it is feared, abused.

Your Petitioners, therefore, humbly implore your Honourable House, that you will be pleased to give your sanction to such a Bill as may enable the said James Silk Buckingham, Esq. to recover from the East India Company that Compensation which the said Committee of your Honourable House reported it to be their unanimous opinion that the East India Company ought to make him.

## BIRMINGHAM.

*To the Honourable the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled.—The humble Petition of the Merchants, Manufacturers, and other Inhabitants of the Borough of Birmingham,*

SHREWETH,—That your Petitioners have learned that a Select Committee of your Honourable House was, in the year 1834, appointed "to take into consideration the circumstances connected with the suppression of the *Calcutta Journal* in the year 1823, and the loss of property entailed on Mr. Buckingham in consequence of that measure; and to report their opinion to the House as to whether any, and what amount of, Compensation ought to be granted to Mr. Buckingham for his losses on that account."

That the said Committee, as your Petitioners are also assured, having examined evidence, and inquired carefully into all the circumstances touching the case, reported to your Honourable House sundry resolutions, among which are the following:

"That your Committee are of opinion that Compensation ought to be made to Mr. Buckingham.

"That your Committee abstain from expressing any opinion as to the amount of Compensation, in the hope that that subject will be taken into the favourable consideration of the East India Company, and thus the interposition of Parliament in the next session to fix such amount, be rendered unnecessary."

But your Petitioners find, with much pain and disappointment, that the East India Company, on the above Resolutions of the Committee of your Honourable House being presented to them, have not only refused to grant any Compensation, but have declined to entertain the subject in any shape.

Your Petitioners, therefore, convinced of the arbitrary nature of the measures pursued by the Acting Governor-General in ordering the sudden removal of Mr. James Silk Buckingham from India, and in the subsequent suppression of the *Journal* of which he was the conductor, cannot but consider the conduct of the East India Company, in disregarding the unanimous Resolutions of a Committee of your Honourable House, as altogether unjustifiable and contumacious. They therefore trust that your Honourable House will take measures to render the Resolutions of your Committee respected and effectual.

To this end your Petitioners humbly implore your Honourable House to give your sanction to such a Bill as may secure to the said James Silk Buckingham the full Compensation and Indemnity which your Select Committee have unanimously decided that he ought to receive.



## BRIDPORT.

*To the Honourable the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled.—The humble Petition of the Merchants, Manufacturers, and other Inhabitants of the Town and Borough of Bridport,*

SHEWETH,—That your Petitioners have heard with pain of the destruction of the property of James Silk Buckingham, Esq., a British subject residing in the East Indies, by the suppression of the *Calcutta Journal*, of which he was chief proprietor, without any trial or conviction of crime, and for no other apparent reason than that the said *Journal* exercised the freedom of discussion on the public acts of the Indian Government.

That your Petitioners conceive the act of freely commenting on the public conduct of public men, to be one for which no individual should be punished but by the verdict of a jury after a fair and open trial in a public Court.

That your Petitioners have seen, by the Public Journals, that the case of the said James Silk Buckingham has been fully considered before a Select Committee of the House of Commons, appointed to examine evidence and report upon the same; and that the said Committee unanimously reported their opinion to be, that Compensation ought to be made by the East India Company to the said James Silk Buckingham for the destruction of his property as aforesaid.

That your Petitioners have further learned that the said East India Company have, notwithstanding this unanimous resolution of the Select Committee of the House of Commons, refused to grant such Compensation—to any amount whatever.

That your Petitioners, deeming this to be an invasion of the rights of property, which would be fatal to all security if it were suffered to pass without redress, humbly implore your Honourable House to take such steps as to your wisdom may seem meet, in order to secure to the said James Silk Buckingham that full Indemnity and Compensation awarded to him by the decision of the Select Committee, appointed by your Honourable House for that purpose, as aforesaid.

## TAUNTON.

*To the Honourable the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled.—The humble Petition of the undersigned Merchants, Traders, and Inhabitants of Taunton, in the County of Somerset,*

SHEWETH,—That your Petitioners have heard with surprise and regret that the East India Company have refused to grant any Compensation whatever to James Silk Buckingham, Esq., for the loss sustained by him, in consequence of the unjust suppression of the *Calcutta Journal* by the Indian Government; notwithstanding that a Committee of your Honourable House had unanimously reported that he is entitled to such Compensation.

That your Petitioners hold the Freedom of the Press to be the corner stone of Constitutional Liberty; and they conceive that no person should be punished, but by the verdict of a jury after a fair trial in open Court.

That it is the belief of your Petitioners, that the said James Silk Buckingham was deprived of his property without conviction of any crime, merely for having exercised that which is the inalienable privilege of every British subject—the right of freely commenting upon public measures, and pointing out public grievances.

Your Petitioners, therefore, feeling that it is due to the character and credit of British Justice, that this great wrong should not go unredressed, do humbly entreat your Honourable House to take effectual means to secure to the said James Silk Buckingham, full Compensation for the losses to which he was so unjustly subjected, as awarded by the solemn and unanimous decision of the Committee of your Honourable House.

## TAVISTOCK.

*To the Honourable the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled.—The humble Petition of the undersigned Merchants, Traders, and other Inhabitants of Tavistock, in the County of Devon,*

SHEWETH,—That your Petitioners feel a deep interest in the maintenance of the national reputation for Justice at home and abroad, and believe that it is the duty of every British subject to endeavour to secure for their fellow countrymen the fullest enjoyment of their civil and political rights, whether in the colonies or in the mother country.

That your Petitioners have, therefore, heard with great regret of the refusal of the East India Company to grant any Compensation whatever to James Silk Buckingham, Esq., for the injuries sustained by him through the arbitrary conduct of their servants in Bengal; by whom the said James Silk Buckingham, though residing in India as a British subject, fully possessed of the lawful sanction for his settling there, was first banished without a trial, and next exceedingly injured by the destruction, in his absence, of his highly valuable property, without being convicted of any crime.

That when a Select Committee of your Honourable House had unanimously resolved that Compensation ought to be made to the said James Silk Buckingham for the losses to which he had been thus unjustly subjected, your Petitioners had hoped that their award would have been respectfully obeyed by the said East India Company, to whom it was transmitted by the proper authorities, the Board of Control.

That the refusal of the East India Company to grant such Compensation, after the unanimous decision of the said Committee in favour of such grant, is at least a disrespectful if not a contemptuous disregard of the high authority of your Honourable House, and an obstruction to the ends of Justice.

That your Petitioners, therefore, humbly pray your Honourable House to take such steps as in your wisdom may seem meet, to maintain the reputation of the British name, and uphold the authority of your Select Committee: by securing to the said James Silk Buckingham the payment of that ample Compensation for the losses so unjustly inflicted on him which the ends of substantial Justice require.

## WILSDEN.

*To the Honourable the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled.—The humble Petition of the Clergy, Manufacturers, and other Inhabitants of the Township of Wilsden and its Vicinity, in the County of York,*

SHEWETH,—That your Petitioners have learned with pain, from the evidence before a Committee of your Honourable House, appointed to investigate the grievances and claim for Compensation of James Silk Buckingham, Esq., that the rights and liberties of a British subject have been, in his case, infringed in a manner which has not only justified the interposition of the Legislature, but which demands for Mr. Buckingham, as an object of oppression, the sympathies of every Briton.

Your Petitioners, therefore, humbly but urgently entreat your Honourable House to be pleased to order such Compensation to be made to Mr. Buckingham, by the East India Company, as will fully redress the losses and injuries he has sustained, to which the Committee of your Honourable House has declared him to be entitled; thereby vindicating the honour of your Government, and ensuring to our fellow-subjects, in foreign parts, the security of their just liberties and possessions.

## YEOVIL.

*To the Honourable the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled.—The humble Petition of the Inhabitants of Yeovil, in the county of Somerset,*

SHEWETH,—That your Petitioners believe the Freedom of the Press, subject only to the control of the laws as administered by a Judge and Jury, to be of the greatest benefit to all well-governed countries, and eminently conducive to the advancement of the public welfare.

That the individuals, therefore, who have been the foremost to advocate and to practise the Freedom of the Press, in any part of the British empire, ought to be regarded as public benefactors, and be crowned with honours and rewards.

That your Petitioners have seen, with the deepest regret, an extent of punishment, almost unparalleled, as effected on a British subject, James Silk Buckingham, for no other reason, either apparent or alleged, than that he was the first to advocate and to practise the Freedom of the Press in our British possessions in India.

That the arbitrary suppression of the *Calcutta Journal*, of which the said James Silk Buckingham was the chief proprietor, was as much a violation of property, as the forcible stoppage of a bank, the sinking of a ship, the conflagration of a dwelling, or the forcible destruction of any other actually productive property of any kind; and that such an act was as unnecessary as it was unjust.

That a Select Committee of your Honourable House having examined into this matter, and reported it as their unanimous and deliberate opinion that Compensation ought to be made to the said James Silk Buckingham for the destruction of his property as before described: and the East India Company, from whom such Compensation is due, having refused to pay any attention to the recommendation of the said Select Committee: your Petitioners humbly pray that your Honourable House will take such steps as may be most effectual to maintain the dignity of its own authority, to protect the rights of property, and to further the ends of substantial Justice, by securing to the said James Silk Buckingham the full payment of the Compensation to which he is so justly entitled.

## GOSPORT.

*To the Honourable the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled.—The humble Petition of the undersigned Inhabitants of the Town of Gosport, in the County of Hants,*

SHEWETH,—That your Petitioners deeply lament the wanton destruction of the property of James Silk Buckingham, Esq., during his residence in the East Indies, by the suppression of the *Calcutta Journal*, of which he was the chief proprietor, for no other apparent reason than that the said *Journal* exercised the constitutional privilege of commenting upon the acts of public men.

That your Petitioners consider the liberty of the press attacked and endangered by the hostility shown towards the said James Silk Buckingham, in this instance.

That your Petitioners have learnt with much surprise that the East India Company have refused to make the Compensation to the said James Silk Buckingham, which a Select Committee of your Honourable House have declared him fully entitled to.

That your Petitioners consider that by the law of this country no man is to be condemned



unheard, or without trial by jury in open court, which just law appears to your Petitioners to have been violated by the East India Company towards the said James Silk Buckingham.

That your Petitioners therefore humbly pray your Honourable House to adopt such measures as shall do full justice to the said James Silk Buckingham, and uphold the liberty of the press and the laws of the British Constitution.

## KENDAL.

*To the Honourable the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled.—The humble Petition of the Merchants and other Inhabitants of Kendal, in the County of Westmoreland.*

SEWETH,—That your Petitioners witnessed, with pleasure, the Award and Recommendation of a Select Committee of the last Parliament, to the effect that Compensation ought to be made to James Silk Buckingham, Esq., by the East India Company, for the ruinous consequences of an act of Tyranny done towards that Gentleman by their Government in India.

That with corresponding indignation and regret your Petitioners have since learnt, that the said East India Company have set at defiance all and every claim of Mr. Buckingham, notwithstanding that such claims were so urged by the unanimous Resolution of the aforesaid Committee.

Your Petitioners would deprecate any act of Oppression by whomsoever exercised, or on whomsoever inflicted; they would deprecate every attempt to curtail liberty of thought and freedom of discussion, which they regard as the distinguishing birthright of Britain's sons.

But against this particular act of Injustice, your Petitioners feel more especially incensed, by reason of the contumacious conduct of the Oppressors on the one hand, and in consideration of the estimable and exemplary character of the injured individual on the other.

Your Petitioners therefore humbly implore your Honourable House to take such immediate and decisive steps as in your wisdom you may deem meet to secure to the said James Silk Buckingham, Esq., that full Indemnity and Compensation which your Petitioners believe him so justly entitled to receive.

## CANTERBURY.

NEW TOWN COUNCIL OF CANTERBURY, TUESDAY, FEB. 2, 1836.

ALDERMAN H. COOPER brought before the Court the case of the hon. member for Sheffield, James Silk Buckingham, Esq., and in a clear and perspicuous manner pointed out the persecutions and ill-treatment which that talented and worthy individual had suffered. After forcibly commenting on the Resolutions of the Select Committee appointed in 1834—the facts proved in evidence before that Committee—the opinions of the eminent functionaries in India in favour of a Free Press in that country—as also of the most popular characters in England as to the treatment of Mr. Buckingham, and his just claims to redress for the injuries and persecutions he had sustained—the worthy Alderman concluded his address by reading an extract from Lord John Russell's speech, as Chairman of the Committee, on the praiseworthy and honourable conduct of Mr. Buckingham and the advantages of a Free Press. Alderman H. Cooper then proposed the following Petition to the House of Commons, which was seconded by Mr. RIDOUT, and unanimously adopted:

*To the Honourable the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled.—The humble Petition of the Mayor, Aldermen, and Burgesses of the Borough of Canterbury, in Council assembled,*

SEWETH,—That your Petitioners have heard with regret and surprise, that notwithstanding the Resolutions unanimously passed by a Select Committee of your honourable House that Compensation ought to be made to James Silk Buckingham, Esq., for the unwarrantable destruction of his property in the arbitrary suppression of the *Calcutta Journal* by the Bengal Government, without any trial by judge or jury—the East India Company have not thought proper to attend to the decision of the Select Committee, nor so much as even to entertain the question of Compensation—a circumstance which your Petitioners cannot but consider as an unjustifiable denial of Justice, calculated to impugn the respectability of your honourable House, and to bring its authority into contempt.

Your Petitioners, therefore, on a principle of national honour, justice, and even expediency, pray your honourable House to take such steps as in your wisdom may be judged proper, for securing to the said James Silk Buckingham the equitable Compensation contemplated by the unanimous Resolutions of your Select Committee, and to which he is unquestionably entitled.

Mr. ALDERMAN BRENT offered some observations on the advantages which the Council possessed (being the choice of the people) in having the opportunity of thus making known to the Legislature the sentiments of the inhabitants on the conduct of public individuals, and proposed that the Petition be presented to the House by Lord A. D. CONYNGHAM, and that Mr. LUSHINGTON be requested to support the prayer thereof; which being seconded by Mr. BOWMAN, was also unanimously carried.

## OPINIONS OF THE PUBLIC PRESS.

It would fill a large volume to give the whole of the Opinions already expressed by the Public Journals, on the conduct of the East India Company, in refusing to carry into effect the unanimous Resolutions of the Select Committee of the House of Commons, in favour of Mr. Buckingham's Claims to Compensation for the Destruction of his Property in India: but a few selections from Papers of the latest date, and from different parts of the kingdom, will show the general feeling that has been expressed on this subject.

*From the Edinburgh Observer.*

By many of the inhabitants of Edinburgh Mr. Buckingham must be remembered, from his having very recently delivered a course of lectures in this city, on subjects connected with the Eastern world,—while it is known that in his public capacity he contributed greatly to bring about the arrangements which followed on the expiry of the East India Company's Charter; thus aiding in extending our commercial relations, and opening new sources of demand for our manufactures. The case of grievance, to which we direct attention, may be briefly stated from the evidence adduced before a committee of the House of Commons, in the autumn of 1834. Between the years 1818 and 1823, Mr. Buckingham appears to have resided at Calcutta, under a licence from the Indian Government; and to have been engaged in conducting the *Calcutta Journal*, of which he was also principal proprietor. From five years of unremitting exertion, and an outlay of upwards of 20,000*l.* this Journal had become “a highly profitable concern,” yielding to the proprietors an income of between 6000*l.* and 8000*l.* a year. During the interval between the Governments of Lord Hastings and Lord Amherst, the Reverend Dr. Bryce was appointed by the Council, clerk for the supply of stationery to the public departments of Government; and upon this appointment, Mr. Buckingham wrote in his Journal an article, “in which the duties of such an office were shown to be incompatible with a due discharge of the reverend gentleman's sacred functions.” For the publication of this article, Mr. Buckingham's licence to reside at Calcutta was withdrawn; and without a trial, or any other legal process, he was banished the country. For a short time after his departure, the Journal was conducted by another editor, but subsequently its licence was withheld; and although a liberal offer was made for the mere use of the types, &c., the agents of the Indian Government refused to grant a licence to any party to use them, so long as they remained the property of Mr. Buckingham, who was thus absolutely compelled to permit a sale of his valuable materials, where there could necessarily be but few competitors; the son-in-law of a member of Council became the purchaser on easy terms; and thus, without the least pretext of a legality, but by a very reckless exercise of power, Mr. Buckingham was deprived of property which was estimated by purchasers of shares at 40,000*l.* and left with a debt of 10,000*l.*

The matter subsequently became the subject of Parliamentary inquiry; and a Committee of the House (of which Sir Robert Peel, Lords Althorp, Russell, and Somerset, Messrs. Cutlar Fergusson, Abercrombie, Hume, and other distinguished gentlemen were members) came to these resolutions:—

“That your Committee are of opinion that Compensation ought to be made to Mr. Buckingham. That your Committee abstain from expressing any opinion as to the amount of Compensation, in the hope that the subject will be taken into the favourable consideration of the East India Company, and thus the interposition of Parliament, in the next session, to fix such amount be rendered unnecessary.”

But the Company chose to overlook this recommendation; a bill was brought into parliament by Mr. Tulk, to enforce payment; passed its first reading by a majority of more than three to one,—its second without a division—but was stopped in committee by an objection as to a point of form; and here the case rests; a case which Lord Denman “considered to be one of the most cruel, oppressive, and unjustifiable acts which he had ever known to have been committed by a British governor, in the history of the colonies, bad as they were;” of which Sir Francis Burdett “felt bound to declare that a more gross case of cruelty had never been presented to the notice of the House;” and Lord John Russell said that the sufferer “was entitled to the thanks of his fellow-subjects, and the approbation of a wise and benevolent government.”

The matter will again be brought before Parliament next session, and in the mean time petitions are preparing in many English towns in favour of Mr. Buckingham's claim. We understand several gentlemen have resolved to procure petitions from this quarter in his behalf. The case, as involving the vindication of the liberty of the press, and procuring justice for one to whom it has been denied, is one more of a public than a private character. From the Legislature Mr. Buckingham only seeks redress for actual grievances, from the people only their sympathy; the former we trust will not be withheld—the latter will certainly be bestowed.



*From the Glasgow Chronicle.*

There are few cases of private wrong which have excited a deeper feeling of interest in the public mind, than that of Mr. Buckingham, M.P. for Sheffield. We give in another column a short statement of the leading facts of the case, with the Resolutions reported to the House of Commons by the Select Committee appointed to investigate the subject. Will it be believed that, notwithstanding so decided an expression of opinion on the part of such a Committee, the East India Company still refuse the Compensation due?

We ourselves read the *Calcutta Journal*, and considered it one of the most splendid newspapers ever published. In polite literature, and in general information, it was unequalled; while its immense size, each daily number being as large as an ordinary volume, betokened the exercise of no ordinary industry. It numbered every individual in India of literary eminence among its contributors, and its suppression must be considered as not only an injury to Mr. Buckingham, but as obstructing the course of intellectual improvement.

The obstinacy of the East India Company in refusing to act justly, even when called upon to do so by a Committee of the House of Commons, renders it imperative on all who respect public spirit in individuals, or who are anxious to maintain the liberty of the press, to come forward with petitions to the House of Commons on the subject. A bill was introduced last session into the House of Commons, with a view to enforce justice from the Company; it was carried through several stages with little opposition, but was at last defeated by the Company on a point of form. That bill will be again introduced in the session now about to open, and we are glad to see that petitions are getting up in every quarter in support of it. Glasgow, we are glad to state, is already bestirring itself. A Petition is now in course of signature, and we have no doubt that it will be presented at the opening of the session, with such an array of names attached to it as will ensure the attention of the Legislature.

*From the Scots Times.*

We are glad to learn that a petition is in progress of signature, in our city, in favour of the claims of J. S. Buckingham, M.P., for Compensation from the East India Company, for the destruction of his property, vested in a Liberal and plain-speaking Journal, which he edited in Calcutta, under the old regime—when to speak truth in India, sent a man to the right-about in a twinkling. The claims have been sanctioned by a Committee of the House of Commons, composed of individuals of various shades of political opinion; and several of the most eminent friends of liberty in this country, such as Lord Durham, Mr. Hume, Lord William Bentinck, Lord John Russell, &c., have concurred in condemning the injustice and oppression which drove Mr. Buckingham from India. This gentleman, in addition to his just claims upon the Old Leaden-hall Street monopoly, is entitled to public support from his many public services, and his accomplishments as a traveller and a literary man, not to mention the zealous support which he has always given to the liberal cause in Parliament. We trust, therefore, that his petition will be numerously signed, and that the people of Glasgow will call aloud on Government to compel the Company to do an act of justice to a much injured man.

*From the Dundee Chronicle.*

We refer to the extracts in our first page relative to the claims of this gentleman on the East India Company, upon which we had intended to offer some observations, but find we are anticipated by "One of the People," whose letter will be found in another column. As there can be but one opinion regarding the justice of Mr. Buckingham's demands, we trust that every friend of liberty in Dundee will come speedily forward and subscribe the petition to Parliament, which is in course of preparation in his favour. We, as well as our correspondent, will return to this subject. The writer says:

"I presume that a considerable portion of your readers and citizens of Dundee generally may not be altogether unacquainted with the case of Mr. Buckingham, the worthy member for Sheffield—which case, with your permission, will form the subject of the present letter, and, it may be, further communications. With reference thereto, I hesitate not to say, that it embraces one of the most atrocious instances of arbitrary and cold-blooded tyranny which has occurred in modern times. It proved to demonstration that despotism of the very worst description, previous to the breaking up of the monopoly, pervaded the government of the Honourable Company of Merchants trading to the East Indies. It proved that no man of talent and unbending independency of mind could be suffered to pollute the soil which was claimed by the Leadenhall Kings. A free press and the tyrannical and despotic rule of the East Indian monopolists, were found altogether incompatible. The universal spread of the mental and physical deterioration of the Indian and mixed races, as the natural, consequent, and inevitable concomitants of oppression and misrule, would have suited their taste far better. But retribution, even in this world, sometimes reaches the oppressor; and retribution to some

extent has reached the mercantile despots of India, inasmuch as they are now shorn of their monopoly, and a field is opened up, thereby, for British enterprise, skill, and capital—the happy results of which can only be fully developed to succeeding generations. The active and unwearied exertions of Mr. Buckingham, who, for many years, fought the East India Company almost single-handed, mainly accelerated the breaking up of their monopoly, by enlightening the public mind, regarding not merely what involved the dearest rights and interests of the British people, but also those of the countless myriads of our fellow-men spread over the extended continent of India, who will eventually turn their loathing eyes from the withering effects of commercial and military despotism, to the benign and soul-refreshing influences of an enlightened and paternal government, which, I trust, is prospectively in store for them.

"I am well aware, however, and make the remark with regret, that a large portion of the people of this country, claiming, although they do, to belong to that nation foremost in the march of freedom, are nevertheless so deeply imbued with unqualified selfishness, that they are exceedingly apt, at all times, to question the motives of those who, it may be, hazard their all in the promotion or defence of popular rights. Verily, if the true patriot, even in this, the nineteenth century, who may be so foolish as to flatter himself with the vain belief of receiving any thing like a grateful return at the hands of those whose cause he advocates, he will find himself, in many instances, egregiously mistaken. Verily, he must search for other and loftier incitements to encourage him to pursue his onward undeviating course. For, although his very soul may be bound up in his ardent attempts to promote human improvement, still, unless he can stoop and pander to the great as well as the small vulgar (which of course he cannot, and will not disgrace himself by doing), he must lay his account with being but lightly esteemed. On inquiry, it will also be found that not a few are apt to question the very existence of public virtue, much in the same way as many question the truth of revealed religion, by measuring their fellow-men altogether and exclusively by means of a standard of their own manufacture. I am one, however, who condemn such general scepticism, and declare my belief in the existence of public virtue, as well as of revealed religion. My doubts, however, of their general diffusion afford matter of deep regret.

"In accordance, then, with my declared belief in the existence of public virtue, I point, without hesitation, to Mr. Buckingham, as one possessed of this, and call on all whose hearts are warmed by the sacred flame of liberty, to countenance and assist him in obtaining justice, too long delayed at the hands of his oppressors. He stands out prominently to view as a victim to the popular cause, which never can or will be sufficiently promoted until the public are more enlightened and alive to their true interests, and bestir themselves in defence of such a man, when the sacred liberty of his person, or the rights of his property, are unjustly and tyrannically assailed. A demonstration of deep and general sympathy, evinced by a people daring to be free, in favour of such a man, contending, with reason, and justice, and truth on his side, against the strong arm of power, would have the best possible results. It would save the nation from dishonour—it would rescue the patriot from impending ruin—it would give a tone to the administration of public affairs which would be attended with the best possible consequences."

*From the Belfast News-Letter.*

We are gratified to find that the claims of Mr. Buckingham to Compensation for the destruction of his property by the functionaries of the East India Company are about to be made the subject of a petition to Parliament from this town, and that copies of this petition have been already left for signature at the Commercial and Calendar-street News-rooms. The character of Mr. Buckingham is well known in this town, and his exertions in breaking down the monopoly of the East India Company, and consequently throwing open to general competition the extensive trade of China and the East, are universally appreciated.—Indeed it is to his talents and unwearied perseverance that this important commercial revolution is to be mainly attributed;—the *Oriental Herald*, which he conducted for a series of years, presented the community of Great Britain with a body of evidence as to the mismanagement of the East India Company, and especially the benefits of which their monopoly deprived the nation at large, which effectually roused the unprivileged traders to a sense of their own interests, and eventually led to the irresistible demonstration of public feeling which so generally followed Mr. Buckingham's subsequent "Missionary" operations. These and other facts were fully proved last session before a Committee of the House of Commons indifferently selected from all parties, and a series of decided resolutions in favour of Mr. Buckingham's claims were unanimously agreed to, and were laid before the House, all of whom concurred in the opinion that Compensation ought to be made to Mr. Buckingham, but added in their concluding resolution—"Your Committee abstain from expressing any opinion as to the amount of Compensation, in the hope that that subject will be taken into the favourable consideration of the East India Company, and thus the interposition of Parliament, in the next session, to fix such amount be rendered unnecessary." The hope here expressed by the Committee has not been realized, and the subject must therefore be again brought before Parliament soon after its assembling. The



question is not one of party—it relates to a matter of substantial justice, in the upright dispensation of which every individual in the community is interested. So little inclined have the Court of Directors shown themselves to accede to the unanimous opinion of the Committee, that they refused even to entertain the question of Compensation to Mr. Buckingham, and the consequence was that a public bill was brought in on the subject towards the end of last session, but its object was unhappily defeated on a mere point of form unconnected with the merits of the case. The leading commercial and manufacturing towns of England have taken up the matter with activity and zeal, and numerous petitions will be forwarded to Parliament, praying for the award of that Compensation, in regard to whose justice the Committee of last year were so unanimous.—We have thought it our duty to lay this statement of facts before our readers, in order that our townsmen may understand the case, and may be prepared to assist a highly meritorious public character to obtain that justice which for twelve successive years has been habitually withheld.

### *From the Newry Telegraph.*

"We have repeatedly declared our opinion, founded on a very careful examination of the facts, that Mr. Buckingham, M. P. for Sheffield, has an unanswerable claim upon the East India Company, for Compensation for the ruinous losses inflicted upon him by their government in India. We see that petitions to the House of Commons in favour of this act of justice have been signed in Sheffield and elsewhere."

We copy the foregoing from the *Leeds Mercury*. Mr. Buckingham, both as a journalist and member of Parliament, holds deservedly a distinguished place in the eye of the public. Overlooking at present all minor matters of politics, in which we may conscientiously differ from that gentleman, we can never forget the strong and irresistible arguments in Parliament, as well as from the press, by which he first prepared the nation for, and then triumphantly led it on to demand, an unrestricted free trade to the East, and the consequent overthrow of an injurious anti-commercial monopoly. But, besides this, his indefatigable exertions, in the House of Commons, for the promotion of Temperance and other great principles of morality and virtue, give to Mr. Buckingham an eminent title to public sympathy and support. His claims are in themselves so just and equitable—have so well stood the test of scrutiny, and been so unreservedly sanctioned by a Parliamentary Committee (the latter including the leading men on both sides of the House) that we are confident the general expression of PUBLIC OPINION is all that is necessary to extort a full measure of satisfaction from the East India Company. With this view we would suggest that a Petition to the House of Commons, be immediately prepared and submitted for signature in Newry.

### *From the Tipperary Free Press.*

The case of Mr. Buckingham, M. P., whose unjust and severe treatment by the East India Company has conjured up so strong a feeling of indignation throughout the British empire, will, we learn, be brought before the consideration of Parliament very shortly, where we hope the honourable gentleman will receive the satisfaction claimed by him, whose sufferings in the cause of right find no parallel in the history of nations. It is known that he became the proprietor of a Journal in the Indies, through which he, with an ability that merited for him general admiration, and a persevering zeal which no obstacles could conquer, advocated the cause of those who were bending beneath the oppression of the Eastern Monopolists. He was the first, we may say, who boldly confronting those whose power and riches were proverbial, spoke the accents of truth, and continued to do so, unappalled by threats and a certainty of vengeance; exposed their corrupt practices, and denounced themselves, until having gone far to break up the griping monopoly that existed, to the deterioration of all others except those engaged in it, he brought on his devoted head their unmitigated hostility. A Committee of the House of Commons has already pronounced a verdict in the case, favourable and honourable to the excellent gentleman. It remains for Parliament now to ratify that verdict; and it is hoped that every lover of an untrammelled press—that every foe to tyranny—that every enemy to the triumph of money over mind, will see the necessity of urging the Legislature to be instant in the performance of a necessary—a simple act of justice. Mr. Buckingham has been already a loser, through the means of the "Company," of upwards of 40,000*l.*—a large sum, on which he might have profitably traded. We need not tell our readers what he has done for the spread of a true knowledge of the state, condition, and manners of India, and other countries through which he has travelled.

### *From the Waterford Chronicle.*

No one, upon reading the evidence, of most important facts, proved upon the late Parliamentary Inquiry into the case of Mr. Buckingham, can hesitate in pronouncing the opinion that Mr. Buckingham has been deeply and irreparably wronged. The East India Company, in expelling him from the country, has exercised a sway absolute, despotic, and revolting; they have committed an act which rivals in reckless tyranny the most atrocious confiscations of the Emperor

Nicholas, aggravated by the consideration that it has been exercised by a British Company, and towards a British subject. We may be told that the Company are an irresponsible body, and fully authorized to dispense their government over the dominions in which they were established by charter. This may be true, but the authority which established them has a right to check them in acts of flagrant injustice; and never was there a case more fully and satisfactorily proved than that in which Mr. Buckingham was plaintiff and the Company defendant, before a Committee of the House of Commons. No action could have been instituted by Mr. Buckingham in a court of law, against the Government of India, for the exercise of their prerogative; he was compelled, therefore, to bring the question before a Select Parliamentary Committee; and the manner in which he has done so, far from being characterized by vindictiveness, has added honour to his unimpeachable character, and excited in his favour general sympathy and support. The Committee, after careful examination and inquiry, decided that Compensation ought to be made to Mr. Buckingham, but refrained from expressing any opinion as to the amount, in the hope that the East India Company would, of themselves, do justice, and thereby render the interposition of Parliament unnecessary in fixing the amount.

It must be gratifying to Mr. Buckingham to find that the first legal opinions in the land are favourable to his claims, and that such Compensation as may finally be resolved on (for as yet the Company has done nothing) will not partake of the quality of a gratuitous gift, but will be a simple reparation of rank injustice, in the restitution of his plundered property. Lord Durham, Lord Denman, the present Lord Abinger when he was Mr. Scarlett, Sir Charles Forbes, Mr. Hume, and Lord John Russell, have all expressed themselves, in the fullest terms that language can supply, of Mr. Buckingham's undoubted right to Compensation, and the gross injustice of which he has been the victim. Lord Durham's words were these: "I do maintain that Mr. Buckingham has suffered from the *grossest tyranny*, and that to suffer the repetition of such practices it to endanger the very existence of the empire." The expressions used by Lord Denman are no less strong: "He considered this to be one of the most *cruel, oppressive, and unjustifiable* cases which he had ever known to have been committed by a British Governor, in the history of the Colonies, had as they were." Sir Charles Forbes says: "The more I have seen of Mr. Buckingham the more highly I think of his character and talents," and also adds that his friends are resolved to advocate "the cause of justice against oppression."

The rights of freemen have been outraged in the person of Mr. Buckingham; his property, to the amount of 40,000*l.*, was confiscated by one despotic act of the East India Government, and unless that, or an equivalent, be restored to him, an indelible stain will be left upon the character of the British Legislature. We are sure, however, that in the ensuing session he will have justice, full and ample justice, done him. The opinions of the ablest lawyers, the decision of the Select Committee recognising his right, and the character of the Reformed House of Commons, prevent the slightest idea that so unparalleled an oppression will be suffered to triumph, or so gross a wrong to go unchecked. Petitions have been forwarded on this subject already from the Town and Borough of Bridport; and the inhabitants of Sheffield, of which Mr. Buckingham is the representative, are also, we understand, exerting themselves strongly in his favour. We trust, nay we are certain, they cannot fail.

### *From the Cork Weekly Register.*

The services of Mr. Buckingham, as an active and intelligent member of the Legislature, are well known to the public; but the injuries he has received, under the monopolizing colonial system of the British Government, are not so generally diffused. Mr. Buckingham, at an early period, established a newspaper at Calcutta, called the *Calcutta Journal*, which, from its novelty and utility, rose into eminence, and became a source of great profit to him; and from the ability with which it was conducted the permanence of its revenues promised to be lasting. But like all really honourable and talented individuals, who make truth their polar star, that gentleman indulged in some liberal opinions, which appeared displeasing to the selfish policy of the East India Company, who were allowed too long to exercise an uncontrolled dominion over the British possessions in that quarter of the world; and the local authorities seized upon his types and presses, expelled him the country, and destroyed his prospects of reaping a well-merited fortune. Perhaps it was through the exertions made by Mr. Buckingham, while editor of his Journal, that the eyes of the British Government were opened to the folly and impolicy of allowing a few trading monopolists, under the designation of the East India Company, to usurp the functions of the imperial authority at home, and to turn to their own exclusive benefit the large field for British enterprise which was opened in that quarter of the world.

However, a wiser and better course than that pursued under our Tory Administrations, at length was adopted by the British Cabinet, with respect to our Indian possessions, and the monopoly of the East India Company was extinguished for ever. The Government took the dominion of the country into its own hands, and the advantages of the new system are found in the increased and increasing revenues which have resulted, besides giving a wider range to commercial enterprise, and an improved state of security and happiness to the multitudinous mass of native inhabitants.



Under such circumstances, Mr. Buckingham claims from the British Legislature a sanction to his demands on the East India Company, for the acts of tyranny and oppression exercised against him by its servants, by which his prospects and fortune have been blasted. If he committed any offence, why not have punished him in a less ruinous degree, or why deny to him the common right of all British subjects, and cut him off from all appeal or redress? The British Legislature can not, or will not, we are sure, without bringing disgrace on itself, act so unjustly and inconsistently. As far as the people are concerned, they have endeavoured to make some compensation to him for his personal and pecuniary sufferings; and the intelligent constituency of Sheffield have returned him as one of their members. But this has not satisfied the nation, nor will it Mr. Buckingham, whose only crime was, that he anticipated the Government in requiring those measures of reform to be meted out to the inhabitants of India which its duty called on it to adopt long before, and which were due to them as British subjects. There never was a stronger case of an individual brought before Parliament for Compensation; because, independent of his personal claims, he has brought the Government to pursue that line of policy so essential to the stability of its rule, and so advantageous to the general interests of the empire.

If we could hope to have any influence on our citizens, we would call on them to join in a Petition in his favour: "at all events we give the Petition agreed upon by the inhabitants of Sheffield, and let the former adopt a similar one, if they be anxious to have justice done to a persecuted individual."

### *From the Birmingham Journal.*

We have had placed in our hands, for perusal, several printed documents relating to the subject of Mr. Buckingham's banishment from India, and the utter spoliation and destruction of his property, inflicted by the arbitrary acts of the East India Company's Government. It appears that a Committee of the House of Commons was appointed in 1834 "to take into consideration the circumstances connected with the suppression of the *Calcutta Journal*, in the year 1823, and the loss of property consequent on that measure;" and to report their opinion, "whether any, and what amount of Compensation ought to be granted to Mr. Buckingham." This Committee consisted of thirty-seven gentlemen, of all political parties, who reported the facts: namely,—that Mr. Buckingham, after conducting a Journal, under licence of the East India Company, from 1818 to 1823, was, "in the exercise of the discretion vested in the Governor-General, ordered by the acting Governor-General to quit India within two months;" that this Journal, after the departure of Mr. Buckingham by order of the Governor-General, was altogether suppressed; and that great losses had been entailed on Mr. Buckingham in consequence:—and unanimously resolving that, in their opinion, "Compensation ought to be made to Mr. Buckingham."

The amount of Compensation was, with that peculiar and discreet courtesy which distinguishes Committees of the House of Commons, left to—the *East India Company* to decide upon!! This truly "Honourable Company," of course, would give nothing; and a bill was, during the last session, brought into Parliament to effect the purpose. This bill passed triumphantly through a first and second reading, but when going into committee, its progress was arrested by some clever legislator, who raised an objection on a point of form, by which the bill was postponed till the next session, now approaching, when, according to the custom of this most thinking nation, "all the stages must be gone over again." Under these circumstances, the friends of Mr. Buckingham have thought it advisable to present petitions in favour of such a bill as shall ensure the payment of good, satisfactory Compensation. Such petitions are now preparing in different parts of the country, and we shall, we confess, be glad to see one, respectfully and numerously signed, sent from Birmingham.

Why not? Are we so very busy:—so intensely occupied with our American orders, that we cannot find time to attend to the welfare of a useful and gifted individual, whose claims a Committee of the House of Commons have declared to be founded in justice? Away with such selfish churlishness. Let the truly Christian maxim of the "heather" poet be adopted—"I am a man, and I hold, that nothing which concerns humanity is indifferent to me."

Mr. Buckingham is a man—an Englishman—a spirited and liberal political writer—a worthy and respectable individual in private life—and a persecuted man. Shall his cause not be supported by men—by Englishmen—by the advocates of reform—by the lovers of private and public virtue—by the abhorers of oppression?

But is Mr. Buckingham all these? We reply in the affirmative; and our proof is the language uttered in Parliament during the debate on his case. Thus:

"On the private and public merits of Mr. Buckingham we are all agreed." "He is entitled to sympathy as a gentleman of UNIMPEACHED CHARACTER." "No one, under such difficulties, could behave with more consistency and uprightness." "He was serving the cause of truth." "Not only do those articles which were most found fault with, not reflect the slightest stain on the character of the writer; they would do honour to any man possessing honest zeal for the

welfare of the community." "He has been the victim of *cruel oppression*." "This is one of the most cruel, oppressive, and unjustifiable acts ever known." "Nothing could palliate the act of TYRANNY," &c.—and all this, not from blazing Radicals, but from Lord Durham, Lord Denman, Sir Charles Forbes, Mr. Hume, Mr. Douglas Kinnaird, Lord John Russell, and others.

Now what further proof, or what inducement to act, do we still call for? Were the measures of the Indian Government justified by the "discretion" vested in them? Not in the opinion of enlightened and judicious legislators at home. Not if that government be part and parcel of the English constitution, and its acts amenable to the spirit and provisions recognised by that constitution. Nor will we believe in the right of a government to delegate to its Colonial officers powers which it does not itself possess at home. The Indian Government committed acts of usurped power in its conduct to Mr. Buckingham; of contumacy in resisting the fiat of the Committee of the House of Commons.

A Committee of the Legislature has declared that the Indian Government has unjustly despoiled an unoffending individual, and that "Compensation ought to be made." The affair lies in this narrow circuit, and the most effectual petition would be one which, confining itself to these grand distinctive points, need hardly fill a dozen lines. Such a petition might claim, and would probably receive, in this town, the signature of multitudes who have been delighted with Mr. Buckingham's eloquence; who esteem him for his fearless political integrity; and who abominate acts of oppression and cruelty, by whomsoever committed.

### *From the Bristol Gazette.*

We perceive that petitions are preparing in various parts of the country, praying that Parliament will early in the ensuing session take into its serious consideration the claims of the above gentleman to Compensation from the East India Company, for the losses inflicted on him by a very arbitrary and cruel act of oppression on the part of their government. The outline of the case the public are already in possession of, but the following particulars deduced from the facts proved in evidence before the Parliamentary Committee, will prove the extreme hardship to which Mr. Buckingham has been subjected:

In 1818, Mr. B. being a resident in India, established a daily newspaper called the *Calcutta Journal* which had become in 1823 so prosperous a concern, that the income derived from it was from 6000*l* to 8000*l* a year, and the estimated market value of the property 40,000*l*. In the course of the latter year, an article was inserted in this paper, condemning the appointment of a Presbyterian clergyman to the situation of clerk in the public stationery office of India. The language of the article, though expressed in terms of severe satire, contained no violent or inflammatory matter; nothing that could by any possibility be construed into an attempt to excite disaffection against the government. Its tenor throughout was a personal exposé of the unfitness of the individual appointed, and as such might perhaps have formed ground for an action for libel, in which, however, we will venture to say, no intelligent jury would have returned 40*s*. damages.—In fact, so strong was the sense entertained of the impropriety of the course which called forth the animadversions in question, that as soon as it was known in England, the India Directors and the Board of Control both concurred, not merely in condemning the appointment, but in immediately annulling it! This decided expression of disapprobation proved beyond a doubt, that the comments in the *Calcutta Journal* were perfectly justified. Yet, mark the severity of the punishment inflicted upon Mr. Buckingham, for a line of reasoning in which the Court of Directors not only concurred, but on which they immediately acted!—For writing and publishing this article—the only "head and front of his offending," Mr. Buckingham's licence to reside in India was withdrawn, and he was ordered, without any trial, investigation, hearing, or any process of law, to quit the country, on pain of being seized and sent away by force! Not only was he thus subjected to transportation for a most venial offence, but his establishment was soon after broken up, his *Journal* extinguished by another arbitrary act of the government, and the stock and materials actually sold, by something like very nefarious connivance, to the proprietors of a rival establishment; the result of which was, not only the utter extinction of the property which but a few brief months before had been valued at 40,000*l*. sterling, but to entail upon Mr. Buckingham debts and liabilities to the extent of nearly 10,000*l*. more.

We doubt whether a case parallel to the above, for general cruelty, injustice, and fraud, or for the oppression of a particular individual, can be found in the records of any government calling itself civilized. It must not be thought that we have overstrained the case. The facts quoted were fully proved before the Parliamentary Committee, appointed in 1834, and composed of 37 members of the House of Commons, embracing individuals of all parties, Sir Robert Peel and Lord John Russell being both included. The Committee, after a full and deliberate investigation, came among other resolutions to the following, "That the Committee are of opinion, that Compensation ought to be made to Mr. Buckingham: they abstain from expressing any opinion as to its amount, in the hope that the subject will be taken into the favourable consideration of the East India Company, and thus the interposition of Parliament in the next session, to fix such amount, will be rendered unnecessary."







*From the Brighton Herald.*

Mr. Buckingham, with the most laudable perseverance and courage, is endeavouring to obtain justice for the injuries he has suffered from the Indian Government, and we hope that he may succeed in his object. His case is, indeed, a public one, and it is strictly in accordance with the national character, for Englishmen to feel sympathy for a persecuted individual, particularly when that individual is a man of first-rate talent, which, moreover, he has dedicated to the cause of literature and liberty. The following is an outline of the case:—A Committee of the House of Commons was appointed in 1834 "to take into consideration the circumstances connected with the suppression of the *Calcutta Journal*, in the year 1823, and the loss of property consequent on that measure;" and to report their opinion, "whether any, and what amount of Compensation ought to be granted to Mr. Buckingham." This Committee consisted of thirty-seven gentlemen, of all political parties, who reported the facts: namely, that Mr. Buckingham, after conducting a journal, under licence of the East India Company, from 1818 to 1823, was, "in the exercise of the discretion vested in the Governor-General, ordered by the acting Governor-General to quit India *within two months*;"—that this Journal, after the departure of Mr. B. by order of the Governor-General, was altogether suppressed; and that great losses had been entailed on Mr. Buckingham in consequence; *unanimously* resolving that, in their opinion, "Compensation ought to be made to Mr. Buckingham."

When, however, application was made to the India Company by the Board of Control, of which Mr. Charles Grant (now Lord Glenelg) was at the head, to grant the Compensation which the Committee had *unanimously* awarded, the Directors would not even entertain the proposition in any shape, or consent to pay any amount of Compensation whatever. The further interference of Parliament, therefore, becoming necessary to enforce its payment, a public bill was brought in last session, by Mr. Tulk, the member for Poole. It was carried through a first reading in August, 1835, by a very large majority of more than three to one. It passed through a second reading without a division; but, when going into committee, an objection was raised by Sir John Hobhouse, acting on behalf of the East India Company, to a point of form, not touching the merits of the case in the slightest degree. The effect of this opposition of Sir John Hobhouse was to create both expense and delay, by making it a private instead of a public bill; and thus to lose the session, and to incur considerable expense besides. It was accordingly postponed till the next session, when it must go through all the several stages again. In the mean time petitions are preparing, in different parts of the country, to both Houses of Parliament, in favour of such a bill as shall secure the payment of the Compensation, which the Committee of the House of Commons *unanimously* declared to be due to Mr. Buckingham; and if these petitions are numerous and respectfully signed, there is little doubt but they will greatly assist the passing of the bill through all its stages, as it will be brought forward again as early as possible in the approaching session of 1836.

*From the Chester Chronicle.*

It is with unmingled feelings of indignation and disgust that we have risen from the perusal of certain documents transmitted to us concerning the case of J. S. Buckingham, Esq. M.P. Our opinion has long been, that this talented gentleman has an undeniable claim for Compensation from the East India Company, for the ruinous losses inflicted upon him by their government in India. This also fully appeared in evidence before the Select Committee appointed by the House of Commons, to take into consideration, and report upon the case. This Committee was composed of *thirty-seven* gentlemen of various political parties. Application was subsequently made to the Honourable (Honourable! forsooth) India Company, by the Board of Control, of which Mr. Charles Grant (now Lord Glenelg) was at the head, to grant the Compensation, which the Committee *unanimously* awarded; but the Honourable (!) Directors would not entertain the proposition in any shape, or consent to pay any amount of Compensation whatever.

The further interference of Parliament, therefore, became necessary to enforce its payment, and a bill was brought into the House during the last session for that purpose, the first reading of which was carried by an overwhelming majority. Owing, however, to an objection raised, by Sir John Hobhouse, acting on behalf of the Honourable (!) East India Company, to a point of form, and which did not at all touch the merits of the case, it did not actually go into a Committee of the House, although it passed through a second reading without a division. It is, therefore, postponed to the next session. In the mean time, petitions are preparing in various parts of the country to both Houses of Parliament, in favour of a bill to secure the payment of the Compensation so cordially awarded by the Committee to which we have already alluded. To this measure we most sincerely wish success, deeming the act of oppression, of which Mr. Buckingham justly complains, an unwarrantable invasion of the sacred rights of property, which would be fatal to all security whatever, if suffered to pass with impunity, and without redress.

Since writing the above, we have learned that petitions to both Houses of Parliament, in favour of Mr. Buckingham's claims, are preparing in this city, and will at an early period be offered to the public for signature. We doubt not but that the strict sense of justice, which our fellow-citizens entertain, will induce them readily to sign these documents.

*From the Bucks Gazette.*

We have already mentioned that petitions to Parliament have been prepared at Bedford and Newport Pagnell, praying that Compensation may be awarded to Mr. Buckingham, in consideration of the ruinous losses which devolved upon him, in consequence of the oppressive conduct of the East India Company towards him and the Journal which he conducted in India; his paper being suppressed by the Government, and himself ordered to quit India within two months! The case of this gentleman having found supporters in Lords Durham, Denman, and John Russell, Sir Charles Forbes, Mr. Hume, and many others, affords ample proof of the just grounds upon which Mr. Buckingham lays claim for redress. He appears to have been driven out of India for advocating that system of liberality, not only towards the press, but towards the native population, which has since *been positively adopted*. It is true that a Committee of the House of Commons was appointed, who resolved *unanimously*, in their opinion, that Compensation *ought to be* awarded to Mr. Buckingham—but to whom was the amount of Compensation left? To the East India Company! who, of course, would render no Compensation at all, and the matter stands as it did. As oppression has been clearly proved in the case, the British press, at least, is bound to urge the necessity of justice being rendered in the matter; and, with that view, we call upon the public to make their opinions universally known by petitions to Parliament.

*From the Bury and Norwich Post.*

Every friend to the freedom of the press or the freedom of mankind—and they are nearly synonymous—ought to join in the petitions which are now very generally in circulation in favour of Mr. Buckingham's claim to Compensation for the wrongs inflicted upon him by the East Indian Government. In the year 1834 a Committee of the House of Commons, including men of all parties, resolved *unanimously* that Mr. Buckingham was entitled to Compensation, but abstained from expressing any opinion as to the amount of Compensation, in the hope that the Company would render the interposition of Parliament unnecessary. The Company, however, would do nothing, and in consequence a bill was brought into the House of Commons last session, which passed triumphantly through the first and second reading, but was stopped on a point of form when going into a Committee, and must go through all its stages again next session. As it is not impossible that some attempt may be made in one or other of the Houses of Parliament to resist the bill, it is considered desirable that the public voice should be raised in favour of a measure which is strictly one of justice so far as Mr. Buckingham is concerned, though it is to be regretted that the charge cannot be thrown directly upon the authors of his wrongs.

*From the Kendal Mercury.*

It was this week our intention to have laid before our readers at some length the case of J. S. Buckingham, Esq., and to have urged upon our townsmen the propriety of petitioning Parliament in favour of the Compensation which has been acknowledged to be his due by a Committee of the House of Commons, for the loss to which he was subjected by his arbitrary removal from of the House of Commons, and the consequent sacrifice of all his property by his Calcutta by the Indian Government, and the ruthless oppressors; but we are happy to find that his case has already been taken up in Kendal, and that a petition is now lodged for signature at the shop of Hudson and Nicholson, to which we advise every honest and liberal-minded man to lose no time in attaching his name.

We all know what Mr. Buckingham is—an Englishman—an elegant and highly gifted writer—a liberal politician—a friend to social and general reforms—in public and private an unexceptionable man. Ought such an individual, in this free country, to be allowed to sink under misfortunes inflicted by tyranny? We hope not—but that on the contrary the voice of the British people will be heard pleading for him in Parliament, and that his wrongs will be redressed, and his losses compensated, ere another year shall have "winged its airy flight."

*From the Leicester Chronicle.*

A petition in behalf of the Honourable Member for Sheffield, to be compensated for the losses which the East India Government inflicted on him, is now in course of signature in Leicester, and has our best wishes for its success. The subject appears to be exciting public attention in a high degree, which is very gratifying. At no fewer than one hundred and twenty places are similar petitions preparing, or in course of signature. Our confident belief is, that Mr. Buckingham did, beyond comparison, more than any other man to enlighten the country, as to the pernicious effects of the East India Company's Monopolies, and thus to open the India and China Trades, from which such great advantages have already flowed to our trade, and to the consumers of Tea.

*From the North British Advertiser.*

A Meeting of Gentlemen of Edinburgh, held on the 8th inst., impressed with a sense of the justice of Mr. Buckingham's cause, and the great injury he has sustained, unanimously Resolved as follows:—



I. That the Meeting entertains a deep feeling of sympathy with Mr. Buckingham; and understanding that his Claims are shortly to be considered in Parliament, resolve that a Petition, which the inhabitants of Edinburgh will be invited to sign, shall forthwith be presented in favour of the said Claims to both Houses of Parliament.

II. That Lord Glenelg be requested to present the said Petition to the House of Lords, and Sir John Campbell, one of the Members for Edinburgh, be requested to present it to the House of Commons.

This Petition to both Houses of Parliament will be sent off next week. It would be matter of surprise if the friends of liberty who flock so eagerly to put their names to petitions for abstract rights, should be tardy in vindicating these rights when actually outraged in the person of a particular fellow-citizen,—should petition for the *Free Trade, Free Settlement, and Free Press of India*, and yet desert in his need the man who advocated these principles in the face of power, and was patrimonially ruined for his moral courage and patriotism.

An unanimous Committee of the House of Commons (the names embracing every shade of party) have reported Mr. Buckingham to be entitled to Compensation for the loss of his entire fortune, and recommended to the East India Company to do him justice voluntarily. This recommendation they have set at defiance, and rendered a Bill necessary. The Company are powerful, and have many friends in Parliament, some of whom have already manifested hostility. The people are appealed to, and the appeal has not been made in vain; for above one hundred towns in the Empire are actually preparing petitions. Edinburgh must not and will not be behind. No time is to be lost.

#### *From the Hereford Times.*

Many of our readers are not acquainted with the political history of Mr. Buckingham, the able and indefatigable member for Sheffield. It is unquestionable that the emancipation of this country from the evil grasp of the trading monopoly of Leadenhall-street, the East India Company, if not an immediate consequence of Mr. Buckingham's written and oral advocacy throughout the kingdom, was assuredly accelerated by it at least half a century. The East India Company are well aware of this fact, and so far from that Company of merchant venturers granting the honourable member Compensation, nothing less potent than an act of Parliament will wring this justice from them.

#### *From the Northampton Chronicle.*

Within the last week or two, a Parliamentary Petition has been most respectably signed, on behalf of Mr. Buckingham's claims. We hope that a very general effort will be made through the nation, to appeal to Parliament to remedy this wrong and outrage; and if a SENSE OF JUSTICE will not induce the East India Company to remunerate Mr. Buckingham for their tyrannical conduct towards him, something more powerful must be had recourse to. That gentleman ought no longer to be suffering for their misconduct. Parliament must see that justice is done, and done speedily.

#### *From Woolmer's Exeter Gazette.*

We shall be guided by the same feeling with respect to Mr. Buckingham's claims, as we were in speaking of his lectures, not permitting his political principles to weigh with us. We have examined documents which we have received from Mr. Buckingham's friends in Sheffield, as to the reasons for Mr. B.'s expulsion from India, and the ruinous loss which that arbitrary act inflicted on him. We feel bound to state that the Indian government exercised an unwarrantable stretch of power in the course pursued against Mr. Buckingham, and that he is most justly entitled to full Compensation. It must be some satisfaction to Mr. Buckingham—as proving the soundness of his views upon the question which led to the oppressive measures adopted against him—to find that the Freedom of the Press has been permanently established in India, and that the event, according to the latest intelligence, was then in course of celebration.

#### *From the Examiner.*

Some papers have been forwarded to us, connected with the question of Mr. Buckingham's claims. We have always thought, and still think, those claims well founded; and we must remark, that after the decision of a Committee of the House of Commons in their favour, in which, it was understood, men of all parties concurred, the length of time which has been permitted to elapse without some settlement, casts very great discredit somewhere. An opportunity will be taken, we trust, at an early day of the session, to bring the matter forward. It is right to keep in mind that this is not a merely personal question. The great losses of Mr. Buckingham have been incurred in the support of a great principle, and with a corresponding good result. Lord William Bentinck emphatically declares that the Free Press in India (a press established chiefly by dint of Mr. Buckingham's sufferings and exertion) has been productive of great benefit, and has led to a very perceptible improvement of our Indian administration.

#### *From the Monthly Repository.*

We cannot better introduce the case of Mr. Buckingham than by the following note from a correspondent, whose name we are always glad and proud to inscribe on our pages:

'Mr. Editor,—To redress the wronged is with us a sacred duty. In J. S. Buckingham, we have a man whose wrongs enabled him to give us a free trade to India. By speaking (as none but he can speak) mouth to mouth with his fellow-countrymen, he made tens of thousands hear, who would not have read, and thousands of them understand what, but for him, they would not even have considered. But the gigantic oppressor, though trampled beneath his feet, still retains possession of his children's bread. Shall this be? I trust not.

'EBENEZER ELLIOTT.'

'Sheffield, Dec. 1835.'

#### *From the Sun.*

In another part of our paper will be found an advertisement referring to a meeting lately held at Edinburgh, for the purpose of petitioning Parliament in favour of Mr. Buckingham's claim to Compensation, for the unprecedented injuries which he suffered some years ago from the agents of the East India Company. We are glad to perceive that the public feeling so powerfully awakened in England, where more than one hundred of the principal cities and towns have prepared petitions on this subject to be presented to the House of Commons, has extended to Scotland; and that Edinburgh, as in duty bound, has taken the lead, in a cause which comes recommended by the clearest and most obvious principles of justice. We say nothing of Mr. Buckingham's eminent public services; we keep entirely out of view the fact that his persevering exertions in opening the eyes of the nation, and particularly of the commercial part of the community, to the great advantages of a free trade with the East, mainly contributed to the breaking up of the monopoly so long enjoyed by the East India Company, to the prejudice of the national interests—we put all these important considerations entirely out of the question, and rest Mr. Buckingham's claim on the broad and sacred principle of justice. We hesitate not to say that never was there a more wanton, or more flagrant violation of this principle, than that which was committed towards this gentleman by the Government of India. What are the facts of this atrocious case? Simply these: Mr. Buckingham, residing in Calcutta, under the sanction of a licence from the East India Company, establishes a newspaper at a great expense, which he conducts with so much credit that it acquires an extensive circulation, and a strong hold on the public opinion in the Indian capital. So much is it respected, both for the talent with which it is edited, the principles which it advocates, and the success which had attended its efforts, that many of the principal inhabitants of Calcutta became partners with the original proprietor. During the Government of Lord Hastings it was protected by that eminent statesman, though it occasionally discussed the measures of Government with freedom, though in a calm and temperate spirit. No sooner, however, does the Governor-General embark for England, than the senior Member of Council, acting as Governor-General, pours out on Mr. Buckingham's devoted head the vials of that wrath which he had been obliged to bottle up while under the control of a superior. The minister of the Church of Scotland in Calcutta (the head, in fact, of the Presbyterian Church in India) was appointed to the office of clerk for the supply of stationery to the public departments. Mr. Buckingham made a few remarks, couched in the most moderate language, pointing out the incongruity of the pastoral office with the duties of the appointment alluded to, and a day or two after received an order from the Indian Government to quit India in two months!

Not satisfied with this, the Council next proceeded to suppress Mr. Buckingham's Journal entirely, and thus effectually confiscated a property from which he was drawing a revenue of between 6000*l.* and 8000*l.* per annum, and which was far from overrated at 40,000*l.* This is a brief statement of the main facts; and we ask if ever there was a case more imperiously calling for redress? No defence is pretended to be set up; no one presumes to say that what was done was right; the whole of the proceedings are resolved into the power vested in the Indian Government! No law, it is said, was violated—as if the great and universal law of equity went for nothing!

We shall only add, that Mr. Buckingham's claim to Compensation was sanctioned last session by the unanimous decision of a Parliamentary Committee appointed to investigate the matter; that a Bill for carrying the recommendation of the Committee into effect was brought into the House of Commons, and read a first and second time, and would have passed but for a point of order which had been omitted. This was towards the end of the session, when it was too late to introduce a new Bill. The application will be renewed in the session about to commence, and we trust it will be seconded by the hearty exertions of those, both in and out of Parliament, who are inimical to the exercise of arbitrary and unbridled power, and who believe that the Liberty of the Press, now happily established in India, where the good seed sown by Mr. Buckingham has sprung up and flourishes, is one of the greatest blessings that any nation can enjoy.



## POSTSCRIPT.

*It would have been easy to have extended these Extracts from the Public Journals through as many pages more :—but enough has been exhibited to show how accurately the Conductors of the Public Press, in every quarter of the kingdom, have stated the question to their readers :—and how uniformly they have come to the conclusion, that a more aggravated case of unjustifiable Oppression never came under their observation, and that a clearer case for Legislative interference to ensure Redress was never established. Here then, for the present at least, this Compilation of Facts and Opinions must close ; though the progressive History of this great and almost unparalleled Wrong will be carefully treasured up and recorded, till Reparation be made, in order that the British, as well as the Indian community, may see who are the Friends of Justice and the advocates of the Oppressed, and who are they that, by impeding the course of Justice, throw their shield over the Oppressor, and make themselves participators in his guilt.*