

**THE RENDITION OF MYSORE 1881 - A DIFFERENT CASE COMPARE TO
REST OF THE NATIVE STATES****KARUNAKARA C***

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Abstract:

The Indian Mutiny of 1857 create a new political situation in Indian Subcontinent, The Queen of England took over the Administration of India from the British East India Company. The Paramount Power adopted various measures to establish the smooth relationship with the Native states of India, one among those measures was grant of adoption sanads to more than 200 to 300 Jagirdars and princely states. But the Mummadi Krishnaraja Wodiyar also apply for adoption to legal heir, the Paramount power neglect the request and even not consider the claim more than 20 years until death of Mummadi Krishnaraja Wodiyar.

Key Words: The princely state, Rendition, Mysore, Mummadi Krishnaraja Wodiyar, Sanads.

Introduction

The Mummadi Krishnaraja Wodiyar apply for adoption to legal heir, the Paramount power neglect the request and even not consider the claim more than 20 years until death of Mummadi Krishnaraja Wodiyar. Finally adoption was granted but they set Mysore as example case based on the Following incidents. Sir William Lee Warner defined the approach that had developed in the decades after the issuance of adoption sanads in a report on several concepts pertaining to political ties with Indian governments published in 1886. The doctrine of lapse would theoretically apply in the case of a monarch passing away without natural successors and without using the rights of adoption granted to him. In these circumstances, the Queen's Proclamation's stated policy safeguarded the state's integrity, but "the rights of the reigning dynasty" were no longer formally guaranteed. Lee-Warner emphasized that the continuation of Native authority extends

beyond the continuation of the houses of Native kings and is dependent on general policy considerations rather than a strict adherence to particular claims. It was to be "neither a policy nor a vow," implemented under specific guidelines, and "of course capable to exceptions under the strain of sufficient exigency." (C, H, Philips, 1962: 421-422)

According to Lee-Warner, there is a significant and fundamental distinction between escheat and confiscation, as well as the stipulation of terms for the reinstatement of native rule in states like Mysore following the overthrow of their individual monarchs. The government of India was given more leeway in the "selection" of a successor compared to adoptions or successions that were guaranteed by sanad. It was crucial to understand the difference between adoption and selection. By Canning's sanads, the Indian government was required to acknowledge an

adoption that a monarch had made in accordance with Hindu law and house customs. The government may either recognize an invalid adoption or make its own choice where there was no lawful adoption, as might be the situation with the heir to an ousted sovereign. Every effort should be made to persuade a ruler to settle the succession in his lifetime by making an adoption or selecting a successor in conformance with the Sanads because in every case the British Government's approval was required before any succession could be declared. (Warner, 1894 : 163-64)

When selecting a successor was a possibility, as it was in the case of Mysore, British strategy was closely scrutinized. Mysore had been under discussion for returning to royal rule since 1861, when Mummadi Krishnaraja Wodiyar, the former maharaja who had been removed from office in 1831 due to mis governance, appealed Lord Canning for the reinstatement of his authority. (Bells, 1865: 49-52)

There was much excitement in England for Parliamentary change during the time we were talking about now. The Prime Minister Lord Palmerston was uncertain on the subject. When he died his successor Lord John Russel was of a different opinion. In March 1866, W. E. Gladstone proposed a reform bill in the House of Commons. However, the Conservatives and moderate Liberals banded together to oppose the Bill and formed, what John Bright named the cave of Adulum into which was invited everyone who was in distress and everyone who was dissatisfied. Gladstone realized there was little chance of the Bill passing as the Cave grew in strength. This enraged him to no end, and on April 28th as the discussion on the second reading came to a close, Gladstone delivered one of the great speeches that have marked epochs in the British Parliament's history. He closed his impassioned speech with remarks that have been unforgettable for all ages, foreseeing the fate of his Bill. The summary of his speech as given below. We have time on our side. The great social forces that move forward in their might and majesty, unaffected by the tumult of our debates, are against you; they are marshalled on our side, and the banner that we now carry in this

fight, though it may drop over our sinking heads at some point, will soon float again in the eye of Heaven, and it will be borne by the firm hands of the united people of the three kingdoms, perhaps no longer. (E Warf, 2021: 18-20)

Shortly after the government was defeated and forced to resign. Lord Derby, the Conservative Party's leader, has now created a new cabinet. Sir Charles Wood was replaced as Secretary of State for India by Lord Cranborne later Marquis of Salisbury. (Moore, 1966 : 42)

In his election address at Stamford, Lord Cranborne delivered a detailed protest against India's annexation policies. He expressed himself as a strong advocate of the principle of not laying hands on the domains of Indian princes in his address proposing the Indian Budget in the House of Commons when he became Secretary of State. The rejection of the Maharaja's petition to be reinstated as the actual ruler of his state had also awoken the English press to the enormous injustice done to Mysore by Sir John Lawrence and Sir Charles Wood. Lawrence was accused of being a follower of Dalhousie, whose program of absorbing Indian states into British control had resulted in the Indian Mutiny. If Mysore once became British territory, these public opinion organs asserted, nothing could persuade the Indian princes, chiefs, and people that the promises made in the Queen's Proclamation were genuine. The Adoption Despatch was a waste of paper, and British honour was a topic of conversation during difficult times but vanished once the crisis was overcome. These papers also bemoaned the British public's apathy toward the genuine state of affairs in India, claiming that a smashed head in Whitechapel caused more consternation among Englishmen than a revolution in Hindustan. A fertile and pleasant province like Mysore, which provided a cool summer vacation for Government officials and comfortable berths for sons and nephews, may appear to Indian authorities to be a valuable gift. But it was amazing that any English statesman, surveying India's vast empire from afar and mindful of the massive career that lay ahead of it for good or evil, should have missed the fact that twenty provinces like Mysore would be expensively purchased if their possession crippled

England's high mission of exerting influence over India's future by shaking the Indian people's faith in British moderation and faith. (Pulling F S, 1885: 109)

The Maharaja, who had been keeping a careful eye on public opinion in England, was able to reassert his claims once more. After more than a year of silence, he addressed a new khareetha to Sir John Lawrence in July 1866, claiming to remove "some misapprehensions" raised in the Viceroy's letter to him dated May 5, 1865. The Maharaja concluded this khareetha by asserting that a proper respect for his Ancestors' honour, his adopted son's and family's rights, and the best interests of his people compelled him to preserve the real strength of his title in order to vindicate his right to adopt a successor and to claim from the trying to protect power his personal restoration as the best proof that the Raj's retention was stilt intended rather than its rapid destruction. Despite the publicly stated changes in my views of the reformed system, a few phrases in this khareetha are notable enough to explain Maharaja's current situation. (Gopal, Prasad, 2010: 82-83)

On receiving this khareetha, Sir John Lawrence replied, noting that it would be conveyed to England for the Secretary of State for India's review, and expressing disappointment that the Maharaja had not accepted Her Majesty's Government's decision in accordance with his previous khareetha's advice. (Mysore Year Book, 1951: 76)

The so many public men in England deserve credit for thoroughly understanding the Maharaja's claim and taking active steps to advocate for it before the appropriate authorities. On the 23rd of July 1866, a deputation of Members of Parliament and other gentlemen who had long been involved in Indian politics waited for Lord Cranborne, Secretary of State, to make a collective remonstrance against Mysore's threatened annexation. The deputation was led by Sir Henry Rawlinson.⁹(RAS V/06/1866)Following a thorough explanation of the case's merits, Sir John Lawrence and his three predecessors were opposed to Mysore's restoration. Nonetheless, Sir John Denison, a similarly competent authority supported it. It had become clear that Lord

Canning had acted on the incorrect assumption that Mummadi Krishnaraja Wodeyar desired to bequeath his lands to the British government, Lord Elgin, on the other hand was more inclined to reach an agreement. Sir John Lawrence, whatever changes in his opinions he may have had while in the India office, voted in favour of the Maharaja's restoration. Even if all of these unsure supporters of annexation were counted as full supporters of annexation, the balance of power favoured keeping the principality. The Governor-General Lord William Bentinck, who took over the administration of Mysore at the time, later supported the Maharaja's return and expressed sorrow for his act of supersession, Sir Charles Metcalfe, Sir William McNaughton, Lord Gremly, and a number of other Members of the India Council who had worked in Indian politics had indicated support for the Maharaja's rights. Both the Casamaijor, who was Resident at Mysore in 1831, and General Briggs, who was present with the deputation and the first British Commissioner for Mysore, believed the Maharaja had been handled unfairly. In addition to Sir John Willoughby, Sir Fredrick Currie, Sir Henry Montgomery, Sir George Clerk, and Captain Eastwick, Rawlinson emphasized. Sir John Low, a member of the Supreme Council, General Fraser, General Sir Grand Jacob, W. H. Bayley, and Colonel Haines are among the members of the India Council who have written so strongly in support of the subject and many other illustrious Indian officials, authors, and public figures who had all signed a petition to the House of Commons requesting that the State of Mysore be maintained. Other members of the deputation spoke on the matter as well, Sir Edwards Colebrooke noted out that before Dalhousie's annexation of Satara, there had never been an instance of a Hindu or Mahomedan Suzerain or the British Government claiming a Native State as a lapse. Such a claim was particularly absurd in the event of a state with which a treaty had been signed. Lord William Hay delivered an interesting letter from Sir Mark Cubbon condemning any action that may lead to the annihilation of the Mysore State in violation of Queen Victoria's Proclamation. General Briggs argued that the original claims of mismanagement and persecution under the Maharaja's government

were substantially exaggerated, and that this had been accepted to a large part in the 1834 report of the Commissioners of Enquiry. Another member of the deputation, Major Evans Bell, stated that he believed that the only way to ensure Great Britain's supremacy and India's peace and prosperity was to maintain the Native States. Sir James Fergusson, the Under Secretary of State for India at the time, inquired if it was not the case that good government was dependent on the Prince's personal character, Major Bell responded that if a Native State's government was allowed to be based on a Prince's personal character, it was entirely the fault of the British government, which refused to use its unlimited power to impose reforms, instead allowing and even insisting on Rajas and Nawabs remaining absolute despots. Before leaving the deputation, Lord Cranborne urged Sir Henry Rawlinson to explain what the deputation desired the Government to do, particularly whether the Maharaja should be replaced in the same role he held before 1831, Sir Henry Rawlinson responded that all they felt justified in asking was for the government to safeguard the state's integrity. (RAS V/06/1866) Meanwhile, the British press took up the Mysore cause, writing well-reasoned articles that emphasized the following: the injustice that annexation would bring to the Maharaja and the people of his state; the injustice that annexation would bring to the Maharaja and the people of his state. Despite all diplomatic or interested reasoning, it became clear that something was wrong. The public in England was unlikely to listen to officials, and even the most powerful Indian statesmen would have no authority to sway the cause, which was supported by so many capable persons on the Indian Deputation as well as outside. (Hotten, 1866 : 41,68) The Mysore case had appeared hopeless in the previous year. But In 1866, the outlook brightened. In September 1866, John Morley, a famous writer and novelist who later entered Parliament and held various Cabinet positions, including Secretary of State for India, published a well-reasoned and strong article in the Fortnightly Review on the Mysore issue. " It is no cynical exaggeration," stated by Viscount Morley As he became recognized in his later years, England's active political sympathy for the troubles of her

colonies and the huge Indian Empire is very small. General issues on the other hand are frequently overlooked particularly in this country unless they are linked to one or more specific incidents. Happily for my purposes, though unfortunately on other and larger grounds, a very impressive and significant episode in the history of English rule in India is currently taking place, which perfectly illustrates both the exclusion of English supervision as a matter of fact and the evil consequences that result from the various branches of the Indian government's awareness of this. Mysore's story had the added benefit of being unfinished. The situation is still being worked out in front of our eyes. The fifth act of a drama in which all of India provides the eagerly engaged audience has still to be added, and the nature of the concluding scenes is still in the hands of the English public and the English government. When you consider that, in the opinion of many people who are most suited to give an opinion, this decision will mark the turning point in England's Indian career, the importance of making the right decision cannot be overstated.

The Partition and Subsidiary Treaties of 1799, according to Morley, (a) the sovereignty had been conferred upon the representative of the old line of Rajas (b) a separate State of Mysore had been set up (c) the Governor-General reserved the right of remedying any neglect to do these things and (d) the new ruler agreed to do certain things. Although Lord Wellesley always reserved the right to administer a portion or portions of the Mysore territory if the promised money was not paid, He had earlier guaranteed the separate continuation of the Mysore State, as well as the other terms of the Partition Treaty. "as long as the sun and the moon endured", It was said that such a sentence was a thoughtless oriental phrase. But, Morley wrote, such a pretense was shattered by the reality that the clause had been dictated by Lord Wellesley himself, not an oriental. (Bell, 1865 : 13-14)

Morley emphasized that two questions needed to be addressed before the Mysore State could be declared extinct. (a) Granting that the legal right could be satisfactorily established, did a general view of the British position towards the Indian Princes countenance the expediency of so availing

of it ? (b) Had the English Government any legal right to annex the Mysore territory ? Sir Charles Wood's despatches revealed that significantly more emphasis was placed on concerns of what the British may find themselves empowered to do than on thoughts of what it would be to their interest to do. Nobody intimated until 1847 that the treaty may be understood in more than one sense, one of which was the Maharaja's restoration of the state after order and peace had been restored. Sir Charles Wood's claim that the treaty contained no condition under which the Maharaja's lands would be returned to His Highness if the British Government took over control of the Maharaja's domains was a blatant lie. What would be thought of a landlord, argued Morley, Who would refuse to vacate the premises after being distraint for rent and having his claim met on the grounds that there was no section in the agreement indicating the terms on which he should leave them? In recording his disagreement from the Secretary of States despatch, Sir Henry Montgomery correctly observed that if the treaty was to be interpreted in such a rigorous meaning when unfavourable to the Maharaja's rights, It was also appropriate to quote with the same rigor as not authorizing the assumption of the entire country in any circumstance, given the country's actual position at the time. What could Lord Wellesley's purpose have been in going through the farce of a treaty with a kid of five years old, if it was only a personal pact, as Lord Dalhousie later claimed? What was the point of putting the child up in the first place, If he merely had to play warming pan for the East India Company, what would he do? This type of fiction was not required by the Company. Their forces won the battle. The country was theirs, and the Governor-General had purposefully chosen to build it into a State that would last as long as the sun and the moon. Lord Wellesley, of all the Governor-Generals India had ever had up to that point, was the least inclined to pull a fast one or put on an incomprehensible show.

Despite the fact that Mysore was not mentioned in the promise that the annexation policy had been abandoned, yet that State, According to Morley, this would be the first test of

the British Government's honesty in its claims. No amount of argument or explanation could persuade the Indian princes that if the non-annexation policy was not followed in the instance of Mysore, they would be forced to annex the state, In any other scenario where annexation was appropriate, the same procedure would be followed. If the quick return of Mysore's governance to the Maharaja posed a risk to the people's prosperity, there remained another option, The Raja's adopted son was a kid, and his claim to inherit to the throne upon the Raja's death could be recognized, and instead of leaving the boy to grow up in the wild, he could be surrounded by the best European and Native influences available. Mysore's Commissioner, whose communications to Calcutta's Foreign Office, said Morley, resembled those of a talkative maid of honour more often than those of a grave and The signatures on the petition in the name of the people of Mysore were mostly those of the Raja's tradesmen, a competent official assured the government. (Goodlad, 2015 : 51-52) Even if this claim were true, a priori arguments showed the likelihood of an oriental populace demanding the restoration of a representative of a long series of kings and preferring to be governed by their own countrymen.

The Hon'ble Rao Sahib Viswanath Narayan Mandlik, a renowned Bombay lawyer, wrote a pamphlet titled " Adoption versus Annexation " which he wrote at the time argued strongly against the idea of Indian state lapse and upon discovering that the Mysore Case was to be debated in Parliament, urged House members to oppose annexation and recognize the Maharaja of Mysore's right to adopt a son as the successor to all his rights. "A glorious opportunity now awaits the British. Parliament to demonstrate in practice that it will make things right for those who have been wronged. I'm referring to the Maharaja of Mysore's case, which I believe will be brought before the British nation. Five members of the India Council passionately and judiciously support the Maharaja's cause, or in other words British faith,said Mandlik. (Narayana, 1866 : 56) However, Indians are outraged to see someone like Mr. Mangles use arguments that are as puerile as

they are unjust. Who ever heard of a treaty like the Mysore Treaty being referred to as a deed of gift? It's even stranger to learn that the words shall be binding upon the contracting parties as long as the sun and the moon shall endure, In the beliefs of Indians, the word "perpetuity" does not indicate "perpetuity." The Indian psyche is taken aback. Such nonsense in high places. The "welfare of the people" argument used by annexationists to justify their treatment of India's princes is a ruse." (Padhye, 1896 : 28)

In the hopes that Mysore may be integrated into British India after the maharaja's passing, both Canning and his successor, Lord Lawrence, bided their time. The maharaja, however, adopted an heir in 1865. Since Mysore had not been ruled by princes when Canning granted the princes adoption sanads, the British were under no obligation to recognize the adoption. The viceroy and Sir Charles Wood, secretary of state, were both willing to refuse recognition, but in 1866, Wood left office and the Liberal Party of which he had been a member was defeated. Lawrence frequently found himself irritated by Lord Cranborne, the Conservative secretary of state, who promised that the state would be returned to native rule in 1867.(Ashton, 1982 : 19-20) When deciding how to best transfer power to Chamarajendra Wadiyar X, the successor of the maharaja in 1879, the Indian government prepared a draft Instrument of Transfer that included specific limitations on the adopted prince's authority and expressed the hope that it would serve as a model for other states emerging from periods of minority rule.(Philips, 1962 : 418-21)

These limitations comes into force in Mysore in 1881 after the young monarch was installed, but the secretary of state Lord Cranbrook, forbade their more widespread implementation because he believed that doing so would be seen as an unnecessary rewriting of the treaties with the states. In the late nineteenth century, Mysore served as a showcase for British policies toward the states, greatly aided by the predominately British representation in the administration. British politicians were well aware of the significance that Indians attached to the future of the young adopted heir as well as the uncertainty surrounding the

restoration both in Britain and in India. (Gustafson, 1968 : 124)

The Government of India made it abundantly clear that it wanted to be fully briefed in any case of disputed succession and that such matters were not to be resolved locally without further consultation because it was aware of the extremely sensitive nature of post-Mutiny princely successions of which Mysore was an example.

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