

Mr. Addington was so good as to say that he would mention the subject to you. I shall only make one more observation ~~more~~ in it though the Ganges be not the most convenient port for services yet it is not necessary that they should be always brought in there even if the Court were established at Calcutta & perhaps any inconvenience of this sort might be more than counter balanced by the Court being established at the seat of the Supreme Government of India from which advantages would arise which I should state more at large if they were not of a nature too very obvious to you & if I had not already trespassed too long on your time.

With the warmest gratitude I beg leave to decline the proposition with respect to the place at Jamaica & if ~~you~~ esteem it a great additional favour to be acquainted with your opinion with respect to the suggestion I have now taken the liberty of making. I am now about to leave town for a few weeks but if you should honour me with

it may be sent here. I have the honour to be  
Your most grateful Servant  
James Mackintosh.

Guilford Street 9<sup>th</sup> September 1807

Dear Sir

I have already so fully & so sincerely expressed my sense of the great honour you have done me that I shall not say any thing more upon that subject. I shall now explain the cause of my delay. Lord Wellesley has had the goodness to propose to me the place of Professor of Ethics, Metaphysics, & Public Law in the College which is about to be founded at Calcutta for the Education of the young Servants of the East India Company. In consequence of this proposition I have had some conversations with Mr. Addington Lord Dartmouth & the Chairman of the Court of Directors. The object of these conversations was to ascertain whether any collateral Advantages could be combined with the Professorship which might make it an object sufficient to induce me to quit England. Among other suggestions which occurred to me I took the liberty of mentioning to Mr. Addington that it might perhaps be thought conducive to the public Service to establish a Court of Vice Admiralty at Calcutta & that in such a case as you had done me the honour



to think me not unqualified for that office in one quarter of the world  
you might not disapprove of my being appointed wit in another.

It appeared to me not inconsistent with your Principles on the  
Admiralty jurisdiction of the West Indies to establish distinct  
jurisdictions of that sort in all our foreign dominions so fitted  
that they may be answerable to their Country for justice in the  
exercise of the Right of maritime capture; a Right which  
as you so well know cannot be abandoned without danger to  
our safety & cannot be abused without putting to hazard our  
character & our quiet. No separate Admiralty jurisdiction exists  
in India & no prize jurisdiction at all either at Calcutta, Madras  
or Bombay. The new Court at Ceylon have I am told such  
an authority. But where it is blended with jurisdiction of a  
different nature it should seem to me that it could not be exercised  
so advantageously as if it were separate. The order of proceedings  
may be in danger of being confounded - At least it is not likely  
to be preserved in so regular a State as where it is the whole  
business of a distinct Court. The Judge of the Admiralty Court

has an undivided attention to bestow which the mixture of  
jurisdictions cannot allow to the Judges at Ceylon. A single  
Judge of a separate Prize Court has also (if I may so speak)  
a prominent responsibility of character for what depends also  
upon himself which I should think a great advantage to the Public.  
I may add that if two Admiralty Courts are thought necessary  
in the West Indies they do not seem too many for so great a  
Country as India. & though during the present war there have  
been few captures in the Indian Seas yet Courts of judicature  
are not institutions for a day. It seems to me to be your  
System to give to foreign nations a pledge that from the nature  
of our maritime jurisdiction there will be no part of the British  
Empire in which they have any reason to apprehend any <sup>unlawful</sup> ~~unlawful~~  
or corruption in the determination of Questions of Prize.  
For this reason I have taken the liberty of suggesting that the  
establishment of a distinct Court of Prize in India might  
be a fit part of that great & comprehensive system which is  
not <sup>merely</sup> adapted to the contingencies of the present war but calculated  
to protect the permanent Interest & Character of the nation.