In the earliest days of the establishment of European justice in India several paths were open, and when the Island of Bombay was given to Charles II of England as part of the dowry of Catherine of Braganza it was for long uncertain what arrangements should be made for that very curious territory. The Portuguese had, of course, long experience of Goa, and when they transferred Bombay to the English the Portuguese, and Portugal-derived inhabitants continued, to a great extent, to govern themselves, in regard to disputes, by their own system: for the phrase ‘Portuguese Chamber’ which we come across can have no other meaning.

Those were rough days. Trading to the East Indies was highly profitable, and, as with all highly profitable investments, it carried very high risks. The country powers were unpredictable. They were often at war amongst themselves, and this could interfere seriously with European adventurers’ prospects. Still more unfortunate were the effects of a native ruler’s withdrawing or encroaching upon privileges granted by himself or his predecessors, and worse still the results of an actual attack on the foreign settlement. Bombay had to withstand a rebellion not so long after it was taken into the possession of the English, and it was submitted to an armed attack and a siege. Merchants needed to be extremely resourceful and adaptable, and they had to contend with competition from other European powers, and from very strange characters from amongst their own nation.

The East India Company to which Charles II had entrusted the government (in fact the exploitation) of his new acquisition was given by its Charter exclusive rights of trading in those parts of the world. In no time interlopers cropped up, i.e. persons who, without any connection with the Company, traded on their own account with Indian merchants and princes and so undercut or otherwise seriously diminished the viability of the Company’s trade. In order to meet all these threats from within and without, the effects of climate, health-hazards, and so forth, a really strong government was required, backed up, in point of morale and finances, by a sympathetic headquarters in London. For a long period, dominated by the two Childs, one Chairman in London, the other President of the Company’s Factory at Surat (of which Bombay was at the time a dependency), the headquarters and the ‘men on the spot’ were of one mind and worked together amicably and effectively. The strange and ludicrous story of Dr. St John is in no sense a brilliant instance of English practicality and wisdom. It could be said that it illustrates other characteristics not bound to time or to place. The tale has been told in parts by writers whose interests really lay elsewhere, and who were in only partial possession of what little evidence survives¹. I aim to challenge a fraction of the

¹ Harihar Das, The affairs of India and Siam (Court of Admiralty Judge’s despatch to King James II), Calcutta Review 1927. 70-75; Sir Charles Fawcett, The First Century of British Justice in India (Oxford 1934).
conclusions of each, and to put the poor man into a perspective perhaps a little more informative than that in which he now stands.

Dr. John St John was the first Englishman to hold the English King’s Commission to act as judge in India. His experience was a miserable failure. It is of interest to see why that was so, and to speculate what could have been done to avoid the fiasco.

Let us start at the beginning. In 1698 he described himself as being ‘aged about 40 years’. Since it ought to have been possible to produce evidence of the date of his baptism one wonders why greater precision was not used. It could be that since he was born during the interregnum the register was not adequately kept or was lost after the Restoration of the monarchy. I am going to presume, until evidence to the contrary turns up, that he was born in 1655, i.e. that he was 43 in 1698. In the year 1698 he described himself as of Exeter College, Oxford. There is no record of his having graduated at Oxford, and I shall presume that he was entered at the College, but did not pursue his studies there. It is likely that he entered after leaving school, say at the age of 17, i.e. in 1672. What would make him leave Oxford? Perhaps he was sent to Leyden by a relative of the same name who knew all about Leyden as a home for English students? Our John is said to have studied at Leyden.

In the register of English students who graduated at Leyden, which is professedly incomplete because of the difficulty in identifying all English names in their Leyden dress, there appears the name of one John St John, admitted on the 19th June 1637. Being roughly 35 years senior to our John this man was probably an uncle. We know the name of our John’s father, Thomas St John, Esquire, of Melchbourne, Bedfordshire. Our John’s connections are mostly with Bedfordshire. It so happens that the Bedfordshire St Johns are of the family of Baron St John of Bletsoe, Bedfordshire. Perhaps a little should be said about this family. As an arm-bearing family its pedigree, that is to say the descent through the male line of the members of the family bearing the principal quarterings, has received attention from heralds from time to time. Naturally all branches of the family are not shown. In this family, in several of its branches, the names Oliver, John, and Nicholas alternate. Oliver St John, b.1634, d. sine prole 18 March 1688 was the second Earl of Bolingbroke. On his death Paulet St John, Oliver’s brother, succeeded him. Both Earls patronised our John in turn.

Oliver was a distinguished man, but Paulet was a genuine lawyer. Born before 1642 he was a member of Parliament for Bedford in 1663, 1679, again in that year, and in 1681. He was custos rotulorum for the county on 8th July, 1689; Recorder of...