

## **COLERIDGE'S MALTA \***

In 1809 when Coleridge was prompted to write about his time in Malta by the death of Sir Alexander Ball, the late Civil Commissioner whom he so much admired, he recorded that he regarded his stay on the Island as “in many respects the most memorable and instructive period of my life”.<sup>1</sup> As those familiar with Coleridge’s history recall, Coleridge had arrived on Malta in May 1804 predominantly to liberate himself from opium dependency.

Coleridge impressed Ball, whom he met shortly after his arrival. Given the staffing problems confronting him, Ball eventually made Coleridge the offer of Edmund Chapman’s post as under-secretary during the latter’s absence from Malta on the speculative corn mission, about which more will be ventured below.<sup>2</sup> After an assurance that the work would be “nominal” Coleridge accepted the post because the salary would defray the expenses of his planned journey to Sicily.

Coleridge thus began his official tasks as under-secretary to Ball. However, following the death of the Public Secretary and Treasurer, Alexander Macaulay, on 18<sup>th</sup> January 1805, Coleridge was appointed as a temporary replacement pending Chapman’s return to the Island, albeit that he declined to act as Treasurer. As Acting Public Secretary he assumed a post second in civil dignity to that of the Civil Commissioner, and found himself at the heart of government.

The purpose of this article is to outline the legal, political, administrative and economic challenges encountered by the British administration in the period 1800-1809 in which Coleridge had assumed an important role, as well as to venture some comments about the coherence of British policy. Some limited observations on Coleridge’s contribution to the success of British rule at this time will also be advanced.

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\*This article is derived from Hough B., and Davis H., Coleridge’s Laws: a Study of Coleridge in Malta, (forthcoming).

<sup>1</sup> S. T. Coleridge, *The Friend* I (1818) Collected Works ed B. Rooke, Princeton, Routledge and Kegan Paul, 1969, p. 533.

<sup>2</sup> With the salary of the under-secretary during Chapman’s absence. To William Sotheby, *Letters* II 1142. In this letter Coleridge mistakenly refers to himself as Ball’s *private* secretary.

### ***Preliminary remarks***

Between 1530 and the French invasion of Malta in 1798 the Island had been in the possession of the Knights Hospitaller of the Order of St John. The Knights were a lay and ecclesiastical élite, drawn from all the countries of Europe, who pursued a charitable and military mission on Malta. As a regional power they had provided a buttress against the westward Ottoman expansion. Within Malta the Knights pursued charitable and paternalist policies ostensibly for the benefit of the Maltese people.<sup>3</sup> Coleridge, of course, held a highly unfavourable view of the Order whom he regarded as degenerate—its members tainted by moral laxity and corruption.

A complex administration had been developed under the Order. This was responsible for the funding and maintaining the defence of the Island, as well as other governmental activities such as maintaining a system of courts for the redress of disputes, minting the coinage, operating a police force, running hospitals, establishing and maintaining a water supply,<sup>4</sup> operating customs duties and the bulk purchase and supply of grain and other foodstuffs by means of the Università of Valletta, a municipal corporation upon which the British were to place a significant reliance.<sup>5</sup> The Order also pursued welfare policies for the benefit of the Maltese, including welfare support for the poor and a system of medical care, which meant that health care was available to all.

The costly policies and institutions fostered as part of the Order's paternalist policies had been funded from revenue arising from various sources, including customs duties, the profits the Order derived from commissioning privateers, rents from property on Malta owned by the Order and, above all, revenues from the Knights' European estates. This latter source of revenue had been lost after the French

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<sup>3</sup> There had been little assimilation of the knights as rulers into Maltese society. As a celibate order assimilation by marriage was obviously precluded. The Order had also refused to share power with the Maltese and were perceived as despotic arrogant and elitist.) In this essence the Maltese had a bifurcated society. The knights were, by 1798, widely seen as degenerate and immoral: see Hardman, *W A History of Malta during the Period of French and British Occupation 1798-1815* (edited by J Holland Rose) London: Longmans, Green & Co. 1909, Ch 1, and Coleridge, *The Friend* see n.1, p. 536.

<sup>4</sup> Water was scarce. Aqueducts were used to pipe water into Valletta . Parts of the system can still be seen.

<sup>5</sup> Pirota, G. A., *The Maltese Public Service 1800-1940* Msida: Mireva, 1996, p.10, citing Ryan, F. W. *The House of the Temple* London: Burns and Oates, 1930, p. 103.

Convention abolished the Order in France and confiscated its assets in 1792.<sup>6</sup> From the point of view of both the inhabitants and the Order the confiscation had been calamitous. It reduced the revenue of the Island by three-quarters.<sup>7</sup> Its immediate effect for the economic and social system of the Order meant that the Island's finances were plunged into a grave and irredeemable deficit.<sup>8</sup>

But this was not all because the system of providing subsidised grain had also run into deficit. The Order possessed a monopoly over the supply of grain. The purpose of the system was that the State controlled the price at which grain was retailed so as to ensure that plentiful and affordable grain was available to the Maltese population. This was a particular advantage to the poor during times of regional shortage (eg 1799-1806) when the international market price was high.

This monopoly system was predicated on achieving a long-term balanced budget. The price at which grain was sold might be above the purchase price, in which case the Università enjoyed a surplus for the year, or sold at less than cost price in which case the monopoly would be "trading" at a loss drawing on any surpluses that might have accrued in earlier years. The sales at a loss were, as we have seen, thought to be necessary to shield the Maltese from inflation in the price of staple foodstuffs.<sup>9</sup> But there was political capital to be gained as well, since price stability and ample staple food gained popularity for the autocratic regime of the Knights.

The Grandmasters of the Order had, however, subsidised grain so heavily since about 1740 that the Università was insolvent before the French invasion.<sup>10</sup> Thornton, the careful and authoritative official who became Auditor-General in Malta

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<sup>6</sup> It has been estimated that the Knights spent in Malta circa £180,000 p.a. from their overseas revenues: see Bartolo, P, *British Colonial Budgeting in Malta: the first formative Decades 1800-1838 Melita Historica* 8 (1980) 1, at p. 7.

<sup>7</sup> See Hardman, above n.3 at p. 548. The immediate loss of revenue as a result of the actions of the French Republic was about £50,000 per annum. In 1788 the Island's revenue was £136,417, but by 1798 this was reported to have declined to a mere £34,663 14s 2d. See also the Report prepared by Captain Alexander Ball (as he then was) for Dundas on 26<sup>th</sup> December 1800, Public Record Office, Kew CO 158/1/17-47, 20; Hardman, *loc. cit.* Appendix II.

<sup>8</sup> In 1796 this deficit was £34, 249, see Hardman *loc. cit.* p. 548.

<sup>9</sup> See Report by Ball to Dundas on Malta, 26<sup>th</sup> December 1800, above n. 7.

<sup>10</sup> See generally account of the Royal Commission of 1812, Public Record Office, Kew CO 158/19/161-183, 167-169, and the *Report to His Excellency the Governor on the Accounts of the University of Valletta from 4<sup>th</sup> September 1800-31<sup>st</sup> December 1814* by W Thornton dated 12<sup>th</sup> July 1816 Public Record Office, Kew CO 163/33/1, 1816.

under the British, reported in 1816 that the deficit by the time of the French invasion was in excess of one million scudi (£100,000).<sup>11</sup>

During the final days of the Order, local discontent at the failure of its welfare policies threatened political instability. The Order became desperate to secure the fragile foundation of its government by negotiating to place itself under the protection of Russia. The French, who disapproved of this development, had responded by invasion in 1798.

The French occupation was soon disliked. Significantly the French had looted the capital of the Island, most notably the assets of the Island's Treasury, the Public bank (the Università) and the Monte di Pietà (a publicly owned pawn broking and lending institution) as well as the assets of religious foundations. The consequences of this looting became especially significant when the British required funds for reconstruction.<sup>12</sup>

The abuses perpetrated by the French resulted in a popular uprising by the Maltese following Nelson's defeat in August 1798 of the French navy at the Battle of Aboukir Bay. British and other forces subsequently aided the Maltese in their liberation struggle. After two years of siege and blockade the French garrison in Valletta surrendered to the British military. Much to their chagrin, the Maltese were excluded from the negotiations for the capitulation: Britain had resolved upon an exclusive right to control the affairs of the Island. The exclusion of the Maltese, and the failure to heed the representations that they might well have made, was to have lasting consequences.

Alexander Ball, a naval officer under Nelson's command, who had been appointed as "Civil Governor" of the Island during the siege, was highly popular with the Maltese. They looked to him to continue a civil administration, which he did for a brief period after the surrender. Notwithstanding this he was ordered to return to his ship in February 1801. After a brief, unpopular, military government under Major-General Pigot, Charles Cameron was appointed the first British Civil Commissioner in May 1801. However, Ball, who was asked to return to administer the Island and oversee

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<sup>11</sup> Thornton above n.10 and Bartolo, P, *British Colonial Budgeting in Malta: the first formative Decades 1800-1838*, above n. 6, who comments on the reliability of Thornton's data.

<sup>12</sup> Eight thousand Maltese, few of whom returned, citizens were sent by the French to fight in Egypt: Macaulay to Ball 25<sup>th</sup> January 1804, Public Record Office, Kew, CO 158/10/119

the implementation of the Treaty of Amiens, took office to begin his second administration in July 1802.<sup>13</sup> This lasted until his death in service in 1809.

### ***The Economy***

#### *The Depression 1800-1805*<sup>14</sup>

The blockade of the Island and the siege of the French in Valletta between 1798 and 1800 had interrupted the efficient administration of the Island. Battle and other damage either associated with the military operations or neglect included unrepaired and damaged highways, smashed buildings and other infrastructure. The reconstruction was a major problem that the new British administration had to address. In addition to this the Island's economy had collapsed resulting in high unemployment and circumstances of great want amongst the poorer Maltese.

Valletta, wrote Ball, was as if taken by storm: many houses had either been destroyed or damaged; the shops had been plundered and emptied of stock, and the inhabitants "reduced to misery",<sup>15</sup> indeed they were close to starvation. Coleridge described how the ensuing economic depression was so severe that large numbers of the poor could only survive by begging on the streets. Many would congregate along a thoroughfare in Valletta that earned the name of the "Nix Mangiare Stairs", named after the cry of the supplicants who had nothing to eat.<sup>16</sup>

The blockade had forced the occupying French forces to seize Maltese ships in the harbour and break them up for firewood, thus crippling the merchant capacity of the Island. This destruction also created a more pressing problem. The lack of grain in Valletta at the time of the surrender, combined with the lack of Maltese vessels in which to import supplies compelled Ball to rely on foreign owned vessels. As is well known, he granted passports to foreign owners on the grounds that these vessels would be crewed by Maltese and thus, in his opinion, would fall within the spirit of international law. Abusive practices grew up under which Maltese passports were sold or transferred to those not entitled to them. Ball's controversial passport policy thus caused some embarrassment to the British government. Coleridge was to issue

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<sup>13</sup> Public Record Office, Kew, CO 159/3/85.

<sup>14</sup> Evidence that the depression was over by April 1805 can be found at Ball to Camden, 19<sup>th</sup> April 1805, Public Record Office, Kew, CO 158/10/ 131-2.

<sup>15</sup> Ball to Cooke, 21<sup>st</sup> July 1805, Public Record Office, Kew CO 158/10/181.

<sup>16</sup> *The Friend* 1818 above n. 1, p. 567.

an Avviso of 25<sup>th</sup> June 1805 cancelling all passports so as to nullify all those that had fallen into foreign hands. Henceforth passports would only be issued in accordance with international law and ministerial instructions.

The cost of reconstruction would place considerable burdens on the public purse. But, as we shall see, the new administration faced the difficulty that the significant revenues that the Order had received from its overseas properties were no longer available. The income from exported cotton had also ceased and the old markets lost now that lost Spain was a hostile power. Significant numbers of the inhabitants were forced to rely on government hand-outs.<sup>17</sup> The question was: would the British taxpayer inevitably assume the financial burden contrary to the wishes of British ministers?

### ***British Policy on Malta***

Ball understood that if Britain were to retain Malta permanently, as he hoped it would, government policies had to ensure the support of the Maltese for British rule. Without the approval of the local population the island could not easily be maintained as a stable, strategic military base.<sup>18</sup> It had impressed him that the French had lost the Island following a popular insurrection, albeit not without critical help from British and other forces.

Ball had also learned that the resentment and dissatisfaction of the Maltese with the Order had been exacerbated when the Order was no longer sufficiently resourced to continue its expensive welfare policies. Even before the French invasion the Maltese had begun to conspire against the Order because it could not provide for them. No doubt Ball was fully aware of this and anxious to avoid a similar subversion of the British administration, which he hoped would be a permanent one.

Ball's long term policy, designed to win popularity with the inhabitants, was to continue the operation of all the institutions of the government of the Order of St John. He proposed to his political superiors in London that the constitutional, political, legal and administrative order of the *ancien* regime of the Order of St John

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<sup>17</sup> See e.g. the introduction to the Proclamation of 8<sup>th</sup> March 1805 explaining the context and reasons for the introduction of the wine and spirits tax.

<sup>18</sup> Pirotta, G. A., above n.5, p.14.

should be continued. In his view, Britain should not seek to pursue reforms either in the administration or the Maltese constitution.<sup>19</sup> In particular, the policies and institutions of the Order should be continued with only minor changes. The rationale of this policy was to preserve the structure of Maltese political and economic life so as to avoid the Maltese being required to make a sudden adjustment to an unfamiliar legal, political, administrative or social structure.

Accordingly, after the capitulation of the French garrison, Ball began to re-instate the political and legal institutions that existed under the Order. He believed that it was necessary to give the Maltese a material benefit from continued British possession of the Island, which meant not only re-establishing the legal and political order of the Order but also pursuing the policy of benign paternalism that characterised their administration. It was a policy of reassurance and stability.

The policy was also consonant with the possibility that the Island's ultimate future would only be resolved once the war ended. Ministers naturally wished to avoid fundamental change in the institutions of government in case British possession proved to be one enjoyed merely for the duration of hostilities. Ball's continuation strategy was also consistent with lessons the British had learned from the somewhat difficult experiences in other colonies during the later part of the eighteenth century, as well as with general principles of the British constitution. Most significant was the principle that in ceded or conquered territories, such as Malta, the laws of the territory in question continue in force until altered by the Crown.<sup>20</sup> Ball's plan appeared to be a coherent, rational and constitutionally appropriate policy. British ministers in Whitehall ratified it and established it as the guiding principle of government after 1801.<sup>21</sup> In fact the Instructions issued to Ball at the commencement of his second administration in 1802 went further than this: Ball was to secure the attachment of the

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<sup>19</sup> Ball wrote in 1807 that: "It has consequently been my uniform system to abstain from every kind of change except in case of absolute necessity." In part this was so because when the British took possession of the Island it was stipulated that the privileges of the Maltese be preserved and their ancient laws continued: see Ball to Windham, 28<sup>th</sup> February 1807, Public Record Office, Kew CO 158/13/45.

<sup>20</sup> *Campbell v Hall* (1774) 1 Cowp 204.

<sup>21</sup> As the Royal Instructions dated 14<sup>th</sup> May 1801 issued to Cameron, Ball's successor at the close of the latter's first administration, instructions make clear. They are a vindication of Ball's position. However, the political support for this plan rests somewhat shakily on the information which Ball had supplied to London in his Report of 1800: Ball to Dundas, 26<sup>th</sup> December 1800, Public Record Office, above, n.7.

Maltese to British rule, which Ball interpreted as an injunction that the Maltese benefit should from British government.<sup>22</sup>

However, ministerial approval for Ball's policies had been based upon a memorandum containing a statement of the finances of the Island, supplied by Ball to Dundas at the end of 1800.<sup>23</sup> For reasons that are unclear, Ball made a hasty assessment that the revenues of the Island would meet the expenses of civil government. This meant, of course, that there would be no burden on the British taxpayer and made the possibility of retaining the Island as a British possession ( a policy to which was firmly committed) much more attractive to policy makers in London.

Ball's statement hardened into a political expectation: the civil government was required to ensure that that Island's finances were not in deficit.<sup>24</sup>

One of the obvious difficulties that Ball ought to have understood was that, in adopting the continuation strategy, the British were assuming substantial financial and political burdens, not least for the hospitals, the payment of alms, the Università and the expense of the reconstruction of the Island's battle damaged or otherwise neglected infrastructure. Above all, the Administration had to bear the cost of maintaining the grain subsidy. Maltese expectations had been raised that their old way of life would continue, and this was an expectation that it would be dangerous to frustrate. Ball had, it seems, unwittingly manoeuvred himself into incommensurate political obligations: on the one hand he had to satisfy ministers by balancing the budget; on the other, he had encouraged high expectations amongst the Maltese, and might risk insurrection if he could not deliver. The pressing question was how the continuation policies of government were to be funded, given the loss of much of the Island's revenue after 1792.

A further political risk for Ball lay within the structure of government itself. The absence of a popular representative assembly under the Order of St John, a policy

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<sup>22</sup> Public Record Office, Kew, FO 49/3/51-60.

<sup>23</sup> *Ibid.*

<sup>24</sup> The assumption that this was possible derives from Ball's Report to Dundas of December 1800, above n.7. This translated into a political expectation as Hobart's Instructions to Cameron dated 14<sup>th</sup> May 1801 make clear: see Hardman above n. 3 at p. 355. Ball, whose reputation was clearly at issue, was eager to assure ministers that a balanced budget could be achieved: see e.g. Public Record Office, Kew, CO 158/10/ 125.

which the British would not reverse, meant that the burden of securing the compliance of the Maltese inhabitants rested entirely on the administration. In continuing this system the British had assumed an exclusive responsibility to deliver. There would be no possibility that the Civil Commissioner might escape blame for any failure of policy by using an inept local assembly as a convenient scapegoat.

Thus important questions arise from Ball's political agenda. The principal of these goes to competence. Did the continuity strategy, and by extension the financial strategy, in its conception and in its execution conform to standards of good government?

In what follows it will be argued that notwithstanding its superficial merit of assured stability the continuation policy was fractured by structural weaknesses both in its conception and implementation. Many of these difficulties derived from an inappropriate and poorly managed staffing policy, the rather elusive and problematic state of Island's finances, as well as from ill-advised or poorly executed implementation strategies. Financial and administrative accountability from the departments of government either to the Civil Commissioner or the Public Secretary appears, for example, to have been problematic. Important archive material, which reveals something of the expected role of the Public Secretary, also suggests the limited extent to which Coleridge fulfilled that expectation. This not only reveals something of Coleridge's success as an administrator, but it also exposes an important lacuna that lay within the heart of government in 1805.

### ***Ball's Staffing Policy***

The talent, qualifications, neutrality, expertise and dedication of civil service staff are pre-eminent characteristics of a professional and efficient administration. Ball's staffing policy was based on considerations other than these qualities. This policy introduced a structural weakness into government that was to have long term consequences. This was particularly problematic given Ball's willingness to devolve responsibility to administrators. The failure to operate appropriate systems of financial accountability only made matters worse.

Ball notoriously used public appointment for political ends, most importantly to signal to the Maltese that there were important benefits to be gained from loyalty to the British. For example, he rewarded Vincenzo Borg, the former leader of the Birkikara battalion during the uprising as a member of the Board of Administrators of Public Property.<sup>25</sup> Once Borg became allied with Ball's political opponents, he was dismissed. Ball later claimed that Borg was almost illiterate.<sup>26</sup> If this was so, it begs the question why he was considered to be fit for office in the first place?

Similar questions arise about other appointments. For example, the Marchese di Testaferrata was rewarded with an appointment as a Jurat, (one of the four directors of the Università) only to be removed to the less-demanding role of the Presidency of the Monte di Pietà when his 'weak intellect' and 'advanced age' were found to limit his efficiency.<sup>27</sup> As Testaferrata was implacably opposed to Ball's refusal to set up a *Consiglio Popolare*, or representative assembly with legislative powers, there is a suspicion that his disloyalty may have been the real reason his removal from office.

A responsibility for establishing and monitoring standards of good government or good public administration which public law requires fell squarely on the shoulders of the Public Secretary.<sup>28</sup> The importance of discharging this responsibility was enhanced by Ball's policy, since it became incumbent to supervise untrained incompetent, and possibly self-interested staff. Central to the exercise of this responsibility would have been the authorising of expenditure and the auditing of the accounts first to ensure that spending was within the budgetary constraints and secondly applied only to the purposes legitimated by government policy and approved by senior officials. Auditing the departments was intended to ensure that spending was efficient, economic and effective.<sup>29</sup>

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<sup>25</sup> He was also appointed as a 'Luogotenente' (Mayor) of Birkarkara, (sic) his casal or village, Ball to Windham, Public Record Office, Kew, CO 158/13/16 *et seq*, 28<sup>th</sup> February 1807.

<sup>26</sup> Ball to Windham, above n.19

<sup>27</sup> Ball to Windham, above n.19. Documents in the National Library of Malta, NLM Univ 827/5, suggests that he was removed at the close of 1804.

<sup>28</sup> A list and description of the institutions falling within the responsibility of the Public Secretary's Office can be found at Public Record Office, Kew CO 158/13/ 466, 469-7. A list of the Office holders and description of the duties of the Office of Public Secretary can be found in the Catalogue of Records of the Public Secretary and Treasurer 1800-1813, Joseph A Caruana, National Malta Archives, Introduction.

<sup>29</sup> Coleridge records that he was engaged in auditing: Coleridge Note Book, The Notebooks of Samuel Taylor Coleridge, Coburn K (ed) vol 2 1804-1808, Bollingen Series 2552 17.110

Lax accounting practices, corruption, poor financial information and the competence of officials can all be identified at the time Coleridge was Acting Public Secretary and this evidence raises questions about how effective he was in his role.

One of the most serious issues was corruption and its causes. At least one possible reason for this- which Eton had identified in 1801<sup>30</sup>, was that wage levels were too low. Junior civil servants in particular were not well paid. Maitland was to observe that their wages were so low that it was impossible for the employees to live off them without indulging in dishonest and corrupt practices. The inadequate remuneration was only addressed in 1814,<sup>31</sup> so pay grievances were probably rife when Coleridge held office.

We know that Coleridge had some knowledge of corrupt practices on the Island. He had investigated a suspected case of it in the dockyard,<sup>32</sup> and after he left the Island he retained an affidavit sworn to him in his official capacity by a dockyard official.<sup>33</sup> But this instance was probably just one amongst many because corruption extended even to the senior civil servants. By 1807 Ball had disclosed that Naudi, who had held office as a Jurat, had been dismissed from office for corruption. It was perhaps of some comfort that incriminating information about him had been sent to the Public Secretary by his fellow Jurats.<sup>34</sup>

We know that the Royal Commission, in 1812, had identified serious failings, including corrupt practices<sup>35</sup>. These fell to Maitland to rectify in his administrative reforms of 1814.<sup>36</sup> Although he singled out the Università and department of public property as particular examples of this problem,<sup>37</sup> he seems to have thought that it extended more widely tainting the work of the government departments as well as

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<sup>30</sup> Eton to Sullivan 29<sup>th</sup> July 1801 Public Record Office, Kew, CO 158/2/318.

<sup>31</sup> Maitland to Bathurst 24 October 1814, on measures taken to ensure “a permanent and settled mode of administering the expenditure of the public money in the various department of this Island”, Public Record Office, Kew, CO 158/25/209, who records government encouraged, prior to 1814, expectation of high salaries.

<sup>32</sup> Sultana, D. Samuel Taylor Coleridge in Malta and Italy, Oxford: Blackwell, 1969, p 353

<sup>33</sup> Victoria University, Toronto Library. F.14.8b: see also Coburn, K., The Notebooks of Samuel Taylor Coleridge 1957-1974, Appendix B of 1804-1808.

<sup>34</sup> Ball to Windham 28<sup>th</sup> February 1807, CO 158/13/ 16 *et seq.*

<sup>35</sup> Public Record Office, Kew CO 158/19/6-88; for example, that delaying appeals was a consequence of “corruption or caprice” p 13. See also Pirotta, above, n.5, p 82.

<sup>36</sup> Maitland alludes to the problem of low-pay creating conditions under which corruption would be rife-where “government can neither be honestly nor economically served”: Maitland to Bathurst, 24<sup>th</sup> October 1814, Public Record Office, Kew CO 158/25/209, 210. The solution was large pay rises: Maitland increased the wages of public servants, including the judges who received very large increases (Public Record Office, Kew, CO 158/25/215, 284-285).

<sup>37</sup> Maitland to Bathurst, 13<sup>th</sup> October 1814, Public Record Office, Kew CO 158/25/169

the charitable institutions.<sup>38</sup> Maitland, also identified, two distinct problems. There was a failure to collect and bring in all public revenue, thereby indicating administrative laxity which enabled significant sums remained in private hands.<sup>39</sup> A second issue was that revenue actually collected went unaccounted for in the department administering public property and the Università. A reasonable inference, which British opinion seemed to take, was that low pay may have tempted certain underpaid Maltese officials to divert funds from the public purse. They seem to have held the view (not unreasonably given the terms of the Definitive Treaty of Amiens of 1802 which, if implemented, would have returned the Island to the Order of St John) that the British possession would be short-lived. Before the British administration came to end, it was perhaps felt that there were profitable opportunities to be seized; and they diverted money, with a misplaced sense of patriotism before the opportunity for profit was lost.<sup>40</sup>

The low-pay of Maltese government employees was certainly a problem that Ball recognised. Coleridge's Bando of 8<sup>th</sup> March 1805 imposed excise duties on alcohol expressly makes clear that one of its purposes was to raise funds to increase the salaries of deserving public servants. It seems, however, that the steps taken must have been insufficient to fully address the problem of encouraging faithful service. Since effective remedial action was delayed until 1814 it poses the question whether Ball kept the matter sufficiently under review? As in other matters, such as the reform of the hospitals, which is considered below, the impression created is that having intervened once Ball's attention moved away. There seems to have been little or no enthusiasm either for monitoring the effectiveness of a measure or its implementation.

### ***Devolved Responsibility – Management Systems***

The most obvious corollary of the staffing policy was that the inexperienced and disengaged officials would have to be closely supervised. There is evidence the systemic failure in this regard went to the competence and effectiveness of Ball's administration.

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<sup>38</sup> *Id.*

<sup>39</sup> Maitland to Bathurst 24<sup>th</sup> October 1814, see above n. 31, CO 158/25/209, *et seq.* See also Bartolo, P, above n.6, p. 2.

<sup>40</sup> Coleridge also recorded the widely held suspicion that the British would deliver up Malta to the enemies of its people whenever it suited the Crown to do so see *The Friend*, above n.1 at p. 564.

The administrative system suffered from a poor articulation of where responsibility for attaining policy objectives lay. The Civil Commissioner and Public Secretary's supervisory power over expenditure was further weakened because their prior written authority for expenditure was not required. It seems that money could be spent or work commenced without obtaining prior formal authority: instructions by word of mouth was all that was required.<sup>41</sup> This laxity in financial control meant that the case for public expenditure was not properly scrutinised. Informal, verbal authority for expenditure also undermined the accounting system for systematic record keeping was not taking place. Ball's direction to the Jurats in 1803 (see further below) , giving them a free hand to run the Università, also signalled that adherence to the formal processes were not desired so long as stated goals were attained. The problem in this instance was, that the overriding goal of providing the necessary surplus for the benefit of the Island was not even stated as a goal.

### ***The Importance of the Università***

Since his first administration Ball seems to have decided the continuation strategy was sustainable if the grain monopoly produced a surplus. From as early as late 1800 he appears to have believed that the grain monopoly exercised through the Università could achieve a surplus. He had erroneously convinced Lord Hobart that this had been so in the final years of the Order of St John.<sup>42</sup> This deeply rooted misconception, which might have been further fuelled by a report from Macaulay to Cameron in July 1802 that the Università had achieved a surplus of £50,000 (500,000 scudi),<sup>43</sup> placed the continuation strategy in jeopardy unless the British taxpayer would shoulder the burden.

The supposed opportunity for profit presented by the Università was central to Ball's financial planning. Accordingly, we should expect Ball and his Public Secretary to supervise and monitor the Università's operations. It was, after all, a bulwark policy on which the funding of the public and charitable institutions largely depended and

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<sup>41</sup> Maitland to Bathurst October 24<sup>th</sup> 1814, see above n. 31, Public Record Office, Kew, CO158/25/209-224, 218.

<sup>42</sup> Ball to Dundas Public Record Office, Kew, December 1800 CO 158/1/3 and see Hobart's instructions to Cameron, Ball's successor, dated 14<sup>th</sup> May 1801, Hardman, above n.3, p.354.

<sup>43</sup> CO 158/3/88-89.

with it the social and economic prosperity of the Maltese. The obligation to supervise it was made explicit in the Royal Instructions to Cameron in May 1801.

Under the Order of St John, the Università had been required to submit monthly accounts to the Grandmaster who had, in effect, exercised complete control over the Jurats (directors). Ball and Coleridge might thus have been expected to take at least as close an interest in how the Università was run as the Grandmasters had done. It ought also have been an axiom of Ball's strategy to understand what progress it was making in generating the required revenue.

The surplus from the Università was paid into the Public Treasury and ought to have been the subject of reports to the Civil Commissioner. Financial and other reporting would be a key component of this monitoring. Of course, Coleridge did not accept the post of Treasurer, so this represents an important vacuum within the administrative structures. The first question, is whether a suitable set of mechanisms, or a suitable process of scrutiny and accountability has been created and maintained in relation to this key institution? Further, were the rules for its operation clearly and coherently articulated?

As we have described, the Jurats had an operational responsibility for the running of the Università, but this was overseen by the Public Secretary. Although he had declined to act as Treasurer he could not side-step the supervision of the Università the accounts of which the Public Secretary was obliged to audit. This would have engaged him in assessing the economy, efficiency and effectiveness of spending within the Università. The guiding purposes of the audit would have been to ensure proper supervision of the Jurats, and to ensure financial probity, rigour and efficiency. Coleridge thus found himself with a burdensome responsibility going to the heart of government policies.

### ***Financial Accountability of the Università***

There is incontrovertible evidence that Ball determined, for reasons now unclear, to keep the Università's work at arm's length. He expressly forbade the Jurats to involve him in approving operational matters, and there is strong evidence that the supervision of the operational management of the Università was, at best, very light

touch. By a letter signed by Mr Macaulay in 1803<sup>44</sup> Ball admonished the Jurats for their previous practice of referring a great many operational decisions to him for his approval. He instead directed them to use their initiative to realise the broad policy goals (principally the provision of cheap, abundant food). The importance of generating a surplus was not mentioned.

This might have been less damaging if Ball had directed them to report to the Public Secretary's office rather than to him, but the instructions did not do so. The clear implication is that the Jurats were to have considerable autonomy and that they need not report either to the Civil Commissioner or the Public Secretary. This letter, as Thornton observed in 1816, gave the Jurats authority for everything that could be done in their department.<sup>45</sup>

The structural failing in accountability that resulted from the letter is easily understood. It reveals a failure to articulate clear and coherent rules under which the Jurats should operate, as well as weaknesses in the chain of reporting and of supervision. The Jurats were given *carte blanche* to fix the purchase price (relative to the quality of the product), and to buy as much or as little as they chose, but government was permitted to set the retail price. The problem was, of course, that this price was necessarily capped by what the labouring poor could have afforded to pay. Therein lay the potential difficulty. If the retail price could not be significantly raised, the Jurats ought to have come under pressure to acquire grain at lower prices- in other words bargain harder- or to purchase more cheaply elsewhere. The international shortage of grain meant that either course would have been difficult for them. But Macaulay's letter reveals that Ball did not intervene to direct the Jurats as to the amount that they should pay for grain in order to achieve the desired surplus. Nor did he make explicit in this letter the wider policy goals relating to the surplus that they should have pursued.

There is thus the inexplicable possibility that the Jurats were left to manage their affairs without the close involvement of the Civil Commissioner (or the Public

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<sup>44</sup> Macaulay to the Jurats, 9<sup>th</sup> August 1803 is contained in an appendix to *Report to His Excellency the Governor on the Accounts of the University of Valletta from 4<sup>th</sup> September 1800-31<sup>st</sup> December 1814* by W Thornton dated 12<sup>th</sup> July 1816 Public Record Office, Kew CO 163/33/1, 1816.

<sup>45</sup> Thornton *id.* CO 163/33/9.

Secretary). Maitland even made the alarming suggestion that the Università's accounts might not have been externally audited.<sup>46</sup>

However, this is not to say that there were no checks on the Jurats. The monthly accounts were audited and signed off as "approved and verified" by senior Maltese officials in the Università.<sup>47</sup> This was, however, only an internal audit. If so was Ball content to rely on internal scrutiny? Was there any further financial control imposed by the Public Secretary's office under Coleridge?

Financial reporting by the Jurats *to the Civil Commissioner*, in so far as it took place revealed significant problems for the British administrators. The first of these was that Ball was made aware as early as January 1804 that the accounting system had not met appropriate public law standards.<sup>48</sup> Although Macaulay insisted that practice had been rectified, his reassurance contained a caveat. This emphatically revealed that routine scrutiny by British officials, notably the Public Secretary, was not taking place. Macaulay wrote: "...an inspection of [the Università's] accounts convinced a man who had seen them that they were exact."<sup>49</sup> By this own admission, Macaulay had clearly not seen the accounts himself; and it can only speculate as to who "the man who had seen them" might have been.

This lax arrangement meant that the responsibility for the audit and inspection of the accounts had been delegated. Moreover, the Public Secretary had not seen and verified them. It may have been for that reason that Ball seems not to have included them in the Island's accounts of 1804-5. However, Camden requested the Università's accounts in a despatch of 23<sup>rd</sup> May 1804 when the funding by the British Treasury of the corn buying mission was being considered.<sup>50</sup> Ball, in a reply dated August 4<sup>th</sup>, that was written in Coleridge's hand, assured Camden that he had requested the Università's accounts to be made up for the latest period.<sup>51</sup> It was these that Macaulay delivered on 10<sup>th</sup> September 1804. In other words, the detailed and more professional report may only have been prepared in response to a

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<sup>46</sup> This possibility was suggested by Maitland: see Maitland to Bathurst 13<sup>th</sup> October 1814, Public Record Office Kew, CO158/25/169, 171.

<sup>47</sup> See NLM LBR 827/5. Monthly accounts at this time (1804-5) were approved either by a former Jurat, one Baron Savero Gauci, acting alone or, in some months, with the additional signature of the Commissario di Sanità, Dr Azupardi

<sup>48</sup> Macaulay to Ball, 25<sup>th</sup> January 1804, Public Record Office, Kew, CO 158/8/111.

<sup>49</sup> *Id.*

<sup>50</sup> Camden to Ball, 23<sup>rd</sup> May 1804 Public Record Office, Kew CO 159/3/122.

<sup>51</sup> Ball to Camden, 4<sup>th</sup> August 1804, Public Record Office, Kew CO 158/9/42-3.

ministerial demand arising from the “final” investment that the British Government was prepared to make in the Università.<sup>52</sup>

However, although Ball and Macaulay must have been satisfied with them, it still appears that they were inaccurate, and that this fact eluded these British officials. Mr Macaulay stated that the Università had yielded a net profit excess of £13,000 for that financial year.<sup>53</sup> Thornton subsequently re-calculated this at around £4250. This divergence is significant.

The impression is ever present that close financial scrutiny was lacking. In February 1805 Ball claimed that since he had had control of the corn monopoly he had delivered a surplus of between fifteen to twenty thousand pounds on it even though wheat had been supplied at cheaper rates than in either Sicily or Italy.<sup>54</sup> This was stated as a historical fact; it was not a forecast of what he expected from the Black Sea corn mission. This impression of indeterminacy (was it fifteen thousand pounds, twenty thousand pounds or some other sum? If so what? ) suggests that in early 1805 he was either unable or unwilling to state with correctness the sum he claimed the surplus to be. Here too, it is possible to identify the problems caused by the absence of a Treasurer and, presumably, a lack of (reliable) information from the Jurats.

A different but nonetheless vexing problem can be identified in Ball's statement of accounts for the Island 1805-1806. Here, whilst admitting to the loss of the expected revenue from the corn mission, Ball reported that the Università made a profit in that financial year in excess of £12,033.<sup>55</sup> The precision of the sum stated does suggest that, on this occasion, Ball had received apparently carefully computed information

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<sup>52</sup> The capital required having been supplied by the Treasury in London, Camden wanted assurances that no further demands would be made on British funds. The submission of the Università's accounts was intended to give that assurance.

<sup>53</sup> Macaulay to Ball 10<sup>th</sup> September 1804, £13,005 19s 10d. CO 158/9/60. He further reported that the Università held almost £110,000 in cash in their treasury, corn and oil. After deducting expenses it owed a sum £81 655 to Government.

<sup>54</sup> See Ball to Cooke, 3<sup>rd</sup> February 1805 Public Record Office, Kew, CO 158/10/23. He still expressed the belief that the Order of St John had, in its final two decades, made an annual surplus of £10,000 on the grain monopoly. Coleridge repeated in *The Friend* above n.1 at p 570 that bread was supplied more cheaply on average than in Italy or the coast of Barbary.

<sup>55</sup> Ball to Shee 12<sup>th</sup> May 1807, Public Record Office, Kew, CO 158/13/319-320. The Island's expenditure nevertheless resulted in a deficit in excess of £17,000 in the period 25<sup>th</sup> July 1805-24<sup>th</sup> July 1806 (which was greater than the deficit of £11,216 incurred in the previous financial year, 1804-1805: CO 158/11 (no folio number) Ball to E Cooke 1<sup>st</sup> March 1806).

from the Jurats. However, in this, as in other instances the reported figures also seem to be highly misleading. Thornton recorded a *loss* (1805-6) in excess of eight hundred thousand scudi (£80,000 approx.). These inaccuracies were routine. For example, one of the four Jurats, Charles Livingstone, reported in 1807 that during the previous four years the corn monopoly had achieved a surplus of almost 500,000 scudi (£50,000),<sup>56</sup> and Ball reported to London that the Università's average annual surplus was about £12,000.<sup>57</sup> Thornton's accounts suggest a *loss* for these financial years in excess of one million scudi (£100,000).

In a devastating admission, Ball eventually conceded that the scrutiny of accounts was not taking place. He requested the appointment of an auditor and comptroller-general because the workload involved in supervising the government departments was too great either for him (or the Public Secretary) to bear. He continued: "(t)he superintendence, indeed, of the public departments more immediately devolves on the joint office of the Public Secretary and Treasurer; but *the various duties attached that situation must necessarily prevent the investigation of accounts which requires exclusive and undivided attention.*"<sup>58</sup> (Emphasis supplied)

This is a powerful indictment of Ball's judgment for two reasons. Firstly this so because, by his own admission, a centrally important function of government was not being performed with the result that senior officials including the Civil Commissioner himself had little idea of whether appropriate public law standards of government were being observed. Second, Ball's judgment is directly impugned if the combined offices resulted in a workload so onerous that it could not properly be discharged. This is so because the proposal that one officeholder perform both functions was advanced *by him* and accepted by Government on his recommendation.<sup>59</sup>

This systemic weakness must explain why the financial information upon which Ball relied was misleading and unreliable. Ball's administration lacked an effective system of independent scrutiny. This conclusion finds some support in the Royal Commission's Report in 1812.

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<sup>56</sup> Public Record Office, Kew, CO 158/13/207.. In 1801 the rate of exchange was 10 scudi to the pound sterling. See Ball's memorandum to Dundas, 26th December 1800.

<sup>57</sup> Ball to Windham Public Record Office, Kew, 28<sup>th</sup> February 1807, CO 158/13/77.

<sup>58</sup> Ball to Cooke, 30<sup>th</sup> November 1807, Public Record Office, Kew, CO 158/13/465, and also Ball to Shee 12<sup>th</sup> May 1807, , Public Record Office, Kew, CO 158/13/463, CO 158/13/ 315-6.

<sup>59</sup> Sullivan to Ball 31<sup>st</sup> December 1803- National Library of Malta Libr 531 f 18 notifying Ball that Ball's suggestion that the offices of Public Secretary and Treasurer be combined was accepted and that Macaulay's salary be increased accordingly to £1000 per annum.

In respect of the Università the Commissioners reported that they found a “probable” large accumulation of debt by the Università.<sup>60</sup> The tentative statement that the debt was “probable” was a devastating indictment of the deplorable state of the Università’s accounts, rather than any optimism that the books had ever actually balanced.<sup>61</sup> This failure had not been rectified either by Coleridge or Ball. However there is little doubt that Ball was aware of it since Macaulay had reported inconsistent accounting practices to him in 1804.<sup>62</sup>

The examples of negligence that Thornton was later to describe cannot have been difficult to overlook if inspections had taken place. For example, the books were left unclosed when they did not balance; there were “false entries” in the ledger made to give the appearance that the books balanced.<sup>63</sup> The entries were “chaotic” with the result that, when expert audit was finally attempted, it was not possible even for a skilled auditor to furnish fully accurate financial information.<sup>64</sup> Why was this not discovered and rectified much earlier than 1812?

Surviving records also suggest that Coleridge does not appear to have fulfilled all of the many responsibilities of the Public Secretary’s role, and one important lacuna created by this appears to have concerned the Università. Correspondence from the Jurats to Macaulay (Coleridge’s predecessor in office) is a notable feature of the surviving archives, albeit that some letters were addressed to the “Maltese Secretary” , Giuseppe Zammit, and others to Ball himself.<sup>65</sup> But after Macaulay’s death, when Coleridge took over, letters from the Jurats were not addressed to him. Instead the Jurats communicated directly with either Ball or Zammit. Once Chapman, a professional administrator, had assumed the Public Secretary’s role following his return from the Black Sea, the Jurats communicated with him as well as with Zammit.<sup>66</sup>

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<sup>60</sup> Public Record Office, Kew, CO 158/19/172-173, 182.

<sup>61</sup> Thornton 1816 above n.10 at CO 163/33/9.

<sup>62</sup> Above n. 48.

<sup>63</sup> Thornton above n.10., Public Record Office, Kew CO 163/33/9-10.

<sup>64</sup> Thornton *id.*

<sup>65</sup> See National Library of Malta, Uni 425: letters from the Jurats to Macaulay in 1804 are dated 27<sup>th</sup> June, 10<sup>th</sup> July, 4<sup>th</sup> September and 26<sup>th</sup> October.

<sup>66</sup> E.g., National Library of Malta Univ 425, 16<sup>th</sup> May 1806.

Ball was adamant that he was too pressed to devote close attention to the work of the Università<sup>67</sup> and had expressly objected to doing so. The likely conclusion, given Coleridge's apparent lack of engagement with this institution, may be that the supervision was largely delegated because Coleridge was not receiving reports from the Università and there is a complete absence of "ordine" (written instructions) issued in his name.<sup>68</sup> This reveals that he was not directing either its operations nor, indeed, those of other government institutions. This work also seems largely to have been delegated to Zammit. Coleridge's lack of engagement and Ball's decision to distance himself from close supervision of the Università's work suggests that the Jurats were not held accountable by the most senior officeholders. This may explain why it was ran up huge deficits whilst allowing British officials to believe the contrary.

### ***Ball's Financial Strategy***

Ball's financial strategy involved three fundamental elements: (i) taxation; (ii) efficiency savings; and (iii) the generation of revenue for the purposes of civil government.

#### *(i) Taxation*

Cameron's proclamation of 15<sup>th</sup> July 1801, his first to the Maltese people, promised to uphold the laws and to respect the 'dearest rights' of the Maltese, their churches, holy religion, persons and property.<sup>69</sup> This proclamation caused confusion as to whether it had unwittingly created for the Maltese a constitutional right in relation to taxation, namely a commitment not to impose new taxes.

To aggravate matters, Ball had also discovered that every Grandmaster, at the time of his election, had been required to swear an oath not to levy new taxes, and this commitment had binding constitutional status.<sup>70</sup> The unforeseen possibility was that (at the very least) the Proclamation of 15<sup>th</sup> July 1801 had inadvertently raised expectations that new taxes would not be imposed or worse still, had created a

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<sup>67</sup> This reluctance to engage in, what he described as the detail of administration, extended to all departments of government, including the inspection of accounts: see Ball to Cooke 30<sup>th</sup> November 1807 CO 158/13/463.

<sup>68</sup> See National Archive Malta LIBR A22 PS01/2.

<sup>69</sup> Hardman, above n.3 at p. 358. This constitutionally important Proclamation addressed to the Maltese Nation ("Alla Nazione Maltese").

<sup>70</sup> Ball to Camden, 19<sup>th</sup> April 1804, Public Record Office, Kew CO 158/10/ 128, 130-131.

constitutional limitation on the power to tax.<sup>71</sup> Given the loss of the overseas revenue of the Knights, the social and economic condition of the Island, and the failure of the Università to generate the required surplus, this was a matter of real concern.

Ball at first attempted to avoid the unpopularity and politically dangerous expedient of imposing new taxation. By 1805 he was forced into a *volte face*. By this time it was evident that the Island's financial deficit could not be addressed by other means. Moreover, there was a further expensive political issue that he had to address. A major grievance nurtured by the Maltese arose from their exclusion from the negotiations for the French surrender. They understood that the French had offered hostages as a security to ensure that the sums taken from the Università and elsewhere would be re-imbursed, but the British, for reasons which remain obscure, failed to make any provision for this restitution in the surrender articles.

This regrettable omission resulted in financial misery for a number of Maltese who lived off the interest paid on the capital once deposited in the Bank of the Università and for whom the economic bedrock of their lives had been destroyed. Those Maltese who suffered significant hardship naturally blamed the British administration for the negligence of the British military. Ball had received petitions requesting him to take steps to deal equitably with the affected individuals who had placed their capital in the Università. He eventually had little choice but to alleviate their distress; and it was in the Proclamation of 8<sup>th</sup> March, 1805, that Ball ultimately had to respond to the justice of their financial demands. Funds would have to be raised so as to allow Ball to make (capped) interest payments to those affected.<sup>72</sup> Coleridge, as Public Secretary, drafted the bando imposing the duty on wines and spirits that implemented this new policy. Not the least of its most interesting characteristics is that it goes considerable lengths to win the argument that the tax was necessary and desirable. Within the very instrument that makes the new law, Coleridge was forced to make a political and moral case justifying its introduction.

Notwithstanding that the taxes were presented to the Maltese as addressing the plight of deserving individuals, (whilst being presented to London as addressing

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<sup>71</sup> Discussed by the Royal Commission in 1812: Public Record Office, Kew, CO 158/19/151-154.

<sup>72</sup> Ball also reduced the Bank's liability in other respects. On 20<sup>th</sup> March 1805 the interest on the loans made under the Public Notice of 7<sup>th</sup> March 1804 were declared to have ceased and the capital deposited held at the disposal of the lenders until withdrawn. It seems that not all deposits were withdrawn and so a large sum of about 400,000 scudi (£40,000) remained in the University without paying interest on it. This sum remained unpaid to the depositors until 1809. See Thornton above n. 10 at p. 26

economic fundamentals<sup>73</sup>) it is evident that Ball expected the new duties to raise additional funds to defray other expenses of civil government.<sup>74</sup> The readiness to use taxation to supplement the Island's revenue may disclose less than complete confidence in the Università's ability to generate sufficient revenue.

(ii) *Income generation*

It was clear that a deficit (however large) could not be removed without the radical intervention of government. By 1805, when Ball had realised that he could not avoid the imposition of some new taxation, he nevertheless continued to assert that the grain monopoly operated by the Università could provide the major source of the Island's revenue. When this surplus was combined with revenues from the new taxes he thought his twin-tracked strategy would eliminate the deficit.<sup>75</sup> He even went so far as to re-state the assessment he had made in his influential memorandum to Dundas of December 26<sup>th</sup> 1800 that the Islands finances would be brought into balance.<sup>76</sup>

Ball badly needed to produce a profit on the grain monopoly to defray the expenses of the institutions and policies of government. He therefore proposed a speculative mission to buy corn from the Black Sea region. Edmund Chapman was dispatched on this task and for this reason was not available to succeed Macaulay on the latter's death in 1805. This was the reason why Coleridge held the post as Acting Public Secretary pending Chapman's return.

The corn mission of 1804-5

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<sup>73</sup> Ball to Camden, 19<sup>th</sup> April 1805, Public Record Office, Kew CO 158/10/ 132.

<sup>74</sup> Ball to Camden, 19<sup>th</sup> April 1805, Public Record Office, Kew CO 158/10/132-3 reveals that only 30% of the net revenue raised would be applied to the relief of those having claims on the Università. The duties in question were the revival of the old *scisa della bene publiche*; the duty on wines and spirits; and a duty on public auctions. Ball estimated that the wine tax would bring in an annual surplus of £6,000 and the other duties a further £4,000. Thus when added to the surplus on the Università, in April 1805, he expected to increase revenue by £30,000 per annum

<sup>75</sup> See Ball to Camden 19<sup>th</sup> April, 1805 Public Record Office, Kew, CO 158/10/ 125. He estimated that £30,000 would be generated by the monopoly and the taxes.

<sup>76</sup> *Id* at 128.

Ball predicted a clear profit of £20,000 on the corn venture, which he appears to have regarded as one of low-risk carrying a high probability of vindicating his forecasts.<sup>77</sup> He was confident that this would succeed and that “in a short time” the income to the Treasury would cover the civil expenditure.<sup>78</sup>

The speculation in corn was critical to Ball’s long term financial planning. His predictions on the sum that would be realised had also hardened into a firm political expectation for which, as the Secretary of State made clear, Ball would be accountable. No further funds to support the Università would be forthcoming from the British Treasury; the venture was politically required to succeed in the manner that Ball had unwisely predicted that it would.<sup>79</sup>

The significant quantity of wheat required to be purchased and transported to meet the objectives of the scheme involved evident risks, but the venture was judged to be worthwhile because, when compared with the imposition of what would otherwise be highly burdensome taxes, this speculative opportunity represented a less antagonistic means of replacing the lost revenues of the Order and continuing the political agenda to which Ball was firmly attached.<sup>80</sup>

However, the corn mission was poorly executed: the maladministration of officials meant that instead of the healthy surplus, the administration incurred further losses, which aggravated the Island’s financial position. It also caused grave political embarrassment since questions of judgment and competence were inevitably posed. Ball was forced by his political opponents to become defensive about his policies.<sup>81</sup>

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<sup>77</sup> See Ball to Camden Public Record Office, Kew, CO 158/9/47 16<sup>th</sup> September 1804 in which he sent the accounts of 1803-4. He subsequently went so far as to state that the needs of the Island for its ‘immediate defence’ could then also be met from its revenues. He contemplated a permanent garrison of 4,000 troops and re-stated his estimate that a £20,000 surplus would be generated. See Ball to Camden 19<sup>th</sup> April 1805, Public Record Office, Kew CO 158/10/134.

<sup>78</sup> Public Record Office, Kew CO 158/10/125 and CO 158/10/135 He asserted that the deficit would be liquidated by the end of next year, i.e. by the end of the financial year 1805-6. His optimism was not vindicated as the failed mission incurred significant losses.

<sup>79</sup> Public Record Office, Kew CO 159/3/121-122 Camden to Ball 24<sup>th</sup> February 1804 and Ball to Camden 19<sup>th</sup> April, CO 158/10/ 1365 where he stated that by the close of “next year” the deficit would “nearly” be liquidated.

<sup>80</sup> Ball reported that forty thousand salms were to be purchased which Ball calculated had saved the Island £80,000 compared with what might have been spent had Sicily remained the source of supply. Government would, he forecast, earn a profit of £20,000 on the transaction: Ball to Camden 16<sup>th</sup> September 1804 CO 158/9/47-49. A salm is equivalent to eight and one eighth ‘Winchester bushels’.

<sup>81</sup> Public Record Office, Kew, Ball to Windham CO 158/13/9 *et seq.*, 28th February 1807. This represents Ball’s defence to a number of accusations levelled by his critics against his “character and administration” including, his competence in the corn speculation and its aftermath.

The *débauche* was one for which the Jurats were blamed, largely because the large volume of grain that was shipped to Malta appeared too rapidly in harbour to be accommodated. The grain stores were inadequate to receive the consignments: some granaries were actually being used as barracks because a large contingent of troops under General Sir James Craig had arrived on the Island;<sup>82</sup> other granaries were already full when the consignments arrived, and so of necessity, the wheat remained too long on board ships, as a result of which it decayed. But that was not all because the wheat Chapman purchased was soft rather than hard wheat which was more liable to decompose when shipped.<sup>83</sup>

The Jurats were forced to release the wheat onto the open market, and the oversupply of poor quality grain meant that the market prices it fetched were much less than anticipated. The administration's reputation for competence suffered as a result of political disquiet about the poor quality of bread made from the bad wheat. The evident failure damaged its credibility and added to the financial problems of the Università (and thus of the Island), as Ball was forced to admit.<sup>84</sup>

It is the aftermath of Chapman's corn mission that is most revealing. Perhaps relying on reports from the Jurats, Ball claimed that the Chapman's consignment had actually generated a surplus, but somewhat less than he had expected.<sup>85</sup> Livingstone, one of the Jurats, concluded in 1807: "...there has accrued to Government a considerable profit upon the whole transaction..."<sup>86</sup> This corroborated a report that Ball had earlier made to his superiors that the "saving to Government" was at least £21957, probably more.<sup>87</sup> This was, of course, greater than the sum predicted for a fully successful mission. The true picture was almost certainly very different. Thornton described the costly failure as "by far the greatest loss that [the Università] had then, or since, sustained."<sup>88</sup> His investigation into the Università

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<sup>82</sup> Ball to Windham 28<sup>th</sup> February 1807, Public Record Office, Kew, CO 158/13/ 59.

<sup>83</sup> *Ibid.*, CO 158/13/9 esp. 80.

<sup>84</sup> Although Ball steadfastly maintained that, taken as a whole, the consignment produced a profit: Public Record Office, Kew, CO 158/13/58-59; CO 158/13/80; CO 158/13/206.

<sup>85</sup> Ball to Shee 12<sup>th</sup> My 1807 CO 158/13/314, Public Record Office Kew, CO 158/13/ 315.

<sup>86</sup> Livingstone to Ball 25<sup>th</sup> February 1807, Public Record Office, Kew, CO 158/13/206.

<sup>87</sup> The careful emphasis on the "saving to Government" is revealing because Ball was not explicitly stating that there was a surplus; he is simply inferring that the Government would have had to spend more had they bought grain elsewhere. Ball to Cooke, Public Record Office, Kew CO 158/11/9 *et seq.*. Ball sent with this dispatch a statement of the costs and expenses of the Black Sea corn mission, not a revenue statement.

<sup>88</sup> Thornton above n.10 at p. 16.

revealed a loss in excess of 805,000 scudi (£80, 500 approx.) for the financial year 1805-1806.<sup>89</sup>

The difference between the claims made by Ball and the facts identified by Thornton is stark. One possible explanation for this may lie in an attempt by the Jurats-whom Ball blamed and subsequently dismissed- to cover up the true extent of their failure in a vain attempt to keep their jobs. But an alternative possibility that cannot be entirely discounted would suggest that Ball connived in a significant misreporting.

### (iii) *Efficiency Savings*

Evidence of Ball's sensitivity to taxation in 1805 can be seen in Coleridge's very first bando, (Proclamation) of 29<sup>th</sup> January 1805 which is of particular interest here because it reveals Ball's hesitation even in cases where taxation was both constitutionally familiar to the Maltese and economically necessary. The bando in question concerns the repair of roads and, in particular, the regulation of cart wheels. The purpose of the instrument was to safeguard the road surfaces. By avoiding damage in the first place, the Administration would minimise the need for costly repairs.

Other economies were also pursued, but with mixed results. In his Memorandum to Dundas of December 1800 Ball had noted that the expense of the hospitals was one of the greatest burdens of the civil government. This admission was followed by the bold assertion that this cost could be "halved" as there were many (unspecified) "abuses". Ball was subsequently able to assure his superiors that he had reformed the hospitals in 1804, although he admitted that the costs had risen in that financial year, as a result of providing a salary incentive for management. He was also careful to emphasise that costs had declined sharply in 1805 as the reforms took effect.<sup>90</sup>

However financial accountability was poor. Having put the machinery of reform in place, it seems likely that Ball failed to follow up put in place a monitoring system. Neither, it seems, did Coleridge in his capacity as Public Secretary. The Royal

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<sup>89</sup> A surplus of approximately 26,000 scudi had accrued to the Università in the financial year 1804-1805: Thornton, *Id.*

<sup>90</sup> See Macaulay to Ball, 10<sup>th</sup> September 1804 CO 158/9/51, 55-6 Ball admitted that the salary of the three Presidents had been increased so as to ensure his leadership in providing good management, and drew attention to "considerable reforms" which seem to have involved the merger of the Invalids and Foundlings Hospital.

Commission of 1812 reported that the hospitals had become over-manned: twice as many staff had been employed as were needed to serve its needs and this appeared to be long standing problem.

Although many of the important records have not survived,<sup>91</sup> it is believed that the extant financial and other information furnishes some evidence that there were systemic problems about which Coleridge ought to have been aware and which, as Acting Public Secretary, he might have been expected to address. His uncritical acceptance of Ball's policies is also of interest, particularly as his loyalty in this respect went beyond an appropriate expression of collective ministerial responsibility for government policy. A more scholarly objectivity in his subsequent accounts of the Island is lacking, in particular in those accounts in *the Friend*, which were first published after Ball's death in 1809.<sup>92</sup>

### **Conclusion**

When Coleridge was unexpectedly appointed to the *pro tempore* office of Public secretary he found himself burdened with a range of responsibilities including the oversight of the departments of government and semi-autonomous institutions that were critical to the success of the British administration. In his notebooks he ventured numerous complaints about being over burdened by the extensive demands of his appointment. But his difficulties may have been more complex than merely being overloaded.

In Coleridge's defence it can be argued that his role required him to support and implement the policies of the Civil Commissioner many of which were flawed either in conception or implementation. Pre-eminent amongst these are the financial policies intended to ensure that the revenue of the Island was sufficient to meet its expenditure and thus to avoid a burden on the British taxpayer. Coleridge was not responsible for the authorship of these policies, but there is evidence that, in so far as they were poorly executed, Coleridge does share a responsibility. For example, the hospitals were over-manned, the Jurats were to an unacceptable degree unsupervised, there were no proper controls on authorising expenditure and lines of

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<sup>91</sup> In the 1870's it seems that a large part of the papers of the Public Secretary's office were deliberately destroyed to create space at the Chief Secretary's office for more recent records: Despatch to Secretary of State 412 19th December 1936: see Caruana, above n 28.

<sup>92</sup> Above n.1, most notably pp. 527-580.

accountability were obfuscated. Most telling is Ball's admission that the accounts were not properly inspected. This conflicts with Coleridge's evidence that he was involved in auditing the Departments, but the impression that this function was not thoroughly and professionally discharged is impossible to dispel.

A possible explanation, albeit one favourable to Coleridge, is that the role of Public Secretary was simply too multi-faceted requiring specialist administrative and professional skills. Ball's assessment of the facts following the merger of the roles of Public Secretary and Treasurer seems to bear this out. It indicates that when so combined, the duties could not properly be discharged by one office holder, and it is significant that he sought a professionally qualified individual to oversee the accounts. Moreover, the eclectic range of responsibilities of Public secretary is sufficient in itself to justify the conclusion that the Office was beyond the abilities of one individual. Perhaps no officeholder could have managed effectively the tasks properly assigned to the Office, much less an untrained poet in uncertain health.

A further benign possibility that absolves Coleridge of some of the blame for the structural failings of the administration, is one that requires further research. It suggests that Coleridge, as a temporary stand-in was "by-passed" by Maltese administrators; in other words that some at least of the functions of the office were assumed by others, most notably the Prosegretario, Guiseppe Zammit. It is unclear whether Coleridge was aware of this, or agreed to it. What is apparent is that Coleridge, unlike other Public Secretaries, did not direct the affairs of the government departments by issuing "ordine", for there are none recorded in his name. To that extent scholars need to re-assess earlier assumptions that Coleridge performed the tasks of a professional administrator appointed to the office of Public Secretary: there is clear evidence that he did not perform the role to the same extent as officeholders. This not only illuminates his achievement in office in 1805, but also raises further questions about the effectiveness of the under-skilled British administration under Sir Alexander Ball.