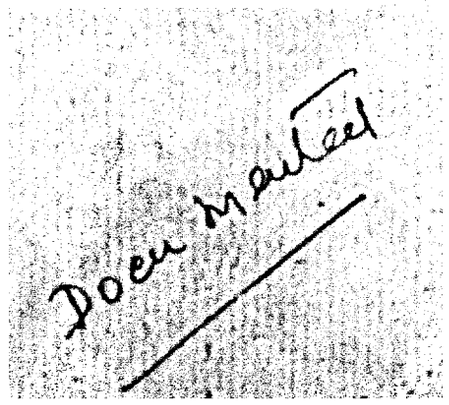
Calcutta Review

V. 6. July — Dec

1846



Micro Filmed
Calcutta Review
Vol. July-Dec 1846
78745

CONTENTS

OF

No. XII.—Vol. VI.

ART. I.—THE ZEMINDAR AND THE RYOT.

1. Principles of Public Revenue, with a short abstract of the Revenue Laws in the Bengal Presidency, 8vo. By F. Boutros, Serampore, 1844 305
2. Answers to the questions respecting the condition of the Agricultural Community of Lower Bengal, circulated by the Bengal British India Society. (Partly published in the Bengal Hurkaru, partly unpublished) . . . . . ib.

ART. II.—LORD HARRIS;—HIS LIFE AND SERVICES.

The Life and Services of General Lord Harris, G. C. B., during his campaigns in America, the West Indies, and India. By the Right Hon. S. R. Lushington, Private Secretary to Lord Harris, and late Governor of Madras.—Second Edition, revised. London, 1845 354

ART. III.—THE BANKS OF THE BHAGIRATHI.

1. Rennel's Atlas, 1779 398
2. Tassin's Bengal Atlas, 1841 . . . . . ib.

ART. IV.—PRISON DISCIPLINE IN INDIA.

1. Report of the Committee on Prison Discipline, to the Governor General of India in Council, dated the 8th January 1838; to which is prefixed a Resolution recorded by the Government of India, on the 8th of October 1838, after taking the Report into consideration. Calcutta, 1838 44

Micro Filmed

2. Appendix to the above. Calcutta, 1838 . . . 449
3. On the Penitentiary System in the United States and its application in France. By G. de-Beaumont and A. de Tocqueville, with an introduction and Notes and Additions, by Francis Lieber. Philadelphia, 1833 . . . . . *ib.*
4. Third Report of the Inspectors of Prisons for the Home District. London, 1838 . . . . . *ib.*
5. Report on the Construction, Ventilation, and Details of Pentonville Prison. London, 1844 . . . *ib.*
6. First, Second, and Third Reports of the Commissioners of the Government of the Pentonville Prison. London, 1843, 1844, 1845 . . . . . *ib.*

Art. V.—THE GENIUS AND BEAUTIES OF COLLINS:—HIS ORIENTAL OR PERSIAN ECLOGUES.

1. The Poetical Works of James Beattie, L. L. D. and William Collins. London, 1823 500
2. Campbell's Specimens of the British Poets: with Biographical and Critical Notices, &c. London, 1841 . . . . . *ib.*

Art. VI.—LAW REFORM.

1. Report from the Indian Law Commissioners to the Honorable the President of the Council of India in Council, upon Judicature in the Presidency Towns. Dated February 15th, 1844, pp. 78 . . 522
2. An Act for establishing a Court of Subordinate Civil Jurisdiction in the City of Calcutta (Revised Draft) . . . . . *ib.*
3. Appendix to Report—Minute on the Supreme Court (Bombay,) by Sir Erskine Perry, Puisne Justice, 3rd June, 1843, pp. 19 . . . . . *ib.*
4. Letter from Sir Henry Roper, Chief Justice, Bombay, to the Indian Law Commissioners . . . . *ib.*
5. Minute, &c. of Sir Lawrence Peel, Chief Justice, (Calcutta), 13th February, 1844, pp. 23 . . . . *ib.*

6. Supplement to Appendix 522
7. Letter from Sir Erskine Perry to the Honorable the Governor in Council of Bombay, 22d May 1844 . *ib.*
8. Letter from Sir L. Peel, to the Indian Law Commissioners, in reply to Sir Erskine Perry. 22d February, 1845 . . . . . *ib.*

Art. VII.—SINDH CONTROVERSY—NAPIER AND OUTRAM.

1. Correspondence relative to Sindh 1838—1843. Presented to both Houses of Parliament, 1843 . . 569
2. Supplementary correspondence relative to Sindh. Presented to Parliament, 1844 . . . . . *ib.*
3. The Conquest of Sindh, by Major General W. F. P. Napier: Parts I and II. 1845 . . . . . *ib.*
4. The Conquest of Sindh, a Commentary. Parts I. and II. by Lieut. Colonel J. Outram, C. B. 1846 . *ib.*

Miscellaneous Critical Notices.

1. Journal of the Ceylon Branch of the Royal Asiatic Society. Colombo, J. Gilgot, 1846 . . . xxix
2. Letters to British Ship-owners, &c. on Manning the Navy; by M. F. Crisp. Calcutta, 1846 . . xliii
3. The Circular Orders passed by the Nizamut Adalat for the Lower and Western Provinces, and communicated to the criminal authorities in the Bengal and Agra Provinces, by the registers of those courts, from 1796 to 1844 inclusive, with notes and appendix, compiled by G. C. Chesp, Esq. B. C. S. Rushton and Co., Calcutta, 1846 xlvii
4. Report of the Committee appointed by Government in May 1844; to inquire into the practicability of providing Calcutta Wet Docks, capable of containing a part or the whole, of the shipping frequenting the Port. Calcutta: 1846 xlviii

5. Four Lectures on the advantages of a Classical Education, as an auxiliary to a Commercial Education. With a letter to Dr. Whewell upon the subject of his tract "on Liberal Education."—By Andrew Amos, Esq., late Member of the Supreme Council of India; Recorder of Nottingham, Oxford, and Banbury; Auditor and Fellow of Trinity College, Cambridge, &c.; London. Bentley, 1845 lxiii

6. C. Cornelii Taciti, de Situ, Moribus, Populisque Germaniæ, Libellus. Necnon Cn. Julii Agricolæ Vita. Quibus accedunt Notulæ Anglicæ, et Index Historicus et Geographicus, Cura Gulielmi C. Fyfe. Calcuttae, 1846 lix

7. Catalogue of the Calcutta Public Library, Calcutta, 1846 lxii

THE

CALCUTTA REVIEW.

ART. I.—1. *Elphinstone's History of India, Vol. I.*

2. *Mill's British India, Vol. II.*

3. *The Bengal and Agra Gazetteer.*

EVERY writer on Eastern institutions has never failed to remark on their instability and proneness to change. Several bright examples are to be found of men with uncontrolled will and the resources of a flourishing empire at their disposal, employing those resources for the internal welfare of their dominions and not for territorial aggrandizement or empty display. An Eastern monarch with his treasury full, and his kingdom at peace, has but to say the word, and, as if by magic, the stately bridge arises over the deep-flowing river, the Choultri and the Serai hold out a safe refuge to the weary traveller, long lines of road branch out in every direction, avenues are planted, aqueducts are built, and civilization and intercourse promoted with that celerity attainable only where labour is abundant and expense disregarded. But the "good king" dies and the works are left unfinished. His successor, a man of different tastes and designs, is bound by no obligation to continue such laudable ends. Intrigue and faction within the palace, the revolt of a province newly subjected, or a restless desire to subjugate one more independent Prince, demand his time and his wealth, and he hastens with his boundless train of camp followers to squander in war more than twice the sum sufficient to have carried out or even have added to the great works of peace. The hammer ceases to fall, the brick kiln to smoke, the sound of the workman's tool is hushed: the public works completed soon fall into decay or remain half-unfinished as melancholy proofs of the instability of Eastern institutions and of the curse of a Government without principles or law save the will of the reigning monarch.

It is for this reason that we have selected the era of Akbar as one singularly fitted to exemplify the truth of the above. He was the first real Mahommedan King of India, and he was also the greatest. His character is marked by none of those

excesses which hold up Timur or Aurungzib to the execration of mankind. He was no shedder of innocent blood. He never entered upon an unjust war, and though forced by circumstances to be continually in the field for the first fifteen years of his reign, he amply compensated for this by the internal order and security which he introduced throughout his dominions during the latter part of it. It may therefore not be uninstructive to compare the amount of revenue collected, and the whole internal organization of India under its greatest monarch with that of the same empire under the British rule. In this we are fortunately aided by many important documents such as throw a clear and full light upon the history of the time. In the first place we have the ample narrative of the Mahommedan historian Ferishtha, whose fidelity there is no reason to doubt, and the memoir of Akbar's own son and successor who discloses, amidst a mass of rather incongruous details, many interesting particulars regarding the personal character of a father whom he could look up to with admiration, though differing from him in essentials almost as striking as those which distinguish Commodus from the exemplary Marcus. We have also the written results of Abul Fazl's labours in the Ayin Akbari or the laws and regulations of Akbar. It is from this valuable work that we draw most of the details regarding the famous revenue settlement and the whole economy of the empire; and so minute and exact are the particulars that we seem almost to live and move in the durbar of the great king. We can tell his hours of business and of relaxation: we can obtain admission to the hall of audience or to the secrecy of the cabinet: we can watch him reviewing his troops in the morning, and then consulting on state affairs with his able staff of advisers, or dwelling after the toils of office on the well known tales of Kalila Dumna, or the moral couplets of the Gulistan. As a statesman, a warrior, and even as a sportsman, we have him before our eyes to the life: we can picture to ourselves his tall form in the march during the winter months, when he dared the tiger and the wild buffaloe to the encounter; and we can enumerate the homely dishes with which he contented himself amidst all the luxury and variety of an eastern cuisine.

From most of the above materials the two historians of India, Elphinstone and Mill, have drawn their respective accounts of the reign of Akbar. The latter, however excellent his qualifications in many respects, however clear and comprehensive his narrative of the rise of the British power in the east, fails when he treads on purely Mahommedan or Hindu ground. Few men are now disposed to think that a

man is better qualified to write the history of India because he has never been on this side of the Cape, or because he is unable to consult a single Persian or Sanskrit work; and those who may still entertain such opinions have only to compare the first two volumes of Mill with the first of Elphinstone. They will judge between the picture of Hindu Society, which the latter has extracted from the volume of Manu, and Mill's unsparing and illiberal strictures on every thing connected with Hinduism; and should they descend to the period of Mahommedan invasions, they will decide whether the man who draws his information from partial and often inaccurate translations, whose errors he is unable to detect, or the one who has gone at once to the fountain head, be the better able to delineate the days of the great Mogul. A slight knowledge of Indian Society would have prevented Mill from stopping in the midst of his narrative to inform us, that Maharaja was a peculiar title signifying "Great King," and Heeren, had he lived but a month in any part of India or known a word of Persian or Arabic, would hardly have thought it remarkable that the terms Zemindar and Ryot should *not* have occurred in the old Sanskrit authors! But the difference between the two men of opposite qualifications is best exemplified, as we have said, in the subject before us. The reign of Akbar is with Mill, a dry and concise outline of facts, accurately told, but wanting in those graphic touches which show us, that the historian has himself lived in the past and can call it up vividly to others. Elphinstone on the other hand, though perhaps inferior to Mill in some of the grand requisites for a writer of history, gives us in his account of Akbar, oriental scholarship and research, thoroughly combined and digested, in addition to sound and comprehensive views, and a masterly pencil. The narrative of Akbar's successive conquests and of the revenue system which he introduced is one of the best, if not the very best chapter in the whole of the history.

We make no apology for a rapid sketch of Akbar's wars and conquests as preparatory to a review of the whole internal economy of India. In the year 1556, Humayun, so long a wanderer from his kingdom, died in consequence of a fall from the terrace of his palace at Delhi, and his young son Akbar, though scarcely fourteen years of age, found the affairs of an empire, and that dismembered and unruly, committed to his charge. It is curious to observe how while a new era was commencing for India, an equally new epoch had arisen in the west. There too another set of actors were about to enter

on the scene, and a succession of great princes who had for thirty years played a conspicuous part in the drama of life, were now passing away. Within *three years* from the accession of Akbar, Charles the fifth had performed in solemn anticipation of the reality, his living funeral at the monastery of St. Just: Henry the second had perished in a tournament: the restless spirit of Paul IV. had passed away from its vain aspiring dreams. While Elizabeth was to govern England, and Shah Abbas, the greatest of Persian monarchs, was waging his successful wars against the Ottoman and the Usbek—Akbar was to rule Hindustan with a firm and vigorous hand, and to unite in his own person the dazzling qualities of a conqueror with the sterling and solid ones of a king. But the life which was destined to fill so honourable a space in the page of history, commenced under circumstances which border on romance. Humayun in a moment of adversity had been compelled to leave his infant son behind, and the child in the hands of Kamran had been actually threatened with exposure to the fire of his father's cannon, should Humayun still persist in hostilities. The fugitive king however on his return to Kabul, found his child only four years old in safety with his mother, and taking him up in his arms he exclaimed with something of prophetic inspiration, "Joseph by his envious brethren was cast into a well, but he was eventually exalted by Providence; as thou shalt be, to the summit of glory." For nearly four years after his father's death, Akbar enjoyed the benefit of Behram Khan's advice, a Turkoman of high rank, under whose guidance the rebel Hemu was defeated, the Panjáb tranquillised, and the provinces of Delhi and Agra secured to the empire. It was perhaps fortunate that the talents of so vigorous an officer were available to the young king, whose inexperience might have been unequal to the task of maintaining discipline in his own army, or of leading that army to victory over his enemies. But just at a time when the restoration of the house of Timúr had been completed, and the iron rule of Behram had established a discipline among the Amírs, which began to be irksome, the young monarch was roused to assume the reins of command himself. His impatient spirit could brook no Mayor of the palace, however well affected, and Behram, as his influence waxed cold and his enemies increased, hoisted the standard of rebellion against the son of his old master. But Akbar's fortune prevailed, and the minister, when brought suppliant to the throne, was received with that forgiveness of injuries which characterises Akbar alone of all the Emperors of Delhi, and dismissed with

an honourable retinue on his pilgrimage to Mecca, but shortly after to perish by the hand of an assassin.*

After his emancipation from thraldom Akbar was left alone to carry out the brilliant policy of securing his authority over his chiefs and of recovering the lost dominions of the crown, previous to establishing in them that systematic arrangement, which had either never existed, or had been soon obliterated in the revolutions of so many changing dynasties. In the fourth year of the reign, Gwalior, the Vincennes of an eastern Versailles, fell before his arms: Ajmír had previously succumbed, and the Affghans were driven with loss from the fertile province of Oude. His time was next taken up with a revolt in Malwa, and with a second insurrection in the Punjáb; and order had scarcely been re-established in the country of the five rivers, when the king was compelled to proceed in person against his rebellious subjects, Bahadúr and Zeman Khan. The rebellion was only put down by an act of daring almost bordering on rashness. The enemy were encamped on the bank of the Ganges, which was then rolling down its turbid waters in the very heighth of the periodical rains. No boats were procurable and the officers would fain have restrained the impetuous Prince. But he was to be daunted by no dangers of flood or field, and mounting his elephant he gained the opposite bank, attended by about one hundred of his body guard. In the morning, after a forced march through a country almost impassable, he was joined by Asuf and Majnun Khan with the garrison of Kurra; and the Usbek rebels, whose night had been spent in festivity, were astounded on suddenly hearing, in the very front of their line, the deep ominous sound of the royal *nakarah*. Yet they formed into order, and the struggle was obstinate, until the death of one of the chiefs, as usual in oriental battles, disheartened the troops, and the Emperor was left undisputed master of the field.

In the following year Akbar commenced operations against the famous fortress of Chittor, where the Rajpút chief Jeimal, —one of the most chivalrous of his high-minded race—had entrenched himself with more than ten thousand men. The approaches were made with considerable skill, and from the minute description of Ferishta, seem to correspond with the practice of Vauban and some of the best European engineers. The *sabat*, such was the technical term, was erected in a zigzag direction, while the besiegers carried on their work in the

* The motive for assassination was purely personal. No suspicion attached to any one about the court.

mining trenches below. At a signal given, when the works had reached the enemies' walls, the train was fired, but by some irregularity one mine exploded before the other, and the attack was unsuccessful. The work had now to be recommenced, but the Emperor when visiting the scene of action at night, perceived Jeimal by the light of a torch, superintending the repairs of the breaches. Seizing a matchlock from the hand of an attendant, Akbar fired, and the ball lodged in Jeimal's forehead who fell dead on the spot. The beseiged Rajpúts had now no resource but that of despair. They resolved in their untameable spirit to leave no female captive to grace the conqueror's triumph, and immolated their wives and children at the funeral pile of their deceased chief. The next morning Akbar advanced to storm the breach, but not a single opponent was visible. Shut up in the fancied sanctity of their temples they calmly awaited the attack, and died like beasts under the knife to the number of eight thousand. Akbar, perhaps from vanity, but more probably from respect to a fallen enemy, caused two statues to be cast, one of Jeimal and the other of his brother, which, when mounted on enormous elephants of stone, were placed at the entrance gate of the Fort of Delhi, and at the distance of nearly a century afterwards, excited sensations of awe in the mind of the scientific Bernier.*

The subjection of Gujarat next occupied a considerable share of Akbar's time, and the reduction of that important province had scarcely been completed when intelligence arrived at court that Mahommed Hussein Mirza with another rebel chief was investing Ahmedabad. The rains had commenced, and from the impracticability of marching a large army at such a season most kings would have deferred the enterprise until the ensuing cold weather. But Akbar, with whom to decide was to act, sent on two thousand of his chosen horse, and mounting on camels with three hundred of his staff made one of those rapid and surprising marches by which the name of Napier in our own times has become an object of dread to the Bilúchi. With a number of men scarcely amounting to three thousand, he suddenly showed himself to the rebels, who could scarcely believe their eyes when they saw the king at Ahmedabad on the *ninth* day after his departure from Agra. A sharp conflict ensued, and the king, again exposed to considerable

* His words are worth quoting —"Ces deux grands elephans, avec ces deux braves qui sont dessus, impriment d'abord en entrant dans cette Forteresse, je ne sçais quoi de grand, et je ne sçais que de respectueuse terreur."

personal risk, was in the end successful. He entered Ahmedabad after the death of both of the insurgent chiefs, and returned by Ajmír to the capital.

A province, whose value both in point of situation and fertility seems never to have been rightly estimated by the Mogul Emperors, still remained independent. Bengal had revolted in the time of Humayun, and thronged as it was by Affghan settlers, continued under the government of an Affghan king.

Rajo Todar Mal, afterwards the famous revenue minister, was sent with a large army to conquer its weak monarch, Daud Khan. The battle for the possession of the province was fought, on what Ferishta calls the shore of the China Sea, or bay of Bengal, and after two successive engagements, Daud was allowed to retain the district of Orissa, while Bengal and Behar acknowledged the sovereignty of the emperor.

The whole country from the Sunderbunds to the Indus had thus been overrun by victorious armies, but were still any thing but secure. As soon as the royal presence no longer inspired the necessary awe, disturbances again broke out, and again the royal armies were on the move. For the first fifteen years of the reign we have little else but marches and countermarches at all seasons of the year, and through the worst of countries. Hakim Mirza kept the Punjáb in a flame, while the Affghans ravaged Bengal and Mozuffer dispoiled Gujarat. At length by the exertions of able officers, the tumults were quelled, and Akbar from the year 1586, might deem himself the master of India from the Himalayas to the sea. Two large tracts of country however remained unexplored, both of which were looked on by the emperor as his peculiar right. The first of these was Kashmír, the second was the Dekhan. The former, with its flowery vales, had long been celebrated through Hindustan as a terrestial paradise. It had however as yet stood to the sun-dried inhabitant of Delhi in the same relation as the fortunate isles of the west to the Greek. Its fruits in the winter months were gazed at by crowds in the bazars of Delhi and Agra, and purchased at high prices by the rich Amírs of the court. Its ranges of hills,—here, watered by cascades and studded with trees of both the temperate and tropical climates, and there, capped with snow,—attracted the longing gaze of the cultivator or the wayfarer on the plain. But this happy valley was only to be approached by steep and dangerous defiles in which a handful of resolute men might keep an army at bay. The king's fortune was however in the ascendant, and the invading army, taking advantage of an unguarded pass, found itself suddenly on the fine table land which forms the vale of Kashmír.

Henceforth it became the Ecbatana or summer residence of the Moguls, and its monarch, enrolled among the nobles of the court, was content to hold his kingdom as a fief of the Emperor.

Hitherto the victorious arms of Akbar had experienced no one single check. Where the king commanded in person, every difficulty of climate or country seemed to vanish before his presence, and where the command had been deputed to some of his numerous captains, the cossid who ran with despatches to Agra, had conveyed nothing but accounts of fortresses taken, rebellious chiefs subjugated, and whole provinces restored to quiet and harmony. But the hilly country round Peshawar was inhabited by a fierce and hardy race of men, who to untameable natural pride joined the fiery spirit inspired by fanaticism. Against these mountaineers, secured in their own fastnesses by the most impregnable natural defence, an army was led by Zein Khan, the foster brother of the Emperor, and Bir Bal, one of his greatest personal favourites. The invaders, repelled in their first attempt, disregarded the warning, and they then learnt the memorable lesson, which men, with natural advantages of position, and patriotic feeling heightened by religion, have ever taught the armaments of monarchs in all their pride of strength. The same dark scene was enacted, which in old times marked the struggle between the Parthian and the Roman, and by which the names of Hofer and of Akbar Khan have been respectively consecrated to the Tyrolese and the Affghan. Shut up in one of those lofty defiles, harassed by showers of stones and arrows, launched as it were, by some invisible hand, and unable in the darkness of night to maintain their usual discipline, the imperial ranks were mowed down by an unrelenting enemy, until Zein Khan, with a few followers, escaped to tell the emperor the mournful tale of his own defeat and his comrades' death.

The last part of India which gave scope to the military talents of Akbar, was the Dekhan, destined afterwards to occupy the arms of his great grandson for so lengthened a period. Prince Morad was sent to conduct the seige of Ahmednagar, and in the heroine Chand Sultana, he had found his equal. This undaunted woman stood in the breaches in person, animated the soldiery by her example, and finally obtained honourable terms from the Prince himself. The presence of Akbar himself was afterwards deemed necessary in that quarter, and it was not until nearly the close of the sixteenth century that his armies could wholly rest from their toils.

But before this the important subject of revenue had attracted

his comprehensive mind and claimed an equal part with plans of conquest. In the fifteenth year of his reign, when by the conquest of the Panjáb, and the accession of Agra and Delhi, his territory had been somewhat consolidated, this vast and complicated subject first came under consideration. To carry out the reform commenced by Shir Shah, and to purify if not altogether to remodel the existing system, was the first attempt at internal economy. In this all-important end Akbar looked around for a man, who, to faith and devotion to his service, would unite a familiar acquaintance with the land tenures in operation, and considerable influence with the Hindu part of the population. Such a one he found in the well known Raja Todar Mal. But before we enter on the system now known by his name it may not be unimportant to glance at the condition of the cultivator and the relation in which he stood to government before the era of which we are now treating.

More than five hundred years had elasped since the first Mahommedan invasion, and wherever the tide had advanced, the old Hindu village institutions had been subjected to innovation. Among the primitive communities which existed from the source of the Ganges to its mouth, the *produce of the soil* was divided between the actual cultivators and the *Zemindar* or petty Raja. Enough was left for the Ryot to maintain himself until the ensuing harvest, and the remainder was sold or stored up in the granaries of the Lord of the soil. This simple method prevailed, we believe, throughout the greater part of India up to the first eruption from without, and traces of it, in the absence of a ready market for produce, may still be discerned at this day. But many Affghan settlers had colonized the lower provinces, and here and there a Mussalman Amír had obtained, under the usual Altumgha or Madadmaish,* a grant of Zemindar's rights in the provinces of the north west. By the confusion of the old and new institutions a vast amount of misery and discontent had been occasioned. Wherever the invader had trod the old patriarchal jurisdiction rarely remained in its pristine integrity. The faithful demanded and the infidel was forced to pay, a portion which left him but little choice betwixt penury and crime. The Mahommedan never for a moment intended to recognise the old Hindu principles of revenue. The Lordship of the soil *was his*. He might make the cultivators

* A familiar exemplification of these grants occurs in the case of Themistocles. The character of the grantee would lead us to suppose a tenure of *Altumgha* or the "great seal." But the mode of the gift—such a town for provisions and such a one for wine—points directly at madad-i-maish—or "aid to subsisteuce."

slaves, or might restore them their land under an agreement to pay a certain fixed tribute, but in either case he claimed to be the *malik*. It is obvious that the condition of the Ryots depended on the amount taken. If moderate, it was simply a tax which left them bonâ-fide possessors of the soil: if large, a rent; and if extravagant, a burden under which they sunk. One Mahommedan sage had indeed given out an *ipse dixit*, that the Ryot should have as much seed and produce as would support himself, his bullocks, and family until the ensuing harvest, and the rest be the portion of the Government; but the tender mercies of the conqueror were seldom in accordance with this somewhat milder view, and he, who had commenced by taking a part, almost invariably claimed the whole at last.

Akbar came when the country was suffering under such a confusion of claims, not with swelling professions on his lips and avarice at heart, but with a calm determination to adjust in their due proportions the disputed rights of master and subject. No Government in the East, not even our own, has ever contrived to subsist without taking some of the surplus produce,—some portion, that is to say, of what remains after the cultivator has received his food and the land sufficient to maintain itself. The revenue officers to whom the great task was committed had at first three points to ascertain. 1. A correct measurement of the land. 2. The amount of produce which each bigah gave and the proportion of that amount which Government should take. 3. The equivalent in money for the raw produce. With reference to the first, and that perhaps the most complicated of the three, competent officers were deputed to the survey with instruments of greater exactness than had as yet been employed. The *Tanab*, or measuring line, which, when of rope, was liable to extend or contract according to the greater or less moisture of the soil over which it passed,* was by the emperor's special order made of the common bambu. The terms *gaz* and *bigah*, hitherto of vague acceptation, were defined with precision; and four sorts of soil were then specified, under which every thing was comprehended from the half cleared jungle to the teeming cornfield.

The land, which never failed to answer yearly to the call of the husbandman, was termed Pulej; and that which only required a short interval to recover its strength, Perauti. Chachar was the name given to land laying fallow for the third or fourth

* Many of our settlement officers must remember how unwilling the Ryots are to have their land measured before the *sun is well* up and the *heavy dew dried*. The obnoxious rope being still employed in many districts, the Ryot may be seen *pulling away with all his might*, to draw it out to the fullest extent.

year; and that which from natural unfertility or carelessness on the Ryot's part had yielded no produce for five years, was known as Banjar. The latter term, as applied to waste plots, still survives in the districts of the North West, while in Bengal it is supplanted by the comprehensive word, *patit*. When the land had been thus specified, their productive powers were assessed as follows. An average was taken of the produce which *each* of the two first kinds gave, and one third—a portion less than that exacted by Shir Shah—formed the royal revenue. To the Chachar and the Banjar, Akbar was still more considerate. From the former only two-fifths of the full revenue were demanded in the first year of cultivation, in the second three-fifths, in the third and fourth four ditto, and after that the full proportion of one-third *of the whole*. The latter only paid the nominal rent of one seer for the first season, and by a moderate yearly increase reached the highest demand at the end of the fourth. It is obvious that every encouragement was thus given to bring waste lands under cultivation, but we are not quite clear whether the above divisions were *invariably* taxed at this ratio, or whether as they might rise into the higher, so they might descend into the lower rank.*

It is inferred from a sentence of Abul Fazl's that directly the soil commenced bearing any quota however small, the regulations were put in force: and we find certain provisions by which *perauti* when fully cultivated was to pay at the same rate as the best land; and Chachar and Banjar after four years' successive crops were to be merged without distinction in the first denomination. Still further to carry out this equitable arrangement an *Amilguzar*, or settlement officer, was appointed in each district. He was instructed to deal by a local investigation with each husbandman separately, the settlement being thus exclusively Ryotwari, and occupying an inordinate proportion of time and labour: and although the Mohurri, the Karkun, and the Patwari,† each with their well kept accounts were to be present during the measurement, he was also to collect his information from the head men of the village—the Mandal or the Potail—who were best qualified from their

* It is obvious that these divisions must have given ample room for fraud on the Government. It would of course be the Ryot's interest to have as much land as possible reckoned in the two lowest classes, when his lands were first measured. What claims and complaints might then arise as to when the land first actually began to bear, or as to whether Perauti and Chachar after an inundation were not again to descend to the rank of Banjar!

† This functionary still exists, and his papers generally simplify work in the districts of Upper India. In Bengal there are few such facilities.

hereditary offices to give accurate statistics as to the varying of the crops from the incidental causes of flood or the want of rain. When the amount of the produce of each kind had been adjusted, the next thing was to commute it to a payment in money. To obviate the inconvenience of a yearly settlement, and the loss to Government infallibly caused by a perpetual one, the land was assessed for the space of ten years on a fair and equitable average drawn from personal investigation, and the period selected—from the fifteenth to the twenty-fifth year of the reign, had been distinguished by most abundant harvests. Whenever the husbandman thought the price too high, or was unable to find a ready market for his goods, the Government officers were compelled to take the raw produce instead of money. The land was either measured with the standing crop and the Government share apportioned—as done in the *Barga* or share and share system of the present day,—or the grain was divided when threshed, or by a still more extraordinary arrangement, as soon as it had begun to sprout,—the fluctuations of season and rain being thus set at defiance. Only certain kinds of crops were exempted from this option. The revenue from pán or betel, from haldi or turmeric, from watermelons, cucumbers, brinjals, radishes, carrots, and from indigo—for even then this *litis causa* was assiduously cultivated—was invariably to be paid in money and that at fixed rates. But all incidental causes likely to affect the fertility of the soil, were also taken into consideration. The propinquity of water and consequent facility enjoyed for irrigation, or the reverse, the character of the earth, gravelly or loamy, sandy or black, were all considered as reasons for diminishing or increasing the assessment; and the Ryot cursed with a large portion of rocky land might claim indulgence from the Amilguzar, as he would now do in Bengal for a small plot of ground, impregnated with saline particles, and producing, instead of the rich waving crop of rice, a few blades of worthless grass, which even his bullocks would refuse to eat.

Such was the revenue system of Akbar. It was one certainly calculated to improve the condition of the Ryot, as by establishing a fixed standard it rendered him to some extent independent of the caprice of a master. It was a system which from its equitable principles might well be looked on as heaven-born by the men of the age, and even at this day must command our respect, if not our admiration. But it was a system, too, which contained no great principles of progression: nothing which could ensure to us that the country would be more improved at the end of a hundred years

from its promulgation than it was at the end of ten. The Emperor on the one hand and on the other the peasant; no break between, not one of the numerous class of middlemen, whose existence has so greatly increased the confusion of revenue matters—the whole state of society presents us with few of those salient points from which we may augur a rapid ascent or fall in the scale of civilization. We are not aware what part the Zemindars played in the payment of revenue. The land could not all have been khass, for we are expressly told that the Hindu proprietors were left in the enjoyment of their hereditary possessions. We must of course infer that they too had their demands on the Ryot, after he had duly paid his quota to Government. These were then, as we have said, mostly Hindu, the old Lords of the soil, the Rajahs of Manu's time with holy Brahmans for their ministers and advisers. Only in a few instances had the generosity of the emperor conferred a jaghír on some one of his faithful followers. The memoirs of the enlightened Bernier who visited India in the days of Akbar's grandson give us some desirable information as to who were the great landholders, and we may be certain that if few Mussalmen were proprietors in the reign of Aurungzib, the proportion was still less in any preceding one. The crowd of Amírs, who daily thronged the royal durbar, were not the Lords of broad acres. They were men whose pay depended solely on the caprice or the liberality of the Emperor, and a failure in daily attendance—the *condition of their office* —might throw them at once into a state of helpless penury. The Zemindaries were therefore large, and the power of the Zemindar patriarchal and almost unbounded. At times he might set even the Emperor at defiance and a portion of the army in subsequent reigns was on several occasions called out in order to force a refractory landholder into the due payment of the revenue. Our present sale laws are termed harsh and imperious. But the above fact proves the necessity of some such stringent measures. In their absence we can scarcely tell whether some up-country chieftain might not attempt, even now, to set the Government at defiance, and we are quite certain that many of the Roys and Choudaris of Bengal, would, with characteristic native procrastination, fall into endless arrears. The Mogul obviated this inconvenience by the sword, and we meet it by raising a more harmless but equally effective weapon—that of the collector's unrelenting hammer.

But with Akbar there was no visible resting place between the peasant and the King; and the Government, which in all

ages demands *some recognition* of its proprietary rights, was here at once master, assessor and collector.* We may be excused for dwelling a little longer on this part of Akbar's policy. The great settlement of this reign must have been a fearful undertaking. To assess a Pergunnah by dealing exclusively with the Ryots, would employ the best settlement officer of the present day for at least two years. What time must have been consumed in thus disposing of a kingdom. In spite of Abul Fazl's obvious desire to exalt the glories of the reign and to represent Akbar's course as smooth and unobstructed, we may infer from one remark that difficulties in the *practical* working of the system were encountered every day. He gives us plentiful details about the settlement, but he is ominously silent regarding the collections, and when he mentions them, it is with remarks on the outcries of the husbandman and the counter complaints of the Tahsildar. A settlement on paper is one thing, and its realization another. It is one thing, as many of our Revenue officers must aknowledge, to make a flowing report of a Pergunnah assessed at a high rate without hardship to the cultivator, and another to make the actual collections square with the report: one thing in short, to show up a grand array of figures in black and white, and another to play the practical financier and convert them into downright cash. But we will examine, as far as we can, the respective rates demanded by Akbar's Government and by our own. Now in our dealings with Zemindars we have no parallel in the old times. It would therefore be unfair to assert that our Government is milder and more equitable, because many a Zemindar pays in the Súdder Jumma of his vast territories at a rate of six to three annas a bigah.† Here we make no calculation for the increased demand on the Ryot, nor bestow a thought on the sub-letting system which is the cause of one-half the distress of the country. The Zemindar, it is true, only pays at the above rate, but he collects *en gros* from the pattani-Talukdar, who, in his turn, demands for his pains and profit some thing more from the dar-pattani-dar beneath. This worthy probably lays it on heavier on the shoulders of the seh-pattani-dar, and he again requites himself by increasing his collections from

* We are not going to enter on the *vexata questio* as to who is the *Lord* of the soil, Government, Zemindar or Ryot. Our own impression is that the Zemindar is *virtually* the master,—the recognition of the rights of Government and of the cultivator, being *concessions* in accordance with the framework of Eastern Society. Many readers may remember an amusing discussion on this subject in the pages of "the Babú," a novel published some ten or twelve years ago.

† In some districts the average of assessment is as low as *two annas*; we have supposed it to be rather higher in order to avoid selecting the favourable exception.

each individual Ryot. Suppose, in addition to the above, that any of the rights have been given out in farm. Proportionate profit and proportionate hardship must be the result. The Zemindar, has temporarily alienated his rights in *ijarah*, and the ijarahdar will bestow his in dar-ijarah again: or perhaps some of the middlemen—whose denominations vary in almost every district—have followed the inviting example; and we may picture to ourselves the confusion created by such a succession of ranks, each rising in its claims, and the whole heightened by the reckless system of giving out in farm. But yet,—such is the fertility of the country,—the Ryot works away at his plot of ground and finds enough to satisfy all. A bigah of paddy land in favourable seasons, yields eight or ten rupees, often six and rarely less than five. We will however be content to estimate it at four, and we may thus attempt to calculate the amount respectively demanded by the two Governments. In the Khass Mahals—those estates, few in number, which from overassessment, or oppression on the Zemindar's part and consequent desertion on that of the inhabitants, have reverted to Government—the settlement is made directly with the Ryot. Estimating then the produce of a bigah at the low average of four rupees, we limit our demand to only one-fourth of that sum. One rupee, and no more, is paid by each Khass Ryot. Contrast this with the one-third demanded by Akbar, *from an estimate of the produce*, and the advantage is clear on our side. It is a mere matter of figures, which, we are tolerably confident, are correct in both cases. With regard to the actual collections the two ages are about on a par. Although the bad management of Khass Mahals has become almost proverbial, yet this will not affect the truth of our reckoning. The native agent is the same in all times and places, and we cannot believe that the collections were better managed under Akbar, or that the Tahsildars were then less given to fraud and collusion than those who have ruined many a fine Khass estate now.

A work might be written on the present revenue system of India, nay, almost on the variety of tenures in each successive district. We are compelled therefore to limit our remarks to the *great features* alone, and may be pardoned for a slight further digression on the farming out of land, which we subdivide into those given out by Government and those for private purposes between man and man. In both cases the object is the same: that of shifting the burden on the shoulders of another, and thus avoiding all the vexations attendant on a Ryotwari collection.

Now, wherever lands have come to the hammer, the evils of

Khass Tahsil, or it may be expressed of individual collection,* have invariably become so apparent, that the territory thrown back on Government, has been farmed out to some one individual, who undertakes to collect the amount due to Government from each Ryot, and trusts to his own skill to make the undertaking profitable to himself. Again, whenever a wealthy Zemindar finds that some parts of his lands are too far removed from his own immediate superintendence—that in the employment of Tahsildars he hears nothing but repeated stories of failure in crops, inundation, boundary disputes, or ryots absconding—he resorts to the expedient of giving it out in *ijarah*. It is obvious that the condition of the inhabitants depends principally on the character of the new master. A man of a liberal and enlightened spirit may set himself to ameliorate the condition of the Ryots and to bring the resources of the soil into full play, though he will hardly exert the same zeal as if the land were his own. But what interest can he have in the moral or intellectual improvement of the people, whose opportunities are limited by time? Why should he busy himself with establishing schools, erecting hospitals, laying out roads, building bridges, benefitting agriculture by the improved machinery of civilization, when the property by natural limitation must return to the mismanagement of its original owner, or pass into the hands of a man of different mould?—

Permutat dominos, et cedit in altera jura.

If the intention be wrong from the first, the prospect is hopeless, and if the will and the spirit be right, yet prudential considerations restrain the hand of liberality, and the ijarahdar contents himself with the feeling that the Ryots are perhaps better off than they ever were before. It is a question whether the ijarahs given out by Government or those of a private nature contain the seeds of more hope. The Government farmer, if his assessment be equitable, and he has the prospect of a renewed lease, may possibly regard the land as his own. But what can be looked for in the case where the ijarah is taken for a moderate term, and by one who only seeks to collect the greatest amount possible? Or what can he be expected to do for the Ryot, who, in order to avoid litigation or to escape boundary disputes, accepts the Zemindar's terms, dictated in the true spirit of *væ victis* and agrees to pay 20,000 rupees a year, when he is morally certain that no effort will enable him to collect more than one-half that sum?

* The Ryotwari system has been said to work well on the Madras Presidency. It certainly has rarely answered in Bengal.

It is improbable that Abkar's policy in Revenue matters could have subsisted whole and unbroken for a long period after his death. The Government once sanctioning the receipt of land revenue through the virtual proprietor, the practice of sub-letting must soon have crept in, and Akbar's old foes, the middlemen, have sprung up like the heads of the Hydra. But in addition to the land revenue, the Emperors hitherto had been accustomed to enforce the payment of many taxes on the necessary articles of life, which must have had the effect of often doubling the actual jumma. All these were swept away by one stroke of the pen. In the seventeenth year of his reign the taxes on oil, salt, sugar, or perfumes—on copper utensils, on linen, on woollen cloths, on fuel, and grass—in fact on most that was used by the Ryot as food, or as clothing in the cold or hot season, which formed the materials of his hut or lit the fire of his daily meal—were repealed. Only such were retained as the rich could afford to pay. Six of them are undoubtedly among the luxuries of life, and the Amírs might well be taxed for horses, elephants, camels, silken stuffs, warlike weapons and sheep. We only regret that the peasant's goat should have been the exception to the equitable rule. It paid with the other six, the moderate duty of one per cent.

The important topic of Revenue must here end, while we divert to another branch of economy almost as worthy of our attention—that of the Police and the internal security of the kingdom. It were indeed to be wished that the same enlightened spirit which dictated the revenue reform, had been also brought to bear on the great mass of crime and its handmaid punishment: we would have had Akbar more aware of the fact that a community disordered by lawless characters must inevitably be debarred from any prospect of increased happiness, and will probably mould the ploughshare and the pruning hook into the sword and the spear. But Indian governments, *without one single exception*, have paid attention to the collection of the revenue, before attempting to organize the police. Few men seem to acknowledge practically the importance of security to the Ryot in person and property, in order that he may pay his dues with readiness and ease. The Regulations of 1793 for the exaction of arrears of rent, have stood the test of half a century, while Indian statesmen are only beginning to devise remedies for the defects in the Police. The Deputy Collector is abolished, where his occupation is gone, and the Deputy Magistrate is slowly rising up in his place. It would be unjust therefore to censure Akbar for having omitted to embrace this wide subject in the general range of his policy. He who conquered

and confirmed to the empire provinces of such vast extent—who gave to those subject domains a fixed system of revenue independent of the caprice of the reigning monarch—who organized a large undisciplined army composed of such heterogeneous materials—who contended and that successfully against the prejudices of the old Hindu Lords of the soil, still rankling with the recollection of the dominon they had lost—who tamed, sometimes by the strong arm and sometimes by generous condescension,* the high chivalrous spirit of the Rajpút and the daring of the hardy Turkoman—who kept the palace free from intrigue, the soldiery from discontent, and the proprietor from oppression,—may well be pardoned when arraigned at the bar of history for not having chosen a second Todar Mal, as the reformer of the Indian police. Some regulations, however, we still find on this subject. They are marked by a generous and discriminating spirit, but they are also tinged with that vagueness and puerility, which is the almost universal characteristic of all such Asiatic documents from the laws promulgated by Manu to the report of the Darogah at the present day. In every great city an officer was appointed, termed the Kotwal, whose power seems to have been as extended as his avocations were numerous. He was to divide the city into quarters, to register the names of the householders, to keep the streets clean and unobstructed, to regulate, like the ædiles of old, the market weights and prices, to *prevent* the making of spirituous liquors, to drive away the crowd of idle hypocritical faqírs, to *prevent the slaughter of cows*, to keep certain ferries and ghats for the use of the female sex only, and to see that no *woman was burnt contrary to her own free will and inclination.* To any of the above instructions we think that no one single objection can be offered. Here and there however we have traces of a less judicious and even of a barbarous spirit. In cases of theft the Kotwal was bound to discover the thief, and to produce the stolen property, or was himself made answerable for the loss sustained! Now we are well aware that a really active and efficient police officer, if backed by the exertions of the

* Elphinstone quotes an amusing instance of Akbar's compliance—The emperor had given a light suit of mail to a young Rajpút, and directed him to put off the heavy one under which he was labouring. Seeing another Raja unprovided, he told him to put on the heavy armour which remained unoccupied. The Raja obeyed. He was unfortunately a rival of the father of the young Rajpút to whom Akbar had given the lighter suit. When the latter saw the use to which his son's armour was put he indignantly "*tore* off that given him by the king, and declared he should go into the battle without any armour at all. Akbar took no notice of this disrespect, but to say, that he could not allow his chiefs to be more exposed than himself, and that he would also go unarmed into the battle." This, we opine, is chivalry, which might have adorned King Richard's camp.

prosecutor, need seldom fail in gaining some trace of the perpetrators of crime. But still let us conceive, if the above law were invariably carried out, the interest which the Kotwal would have in producing some scape goat to bear the burden, or in default, the care he would take that the mention of the occurrence should never be heard. As little can we admire the clause which declares that any one who drinks out of the same vessel with the jalad, or common executioner, shall forfeit his hand. The spirit of such a law is in accordance with the dark pages of Manu, rather than with the Ayin of the most enlightened of Mussalman sovereigns. The Kotwal, it is needless to say, was to be a man of quickness, courage and activity, and the office must have been sought after by natives of more respectability than at the present day; for we find that in the time of Jahangír, Lashkar Khan, an Amír, was appointed to the Government of the city of Agra, with the superintendence of its forts and of the Royal Seraglio, while his son-in-law, Baba Mairat, a "brave old man," who was said on the frontiers of Kabul to have received ten wounds, while he slew forty of the enemy with his own hand, was appointed Kotwal or Prefect of police in the same metropolis.

But if it was incumbent on the above functionary to apprehend the delinquents, the investigation of the crime was committed to other hands. The man before whom the depositions were taken down in writing—for even then this cumbrous process was in force—was the Kazi; and he, after mature deliberation, probably gave in his opinion to another officer called the Mir Adal or Lord of Justice, who both determined the mode of punishment and saw it carried into execution. Between the above three officers lay the apprehension, trial and punishment of criminals. Within the circle of the royal city and under the surveillance of the Emperor, we may fairly suppose the course of justice to have been in several cases direct and unimpeded. No suppliant was debarred from entering the royal durbar: no officious attendant could remove imploring poverty from the road where the cortege passed, or blind the far-seeing eye of the Emperor to the oppression of his dependants. Akbar, seated on his throne, might convince the wondering population that his hands, at least, were clean: that the fabled purity of oriental justice had not yet utterly departed from earth. He might prove by some of those rapid and effective retributions which have made the names of Mahommed Ali a proverb throughout Egypt, that with him there was no respect for the high and mighty, no deaf ear turned towards the cry of the feeble, no bribe adequate to secure the coveted

licence of impunity. But, keen though his glance and prompt his hand to strike, he could not check the lawless or the venal throughout the wide circle of his dominions. Redress was easy to those who resided within the influence of his camp, but we read of no means taken to secure the administration of justice in the provinces. The Governors of the Subahs were indeed enjoined in the firmans of their office to put down oppression and crime, and in some instances restricted to certain, and those the less barbarous punishments. But if we look for a regular system, filling the country, as it were, and extending from the crowded bazar to the village half buried in jungle, we shall find nothing but a blank. In later times, when frequent grants of land were bestowed on favorites, the Zemindar besides the power of collecting revenue, was also invested with the attributes of a Magistrate. He was licensed to establish the usual Zemindari courts, and we have ourselves seen a firman of one of the last real Emperors of Delhi, in which the grantee is distinctly empowered to carry on the whole internal economy of his estate, and to administer the criminal as well as the fiscal affairs. We may therefore lawfully conclude that this power if not expressly sanctioned by Akbar, was still virtually enjoyed by every landed proprietor; and the speculative may endeavour to picture to themselves the actual condition of the cultivator under such a system. If the Zemindar was not more powerful than his neighbours, and therefore involved in border disputes, it is impossible to conceive that the Ryot could have been in the enjoyment of the smallest fraction of happiness. If however the Zemindar was all powerful, and his territory extensive, the case resolves itself into one of the two following suppositions—With a mild and equitable master, whose will carried its own execution, the security of property or person must have been fully equal to what it is *anywhere* at the present day. Even now a Zemindar can accelerate or retard the progress of crime in an almost incalculable degree. The landlord had but to speak, and the thief or dacoit was swept away. He had but to take up his pen, and the servant really unable to pay, saw his debt forgiven him. But suppose the rule to have been that of a hard task-master, who demanded the full tale of bricks without giving the straw, or of a driveller who was blind to the character of his agents. It is hard then to find terms adequate to express the condition of the country. The δωροφάγοι βασιλῆες who excited such indignation in honest old Hesiod, must have found their Prototypes in many a native Zemindar, or in agents almost as powerful as the master himself. In the case

of undefined boundaries it must have been the oft-reported story of men reaping where they had never sown, or planting what they were never to enjoy. Here, the rule of right gave way to those, who, like Evan Dhu, could draw the "langest claymore," or there, to him who boasted that more efficient weapon, the heaviest purse.

But before Akbar could promulgate his Revenue system and devise measures for the security of the large towns honoured by his presence, he had to regulate his army and mould its diffuse and incongruous materials into something like a compact and comprehensive whole. The great strength of the Emperor consisted, as might be supposed, in his cavalry. Few men in such a court would have thought it consistent with their dignity to appear in the field otherwise than mounted, and the office of Mansabdar was held one of the greatest marks of the royal favor. These officers commanded bodies of troops varying in number from 10,000, to 200. None but a king's son was eligible to those of the highest rank, and we find that Sultan Selim—the future Jehangír—was the only Mansabdar of ten thousand, while the younger princes, Shah Morad and Sultan Daniel were made commanders of eight and seven thousand respectively. Khusru, the eldest son of Sultan Selim, was the highest of those who commanded five thousand, and twenty-nine picked nobles were honoured after him with posts of an equal dignity. After the above we have a long roll call of names, amongst which we recognize here and there a distinguished character, amounting on the whole to above four hundred. It is curious to observe the proportion of the two religions in the disposition of these offices. By far the greater part consist of those by whom the empire had been won and by whom it must be preserved. To keep back the Hindu from all prospect of emolument was no part of Akbar's policy; but while he conciliated him by the free use of his religion and the enjoyment of his hereditary domains with all his antiquated customs and prejudices inviolate, he nominated to the command of his troops those faithful spirits whose services had been tested in the rebellions of Gujarat, or in protracted struggles with the Rajpút. Three hundred and seventy out of the whole number are Mussalmen, and about forty-four Hindus. Of the former many were Turkomans by descent—the Begs and the Khans—while amongst the latter the names of Jugmal and Bir Bal, tell us of some fiery Rajpút chief, who had so far foregone his stubborn prejudices, as to be reckoned among "the pillars of the state." The Raja Todar Mal ranked as a Mansabdar of 4,000, only three of the same creed holding higher appointments,

and the erudite Abul Fazl did not deem it inconsistent with his love of literary pursuits to become a commander of 2,500. The whole complement of men under these officers is stated by Abul Fazl, in round numbers at five hundred thousand, but when we examine his narrative closely, we may fairly conclude that the actual number of men in service or capable of being equipped for the field at a short notice, must have been much less. We are told that such of the Mansabdars as were unable to furnish horses themselves, were supplied by the Emperor with troopers mounted on horses, marked as the "king's own" to avoid fraud or alienation, and in the end the greater part of the cavalry consisted of these latter who took precedence of those raised by each chief's individual exertions. They were not permitted to sell or exchange their horses, or to receive their pay until they had passed muster. We also find that many officers, who had only raised one-half the proper complement of men, were exalted at the emperor's pleasure to a still higher rank; and taking into consideration the frequency with which such an indulgence was probably granted, we may fairly conclude the serviceable part of Akbar's army to have been about one-half the nominal standard, or two hundred and fifty thousand fighting men. But let us take it at the still lower valuation of two hundred thousand, and the question will naturally suggest itself, are we justified in holding a larger extent of country than fell under Akbar's sway, with an army not equal to that which he deemed necessary for the preservation of Lahore, Gujarat, the North West, and Bengal?

Besides the Mansabdars, there were an inferior class termed *dehbashi*, or commanders of ten, who provided their own troopers, like the irregular cavalry now; and while the monthly pay for their establishment was only one hundred rupees, the costly mansab of Sultan Selim demanded no less than sixty thousand, besides a due allowance of elephants, camels, mules and carts. We entertain little doubt, but that the mansabs though nominally made up of cavalry, were also divided into a distinct infantry department. Many an officer must have marshalled the tall and manly Hindustani into a regular regiment, less costly and more available than the troops of horse. Unless this supposition be allowed—one warranted indeed by several expressions of Abul Fazl—we are at a loss to conceive how the army could ever have won its numerous engagements, especially those in Bengal. The only mention of a separate infantry is that of the Bundukhian or matchlock men, of whom twelve thousand guarded the Royal person. The care of the palace or of the imperial tent on the march was entrusted to a thousand

durbanan or porters, and a thousand more under the title of Khidmattia kept the environs. The Shamshirbaz, or sword players, mingled with a set of men from Rohilkand, who wielded the *majdur*, also received their regular pay, while the wrestlers and boxers from Iran and Turki vied with the natives of Gujarat in displaying their skill—the latter, like the Balearic islanders of old, resorting to the primitive weapon of slings and stones.

When the active mind of the Emperor had duly provided for the various departments of the army, the revenue, and the police, the great work was brought to a conclusion. Akbar could then survey from his daily seat in council, many trustworthy and experienced men who might "constitute a state." He could look round in the assembled throng with the glance of a second Vikramaditya on several noted characters fit to cope with the "nine gems." Never before or since, at Delhi or at Agra, at Hastinapura, or at Ayodhya had there congregated such a galaxy of the learned and the warlike. It seemed as if the old times of the Aswamedha had been suddenly restored, and all India had hastened to the feet of one king. There, were gathered all for whom wealth and court favour had attractions, or who confided in the patronage bestowed by the Emperor on every distinguished name in learning or art. The men of different creeds from the most grovelling superstition to the most bigotted fanaticism, the soldier and the historian, the adventurer and the artist, forgot their rivalries under the favour of one who seldom bestowed it unworthily. There, mingled with the long beards of the Affghan, were seen the turbanless heads of the repositories of Sanskrit learning, and the eager disputants in Islamism side by side with the venerable apostles of love and peace. Immediately round the Emperor stood his son Selim, and his grandson Khusru: Morad the next heir familiarly greeted by his father with the appellation of *paharri* or mountaineer, and Daniel the youngest born with his countenance dull and heavy from the last night's debauch. A little further off Abul Fazl, with the look of a courtier and a man of the world, and the mild features of his brother Feizi, the first Mussalman who ever condescended to explore the treasures of Hindu literature and transfer them to a Persian dress. There Mirza Khan, the son of Behram, Akbar's first master of war, maintained the reputation of his illustrious but unfortunate father; Abdul Kadir,* the most bigotted Mahommedan of the time, was there also with lowering brow

* The author of the Muntakhab-al-tawarikh.

and revengeful eye: the Romish missionary from Goa, thought it not inconsistent with his spiritual vocation, to stand daily in the presence of a monarch whose maxims were those of toleration to all; and Tan Sen, the Handel of Hindu composers, found a place in the circle of a court, where music and poetry were a daily relaxation. There, too, many a hardy Turkoman, whose ancestors had formed part of the great armament of Timúr the lame, gazed with satisfaction on a prince gifted by nature with kingly attributes, where the person was free from blemish, and the mind from cruelty: and the Brahman and the Kshetriya, whose fathers had been witness to the reverses of Humayun and Baber, could bend in the *Kornish* before a monarch whose universal supremacy reminded them of the sway of Yudhistira, and whose deeds in arms might rank with those of Bhima and Arjun.

But long before the hour appointed for the Durbar, Akbar had quitted the couch for his morning devotions, and he was soon after to be seen by all classes from the jharokha or lattice of the palace. At nine o'clock he took his seat in the hall of audience and stated days were appointed for the muster of various departments in the household. On every Saturday at least two hundred elephants passed in review before the king, who enquired into their ages and examined their accounts; and if Abul Fazl's statement be correct that each was allotted *half a maund of rice*, and *three hundred sugar* canes daily, besides a quantum of sugar and ghee, the Darogah of the Filkhanah must have made a profit on the whole which passes all calculation. The whole establishment was said to amount to 12,000, including probably those apportioned to each Mansabdar; while in each khasah or royal stable, of which there were six, forty choice Arabian steeds were reserved for the King's especial use. Besides these favorites, there was a crowd of inferior horses, which Ferishta states in round numbers at 12,000. The camel and oxen departments were maintained in the same style of magnificence; and the choicest of the former were brought from Ajmír, Thannesar, and Kach, while Gujarat even then had established its character, by sending forth the finest breed of oxen in the realm. Nine hundred yuz, or hunting leopards, were kept for the diversion of the chace—a hundred and one khasah deer, never known to run in any battle, were set apart for the public games which the King patronised as the means of bringing his subjects together "in amity and good fellowship"—and the huge *arna* buffaloe, caught in the far distant plains of Bengal, was honoured with especial care, that he might confront, in single combat, the monarch of the jungles. The vigilance of the

Emperor extended also to the kitchen, and the abdar khana, and we are put in possession of several curious particulars regarding the style of living in the court. No water but that of the Ganges was ever drunk in the palace, and to cool it the servants had recourse to the never failing saltpetre, unless when in the Punjab, where ice and snow were brought from the high lands of Kashmír. A hundred dishes were always kept ready to be served up at a moment's notice, but the Emperor, who abstained from flesh on Fridays and Sundays, was generally content to appease his hunger with milk, curds, and the common kicheri made of rice and turmeric. Yet even with Akbar we see signs of that unenviable precaution, which must always attend on a king whose acts are uncontrolled. No dish could ever be set before Akbar, unless the Mir Bakawal, or Major Domo had previously tasted it. The whole account of Akbar's household strikes us as remarkable for its union of vastness and profusion with order and regularity, and he may justly be said to have maintained an establishment surpassing all that ever lived before or after him. Akbar's time was, as we have seen, well divided between his public duties and his private devotions. He had also always taken great delight in the conversations of learned men of all countries and sects, and the watches of the night were often spent in listening and replying to their arguments, while three short hours of sleep were sufficient to recruit him for the fatigues of the coming day. But when not on his march, the days of the week were regularly set apart for the inspection of some one peculiar department. On Saturday, as we have seen, the muster of elephants took place, and on Sunday that of horses. Monday was reserved for the camels, mules and oxen, and on Tuesday he reviewed the troops. Wednesday saw him employed in his Dewan-i-Vizarat, or the internal affairs of the realm: on Thursday he dispensed justice, and on Friday only, of all the days of the week, he secluded himself from the public gaze in the secrecy of the Seraglio. But on no one single day did he omit receiving the salutations of his Amírs, nor did he ever lose an opportunity of gaining knowledge from travellers regarding the manufactures of his kingdom, the prices of the markets, the state of the roads, and in short every thing which could interest a Prince really solicitous for the welfare of his people.

The pen of Jehangír has presented posterity with a picture of his father, which can hardly fail to be interesting. Akbar had been highly favoured by nature, and sovereignty was written on his brow in legible characters. He was tall in stature, with a clear and ruddy complexion, and from under his eyebrows,

which "ran across into each other," shot forth those fiery glances which few opponents in the field had ever met without quailing. A black mole on his countenance was considered the mark of uninterrupted good fortune; his chest was of extraordinary breadth, and the length of his arms, though perhaps not in accordance with our notions of symmetry, has ever been regarded by the Asiatic as the distinguishing characteristic of a hero. In this he was not singular. Ráma is said by Valmíki to have had "arms reaching down to his knees," and Scott expressly mentions that Rob Roy could without stooping, "garter his hose below the knee." With such powers of body it is not to be wondered at that Akbar should have taken great delight in the sports of the field, and in his adventures against the Tiger or Lion* he showed that same undaunted spirit which had so often borne him out in the battle. He is one additional proof of the maxim that good sportsmen will prove themselves good Captains when called upon. Mounted on his favourite charger, kohparah, or fragment of a mountain—who had been known to await the charge of an elephant while the rider fired off his back—Akbar had on several occasions run down the panther or yuz. He had tamed elephants in their wildest mood, and in the use of the gun he was equally expert. With a favourite fowling piece to which he had given the name of durust-andaz, or "straight thrower," at least twenty thousand head of game had been shot, and on one occasion when out tiger-shooting, he gave the death wound only when the animal had fixed its claws on the head of his own elephant. His other adventures in his numerous journies, mixed as they are with touches of romance, throw no small light on the state of society at the time. Once during a procession, an archer bribed, it was supposed, by some more powerful agent, lodged his arrow "span deep" in the king's shoulder, and was immediately cut to pieces by the attendants, while the procession was continued as if nothing remarkable had occurred. At another time when near the sacred plain of Thanesar, he found two large bodies of Hindu devotees on the point of engaging, with the fury inspired by their religion, for the possession of a sacred ghat. A vain attempt was made to bring about an amicable arrangement, and at length with the same policy which dictated the fights of the clans Chattan and Kay, the devotees were permitted to try conclusions in the royal presence. History does not men-

* The Persian Authors use *Shir* indiscriminately for both these animals, so that it is impossible to tell which is meant. Akbar might meet with Lions in the districts beyond Lahore.

tion how the event was decided, but we may be certain that the abuse of victory was prevented by the king who sanctioned the whole proceeding only as a matter of necessity.

It would be idle to attempt a parallel in all minute particulars between the Court and Camp of the Emperor and that of the present ruling powers of India. The external pomp, in which even Akbar delighted, has given way to the solid simplicity of a commercial capital. The hunting establishments, the long line of stables, the accumulated wealth of years, have vanished. Here and there a few faint images remain. The large train of oxen find a faint likeness in the sleek bullocks of our artillery. The twelve thousand elephants are replaced by the Filkhanah at Dacca: the horse establishment by that of the stud at Ghazipore. The thousand servants who guarded the environs of the palace, are succeeded by some three hundred domestics in red livery. The daily durbar can hardly be recognized in the occasional levee at Government-house, when a new viceroy has assumed the reins. The hunting excursions of the Emperor of Delhi bear but a small resemblance to those in which Lord Hastings spent his leisure time. The trappings of royalty have passed away and the splendid pomp, which astonished Roe and Tavernier, would now be sought for in vain. But if in these outward respects we shew but the faint reflection of the Court of Delhi, there is no fear of a comparison in the substantial and inward economy. Let us place the two side by side and test their solidity or hollowness. With tolerable dependance on the accuracy of our statistical information, we may compare the amount of Akbar's revenue with that now enjoyed by the British Government. It will then be seen whose resources were greater, and how they were severally brought into play.

Now it is obvious that the era of Akbar is the only one which will admit of a comparison with the British Government. We should have no fair field in the reign of Aurangzib, engaged in his long and desultory warfare with the Mahrattas; still less could we descend to the later emperors, when the Court of Delhi replete with faction, misrule and imbecility, presents a picture only paralleled by the last days of the Roman Empire. Nor could the Princes of Lodi or Ghori stand the same investigation. Akbar must be our resting place. The opportunities for arriving at an exact knowledge of his resources are more complete than those of any other reign: the power of the individual was as great, and his policy far more generous, than that of his successors, and if the superiority of an oriental Government with its beau ideal of a "good

king," unshackled by laws or constitution, is ever to be clearly proved, it must be done in the age and character of Akbar, or be dropped for ever as an empty boast.

We have shown how Abkar managed his police and revenue: let us see the amount he collected from his fifteen Subahs. When we except those of Oude, Lahore, and Kabul, we shall find the remainder nearly corresponding with the present divisions of the country. No footing had as yet been attained in the Dekhan, and it is a matter of no great importance to enquire whether the revenue we derive from that part of India is equalled by that raised in Akbar's time from the territories *north* of our present boundary. But as regards Bengal and the North West Provinces, and especially those zillahs, whose names are unchanged, we will place our rent roll side by side with the Taksim Jumma of Todar Mal, and then see whose management was the ablest, and whose returns the greater without hardship to the cultivators.

Now the present revenue of the three presidencies of India, with their several dependencies, may be fairly set down, one year with another at twenty-one millions of our money. At sixty years from Akbar's death, and under the rule of his great grandson it was estimated by Bernier, after the most diligent and impartial research, at little more than twenty millions. That of Shah Jehan is variously estimated at twenty-three and thirty-two, although the former number is probably nearer the truth, and that of Akbar is described as thirty; but if we make a fair allowance for the unrealized portion of revenue, it may safely be lowered to twenty-five. It seems more probable that Abul Fazl should have over stated the land tax than that it should have suffered so rapid a descent in the course of two succeeding reigns, during which the kingdom was consolidated rather than weakened. But the actual revenue of the British Government is correct to the minutest fraction, while Abul Fazl cannot supply the place of the Accountant General, nor his *ayin* take rank before the balance sheet of our monthly receipts and disbursements. Akbar may in some years have collected his five and twenty millions, but in others he must have fallen far below the scale; while we are quite certain that on an average of *three years* we have never failed to collect a sum of twenty-one millions, nor have the receipts during the same period ever been less than two millions and a half in excess of the disbursements. But besides our land revenue, we have other sources which exempt us from the charge of over burdening the soil with taxation. Akbar, besides his land tax, had little else to depend on. He had certainly the one per

cent. charge on the seven distinct objects of luxury or trade, but he invariably repudiated the practice of taking presents—one in which Aurangzib indulged to an unlimited extent.* He never required the path to the royal durbar to be smoothed by offerings of propitiation. Many other legitimate sources open to us, were to him sealed. He had no revenue from stamps, though he derived something from the inland customs. He had no monopoly in opium, no great storehouse of wealth in salt. There was no exact account kept of judicial fines and payments, nor any tax laid on the spirit dealers of Delhi and Agra. The three millions and a half sterling which we draw from the two departments of salt and opium, had then no existence. We have opened a fountain of wealth, unknown to Akbar, and without which India might become a burden to England. But let us strike out of the account the collateral sources of wealth and confine ourselves solely to the payment demanded by both Governments in their characters of owners of the soil. We will take at random the revenue of different zillahs in various parts of the kingdom, and the balance sheet will be struck in our favour. Chittagong or Chatgaon, in Abul Fazl's scheme paid three lakhs a year. Now, though overrun with jungle and burdened with an extraordinary revenue and judicial establishment, it yields almost six. Purnea gave barely two: it now yields above twelve. Tirhút gave hardly five lakhs and it now produces fourteen: Budaon shows us a balance of nine lakhs, and it gave eight in the time of Akbar: Allahabad presents a score of twenty-two with us in opposition to seven with the Mogul. We have selected the above almost at a venture, and on the other hand it would be unfair not to mention several districts where the balance seems in favour of the old scheme. These, it may be augured, are mostly in Upper India, nor were the mighty resources of Bengal ever brought into full play by the Mahommedan sovereign or by the ablest of his Viceroys. Kemaon, under the great financier of Akbar, paid in ten lakhs at least, and it is now set down as giving only two. Bahar showed twenty-one lakhs, and its actual land revenue is probably about the same, and Agra which is now thought rich at fifteen, is set down as giving the almost incredible return of fifty-one lakhs of rupees.† But our present great strength lies in the revenues of Bengal and Behar. Here we surpass the best days of the Mussalmen, and to this

* Bernier expressly mentions that Aurangzib took *salami in open Durbar* with the most perfect sang froid.

† This however may be explained away. In the Subah was probably comprehended several smaller *Sircars* or zillahs as Muttra, Furrukabad, Etawah, &c.

alone we trust for a corps de reserve when war or the expences of a province unable to pay itself, have drained the coffers of the State. We see then that the springs of wealth are more numerous in our time—that the taxation, be it direct or indirect, is more equitably divided, and that on a comparison of those similar in the two Governments, the superiority is clearly in our favour.

But another great characteristic remains to be noticed. The sums of money actually at the disposal of the Emperor far exceeded the utmost amount of our surplus revenue. The riches of a kingdom centered round Akbar: a bright halo surrounded his throne, but there was no regular return made to the country at large. His strong boxes were filled to the brim, his surplus wealth was devoted to diamonds like the koh-i-núr, or pieces of workmanship like the peacock throne, but the provinces never benefitted by the life blood of which they were yearly drained. The court should have been to the body politic what the heart is to the natural man. Here flowed by a hundred channels what should give life and vigour to the system: but once there, it was restrained by an unnatural dispensation from returning to the sources whence it came. The Company's Treasury in the same manner receives the contributions of innumerable streams, but either restores them in a great measure to their original fountains, or at least hinders them from remaining sealed up. Akbar's system was one of drainage—the British is one of circulation. Akbar collected wealth to allow it to stagnate; the Company draw it forth that it may circle in perpetual motion. Akbar—spite of all his admirable policy—aimed at a magnificent durbar, a kingly household, a vast and flourishing metropolis. The Company desire cities full of the evidences of commercial prosperity, and a country enriching and enriched in return.

We do not intend by the above comparison to set down Akbar as a king, whose sole object was wealth, or the Company as a Government whose characteristics have invariably been those of progression and reform. We have a vast debt still unpaid: a mighty work as yet hardly entered on. We are no doubt very far from the rank of those unprofitable servants who have done the things which they ought. We have to amend several unjust or inefficient regulations, to purify many of our Mofussil Courts, and above all to enter on the task from which even Akbar shrunk, that of remodelling the whole Indian police, not by partial and petty changes, but by great, comprehensive and liberal measures. We have roads to lay down, bridges to build, whole tracts of jungle to clear away. We

have to address ourselves to the understanding and heart of the native and render him a worthy and efficient instrument for the public service. We have, as a Government, to carry out physically, intellectually and morally, the purposes of God's providence in this magnificent empire, or be subjected to a somewhat similar doom with those who were summoned to the marriage feast, yet refused to go. But still, whatever be the amount of our progress in the great work up to this time, it cannot be denied that Akbar's show of wealth contained the principle of stagnation, while the revenue of the Company presents us with that of vitality. In spite of the reproach of large fortunes carried home—one where the exception is assumed as the rule—or of a Government whose high emoluments are withheld from the natives, we can confidently assert that the state of the empire under the greatest of its sovereigns was considerably behind that of the last thirty years in point of concentration of resources, activity of capital, or comfort of the people at large.

Khafi Khan, an historian, born in the times immediately following Akbar, has declared, that although his Government was undoubtedly wise and vigorous, yet that the age of Shah Jehan presented the greatest amount of prosperity ever known in India. In this estimate Elphinstone agrees, and it certainly seems possible that Akbar's views may at that time have been more consolidated, and their good effects more conspicuous. But this opinion will hardly affect the fitness of the comparison between Akbar's rule and that of the present Indian Government. Akbar's views were great and original, and whatever beneficial results attended the careers of his successors, must in some measure be ascribed to his capacious intellect. Besides, the revenue and other statistics are no where so amply delineated as by Abul Fazl. In comparing any two points, as before mentioned, we have only to remember that he was never likely *to understate*. In the amount of revenue, or of troops, or of elephants, his computations are always stretched to the farthest, so that we may be quite certain of our superiority, where the revenue of particular zillahs now exceeds what it was formerly, and doubtful where it seems less. Abul Fazl would never have set down Chittagong as giving three lakhs, if it really produced five, while on the other hand we may suspect an inacuracy where Agra is stated to give fifty-three. And throughout the whole empire how much of the revenue may have been uncollected! how often must the cash have fallen short of the financier's calculations!

The general character of an empire such as Akbar's, can

perhaps be hardly affected by the character of one individual. A wise king may leave memorials of his reign in the shape of monuments of art, or benevolent laws, but unless he can establish a few other centering points, from which good influences are to radiate, *the tout ensemble* will be but little changed. It is the system of wheels within wheels, each moving without a check in their own circle, to which any certain amount of happiness enjoyed by the country, is due. If death removes the Emperor of Delhi, all is for a time anarchy and confusion. But a Governor General is recalled, and the machinery still moves on. The affairs of the kingdom proceed as before, and the native can mark but little difference in the succession of a Viceroy to the palace, or of a Revenue or Judicial Officer to his kacheri.

We cannot quit this part of the subject without examining as far as we are able, into the physical changes which have occurred in India since the times of Akbar, and the vicissitudes experienced by particular districts. Many parts now covered with jungle, attest the splendour of former reigns, by stately edifices entwined with creepers, ghats deserted, and tanks half filled with rubbish. Here and there may be seen the remains of an aqueduct, or of a bridge standing in the middle of a plain, while the river it was intended to span, has worked out for itself a totally different course. In many places on the other hand, the forest has yielded to the ryot's axe. Akbar, we are told by Ferishta, caught elephants near Sipri Kolaras, which at present affords no shelter for such game, while Satgong,* or Saptagram, a place not far from Húgly, was then renowned for producing the finest breed of those animals, where now we see nothing but the bambú, the cocoanut, and the date tree in the villages, with broad sheets of rice in the plains between. Again, in looking over the different zillahs we light upon a name familiar to our ears, while others appear strange and seem to have perished entirely. Cuttack was, as now, the capital of Orissa: Tirhút was Tirhút; and Monghir, Monghir. The muslins of Dacca were manufactured at Sonargong, or Savarnagram, a place about 7 miles from the present capital of Eastern Bengal; Chittagong swarmed with crowds of Christian merchants and adventurers of all sorts, while the oranges of *Silhet* were even then renowned at Agra, as the best productions in all the Lower Provinces. But we recognise no old acquaintances in

* It may be insinuated that this is a misprint for *Chatgaon*, but Abul Fazl mentions both places several times over without any apparent confusion.

Khálifatabad,* Jinnatabad, Tajpur, Bazaha, or Badarak, and Gaur or Laknouti, where Todar Mal retired after the fatigues of his financial duties, now shelters the denizens of the forest in its ruined palaces and temples, and is rarely visited save by the adventurous sportsman who has laid low the buffaloe and the tiger in the very streets of Bengal's ancient metropolis.

Bernier, who wrote his interesting series of letters within seventy years after the death of Akbar, has given us in one of them, addressed to no less a person than the French minister Colbert, his sentiments regarding the general state of the country under the Emperor Aurangzib. He is a traveller of an ardent and sympathising disposition, and one whose opinion is entitled to every respect. Patronised by Danishmand Khan, one of the Emperor's confidential Amírs, he stood in the royal presence daily and gazed with wonder on the magnificence of the court. But he also saw the reverse of the picture, and no man ever enjoyed greater opportunities of intercourse with natives high and low, or drew from them sounder conclusions. There was nothing curious in the manners of the inhabitants, which did not arrest his attention, or building of note which he did not personally inspect, or public *tamasha*, from religious processions to the combat of elephants, at which his ever ready pen was not taken in hand. If a Mussalman divine thought to pass off some piece of jugglery as a miracle to the admiring crowd, Bernier was there endeavouring to unmask the charlatan in spite of frowning glances, and at the risk of being stoned. If a wretched Hindu widow was about to immolate herself on her husband's corpse, or was led stupified and unconscious to the pile, he was there openly avowing his indignation against the whole of the Brahmanical race, and taking an active part on behalf of the helpless. He spent at least seven years in India, during which he travelled all over the country from Balasore, then an emporium of the Portuguese, to Kashmír, the summer residence of the Emperor: he viewed everything with a searching and unprejudiced glance, and described all he saw with a graphic and racy style. We would venture to linger a little with him on his travels, and hear his unbiassed testimony on the court and dominions of Aurangzib. He saw the Amírs, commanders of thousands, receiving large monthly salaries from the imperial treasury, but it could not escape him that from their numerous liabilities they were involved in debt and at times unable to pay their household. He saw the seraglio, teeming with silks, brocades, perfumes and broad-

* Khalifatabad, we are told, was the old name for Múrshedabad.

cloth, and the strong boxes running over with gold mohurs and pearls, but he could not shut his eyes to the unprotected state of the ryot, or deem that whole districts, only cultivated in part, were capable of sustaining such a yearly drain on their resources. He admired the light artillery of the army, and the manly forms of the Patan and the Turkoman, but he had pity for the poor Banian, who was compelled to *disguise* his wealth in order to avoid plunder at the hands of a rapacious and uncontrolled soldiery. He compared the workmanship of Oriental with European artists, and gave the palm to the former in point of dexterity of hand, until he saw the never-failing *Rorah*, without *which no work was got through*, hung ready *in terrorem* at every great man's gate. He never complained that the Emperor, or even his ministers, sold or bought justice, but he cursed the rapacity of the farmer of estates who was at once collector and magistrate, complainant and judge, assessor and receiver of the fine. Wherever he turned he could discover nothing but confusion of rights and blinding of justice: a bribe or a blow to gain a desired end: the hand raised to strike or stretched out to pay. It may be inferred that under the vigilant eye of Akbar, the state of things was better than under the rule of his more negligent successor. We can believe that he maintained some degree of order amongst his court, his household and the metropolis arpund, but we cannot imagine that he was all-penetrating like the sun, or that the character of the landholder or the military tenant changed with that of their imperial master. The great mass must have been the same, and the same means employed to terrify the weak, to pull down the rival and to elude the vigilance of the avenger. Had we an account written by one who had visited the ins and outs of the country in Akbar's reign, not like Roe as the ambassador of a foreign court, but like Bernier as a servant of the throne of Delhi, we should have a verdict not differing materially from the above.

We recommend Bernier's travels and Gladwin's translation of the Ayin Akbari to the perusal of all Indian residents. In the latter, amidst occasional childishness they will find a considerable amount of research and erudition, and the statistics are probably as accurate as any oriental writer has ever compiled. At times however Abul Fazl's credulity was practised on and his errors are highly amusing in consequence. Take for instance his description of Bengal and compare it with Bernier's. The latter has an account of his journey through lower Bengal in the rainy season—from Pipli to Húgly—which for graphic fidelity of description is unequalled. No one who has ever

made a voyage in a pinnace to any station within 200 miles of Calcutta can fail to be struck with his observations. Abul Fazl who had probably never been much lower than Agra, gravely tells us that in Bengal women transact business in public, that the trees which produce the mangoe are not higher than a man's stature, and that the ryots of that favoured region pay their rents with unfailing exactness.

But neither the unquestionable testimony of the French Doctor as to his epoch, nor any opinions warranted by the probable analogy of that of Akbar, can lower one particle of the high respect which we must feel regarding such a Prince. We have hitherto seen him only as a conqueror at the head of his army, or as a statesman enumerating his resources, let us view him as the patron of learning and science, or as the humble but ardent enquirer after truth. It was no vain-gloriousness which led him to patronise the old Sanskrit lore, and we trace in his orders for the translation of the Ramayan and the Mahabharat a real desire to fix the old traditionary accounts of men, who had been in their day adventurers in India like himself. But in addition to the old war songs and national poetry, Hindu science also claimed his attention, and there were few departments in the vast range of its literature into which the searching eye of Feizi did not penetrate. The Persian authors were also cultivated, and a considerable portion of the evangelists was translated into that language. The education of the people at large was also provided for. Persian poets were read in all vernacular schools by the Mahommedan, and in the Hindu colleges, placed under the direct patronage of the throne, the young brahman might apply himself to his Vyakaran and his Vedanta. We may infer from a remark of Bernier's, that these Hindu institutions were discontinued by Akbar's successors, for while commenting on the ponderous character of Sanskrit, and the extreme difficulty with which it was mastered, he expressly mentions that the Brahman studied with his own Gúrú, with nothing to excite him, no emulation with others, and no hope of reward save in the adoration of his fellow countrymen. The time expended in this operose attempt was about fifteen years. We might expect to have seen some remnants of the old poetic spirit displayed under the patronage of so high a name, and to have had a few original works in Sanskrit dated from the city of Akbarabad. But the count of Hindu poets was made up. No response was given to the call of the Emperor, and the Brahman, secure in the exercise of his own religion, looked with indifference and perhaps hatred on the foreigner, who dared to invade the language of the

twice born in addition to conquering their country. The condition of Mussalman literature under Akbar was more like that of Greek under the Ptolemies, and the writers of the time in the same position as those of the Alexandrine school. It is not always that the patronage of one man, however great, can call genius into light. There is no infallible charm which can arouse the historian or the epic writer, and although we see several names of a certain literary fame in the court and camp of Akbar—though the taste for reading was diffused even beyond the precincts of the palace—yet the whole reign presents us with no single writer of undoubted superiority. We have able financiers and good captains, but no author who stands out pre-eminently from the crowd.

The great works which distinguished the reign were of a different kind, and those by which Akbar is most known, are the architectural. In the quarries of Futtehpúr red stone was found in abundance, and it was used in fortifications as well as in building mosques, serais, palaces, and ghats. Of the military works the Fort of Attok is the the most celebrated, but Allahabad and Agra were also enclosed with new walls, and under the dictates of filial piety a tomb was erected at Delhi to the deceased Humayan. Futtehpúr Sikri, now deserted, was also fortified and ornamented for Akbar's retirement, and has been well described by the excellent Bishop Heber in his inimitable Diary.

Amongst other reforms Akbar purified the common coin of the realm and changed its name from the old Hindi *Tankha* to the Persian of *Rupee*. The latter term has obtained in almost every part of the Peninsula except Bengal, where the older form with a slight modification, still lingers tenaciously, and Tankha or Takka, in the North West Provinces, is now degraded from its high office and used to signify *a pice*. Improvements in the castings of metal, and in the calibre of the guns were also ascribed to the presiding care of the Emperor, who like Louis the XVI. took great pleasure in superintending manufactures, though he never allowed the mechanic to usurp the occupation of the sovereign. The calendar was also rectified, and new forms of salutation introduced, the old established one of Salam Alikum being exchanged for that of Allahu Akbar or God is most great. The term was however abolished by Jehangir and the old forms restored in all religious ceremonies. To Akbar also is due the establishment of Dák Choukies, or more probably their reform. Ferishta states, that a letter would go from Agra to Ahmedabad in five days. If true, this shows a rate exceeding that of the regular dák in most

parts of the kingdom, and in this, as in other wise measures, we might afford to take a lesson from the policy of Akbar.

We have now done with the reforms of this great king.—His character may be judged of from the picture we have endeavoured to give, but we must consider one feature in it, which has given rise to a conflicting variety of opinions, and without which the whole would be incomplete. It was termed by Mussalmans heresy, and with us must bear the milder name of an enquiry after Truth. It has been thought that Akbar's forbearance in religion was dictated by curiosity, or a mere idle desire to amuse himself with the eagerness of disputants contending for their respective creeds. From this opinion we dissent altogether. It has also been imagined, and on firmer grounds than the above, that his object was to concentrate in a pure Deism all forms of religion from the lowest Hindu idolater to the most enlightened Mussalman, and to reconcile by his imperial authority all adverse creeds in unity and peace. But it has also been inferred that he was actuated by no spirit of curiosity, and by something more than a desire of becoming like Nanak, the founder of a comprehensive sect. We may infer from his dying in all the forms of the Mussalman faith, that the example of the orthodox men around him, combined with the precedents of his forefathers, had at last effectually banished any lingering desire to comprehend the mysteries of the Christian religion. We may affirm that the Mussalman creed at last prevailed outwardly and inwardly, and that the death scene of the emperor was rightly judged by his cotemporaries to be free from the slightest suspicion of hypocrisy. But it was surely otherwise during his life. An Emperor—raised on a pinnacle which seemed to shut him out from a free interchange of sentiments with any other living being—he had yet two friends to whom he could pour out his whole soul. These were Abul Fazl and his brother Feizi; and the poet or the romancer might weary themselves in picturing the high and mysterious subjects discussed by the three together. We know from the memoirs of the Emperor's son—an enemy to his father's innovations, and therefore one whose testimony is doubly valuable—that Abul Fazl had succeeded in persuading his master "that the seal and asylum of prophecy was no more to be thought of than as *an Arab of singular eloquence*, and that the sacred inspirations recorded in the Koran were nothing else but *fabrications invented by the ever blessed Mahommed*." We know too from the same and from other equally trustworthy sources, that the ear of the Emperor was ever closed to all arguments of expediency or interest, which had for their

scope interference with the Hindu religion: that his eye was ever turned with mildness and charity on those who, whatever their creed, worshipped God with sincere devotion and humility: that his voice was never backward in reproving the bigot, the superstitious and the austere. A great historian, in a passage of matchless excellence and truth has set before us the mind of Scipio, contending in all its intellectual power against doubts, hypocrisy and unbelief. He has shown us the restless spirit, seeking an abiding place and finding none—raised above the mass with no congenial intellect in which it might confide—exploring the dim region of visions and dreams, and forced to return to the realities of life in all the bitterness of hope unfulfilled, and divine aspirations crushed to the earth. But if the Pagan hero was actuated by such insatiable longings after something higher than that which satisfied the crowd, how much more a subject of reflection must be the character of Akbar, waiving the transmitted and unconditional belief in Islamism, to seek for purer truths and a more satisfying solution to his doubts. Greater and more fearful must be the struggle as the enquirer approaches nearer and nearer truth. Around Scipio all was darkness, and he strove intensely, it is true, to emerge thence and attain some glimpses of light, but his conflict could hardly equal that of one on the brink of knowledge fully and clearly revealed, and yet shrinking from the hard task which must precede its attainment. Scipio is a hero unable to exist without some certain basis, refusing to acquiesce in the dull and lifeless theory which denies to providence an interest in the affairs of the world. Akbar is a monarch, carefully brought up in the established tenets of a religion, theoretically purer than all save one, and yet violently casting aside precedent, to seek for something more than a deism which had won its way by the sword. It was no great wonder that Scipio should be dissatisfied with the Roman Pantheism: it was something miraculous that Akbar should require more than the Koran. He was indeed a Mahommedan of the Mahommedans, carefully instructed in doctrines of pride and violence, and yet exhibiting in himself an example of clemency and forbearance. He was a king surrounded by hereditary honours and personal glory, and he left them to search for the maxims of charity that sympathised with high and low alike. The vice regent of Heaven, he might have discharged his duties, applauded by all, but he felt in the depths of his soul that there was a void which even the glowing descriptions of the Koran had no power to fill. To fix the exact point where faith gave way to credulity or credulity to doubt, is perhaps

impossible, but we may be certain that the internal warfare was violently waged. Approaching to the very confines of truth and yet debarred from its full comprehension—reaching almost to the presence of divine love, and yet separated from its contemplation by an impassable barrier—seeking but finding not—pursuing yet never attaining—dissatisfied where all were content with their knowledge—unbelieving amidst the strictest orthodoxy—who can tell what dark and dismal thoughts may at one time have brooded in the mind of Akbar, as he returned from his lofty soaring, or what glorious visions may at another period have illumined it, as he drew near in his deep yearnings towards the fountain of light and truth?

In spite of the substantial purity of his creed, Akbar was slightly superstitious. He discouraged useless austerities in others, but he is said to have practised certain ceremonies, and the predominant failing in this part of his character seems to have been devotion, untinged by gloominess or fanaticism, but subject to all the influences of place and time. The Christian religion, even with the forms of Popery, at once attracted his earnest attention and regard. It must have been to him more than a new and different creed. He had gazed on the gross creations of Hinduism, and conversed with its wise men, without any feeling but that of unmixed pity for misplaced devotion. He had sought amidst the learning of Islamism for an object to satisfy his enquiries and found it not. He had even pondered over the inspired imagery of the Hebrew seers without being moved. He had yet to listen to the simply-told tale of Divinity pleading with humanity in human form; and he gazed with awe, we are told, on the symbols of that religion which the Catholic Priests presented to him. And if it was, at the sight of these, that his great and solemn aspirations reached their highest pitch of intensity, what might not have been expected, had the purest and sublimest of all faiths been fairly presented to his mind, unmutilated by the grave errors and superstitions of Romanism?

But the two companions whose friendship presents Akbar in so pleasing a light, were soon to be taken from him. The hand of sickness lay heavy on Feizi, and at midnight the Emperor was summoned to the death-bed of his friend. Laying aside all form for the moment, Akbar raised the dying man's head with the accents of endearment—"Sheikh Ji, I have brought Ali the physician to you—why do you not speak." But the violence of the disease had already deprived Feizi of the power of speech, and Akbar withdrew from the mournful scene to find what consolation he might, in the friendship of the remain-

ing brother. Abul Fazl however was not destined to survive him long. While marching towards Gwalior, an ambush was laid for him by Narsing Deo. His head was cut off and sent to the Emperor, who for a time was inconsolable at the loss. The finger of men always pointed at the heir to the throne as the instigator of this unholy deed, and Jehangír in his memoirs gives us the cold-blooded announcement, as of a praiseworthy deed, in language the most clear and definite. "*I employed the man who killed Abul Fazl and brought his head to me, and for this it was that I incurred my father's deep displeasure!*" Akbar survived his favourite companion for three years, and returned, we are told, "to the right way of thinking and showed himself once more an orthodox believer." We cannot tell what was really Akbar's state of mind after the death of his two companions, when he had no one who could sympathise with or appreciate his doubts. The king never left any writings by which we could judge of the inward, condition of the man. He belonged to that order of beings who have done things to be written of, rather than to those who have written things to be read. He has left us no memoirs like those of Baber, replete with raciness and humour —no monument of vanity like those of his son Selim—no outpourings of devotion like the treatises of Marcus Aurelius. It is not to be wondered at, if he was thought to have returned to the faith of his early days. Few could understand one who was so much in advance of all. The last years of his life were outwardly prosperous. He had no trouble from the revolt of a distant province, or from the factions within the palace, or from an unnatural son demanding the crown before his time. The death of Sultan Daniel, from intemperance,* was the only event which at all clouded the horizon. Without all seemed fair: of the struggle within we have no power to judge.

We now come to the closing scene—one depicted by Jehangír in his least objectionable style. In September 1605, after a reign of forty-nine years, the Emperor from a slight illness became seriously indisposed. Jehangír immediately flew to his bedside and endeavoured by assiduity in attendance to obliterate from his father's mind any lingering displeasure at his own undutiful conduct. Khusru had however his partisans within the walls, and the last days of Akbar were partially disturbed by those cabals which invariably mark the death-bed

* When restricted from wine, this Prince contrived to have the forbidden liquor brought to him in the barrel of a favourite fowling-piece, to which from its deadly powers he had given the ominous name of *Janazah*, the bier! He drank and died in consequence.

of every Asiatic monarch. The physicians disagreed as to the treatment of the royal patient: the courtiers were in doubt regarding the succession to the crown. Many believed that Khusru was destined for Emperor, and by the advice of Mir Riazuddin and a few other confidential friends, Selim was unfortunately induced to discontinue for a time his visits to the sick bed. His absence gave strength to the adverse cause, and Hindu and Mussalman were about to swear fidelity to Khusru on the binding tie of their Koran or their salt. The grandson might then have supplanted the son, and the sick monarch once removed out of Selim's influence, the way would have been clear. But Akbar could not bear the motion of the Suk-pal, and at one moment in a fit of delirium, the powers of nature seemed to sink, and the attendants concluded that all was over. He was however re-animated and an unfortunate question, put by Raja Man Sing, roused the sick man, and changed the fate of the empire. "Shahzadah Selim," said the courtier, "was besieging the castle with the citizens of Agra. Why should not the Emperor remove for a few days across the Jumna and return when his health was restored, and the tumult appeased?" At this insidious question Akbar started up and declared that the reins of Government could be held only by the hands of Prince Selim, whilst Khusru must content himself with the appanage of Bengal. The voice and the wonted authority of the man had their due effect, and at this crisis the whole aspect of matters was reversed. The doubtful at once came over, the confirmed partisans of Khusru wavered, and finally yielded; and when Akbar sent his favourite son a dress of honour and a turban taken from his own brows, the heir to the throne passed over to the palace without the slightest opposition. We may believe that some genuine touch of nature must then have shown itself, and that the conduct of Selim was free from hypocrisy. The dying monarch looked around on those who had been the companions of his arms or of his counsels and entreated them to forget the errors which they might justly lay to his charge. He then pronounced in a slow and faltering voice several stanzas in which occur an allusion to "the crisis of his repentance," and the oft-repeated sentiment of the spirit, which the world was too small to contain now panting in its confinement, to escape from the cage of darkness. In tears, Selim threw himself at the foot of the couch, while Akbar pointing to his favourite symetar, made signs to his son to gird it on as the ensign of sovereignty. A learned and pious Mussulman had been previously sent for by express desire to smooth the path to death

by repeating the Kalima Shahadat, or Mahommedan confession of faith. When it was completed, Akbar threw his arms round his son's neck and addressing him by the familiar title of baba —my dear boy—he bestowed on him the last words of farewell and advice. "Beware," he said, "that thou dost not withdraw thy protecting regards from those in the Haram—that thou continue the same allowance as was allotted by myself. Many a vow and many a covenant have been exchanged between us, break not the pledges thou hast given me. Forget not the bounty which distributed so many jewels. *My servants and dependants when I am gone, do thou not forget*, nor the afflicted in the hour of need. Ponder, word for word, on all I have said, and again, forget me not." At this point the powers of nature were almost spent. The priest was again directed to repeat the Kalima, and two chapters of the Koran, one of which, the Sura-i-nisa, describes in the abrupt and startling eloquence of that remarkable work, the punishment of those who plunder the substance of orphans, the reward assigned to the faithful followers of the prophet, and the *dread vengeance on the man who* shall dare to *wander from the one true way after the precepts of infidelity, or shall even halt undecided between this prophet and that.* When the last words were being uttered by the attendant minister, the body and soul were parted, and Akbar died without the appearance of a struggle.

The title of "great" is one never denied to Akbar. As a conqueror and a captain his claims to greatness are sufficiently vindicated by success. He came with the unhappy prestige of reverses endured by his father and grandfather, and he scarcely experienced a short temporary check. He found the empire limited to the provinces of Delhi and Agra, and hardly secure even there, and he left it extended and confirmed from Kashmír to the sea. He led his army to battle, and victory followed where he trod. He returned with it to inactivity and discipline was maintained as strictly as on a march. But it is, as a ruler of his people and as a man, that Akbar has far higher claims on our regard: it is in this character that he may bid fair to rank with the benefactors of their species in every age and country. Cradled in adversity, and suddenly promoted to the enjoyment of unlimited power, he gave way to no excesses, lavished his bounty on no unworthy favourites, satiated no grudges against former opponents. With all his impetuosity he displayed a spirit of moderation in the field and in the council. The priests of his faith licensed conversion by the sword, and he had nothing more severe than a compassionate rebuke for benighted superstition. His lawyers proclaimed the sovereign's undoubted right to the whole of the revenue, and he took no more than was adequate to the purposes of Government. The hardships he had endured, the stubborn resistance he had encountered, the licensed policy of Mussalmen conquerors, had not the slightest influence on his generous and statesman-like views on matters of war, revenue, or religion. He was invariably the skilful captain, the life and breath of his subjects, the devout worshipper, with whom justice and piety contended for the mastery. The "only blot on his admirable character" is vanity; and Akbar, who had escaped so many failings, of which as an eastern monarch and a Mussalman he was the undoubted heir, may be pardoned if he could not clear himself altogether of this one. Abul Fazl has set off his character in colours so bright as to make us doubt their reality. We turn to the writers unfavourable to his religious views, and their invectives only shew him in a higher and nobler light.

Our object in the foregoing sketch of Akbar's reign was to draw attention by a statement of facts to the present system under which India is governed. To compare each branch in the two would often be impossible, and where it seemed within our power, might result in a fanciful disquisition sooner than in a comparison on firm and steady grounds. In the revenue system especially, tenures and transfers, differ so materially in successive zillahs, that what is now law and reason at Cuttack, seems incomprehensible in Behar, and rank heresy at Rohilkand. We have endeavoured to give a broad statement of Akbar's plan, as applied in its day to the North West and Lower Bengal alike, and we cannot but think that our revenue lands, with all the imputed harshness of peremptory resumptions and stringent sales, are based on more equitable principles. Akbar had little or no police, and the oppressions of our crime-quellers have passed into proverbs. But still we cannot be blamed if the very laws and courts we establish, are turned into instruments of oppression and fraud by some whose position in the country should have taught them better things.* Censure must not fall on the Government if the subject who formerly won his end by violence, now bends the very weapons of protection, into subserviency with his own interested and demoralizing measures. Such must be the result where the moral standard of even the higher part of the community is low, and no aid follows from the quarter whence we have an

* We hope to have a word to say hereafter in connexion with this subject.

undoubted right to expect it. We repeat it again, the revenue is exacted more equitably, the security of life and property—though far from what it should be—is greater, the welfare of India is more substantially cared for than it ever was in the brightest days of imperial Delhi. How far we shall strike off the balance which stands out against us, will be seen in the half century which has yet to run its course.

The days of Akbar are those in which History and Romance meet. They are times when dazzling wealth, and long trains of followers encircled the throne. They saw deeds of daring accomplished, great cities ornamented, mighty works undertaken. Above all, the fabled picture of a good king was then realized to the life in its gayest tints. But we have now seen that the monarch, in spite of his unfettered will, can do but little, even if he desires it, to give a fixed constitution to the kingdom. We have shown, it is hoped, that the mighty resources of an empire, directed on one point by the unopposed will of one individual, will never outweigh the silently progressive influence of a Government, where succession of masters involves but little change of principle. Whether we might not with advantage borrow a lesson from the old times, and fetter ourselves less with pecuniary restrictions, and cautious forbearances, is a wider question on which we shall not now touch. None of the above remarks will prejudice Akbar, or lower the sense we entertain of his great and original aims. History passes no indiscriminating vote of censure, because he could not impregnate all beneath him with his own noble spirit, nor condemns him because while he advanced so far beyond his own age, so few were found to follow a little way in his steps. It adjudges him the first place in the whole range of Asiatic sovereigns and a rank amidst the great ones of the earth, like that assigned by common consent to Alfred or to Charlemagne.

ART. II.—1. *Lieutenant Macpherson's Report upon the Khonds of the Districts of Gangam and Cuttack, Calcutta*, 1841.

2. *Various Official Documents (hitherto unpublished.)*

THE recent efforts made by the British Government, with a view to the abolition of the horrid practices of human sacrifice and infanticide among the Khonds, and the introducing of these wild and barbarous tribes within the pale of civilization generally, are amongst the most remarkable and praiseworthy in which that, or any other Government, ever engaged. Justice, therefore, to the British Government and its honoured agents seems to call for an authentic history of these efforts, while as yet the means for the effectual execution of such a task exist in abundant and accessible stores. The subject is one which ought to elicit and command a general interest. It is one which deeply involves the cause of our common humanity, and the hidden springs that affect or influence its varied destinies. It is one which furnishes fresh materials for the speculation and remarks of the philosophic inquirer into the causes that accelerate or retard the amelioration or degeneracy of different and widely scattered sections of the family of man. It is one, moreover, which cannot fail to touch a chord of sympathy in the breasts of all who aspire to the credit of being endowed with so noble an attribute as that of philanthropy.

Such being the diversified interest and importance of the subject, we feel warranted in devoting to its full and detailed elucidation a more than ordinary amount of space in our pages—more especially as it possesses many of the characteristics of an original theme, which, in some of its more marked and striking features, has never yet, in any shape or form, been presented to the public at all. As far as we can learn, the Honorable Mr. Russel, in his Report of August 1836, was the first who introduced the subject of the Khonds and their peculiarities to the notice of the Madras Government. Still, he does not appear, at that time, to have known much concerning them beyond a few general traits and obvious features which must soon have obtruded themselves on the attention of every British officer, and indeed of every intelligent man who traversed the country;—such as, that the women were very plain, and the men remarkably well made, active, of average height, and on the whole good looking—that not only every tribe but every village had its chief, chosen not from any hereditary claim, but because he was the best soldier or the best spokesman of the day—that, like other nations, they had

their feuds, and frequently warred with their neighbours, head for head, being the universal law—that their love of liquor and tobacco was excessive, the fruit of the Ippa tree affording them a very strong spirit, and a palm peculiar to their country, yielding a toddy, which, though pleasant when fresh, is extremely intoxicating in a fermented state—that they drew no milk from any description of cattle, yet had none of the ordinary prejudices of caste, and ate anything except the dog, domestic cat, beasts of prey, vulture, kite and snake. To these generalities, which lay on the very surface of the constitution of Khond society, Mr. Russel was also enabled, authoritatively, to add two other important and even appalling facts, viz. *first*, that among the tribes to the westward of Souradah, not in the Maliahs subject to Goomsur, the destruction of female children was common, or rather general—that the expence attending the marriage rites was said to be the motive of this cruel custom, and that they purchased their women from other parts of the country, without reference to their parentage;—*second*, that the barbarous ceremony of human sacrifice did exist in the Maliahs subject to Goomsur, and among many of the neighbouring tribes, and was of annual occurrence —in some places, the victims being of both sexes, and in others, males only.

It does not appear, however, that Mr. Russel knew any thing beyond the bare existence of such atrocious practices. At least we can discover no evidence of any such additional knowledge—no insight into their real nature or extent—no apprehension of the real foundation on which they rested—no clew to their intrinsic importance and relative bearings in the prevalent systems, social and religious—no detection of their root and origin and perpetuating causes in the hereditary sentiments, ethographic peculiarities, or mythological traditions of the people.

Neither does it appear that Mr. Russel, in his first report, was led to propose any measures whatever, with a view to the extirpation of such horrid practices—nor that such an object was in any way directly or specifically contemplated by him. His more immediate and paramount duty was of totally a different kind; and so were all the functions that belonged to it. The whole country was in a state of insurrection and rebellion; and he was invested with a special commission, backed by the necessary military force, to quell the rebellion, and re-establish peace and security of life and property, where hitherto all had been disorder and violence. This task he undertook with promptitude and prosecuted throughout

with untiring vigor and determined energy—sparing no pains, or trouble or personal fatigue—freely exposing himself to the unhealthiness of the climate in all its unmitigated forms—running all the risks and hazards of a galling and all but universal guerilla warfare—accompanying the troops in their various expeditions through the thorns and thickets of an interminable wilderness—following them along rugged defiles and steep and almost precipitous mountain passes, never before trodden by the foot of civilized man—and tracking the rebel fugitives in their devious wanderings from one jungly or craggy fastness to another, over the length and the breadth of an almost impassable territory. All this and much more Mr. Russel achieved. And having, in this way, restored the low country to something like order and allegiance — inflicted terrible retribution on the hill tribes who had screened the enemy or risen in arms against us, or proved treacherous to their own engagements—and captured and judicially condemned the majority of the rebel-chiefs with their more guilty accomplices,—he was led to recommend, as the only means of keeping the country in peace and establishing the authority of the paramount power, that the forfeiture of the Zemindary, already declared, should be confirmed, and the lands resumed on account of Government, absolutely and for ever.

On the supposition that this recommendation was acceded to, Mr. Russel could not but contemplate some of the prospective results and requirements, consequent on the proposed resumption. On the restoration of peace and order, the settlement of the revenue or public assessment, on a satisfactory footing, was one of the objects which would claim the earliest and most strenuous attention. Still, it was not the revenue of the district which ought solely or chiefly to be looked to, but the character of our Government, and the moral influence which the establishment of our power there on a firm basis would exert on all the surrounding districts. To this important view of the case, a man of Mr. Russel's sagacity and good sense could not be wholly blind. Accordingly, we believe, that, without adverting to the abolition of any of the barbarous customs of the Khonds, he did declare, in a general way, the civilization of these wild tribes, with whom the British had then for the first time become acquainted, to be an object not less interesting than important. To attain this object, however, the only practical measure which he appears to have proposed was the following:—having learnt that the Khonds were excessively fond of salt, salt fish, brass utensils, scarlet woollen, red blankets, and all but the coarsest kinds of cotton manufacture, and that

for the obtainment of these they depended solely on their lowland neighbours, either in the way of rapine or exchange,—Mr. Russel very naturally and properly concluded, that they would view with satisfaction any change which had the effect of placing these and other coveted articles fairly within their reach. And one of the ways of accomplishing this desirable end was to revive the fairs formerly held in different localities, and to establish similar marts in other places favourable to the purpose, where they would have opportunities of seeing articles from all parts of the world. This would tend greatly to promote their intercourse with us, and, by giving them new tastes and new wants, would, in time, afford us the best hold we could have on their fidelity as subjects, by rendering them dependent upon us for what might, one day, become necessaries of life. Considering how desirable it was to improve our connection with these tribes, by removing all checks to the free transit of what they might give or receive in their dealings, and by encouraging the importation of goods likely to suit them, Mr. Russel very judiciously suggested the abolition of all duties* within the Zemindaries of Goomsur and Souradah, or, if that were thought objectionable, their suspension for a period of years.

Whether the Madras Government was led to give any deliverance on that part of Mr. Russel's Report, which referred to the general subject of the civilization of the Khonds, is a point which we have not been able to ascertain. The probability is, that it did not. The war had not yet been brought to a close; the territory had not yet been finally resumed; and until both these matters were conclusively determined, the decision of Government would in all likelihood be kept in abeyance. The case was very different, when, on the 11th May, of the year following, (1837), Mr. Russel was enabled to give in his *second* report. The war was then finished, the territory resumed, and plenary power given to the Madras Government to adopt such mode of administration concerning it, as might be best suited to the special exigencies of the case.

Encouragement was thus afforded to all parties to collect information and offer suggestions. Accordingly, Mr. Russel endeavoured to glean a few more particulars relative to the

* The average revenue from this source during the ten years preceding 1836, would appear to have amounted only to Rupees 3,027-11-9; a sum not to be put in competition with the object proposed to be gained.

physical and social characteristics of the Khonds. His attention was specially drawn to the horrid rite of human sacrifice, so prevalent amongst them—a rite, respecting which, in his first report, he was able to furnish no details beyond the naked fact of its existence. From the Collector, Mr. Stevenson, however, he had now obtained that statement, which was subsequently published in the Madras Journal for July, 1837. This account of the Meria sacrifice Mr. Russel embodied in his Report, and made it the ground-work of a short but very able disquisition on the subject of its abolition.

The sentiments then recorded by this talented functionary are of more than ordinary importance and claim more than ordinary attention, inasmuch as it can scarcely be doubted that they really did constitute the guiding pole star of the after policy of the Madras Government—imparting their peculiar tone, character and complexion to the views which predominated in most of its subsequent proceedings and the practical measures which resulted therefrom. The following we have reason to believe constitutes the main part of Mr. Russel's remarks:—

"The best mode of effecting the abolishing of this barbarous practice is a question of much difficulty. There is perhaps no subject on which we need to be more on our guard lest our feelings carry us beyond the bounds of sound discretion. To form a just opinion of its importance and of the line of policy, which it is proper for the Government to adopt, it is necessary to keep in mind, that, besides the Khond districts of Cuttack and those under this presidency, commencing southward with Jeypore and extending beyond the Mahanadi, it embraces also many parts of the Nagpore provinces and a large belt of territory hitherto independent.

No one is more anxious for the discontinuance of the barbarous custom than myself, but I am strongly impressed with the belief that it can be accomplished only by slow and gradual means. We must not allow the cruelty of the practice to blind us to the consequences of too rash a zeal in our endeavours to suppress it. The superstition of ages cannot be eradicated in a day. The people with whom we have to deal have become known to us only within the last few months, and our intercourse has been confined to a very small portion of a vast population, among the greater part of whom the same rites prevail, and of whose country and language we may be said to know almost nothing. We must not shut our eyes to the fact, that although we may desire to limit our interference to the territory, owing subjection to us, any measure of coercion would arouse the jealousy of a whole race professing the strongest feelings of clanship, and, whatever may be their dissensions in ordinary life, likely to make common cause in support of their common religion.

But supposing even that the consequences of our interference could be restricted within our own territory, in what way is it to be enforced? let us take for example the Upper Maliahs of Goomsur—a very inconsiderable, and now the best known portion of the whole. We have no troops within that range, and the Bisayes, the only people who could possibly be expected to second our views, have only a few peons on whom they could rely on such an occasion. The great mass of their subjects are Khonds. Their

influence is the moral effect of habit, not of physical power. Men thus situated cannot be expected to aid in the compulsory abolition of a custom which all the surrounding tribes hold sacred. The victims rescued by our parties were taken at the close of the last campaign when our arms were triumphant, and our troops were still on the spot; but even then the Bisayes were afraid to appear openly to assist us. The state of things is now entirely changed. The withdrawal of our force has left them to their other resources, and it would be little short of madness in them to take an active part without the support of Government, pledged for the future as well as for the present. The same observation applies to the Zemindars on both sides the border. Are the Government prepared to give this pledge and to engage in an undertaking, which, to be effectual to the end in view, must lead to permanent occupation of an immense territory, and involve us in a war with people with whom we have now no connexion, and no cause for quarrel, in a climate inimical to the constitutions of strangers, and at an expense which no human foresight can calculate.

It is not possible that the Maliahs generally could ever be brought to yield a revenue worth having, and it should be remembered that any revenue, derived from those under Zemindars, belongs of right to them not to the Government.

But setting aside all considerations of policy and expediency, and regarding the question as one of humanity only, would it be consistent with that principle to pursue a course towards a wild race, ignorant of our manners and character, and unable to appreciate our motives, which would leave them no choice, but the immediate abandonment of ceremonies interwoven with their religion or an appeal to arms, against our authority? Of the result of reducing them to such an alternative, or of the fearful sacrifice of life from sword and sickness which would thence ensue, there can be no doubt; but it is, I think, more than doubtful whether the desired object could ever be attained by such measures. From all I have seen of them and know of their country, I feel convinced that no system of coercion can succeed; but on the contrary that the attempt would greatly increase the difficulties of the undertaking, by engendering fear and distrust, where it should be our endeavour to inspire confidence and good will. It is too much to expect them to believe that our interference, if quietly permitted, will be restricted to this point alone.

I have already remarked, in another place, that the prejudices of caste have little influence among them. There is therefore less drawback to a free intercourse with them than with any other people on this side of India; and there seems every reason to hope that this peculiarity in their national character, and their taste for foreign productions, by leading to more frequent and unreserved communication with the officers of Government, and the inhabitants of the low country, and thus extending their knowledge, will gradually wean them from their barbarous superstition,—more especially as even among their own caste, the rite, though very general, is not an universal practice. It has no existence in Degí Gúlúdaze, Borí, the Maliahs of Bodoghore, Koradah or Souradah. It is true that this is a very confined tract compared with the great extent of territory wherein it prevails, but the exception, small as it is, is a fortunate circumstance, and seems to offer a better ground work for exertion than remonstrances to be enforced by the sword.

Hitherto it has been the policy of the British Government to avoid taking any part in the internal broils of the Hill Zemindars and their subjects, who have been left to settle their differences in their own way; and hence the struggle, which has long been going on, and still continues between the

Rajahs of Duspalla and Boad, and some of the Khond tribes in their respective districts. If it be now determined to require these tributaries and others similarly situated, to interfere with the religious observances of the Khonds, I do not see how the Government could refuse to support them at whatever risk, and whatever the other causes of difference which may exist between them. Generally speaking they possess no real authority in the Maliah and their own means are totally unequal to their subjugation.

In cases where it may be possible to effect the deliverance of victims intended for sacrifice without the use of violence, the opportunity should of course be taken advantage of. In Chokapad and perhaps parts of Duspalla, for instance, it may be hoped that the establishment of our power in Goomsur and the ready support which can be afforded to those chieftains will give them confidence to second the efforts of the public officers; but I cannot believe that any thing short of the complete conquest of the country could accomplish the sudden suppression of the practice above the Ghats or in the Maliahs generally. The annual movement of detatchments of troops with a view to the capture and punishment of the perpetrators of the crime can never be effectual even in the most open parts. Still less could it be so among the mountains of Chinna Kimedy; and with the whole population against them, their means of acquiring information would be very circumscribed, and their influence would extend little beyond the lines of their encampment. In the late service in Goomsur, the names, connexions and haunts of all the Khond leaders were known to us before operations commenced, and the bordering people of Buddadesh, who have for years been at war with the insurgent Mútahs, willingly gave us any intelligence in their power, and shut them out from a retreat in that direction. If, with these advantages, we found it difficult to discover their hiding places, and when at length successful, owed our success, in most instances, to the submission of the *people*, who, unable to continue the contest longer, sued for peace and forgiveness, by delivering them up,—how much greater would be the difficulty where there could be no previous knowledge of the individuals to be sought, and the criminals, even if known, would find friends and shelter every where? The difficulty of subsisting troops in such a country is another consideration which should not be lost sight of.

It has always been my study in the exercise of the power confided to me, during the insurrections to the Northward, to avoid committing the Government by any order which it might not have the means to enforce. I sincerely believe that a law, denouncing human sacrifices and providing for the punishment of persons engaged therein, would, as a general measure, prove abortive, and involve a compromise of character which should not be hazarded. In my judgment, our aim should be to improve, to the utmost, our intercourse with the tribes nearest to us with the view to civilize and enlighten them, and so reclaim them from the savage practice, using our moral influence rather than our power. The position we now hold in Goomsur is favorable to the purpose. It probably is so in some places beyond the frontier also. On our side, the present chiefs have been appointed by us, and know our strength, and it can hardly be too much to hope that the influence of Sam Bisaye, and the exertions of the local officers discreetly directed will induce them to follow the example of their neighbours in Degí, and eventually render them the means of reclaiming others. But to this end, it will be necessary to go amongst them as *friends*, to preserve our good faith by carefully guarding against any misunderstanding on other points, and above all, by providing ourselves with all the necessary supplies, so as to be independent of their assistance in every respect, and strictly interdicting the

sepoys and camp followers from entering their villages or meddling in any way with them or their fowls, goats, &c.

They will always bring what they are willing to barter, and any thing taken in any other way, however trifling in point of real value, may be productive of the worst consequences."*

The subject of the Meria sacrifice, in some of its principal bearings, having been thus distinctly brought to the notice of the Madras Government, no time was lost in giving it that consideration which its appalling importance merited. Accordingly, on the 21st November, (1837) that Government recorded its deliverance on the subject,—giving expression to the feelings of intense and painful interest with which the account of the human sacrifices had been perused,—declaring how its regret was enhanced at finding there was no possibility of adopting measures for putting down the barbarous practice at once—the impracticability of using force for that purpose being so clearly and forcibly pointed out by Mr. Russel as to generate the conviction that the attempt would only induce the people to cling the closer to their superstitions, and to make them seek every opportunity in secret to perform these barbarous rites.

Adopting the views of Mr. Russel in all their extent, the Government, while admitting that the evil was a crying one, and deeply deploring the continuance of such an execrable superstition, could not but feel persuaded that the remedy must necessarily be of slow operation, and that the extinction of the practice must be gradual and voluntary. It therefore simply issued instructions to the Collector, or officer in charge of the district, enjoining him to collect further information on the subject—to endeavour to obtain as great an insight as he could into the feelings and opinions of the different classes of the population respecting it—to cultivate as much as possible a personal intercourse with the chiefs—to exert his influence in convincing them of the heinousness and folly of the practice—to hold out every inducement, consistent with the efficiency

* This is a long extract; but it must be borne in mind that, apart from its own intrinsic value, it consists of *entirely original* matter, never before published. In recording the views of other labourers in the same field, it is our intention to do so chiefly by means of ample quotations from their own hitherto unpublished Reports. Such a plan is no doubt liable to the objection of presenting an occasional repetition of the same ideas, an occasional propounding of somewhat identical measures, and an occasional recurrence of equivalent forms of speech. Our anxiety, however, to do complete justice to all the disinterested parties concerned, as well as to the subject itself, leads us to prefer their own statements of their respective views and proceedings, to any abbreviated summaries of our own, however accurate. Besides, the irksomeness of occasional repetition from such a cause, will be far more than counter-balanced by the important mass of coincident yet independent testimony thereby supplied.

of the Public Service, to the Khonds to enter it, either as peons, or in whatever capacity might be found useful—to encourage by every means in his power the cultivating of a closer connection with the European functionaries and the comparatively civilized inhabitants of the low country, and thus gradually pave the way for the humanizing progress of civilization.

On the 24th November (1837), Mr. Arbuthnot, the acting collector in the Vizagapatam district, in responding to the call of Government, in its July proceedings, stated that the result of his inquiries left no doubt on his mind that the revolting practice of offering human sacrifices did "prevail in the most inaccessible parts of the whole range of hills that divide the Company's territories from those of Nagpore and Hydrabad." As to the means for putting a stop to it, the only thing he could suggest was to "urge the Zemindars to use their influence within their own territories to prevent it"—that its suppression "must be a work of difficulty and of time"—that "if roads were made through the hills from the Company's into the Nagpore and Hydrabad territories, the inhabitants of these hills might be brought within the influence of civilization, and then this practice would soon be discontinued."

The next reference to the subject, on the part of the Madras Government, was on the 11th December (1837), on the occasion of a victim being rescued, and two persons being apprehended, as concerned in his sale and purchase.

The case was simply this:—one, Yenuty Bímú, was charged with having, under false pretences, enticed from his home, another, named Letchena, an inhabitant of Purlah Kimedy at the southern end of the Ganjam district, and sold him for forty-five rupees to Mujji, a Khond Chief, belonging to a village in the Maliahs of Chinna Kimedy, lying considerably farther north,—with the view of being sacrificed at the annual festival, called Tanki. Through a train of circumstances, the captive who had been closely confined, bound in fetters, was eventually released.

The chief question which here arose for consideration, was, who, among the parties concerned in his seizure and confinement, were fit subjects for punishment? In disposing of this point, the Government desired to bear in mind that the practice, however barbarous in its eyes, was considered by the Khonds to be a religious act, and was sanctioned by the superstitions of ages—that they were yet ignorant of its being regarded by the State as a crime—and that, until lately, they knew nothing of the Government, or the Government of them. In this view

of the matter, Nujji, the purchaser of the victim, as a Khond, must be acquitted of any criminal intention. The case of Yenuty, the kidnapper, was totally different. Not being a Khond himself, and being, at the same time, an inhabitant of a district, where the barbarous rite to which he was a pander, was not practised, his act admitted of no palliation, and rendered him a fit subject for punishment. The decision of Government generally, therefore, was, that "the inhabitants of the low countries who provided the means of carrying on the horrible practice, from the most sordid motives, and not the Khonds, in their present state of ignorance and barbarism, were the proper objects of judicial pursuit."

The Government availed itself of this occasion for renewing its injunctions to the Collector to communicate to the several Zemindars, and, as far as possible, either through them or others, to the Hill chiefs, its determination to put down the revolting practice, and to urge them to use their influence to that end. Nature had not been less bountiful to the Khonds than to others; and they were by no means deficient in understanding. The Collector might, therefore, in personal conference with them, endeavour to point out that their brethren in *Degí*, perhaps as fertile a valley as any in India, enjoyed as good crops and equal freedom from pestilence and famine as they did, although they did not practice the same barbarous rite. Small presents, of an appropriate nature, might at the same time be conferred, in the name of Government, on any or all who would lend their services in the cause of humanity. Finally, the Government reiterated its own assurance that "by the observance of conciliatory conduct towards them on all occasions, more would be gained than by threats or violence."

The case of Yenuty tended, in the opinion of Government, to illustrate various points. The circumstances attending the captive's release proved that the Rajahs had no *real authority* over the Hill chiefs, nor the chiefs any *real power* over their Khond subjects. The Rajahs themselves and many of the Hill chiefs did not observe the cruel rite; and they might give the aid of their influence, if we were careful not to embroil them with their subjects by too rash a zeal, or too great severity towards those whom they might be the means of putting into our hands. As they had no power to *coerce* their Khond subjects, and they would assuredly lose their heads if they were to interfere with their religious observances otherwise than by persuasion and remonstrance, a lesson was thereby taught which we would do well to imitate, viz. that, in all cases, persuasion and management would do no more than force.

Yenuty Bímú was, on being tried before the Northern Court, acquitted, on the score of insufficient evidence.* His trial, however, had the effect of eliciting new horrors. He proved to be "one of those miscreants who made a traffic of providing Meria victims to the Khonds." Letchena, whose blood he sold, was a near relation of his own. Nor was this all. It appeared that, on a previous occasion, he had made an agreement with the Khond chief, Mujji, to procure a victim for sacrifice at the Tanki festival, and received from him some articles as part payment of the price in advance. Meanwhile, he had placed a daughter of his own in the hands of Mujji as security for the fulfilment of his engagement. Having failed at that time to procure a victim as agreed upon, he was so inhuman as to sell to Mujji, for the purpose of being sacrificed, the daughter he had previously pledged to him! Subsequently he enticed Letchena to the Hills, and sold him, as already related. It now further appeared, on the concurrent testimony of a Khond chief and his people, that the release of Letchena was only obtained by Yenuty's delivering over to the Khonds his second daughter in lieu of that person, and that he thus left both his daughters in their hands, for the express purpose of being slaughtered! Every endeavour had been made through the Rajah's officers to procure the liberation of these two girls, but in vain. The Khonds positively refused to give them up, on the ground that the elder one was sold to them by her father, and the other given in exchange for Letchena, who also had been fairly purchased from him. They even proceeded to acts of violence against the Rajah's people, who had been sent to demand them; and it was only by the bestowment of sundry presents that these were eventually allowed to return in safety to their own country.

In these circumstances, the Government called upon the Board of Revenue "to instruct the Collector of Vizagapatam unremittingly to continue his endeavours for the liberation of these children." Meanwhile, it cordially approved of the suggestion of the Northern Court of Circuit to take immediate steps for bringing Yenuty Bímú to a new trial, with

* The acquittal of this man clearly proved the inapplicability of the formalities of our Law Courts to such cases, and their total inefficacy in securing the ends of justice. In his case the evidence of two of the witnesses was set aside as inadmissible, because they were the "apprehenders." The prisoner's own declaration and confession before the police was declared to be vitiated, and therefore set aside as inadmissible, because "it was delivered in the Uriya language, but taken down in Telúgú; and he could not be supposed to verify by his mark, the contents which were thoroughly foreign to him, except as interpreted by the attesting witnesses." His wife confessed that she was a witness of the kidnapping, but her testimony was rejected, because under "the general rule of evidence, husband and wife cannot be witnesses against each other!"

special reference to the fact of his having placed two of his daughters in the hands of the Hill people for the purpose of being sacrificed. The necessary instructions were consequently issued to Mr. Bannerman, the Magistrate of Ganjam, to "use his best exertions to procure all available evidence."

Mr. Bannerman, in his reply, stated that the Deposition before the Magistrate of the person who detailed the circumstances connected with the transaction, although "deserving of full credit," was "not of such a nature as would ensure conviction before the Court of Circuit." He then proceeds to point out in the plainest manner, the difficulties that interposed in the way of obtaining satisfactory evidence. And as his remarks are well calculated to open up generally the difficulties attendant on any attempts to suppress the horrid rite, we feel pleasure in furnishing the following clear and decisive extract:—

"It is only by the Khonds of Mulleguddah therefore that the facts of the case could be proved against the prisoner, but they have not only positively refused to deliver up the two females in question, but used violence against the party sent by my directions to endeavour to obtain their release. The part of Súvernagherry Maliahs, where these unfortunate persons are said to be detained, is the most remote and inaccessible of the whole of the hill tract, and the Khond tribes who inhabit it remain in a state of savage independence. The Zemindar's officers had never before the present occasion penetrated into their country, or attempted to exercise the slightest control over them; neither does their nominal chief, the Pater of Súvernagherry, possess any authority whatever over them, he can do nothing without the consent of the elders of the different tribes, and dare not attempt to coerce them. I consider it therefore to be utterly impossible under existing circumstances to bring these uncivilized and barbarous men before the Court of Circuit as witnesses, more particularly as those best acquainted with the facts, are themselves deeply implicated in the criminal transaction.

Bahadur Patrúdú, the chief of Súvernagherry could possibly give some account of the affair, though his evidence would probably not be direct and conclusive: but there would, I apprehend, be the greatest possible reluctance on his part to appear as a witness in our courts of Justice. I have not yet seen this chief, as when requested to visit me at Púdamari in Chinna Kimedy, he excused himself on the plea of sickness and sent Danobandú in his stead. It is of the highest importance, as regards the future success of our endeavours to put a stop to the practice of sacrificing human victims throughout the Maliahs, that the Hill chiefs should be conciliated by every possible means, and induced to enter cordially into the views of the Government on this subject, and in prosecution of the desired object every thing should be avoided calculated to harass or annoy them. To proud and suspicious men like them, totally ignorant of every thing relating to our Courts and Judical forms of proceeding, a summons to appear as a witness before the Court of Circuit would not fail to excite much alarm and disgust; and I think would be calculated to have the worst effects in preventing the other chiefs from affording their assistance on similar occasions. For these reasons I am of opinion that it would be extremely inexpedient to require the attendance of the Hill chief of Súvernagherry before the Court of Circuit, and I trust I shall be considered to exercise a justifiable discretion in suspending any steps for summoning him as a witness in the case.

From the mode in which the system of kidnapping Meria victims from the plains is carried on, there must necessarily be the greatest difficulty in obtaining legal conviction on a charge of this nature before the regular Courts, for the whole of the transaction usually takes place in remote and inaccessible parts of the Maliahs, of which we have no knowledge, and where even the Hill chiefs possess no authority. I shall of course use my best endeavours to carry into effect the orders of the Court of Fouzdari Adalat in the present instance, but from the peculiar circumstances connected with the case, there is, I fear, not much prospect of their being successful."

In the propriety of these sentiments, and of the course pursued by Mr. Bannerman, the Government fully concurred—any resort to violent measures to compel the restoration of the captives, and the abolition of the practice of human sacrifices being strongly deprecated.

The next occasion on which the attention of Government was directed to the subject, happened about a month later, when taking up some suggestions proffered by different officers.

In his Return of the 23d December, (1837), to the Precept of the Northern Provincial Court, Mr. Inglis, Joint Magistrate of Ganjam, supplied some particulars relative to the customs of the Khonds, and the extent of country over which the rite of human sacrifice may be supposed to prevail, reaching from the Godavery, northward,* but could suggest no immediate or practicable remedy. The Zemindar-Rajah of Chinna Kimedy he found willing enough to give his aid, in whatever way required; but he had "no power and little influence over the savage Hill tribes." These were in reality "independent and had never paid tribute or acknowledged subjection to any power." To attempt "the apprehension of any of their chiefs by force would require a considerable force, and then perhaps could not be effected amid such interminable and unexplored jungles."

There was nothing here to call for a special deliverance. But widely different was the case with the communications of

* Mr. Inglis considers the Sourahs of the south, the Khonds of the middle region, and the Koles of the north, as only "different tribes of the same race," and similar in their general habits and practices. He also thinks there "can be no doubt that all of them are in the habit, more or less, of propitiating their Deities (the Earth and the Sun) by human sacrifices."

other two officers, Captains Millar and Campbell, who gave in reports, much about the same time—that of the former being dated 13th December, (1837), and that of the latter the 16th of the same month. It is due to Captain Millar to say, that, as far as we can ascertain, he was *the first* who succeeded in rescuing Meria victims from the Khonds. This appears from a portion of Mr. Russel's second Report, dated 11th May (1837) which was published in the Madras Journal, already referred to. The extract bearing on this point is the following:—

"Captain Millar (43d Regiment N. I.) when at Kúpautí managed with much discretion to rescue no less than twelve victims; seventeen more have fallen into my hands, making in all twenty-nine. The first who made her escape to my camp, although closely fettered, disappeared after a few days, and I could never learn more of her. She was an elderly woman; of the remainder, ten were restored to their friends, and eighteen children from three to ten years of age, remain with Captain Millar and myself. These were all sold by their parents, or I have been unable to discover their history and origin."

The following extract from his own Report or Letter of the 13th December will perhaps serve to explain the sort of "discretion" with which the gallant Captain "managed to rescue" the victims:—

"Were the custom of offering human sacrifices to be completely discontinued in any considerable district for one or two years, the people of that district and also of those bordering upon it would then have ocular demonstration that the continuance of the practice was not essential to their welfare; and were they once perfectly convinced of this fact, these sacrifices, which are attended with a great expense, would soon cease to be offered, for the people admit the criminality of the act, but attempt to justify it upon the grounds of expediency. It is pure selfishness that influences them, and they are merely fearful to omit the sacrifices lest their crops should fail or some other temporal calamity befall them.

Force and intimidation were the means that I employed, and I do not apprehend any danger from the exhibition of a military force, provided the party employed be of such strength as to render any attempt at opposition utterly hopeless. It was on this principle that I acted. I never sent out any small parties, but always went in person with the main body of my detachment, and thereby prevented any collision between the soldiers and the inhabitants of the country.

The circumstance of these sacrifices being only offered once in the year, viz. in the month of January, when the climate is by no means unhealthy, would remove one of the obstacles to the employment of a military force for their suppression."

Very different, in its general strain, was the letter of Captain Campbell, of nearly the same date. As the Assistant of Mr. Russel, during the recent military operations, he had acquired considerable knowledge, alike of the Khonds and their country. He was personally acquainted with most of the Múlikas and Digalís, and the neighbouring petty chiefs, several of whom he

knew to be averse to the sacrifice, and would, he hoped, cordially lend their aid and influence to put an end to it, were they sure of being countenanced and supported. His proposal, therefore, was as follows:—

"The time when the Khonds are in the practice of sacrificing human victims being near at hand, I do myself the honor to lay before you the following proposal, the object of which is to induce the perpetrators by fair means to abandon the horrible custom handed down to them by their ancestors, convinced as I am that every means in our power ought to be used for its suppression before force is attempted,—which last in my humble opinion would make their conviction of the virtue of the rite still stronger, besides having other prominent objections.

I purpose with your sanction to ascend the Ghats with a considerable portion of the armed peons under my command, accompanied by a party of fifty men of the 17th Regiment, and call together the most influential men among the Khonds,—endeavouring to convince them of the barbarity and inutility of the sacrifice, explaining to them our abhorrence and utter detestation of the practice, at the same time ordering them to bring to me all the victims in their possession. And if I cannot otherwise obtain them, I request permission to *purchase* them at the prices they cost the Khonds, generally from rupees fifteen to twenty-five, and at the same time to use such threats as I may consider advisable to gain the object in view, both for the present and for the future.—If my efforts for the present prove successful. I shall be able to discover the parties engaged in the barbarous traffic of providing victims, who, from all the information I can gather, are for the most part inhabitants of the low country, and thus gain the power of striking effectually at one source of the evil by immediately securing the parties concerned.

To gain over the Janis or sacrificing priests would be a desired object, and I think a little money secretly and judiciously employed among them would have a good effect.

I also request your sanction to my employing twenty-four bullocks or other carriage to carry provisions for the peons and other persons whom I may find it necessary to employ on this duty in the Goomsur Maliahs."

On the 15th January, 1838, the letters of these gentlemen were severally taken into consideration by the Madras Government. From the view so often expressed by Government on the subject, we may readily anticipate the general character of its verdict on these communications respectively.

The opinion so strongly expressed by Captain Millar could only refer exclusively to the low country; and was so far in accordance with the observations recorded by the Hon'ble Mr. Russel in his second Report. It was on all hands admitted that if "force and intimidation" were to be the means employed, for the suppression of these sacrifices, such a display of Military force must be exhibited, as would render any attempt at opposition utterly hopeless. But, it had been distinctly shewn that, whatever might be the result of pursuing such a course in the lower country—and even there its propriety and expedi-

ency might be questioned—in the wilder and less accessible tracts of the Khond country, it would be attended with a fearful loss of life to the troops employed, and almost without a chance of ultimate and complete success. The remark of Captain Millar, that, if human sacrifices were actually discontinued for some time in any considerable district, the Khonds could have ocular demonstration of their inutility had not escaped the attention of Government. But experience had shewn, as in the case of Degí, that the example of a district flourishing without the practice of sacrifice was not *alone* sufficient to induce the neighbouring Mútahs to discontinue it; and that it would require much conciliatory explanation and the utmost exertion of his influence, on the part of the Collector, to bring this fact home to the understanding of the Khonds. This salutary influence could only be expected to arise from confidence which must be entirely destroyed, if measures of coercion and intimidation were resorted to.

The Government, as might be expected, approved of the proposal of Captain Campbell, then assistant Collector in charge of Goomsur, and cheerfully granted all the requisite equipment. The Military escort, however, must be regarded as exclusively designed for the protection of his person, and for guarding his followers, and not to be used for any purposes whatever of compulsion or violence. He must be careful, at all times, to observe the most conciliatory deportment towards the Khonds —to go amongst them only as a friend, anxious to preserve the good faith of Government, by studiously guarding against any misunderstanding on any point—and systematically to eschew the employment of threats, or the issuing of orders which might be calculated to produce irritation and provoke opposition. With respect to the permission solicited *to pay* to those who had destined victims in their possession, the *price* they might have given for them, the Government was not inclined to sanction such a measure, as it was impossible to say to what the interference of its accredited officers as *purchasers* might lead. It was plainly objectionable, not only from its being so liable to abuse, but because the money given would furnish the sellers with the means of purchasing new victims. The functionaries of Government ought carefully to avoid any thing which might possibly tend to encourage the odious traffic; and should confine their pecuniary interference, as heretofore, to rewarding those who might afford useful information or assistance in its suppression.

Agreeably to his proposal, Captain Campbell, early in January (1838), proceeded into the Khond Maliahs of Goomsur. Having

called together the Múlikas or heads of the different Mútahs, he explained to them what he supposed to be the intentions of Governnment, viz. "that the sacrifice of human victims would no longer be suffered among them." He then "peremptorily ordered them to bring all persons whom they might have purchased as Merias to him." The Múlikas at first stoutly "denied having any such in their possession." Captain Campbell, however, having "previously taken the precaution to ascertain the names of different Chiefs who had Merias, and the persons from whom they had been purchased, they were led to make a partial disclosure." He then sent them away for the children; and to expedite the business despatched two of his peons to each of the head Mútahs.

Most of the Múlikas soon attended; and a *hundred* Meria children were delivered up. Captain Campbell next "demanded a declaration that the Meria Pujah should henceforth be at an end among them, and that any one performing it should subject himself to severe retribution." This, after a certain form, was repeated by all. In certain Mútahs, which had taken a prominent part in the late rebellion, no Merias were found; though it was ascertained that from them several had been sold to their more flourishing neighbours. It could not be discovered that more than four or five victims were sacrificed annually in the Goomsur Maliahs; though the number of Merias purchased during the past year was distinctly allowed to exceed that of former years—this admitted fact being accounted for by the distress which had lately prevailed. On the whole, Captain Campbell felt himself warranted to sum up in these emphatic terms:—"*I have every reason to believe that the public performance of the Meria Pujah in the Goomsur Maliahs is at an end;* but if measures are not taken in the neighbouring Khond Mútahs for its suppression, it will be hard to maintain the ground we have now gained."

One point of considerable importance had now been conclusively determined by the inquiries of Captain Campbell. It had been originally believed and repeatedly asserted that Khonds were never sacrificed. It was now rendered indisputable that the Khonds themselves formed no exception—that all classes and all castes, whether Hindus, Mussalmans, or Khonds, whether old or young, male or female, might indiscriminately become the subjects of sacrifice. When, however, they could readily be had, preference would naturally be given to strangers obtained by purchase from the plains. This led Captain Campbell to recommend that "of the professed kidnappers and Meria providers a severe example should be made,"

and that "punishment also should be inflicted on all concerned in the sale of children to the Khonds according to the nature of the case." This, he was satisfied, would have a salutary effect.

Another subject which now called for special attention was the question, as to how the Meria children, after being rescued, were to be provided for. In his second Report, Mr. Russel at once viewed the matter with the eyes of a generous and enlightened statesman. His words are these:—"In respect to the rescued children, now in our hands, I would recommend to the liberal consideration of Government, that the Collector be authorized *to bring them up and educate them at the public expense.* It is true that the benevolence of individuals has provided for their present wants; but accident may deprive them of this support, and they seem to be fit objects for the protection of Government." Respecting the hundred children delivered up to Captain Campbell, that officer thus writes:—"Several of them have been claimed by their parents or rather mothers; but these women are for the most part in such a state of destitution that they have scarcely the means of supporting themselves. There are in Goomsur several Muttums, with extensive lands attached for charitable purposes, but most shamefully misapplied. I would recommend that some of the younger children be distributed among the Muttums or Pagodas to be fed and clothed until they attain a certain age, and to be then employed on field or other labour becoming their years. Several I have no doubt will find service with respectable ryots and others; indeed I have already had applications to that effect, and some may be restored to their parents. In the meantime I have ordered a building to be prepared for their reception, and three cubits of coarse thick cloth to be given to each child to defend it from the piercing cold of this season." The probable annual expence for maintaining the 100 Meria children Captain Campbell estimated at little more than 700 Rupees; though even this moderate amount he thought might be "reduced one-fourth or more by employing them on light work, for which a small hire might be charged, and providing their own fire wood, as well as making the elder cook for the younger children."

In a return, dated 15th June, (1838) Mr. Bannerman, the Magistrate of Ganjam, reported that, through the exertions of the Maliah Sirdar, under the Zemindar, five individuals had lately been rescued from the neighbourhood of Gúdapúr, and that these had been restored to their friends—adding; that "there was too much reason to believe that these were not solitary instances,"—that there were "many other unfortunate

creatures destined as victims to this detestable superstition confined in different places in the Chinna Kimedy Maliah"—and that there was "no doubt but in Jeypore and the adjoining tracts, the Meria was still more commonly practised."

This latter observation of Mr. Bannerman was soon after strikingly confirmed by a very able report, dated 2d July, drawn up by Lieut. Hill of the Survey department. The importance of his remarks—not merely as expounding the remedy which his enlarged experience had suggested to him, but as throwing more light on the subject of the *extensive prevalence* of the revolting rite than had yet appeared,—will amply justify us for making the following lengthened quotation:—

"The information I obtained regarding human sacrifices leads me to suppose that the practice of that barbarous rite, obtains to a far greater extent than is generally supposed; and I much fear that the Khond Maliahs of Goomsur form but a very small portion of the country over which the custom prevails. Of the Khond districts north of the Mahanadi I have no accurate intelligence; but there can be little doubt the practice will be found to exist as it certainly does in the adjoining hilly parts of Duspalla, Boad and Sohnpore: from the Goomsur Maliahs southwards, Chinna Kimedy, Peddah Kimedy, and Jeypore complete the chain to Bustar, in which latter place the practice is prevalent to an enormous extent. One grand sacrifice, said to have taken place twelve years since, on the Bustar Rajah setting out to visit His Highness the Rajah of Nagpore, is spoken of as the "*great sacrifice*," and I am informed that on that occasion twenty-five or twenty-seven full grown men were immolated. I have strong reasons for supposing the practice to be known to the Ghonds of Konkein and the adjoining Mocassars, north of Bustar, and moreover that in some of the wilder jungles bordering on Chattisghur, the Ghonds add cannibalism to this horrid deed, and eat the flesh they sacrifice.

Information derived from sources, I have no reason to doubt, lead me to suppose that there are not less than two hundred children kept for Merria in the Bulligudda Mútah of Chinna Kimedy alone. Upwards of one hundred (as is well known to Government) have this year been delivered up in Goomsur, but many more still remain there. With these data to calculate from, it is fearful to contemplate the possible number of intended victims now in captivity among the Khonds.

In Patna and Kalahundy the *Woodiahs (Uriyas)* deny the existence of the custom, but there is little doubt of its being practised in the Hilly tracts, and the same may be said of Kariall and Nowagudda. The Khonds and Ghonds are said not to be the only people who sacrifice human beings. At Bissumcuttack, the Jeypore Rajah's Karkún pointed out a child of about eight years of age in a large Brinjarry camp, who, he stated, had been purchased near the coast, and was to be sacrificed on crossing the boundary of Bissa (the Jung river). The Brinjarries were questioned regarding the child, and claimed it as one of their own tribe, but Kúnchi Singh (a son of the late Zemindar of Souradah, who accompanied me) pronounced the child to be a Woodiah of the same caste, as my bearers—hence I fear that the Brinjarries, who travel these roads are in the habit of performing this ceremony. Great caution is necessary in believing any Khond Mútah to be freed from this stain, as on several occasions where

the practice has been stoutly denied, I have afterwards obtained undoubted proof of its existence. It is not the custom in Sarungudda, though it is suspected that some of the Sarungudda Khonds attend the sacrifice in the other districts

If I venture to offer some unsolicited suggestions which arise in my mind on this subject, I must plead in excuse the length of time, I have been employed in Ganjam and the adjacent Hilly country, the opportunities that I have had of forming a judgment of the disposition of the Khonds, and the earnest solicitude every man of Christian education must feel for the suppression of a practice so horrid and unnatural.

If we reflect on the extent of country over which this custom prevails, and what is of more importance, the nature of that country, the dense forests, the vast chain of mountains in the strongholds of which this superstitious rite is most firmly seated, the doubtful climate at the best season, and the decided insalubrity of the air for the remainder of the year, the general poverty of the country which will not support any large additional body above the number of its inhabitants, and the ill success that usually attends the persecution of a people on account of religious tenets, however falsely grounded they may be,—it will be evident to any but one blindly prepossessed, that military force, in this case, would not avail, but would rather be the means of sanctioning an enormous slaughter, at a great expense on the part of the State, without the prospect of an entire and final abandonment of the custom by the Khonds under any less rigorous measure than the almost total extirpation of the race. But it does not appear to me therefore to follow that no authority is to be exerted for the suppression of the Meria, or that persuasion *alone* is likely to produce better results than the employment of military force. It must be borne in mind that the race, if not entitled to the name of savage, is on the very lowest verge of civilization, and is not prepared to receive rules and ordinances adapted to a people of more cultivated understanding. The disposition of the Khond partakes much of *animal* suspicion and cunning, and it is to be recollected that the varying ideas of his mind are more nearly allied to *instinct* than to the powers of reasoning and perception between right and wrong, which are the result of education and civilization.

Attempt to reason with a Khond, and he refers to the customs handed down from his ancestors, try to persuade him, that his ancestors were very wrong, he looks on you with dread and supposes you are endeavouring to entrap him into compromising himself in some fancied manner: but let him know that it is positively ordered to do a thing, and let him see before his eyes power sufficient to carry that order into effect, and he will obey. For the suppression of Thuggi, a strong and almost arbitrary power has been exerted by local authorities, most beneficially for the public good, and it cannot easily be imagined that any thing short of that power so exerted could have produced like results: but if murderers by trade cannot be *persuaded* to abandon their calling, can we hope that *persuasion* will have more effect on men who murder solely on the principle of making a *necessary* offering to their God.

Local knowledge and a personal acquaintance with individuals, their manners and habits, form the first and indispensable qualification for asserting the power of Government in a Khond district. When we possess these, their military strength is a mere trifle comparatively, and one effective Company of Regulars would be found force sufficient to back any order in any single Mútah or District. Much must depend on, and be left entirely to, the direction of the Local Authorities, but I am sanguine that if the system be tried, it will not be in vain that I have penned these observations."

The foregoing notes apply more particularly to the Hills of Ganjam, but a single glance at the map which accompanies this, will at once shew that the Khond Mútahs of that district form but a small portion of the tract of country over which the observance of this rite obtains. It is much to be doubted whether any thing less than an organized system conducted with great temper and patience and followed up with unremitting perseverance, will be found sufficient effectually to eradicate this barbarous custom. The Zemindars of Duspalla, Boad and Sohnpore, are not sufficiently powerful to agitate a reform on so tender a point among their Khond subjects, without the support of European authority, and a great risk would be hazarded by embroiling them with their own subjects by seeking their co-operation. This objection does not exist in Patna and Kalahundy, where the Khonds and Ghonds are kept in complete restraint by the Woodiahs, and the chiefs are well disposed towards Europeans."

On the 18th October following, Mr. Bannerman officially announced his intention to proceed above the Ghats, previous to the period at which the Tonki festival is annually celebrated, on which occasion the horrid rite was usually practised, with "the view of endeavouring to induce the rude tribes to abandon the destestable superstition, and to deliver up their unfortunate victims." He was satisfied from what he had seen, that it was necessary a European officer should go among the Khonds of the Chinna Kimedy Maliahs, and personally explain to them the views and determination of the Government on the subject, in order to convince them that the Sirkar actually interested itself in the matter; as he had reason to apprehend that hitherto they regarded the interference of the Zemindar's officers and Hill chiefs as not originating with the Company's Government. And while he himself proceeded in one direction, his Assistant Captain Campbell would proceed in another.

The Government entirely approved of this determination and authorized the proper officer, through the Military Departments, to place four elephants, a Subadar's guard, and all the other needful appliances in the way of travelling facilities, without delay at their disposal.

Of his tour on this occasion, Mr. Bannerman was enabled to supply a long and able report, bearing date 2nd January, 1839. Of this report the more material portions will be found in the following copious extracts:—

"It was my intention if I could have been supplied with the necessary carriages to have entered the Khond Maliahs from the south and attempted to traverse the unexplored tract situated between Purlah Kimedy and Goomsur; while my assistant Captain Campbell would have a progress through the northern Mútahs with the view of preventing by his presence any attempt to renew the practice, and to improve the influence resulting from the measures adopted by him last year in that quarter. It being found impracticable however to furnish the elephants applied for, I was obliged

to abandon that design, and to confine my efforts to the more southern parts of Womunniah Maliahs bordering on the Kimedy and Jeypore Zemindaries.

The period at which the Tonki festival, at which human victims are sacrificed, is annually celebrated, is regulated by the moon; and I was led to expect that the feast would have fallen this year in the second week of January. Having obtained information, however, that the Meria was appointed to take place at the Khond villages of Sikaraguddah and Gúnderaguddah on Sunday, the 30th ultimo, my arrangements were somewhat precipitated. It seemed to me that interfering at the very moment to prevent the consummation of the horrid ceremony would have the effect of promulgating, in the most unequivocal and public manner, the determination of the British Government to put a stop to the barbarous custom, and that a strong impression would be produced, by the whole of the Khonds of the neighbourhood, assembled from all quarters, having ocular proof that their hitherto inaccessible fastnesses cannot longer screen their sinful proceedings. There appeared, however, to be a risk of these men being excited to violent acts, and I deemed it necessary to assemble a strong party, altogether about three hundred of the Doratanum and peons of the Hill Forts dependent on Purlah Kimedy; with whom and an escort of 60 Sepoys from the posts of Woranssi and Kimedy, under their native officers, I proceeded to the appointed place—a small Khond village on the borders of Vizianagur, Purlah Kimedy and Gúdary, a dependency of the Jyepore Zemindary, and situated from eight to ten coss to the east of the Cusbah village of Gúdary, which is on the bank of the River Wamshadarah, about sixty miles to the north of the town of Kimedy.

After passing through a dense forest, chiefly of the Damer tree, by a most difficult and narrow track, leading over several steep and awkward Ghats, we came upon the village of Sikaraguddah soon after day light. Fortunately the Khonds had no notice of our approach, and were taken completely by surprise. The preparations for the ceremony appeared to have been completed. The entrance to the Hamlet, which was in the form of a square, had been newly fitted up with wicker works, and in the centre close to the rude village idol, had been erected a bambú pole about forty feet high, on the top of which was an effigy in the shape of a bird with peacock's feathers, such as is described in the late commissioner's report. Having luckily secured the person of the Mujji,—for the whole of the Khonds taking alarm, fled to the Hills in the immediate rear of the village,—the victim, a young woman from the plains of the Chinna Kimedy Zemindary, was, after some demur, given up to me, and some of the elders and chiefs were induced to approach and communicate with me.

To the arguments used by me, as to the heinous nature of the crime of putting a fellow creature to a cruel death, and the folly of supposing that any advantage could possibly result from so sinful an act, the Khonds replied that they paid no tribute and owed no allegiance to us; that the Meria had always been practised from time immemorial; that if the usual ceremonies were omitted, their fields would be unproductive; that the victims had been fairly purchased for a price; and finally that they had a right to do what seemed to them fit in the matter. To reason further with these rude and ignorant men would have been altogether unavailing, especially as many of them appeared to be under the influence of the potations, in which they are in the habit of indulging on such occasions. The Khonds from the neighbouring villages, in the mean time, kept arriving in multitudes to attend the feast; and as the immediate object in view, the rescue of the victim, had been attained, I deemed it expedient after the men had

refreshed themselves a little, to retrace our steps—bringing along with us several of the elders of the tribes as hostages that the Khonds would not obstruct our return, and with the view of availing myself of their influence in obtaining the release of the Merias detained in other parts of the Mútah, as well as more fully impressing on them the arguments which they did not appear to be then in a state of mind duly to appreciate.

It was my intention to have encamped and proceeded further into the Maliahs had circumstances admitted, but it would have been altogether imprudent to have remained for the night where we were, Sikaraguddah being situated in a little circular valley about three hundred yards in diameter, surrounded by steep rocky hills covered with heavy jungle. There was moreover a deficiency of water, and we had no knowledge of the country in advance. It is difficulty to form any estimate of the number of Khonds assembled on the occasion. They showed themselves in the Hills in all directions, armed with bows and arrows and the battle axe, and appeared disposed to oppose our return, but fortunately no collision actually took place. The country through which we passed is even more difficult and impracticable than any thing I have seen in the Goomsur side, and elephants would not I think have passed by the track. We followed without the aid of Pioneers. With the exception of one small valley, we did not meet with any open space or table-land, and the elevation, I do not suppose to be great above the bed of the Wamshadarah river.

To Gúnderaguddah which is not quite so inaccessible, I sent the day previously a small party of peons with a written notification, threatening summary punishment to the inhabitants if the sacrifice should take place, and requiring the Merias to be delivered up; which requisition they thought it prudent to comply with; and subsequently seven other victims, detained in different villages, have similarly been given up to me, making altogether nine individuals belonging to various parts of the country, who have been rescued on the present occasion. I am sanguine that these measures will have a favourable effect throughout the southern parts of the Womunniah Maliah, but there is unfortunately a very large tract of Khond country lying between these parts and the Goomsur Mútahs to which it is not be be expected that their influence can extend.

"I have been able to gain but scanty information in respect to a portion of the southern part of the Womunniah Maliahs. From the accounts of the Khonds, there does not appear to be in that direction, any elevated table land free from jungles, such as is found in the Goomsur Maliahs. The cultivated spots are described as narrow vallies of very limited extent separated from each other by ridges of hills covered with dense forest of the same character as in the neighbourhood of Sikaraguddah. How far south the more open table land extends is not known.

I am sensible of the anxiety felt by the Government to put a stop to the barbarous custom of sacrificing human victims, which, as far as I am aware, is not systematically followed in any other part of the world—but I feel difficulty in proposing any practical measure with the view of carrying its humane wishes into effect. Presuming that such aid of the Commissariat Department as would be required to enable troops to move through a country such as has been described, independent in every respect of other supplies, could be offered, the most eligible plan, in my opinion, would be, to allow a detachment to move from the northward, entering the Maliahs from the Goomsur side, and traversing the more open part of the country; being guided by circumstances as to the precise direction to be taken. The detachment should enter Khondistan at the most favourable season, and its object should be simply to march through the country without molesting

or interfering in any way with the inhabitants; and as has already been expressly enjoined by the Government, conciliatory means only should be used for obtaining the release of the Merias. The presence of the detachment in those parts, would, I am convinced, be quite sufficient to prevent the sacrifices taking place any where in the neighbourhood, and the influence of such a visitation, it is to be hoped, would also have a more lasting effect. The circumstance of the sacrifices taking place annually within a certain specified period, it will be observed, is favourable to our efforts for their suppression.

If the Government see fit to resolve that some such measures as I have suggested should be adopted previous to the celebration of the Tonki festival next year, I shall be prepared, if required, to state the strength of the detachment that would in my opinion be requisite, and to submit the subsidiary arrangements that would be necessary: the most essential of which would be the supply of a sufficient number of elephants.

It is fearful to contemplate the extent of human misery resulting from the practice of this execrable rite; for, independent of the number of Merias annually, and which there is too much reason to believe is far larger than could readily be credited, it gives rise, with all its attendant evils, to the system of kidnapping unfortunate inhabitants of the plains, who are decoyed into the hills by a set of infamous wretches who carry on a profitable traffic in the blood of their fellow-men. The agents engaged in these odious dealings are for the most part of the Panwa, or Dombango, and other base tribes, through whom the intercourse with the low country is chiefly carried on, and who without remorse barter their unhappy captives in common with salt, and some few necessary articles, for saffron, wax and other products of the hills. These heartless miscreants, whose guilt seems to be even of a deeper die than that of the African slave traders, are actuated by the basest and most sordid motives in supplying the victims, and their infamous conduct does not admit of any palliation. The barbarous and ignorant Khonds on the other hand are conscious of no sin in performing what they regard as a sacred duty in celebrating the Tonki festival. The perversion of the human intellect that can regard the cruel death of a fellow creature as a sacrifice acceptable in the sight of the deity is indeed strange.

The agents through whose means the Merias are supplied to the Khonds, as has been most justly observed in the minutes of consultation under date the 11th December, 1837, are the proper objects for condign punishment, but from the circumstances under which the abduction and sale of the unfortunate captives usually take place, it is almost impossible, I have already had occasion to represent, to obtain such proof as would be sufficient to convict the accused before the ordinary Judicial Tribunals, where all the niceties of Mahommedan Law, are required to be conformed to. And, I think it is deserving of the consideration of the Right Honourable the Governor in Council whether it might not be expedient to invest the officer to whom may ultimately be entrusted the Superintendence of the Hill tracts with power to try summarily persons charged with this offence, in the same manner as cases of Thuggi are, I believe, disposed of by the General Superintendent,—which arise in Native States not within the jurisdiction of Company's Courts.

The best mode of providing for the Meria children who have fallen into our hands on the present occasion, as well as those delivered up to Captain Campbell last year, is a question of some difficulty, particularly as regards those of more tender years. The grown up persons and those who are of an age to maintain themselves have been sent back to their houses with some little assistance to supply their immediate wants; and the children belonging to

the low country, whose parents could be discovered and who are able to support them, have been restored to their friends. Some of the bigger boys have also been entrusted to the care of respectable persons in the low country, who are willing to bring them up in such a manner as to enable them hereafter to maintain themselves by their labour. But there are still a considerable number of Khond children, principally little girls, who are maintained at the expense of the Government, and who must continue dependent on its bounty, until they attain such an age as to enable them to do something for their livelihood. Perhaps eventually the Government would not object to assigning some waste land on favourable terms to persons so circumstanced. There are many situations in this district where the grant might be made without any sacrifice of revenue, and where a little colony might be established of victims destined as sacrifices to this detestable superstition who have been rescued from cruel death by the humane interference of the Company's Government."

On the foregoing letter the Government of Madras, on the 11th February (1839), recorded its resolution. Mr. Bannerman's proceedings were approved of; and the timely rescue of even *nine* Meria victims from a cruel and premature death, without any collision whatever with the Khonds, was declared to be "a result alike creditable to his foresight, prudence and resolution, as to his humanity." There was no objection to the adoption of the measures proposed by Mr. Bannerman; but instead of a detachment of sepoys, a body of select and armed peons would be preferred, as it was not only most unadvisable to allow sepoys to come in contact with the rude and savage inhabitants of those regions, but it was essentially necessary that they should be reserved for great occasions only, such as quelling disturbance when it has unhappily broken out and restoring order and tranquillity. Some of Mr. Bannerman's remarks tended forcibly to shew the absolute necessity which existed for concentrating all power both in the Hill countries and in the low-lands in the Ganjam districts in one and the same functionary. This was a subject which ought without delay to be referred to the Government of India. The question of providing for the support of the rescued Meria children had already been submitted to the Board of Revenue for an expression of their sentiments thereon, and the attention of that body must be called anew to the subject. Of the presents bestowed by Mr. Bannerman on certain chiefs, for their assistance and co-operation the Government cordially approved.

Of the proceedings of Captain Campbell, who, contemporaneously with Mr. Bannerman, had visited another portion of the Hill Territories, he himself furnished a Report, dated 15th January, 1839. Of this report the following are the leading parts:—

"I have the honour to report, that having visited all the Goomsur hill

Mútahs, including Bodadesh from Deggi to Boluskupa in Boad (excepting such as from my inefficient carriage I could not reach, although their chief men waited on me when sent for, along with the other Múlikas in the neighbourhood of my encampment) I have great satisfaction in stating that the sacrifice of human victims has greatly diminished in comparison with former times, owing to the proceedings of last year, partly from the want of subjects, and partly from a fear of the consequences of infringing the order I had issued.

The only instances of the Meria sacrifice having taken place last year that I could positively ascertain were three; two in Sam Bisaye's country and one at Mundagam of Tentilguddah, but these were performed as stated to me on the bodies of Merias who had died a natural death, and by stealth, though the Bisayes had often knowledge of the fact. All the other Múlikas declared that no Meria was sacrificed within their territories, but in the same breath begged permision to offer one victim yearly in each Mútah. The refusal did not seem to disappoint them much, and they all went away promising as last year to refrain from the rite.

In former times the great sacrifices were performed at the full moon of the months Púshein and Magham, and the minor ones during the following eight days of either moon, though to avert any dreaded misfortune they were performed at any season. By your directions I this season undertook to enquire into a dispute between the Rajah of Boad and Bahadur Bukshi regarding the Mútah of Boragatsa in which the Bisayes of Chokapád, Possera, Tentilguddah, and the Sirdar of Gullery were witnesses. I took this opportunity of ascertaining the sentiments of these influential men on the sacrifice of human victims, of which they unanimously expressed their horror. The language held by their Khonds is, "The land is ours, we give you a share of its produce, and we attend on you when you call on us to fight or for other purposes, and now when government wants to deprive us of our juttia, you sit quiet and will not speak for us; the juttia is performed in Boad and other places, and why are we prevented? Are we to starve while they have plenty."

I requested the opinion of the Bisayes as to the best mode of suppressing the Meria Púja; they replied, "though we have been brought up among Khonds, we are not of them, we abhor the Meria as we do the slaughter of a cow. You must shew our Khonds that we are enforced by issuing a general proclamation denouncing punishment on all who disobey, and by placing government officers in our forts. Our Khonds, seeing that we have no alternative, will obey and come into the new order of things; we must be of one mind, and let the same proclamation be issued to the countries beyond Goomsur, and Meria will soon cease." In explanation of the above statement, and requested by the Bisayes to whom the wishes and intentions of government regarding the cruel rite have been repeatedly and most strongly expressed by me in public and private, and perfectly understood by them, I beg to observe that they are wholly unable to coerce their Khonds who are ever ready to transfer their allegiance when provided, and that it is only by conciliation and enlisting their feelings that they can manage them to their purposes. One instance of many, which occurred when the Honorable Mr. Russell was in Goomsur, will suffice to shew this, as well as elucidate the meaning of the request made by the Bisayes (already well acquainted with the wish of government) for a general government proclamation forbidding the Meria on pain of severe punishment. In November 1836 when the troops took the field, Sam Bisaye accompanied them in irons: when above the Ghats he performed some service which induced Mr. Russell to order his irons to be removed; the Bisaye

begged that they might be allowed to remain, for that the Khonds seeing him in this predicament would readily obey his wishes; the event proved that his request was not without reason. In the first campagin he was at large and could do nothing, in the second, he continued in fetters at his own request and performed good service.

The more I see of the Khonds, the more is my opinion confirmed that unless we address ourselves to their fears as well as to their better feelings, our steps for the suppression of the Meria Púja will be slow indeed, and further perhaps wholly nugatory, unless the same system is followed wherever the sacrifice is known to exist. I could not learn that any children had been purchased by the Khonds of Goomsur, since I was last above the Ghats, nor were any claimed by their relations. I have been fortunate in seizing two notorious traders in children to the Khonds who eluded my search last year, and whose conviction and punishment will I trust have a good effect on others who may have followed the same traffic. Considering the protracted duration of the sacrificing season in Goomsur, I think it would be a great advantage to have a thatched house, barrack for sixty peons, and a small storehouse with other shelter at Udiagerry, which place does not belong to the Khonds. The health of those employed above the Ghats would not be so much exposed to the bad effects of the extremes of cold and heat, provisions could be obtained without the delay of sending for them to the plains, besides affording shelter to small parties passing and repassing; and it would also shew to the Khonds our determination to persevere in putting an end to the Meria Púja."

For *nearly two years* nothing further of a decisive nature transpired. In the Goomsur and Souradah Maliahs, peace and perfect order continued to prevail; and feelings of confidence and satisfaction seemed to be gradually extending among the inhabitants of those districts with whom the European officers of Government had the greatest intercourse. This was shewn by their constantly resorting to them for the purpose of obtaining a settlement of any disputes that might arise among them; as well as from the circumstance of their having begun to bring down the various products of the hills for sale or barter to the different fairs that had been established, and to which the Khonds were now in the habit of coming freely in great numbers, from very remote parts of the Maliahs. Every encouragement had been given to this description of petty traffic, which was progressively increasing; and the general results appeared to be most favourable and satisfactory. At the same time, it is painful to learn, that, as regarded the primary object of desire—the suppression of the Meria sacrifice—matters appeared rather to assume a retrogressive aspect. On the 4th January, 1841, Major Campbell ascended into the Goomsur Maliahs for the purpose of endeavouring, by his presence and influence among the people, to check any attempt to perform the Meria sacrifice at the full moon, which would occur on the 7th; and also to procure the release of any victims that might have been sold to the Khonds since his

last visit. The following extracts from his report on that occasion will best set forth his own experience and impression of the unsatisfactory state of things:—

"I could not discover that any sacrifice had been performed in the Goomsur Maliahs, but I have reason to believe that some of the inhabitants provided victims and sacrificed them in the neighbouring Mútahs of Chinna Kimedy, Marsing, &c.

I regret also to have to report that 24 victims have been sold to Khonds of Goomsur as Merias, the greater number within the last 12 months. Six of them have been delivered up to me, and I have taken measures for the recovery of the remainder through the agency of the Chief Bisaye Bahadur Bukshi, Uton Sing, Dalabera, and others of minor influence among the Khonds, and also for apprehending the persons by whom the children had been sold. To these ends, the chiefs have promised to use their utmost endeavours, and I shall not cease to watch their proceedings in the hope and expectation that the children will be recovered, though I fear there will be considerable difficulty in finding the parties, chiefly Maliah Panwas, who sold them, and procuring evidence sufficient to convict them. Three I have already secured who are now in confinement, at Nowgaum awaiting the arrival of witnesses.

The number of victims purchased within the last year would lead to the conclusion that the intention to continue the sacrifice of human victims exists with undiminished force, and that persuasion and remonstrance has not had the effect anticipated.

Children are sometimes sold as Merias by their parents and other relations for as small a sum as three and four Rupees, to Khonds as well as Panwas, but the former more rarely: and to punish those who sell (frequently of late years driven to do so by distress) and to suffer the purchasers, the actual perpetrators of the sacrifices, to escape, appears unequal measure towards men inhabiting the same villages with the Khonds,—equally ignorant and equally with them believing in the efficacy of the revolting rite.

The situation of the Goomsur Maliahs has now become very different from that of the Maliahs under the neighbouring zemindaries, where our troops have never penetrated, and where the power and authority of Government is neither known nor recognized. Since the close of the disturbances Captain Hill has during four seasons passed as many times through the Goomsur Maliahs with an imposing force, and I have each year at the usual time of sacrifice visited every part accessible with bullock carriage, encouraging and with considerable success a close and frequent intercourse with the Khonds; and I still continue of opinion that unless more decided measures are adopted, the Meria sacrifice will not cease though it may not be performed openly."

Shortly before this time, it would appear that Lieutenant Hill had brought to the notice of Government the fact, that great excitement prevailed in the Maliah Mútahs of Goomsur occasioned by the interference of Mr. Bannerman and his assistant, with the Meria sacrifices. Indeed, to such an extent was this excitement said to prevail, that Lieutenant Hill, in the prosecution of his own more peculiar duties in the Survey Department, did not deem it safe even to allude to the subject. The communication of Lieutenant Hill was transmitted to Mr. Bannerman for his official report thereupon; and the

following are the more material parts of his reply, bearing date, 6th February, 1841:—

"Although the Maliahs of Goomsur have been mentioned in the minutes of consultation, I have little doubt that Lieutenant Hill, in the 2d para. of his letter to your address of the 5th August, intended to refer to the unexplored Womunniah Maliahs, and not to those parts of the hills which are dependent on Goomsur.

The more southern part of the mountainous range, lying between the Jeypore and the Kimedy Zemindaries, inhabited by the Womunniah Khonds, who are almost in a savage state, and have always maintained their independence, had never been penetrated by any officer of the Government till I visited these parts in the beginning of the year 1839. The appearance of an European officer in the heart of these unexplored Maliahs, necessarily created a sensation among the Khonds, and the mere intimation of the wish that the sacrifices should be discontinued, must unavoidably have excited some degree of suspicion and dissatisfaction in the minds of these tribes. There is indeed no doubt, from the spirit in which they received the communications made to them, that the Khonds were displeased at my entering their country at all; they declared boldly that they were independent, paying tribute or owing obedience to none; and notwithstanding the large party I had with me, they shewed a disposition to oppose our return; and it has since appeared that, within three or four days after my departure, they sacrificed another victim at the same place, in lieu of the young woman who was delivered up to me.

Being impressed from what I saw of the temper of the Khonds of the southern portion of these Maliahs with a conviction of the necessity for exercising great discretion in my communications with them, in furtherance of the wishes of Government, I have been particularly careful to avoid again prematurely agitating the matter, and in fact have had no direct communication with the Womunniah Khonds since the time of the visit in January 1839. I have however, as has been expressly directed, taken every fitting opportunity to urge the Hill chiefs, who from local position are most likely to hold communication with them, to use their influence in a prudent manner, to persuade them to discountenance these rites, at the same time, not failing to caution them to avoid any thing like threats or intimidation in reference to the subject. I have seen most of the Hill chiefs, whose possessions border on the Womunniah Maliahs, who all evince a disposition to do what lies in their power to meet the wishes of the Government on this head; but for the most part they had no friendly intercourse with these Khonds, and dread drawing down on themselves their enmity, by attempting to open a communication on the subject. With a zealous desire to press on the accomplishment of the end in view, I can safely say that I have neglected no fit opportunity to forward, in a prudent manner, the wishes of the Government, but the whole subject is one of much practical difficulty; and I was not without apprehension that the cautious measures which have hitherto been pursued might possibly be thought to wear the appearance of want of energy in the cause; it now however seems to be supposed that injudicious interference on my part has produced a state of feeling among these tribes, such as to cause deep concern to the Government.

If excitement and suspicion have thereby been raised in the minds of the Khonds to the extent that seems to be supposed the result would be greatly to be lamented; but I have never heard through any channel, and no circumstances have come to my knowledge, that would lead to the belief, that any irritation or ill feeling has been excited, or that any particular impression had

actually been made by any communication which may have reached the independent Khonds regarding the wish of Government for the discontinuance of the sacrifices. Lieutenant Hill has had more ample opportunies of acquiring accurate information in respect to the entire range of the Maliah tracts, and acquaintance with the disposition and feelings of the Khonds and other Hill tribes, than perhaps any other European Officer under the Government; and he having particularly directed his attention to the subject of the Meria sacrifices no person is better qualified to give a sound opinion on all points connected with it. I should be inclined to doubt if the expression which may have been used by Lieutenant Hill was intended by him to convey the meaning which has been attached to it, but if, as is stated in the minutes of consultation, that officer deemed it unsafe even to allude to the subject of the sacrifices in his communications with the Khonds, their extreme jealousy of their independence and sensitiveness at the most remote degree of interference with their superstitious rites, would be apparent, and the possible hazard of exciting among these savages a spirit hostile to all civilized authority will be obvious. If however the Government desire to see the early accomplishment of the object which they have in view, in my humble opinion, they must be prepared to authorize such measures as may become necessary for bringing these tribes under subjection to their authority. Unfortunately no Khond chiefs, possessing any power or influence with whom to "negociate," are to be found throughout the entire range. Each Khond hamlet is separate and independent, and the circumstance of there being no authority amongst them, which could be held responsible or be employed to influence or control the acts of the rest, adds much to the difficulty of the task.

The Government are aware, that the independent Maliahs adjoining the Ganjam District, although equal perhaps in area to the rest of the Ganjam district, form but a small portion of the tract in which the practice of sacrificing human victims is known to prevail; and to effect any thing towards the general eradication of the evil, will obviously require an organized system of operations to be carried on, on an extensive scale, for a considerable length of time. The suggestions that have been offered by Lieutenant Hill in his report dated the 2d July 1838, appear to me to be generally judicious, and I concur in thinking that the opening of lines of communication through the Maliahs will be one of the best means that could be adopted with a view to the introduction of the authority of Government among these tribes. From the nature of the country, however, this will be a very difficult operation, and attended with vast expence, and it will, I conceive, be indispensably necessary to establish Military posts at different points in the Hills, for the purpose of keeping open the communication and protecting the Brinjarri and other merchants who may travel there, from being plundered by the Khonds. The line of communication indicated in the minutes of consultation of the 10th September 1839 is perhaps the most eligible that could be selected, if it be found practicable. It would possess the advantage of being the most direct communication from this part of the coast to Nagpore, and would pass through a part of the Maliahs, which it is very desirable to render of more easy access. From Aska to Bodaguddah a common country road for Bandies already exists, but beyond that, there are said to be a succession of ridges of mountains covered with dense jungle, and separated by deep ravines, without any table land or open spaces intervening between them; and from all the information I have received it seems to be very doubtful, whether the natural obstacles are not such as to render the task of opening a direct communication through this part of the Hills almost impracticable. The insalubrity of the whole of this range of Hills, I should fear, would also be very

unfavorable to the success of the undertaking, and will not allow of posts being maintained in the Hills, throughout the year, but at the risk of a great sacrifice of human life from disease."

Shortly before the receipt of the Report from which these extracts have been supplied, the Madras Government,—considering that much good might result from the deputation of an officer to the Hill Maliahs for the purpose of entering into negociations with the Khond chiefs, and of endeavouring by persuasion, the offer of favourable conditions and the promise of future advantages and rewards, to induce them to enter into agreements to abandon the Meria sacrifice,—resolved to appoint Captain Hall for this arduous and responsible duty, *to act under the immediate orders of Government* on an increased allowance,* and with the benefit of an escort, for his own personal protection. The design was obvious. Hitherto the business had been entrusted exclusively to the Collector, Commissioner, or Governor's Agent, and his Assistant. The ordinary routine duties which the former had to discharge were of an exceedingly onerous and multifarious character—leaving little time or strength for the peculiarities of Khond affairs,—affairs, too, whose singular delicacy and intricacy might well demand the undivided time and undistracted attention of any man. The same remark is applicable, in proportionate measure, to his Assistant, on whom more especially devolved, in practice, the management of the Khond question—a question which seemed likely to baffle all the skill of the most astute diplomacy. Moreover, the Assistant lay under the additional, fettering, and most chafing disadvantage of being privileged to hold no communication with Government, except through the sole channel of his own immediate principal, the Commissioner. For these, doubtless, and other reasons equally potent, the Madras Government was disposed to try the experiment of a direct and unencumbered embassage to the Khond country.

The Supreme Government of India,† however, it would

* The sum proposed was, we believe, Rs. 1166-10-8 per month.

† The Government of India, we presume, was all along made cognizant of all the steps taken or proposed, in reference to the Khonds. As early as the beginning of 1838, we find Mr. Ross Donnelly Mangles, Officiating Secretary to the Indian Government, calling for papers "relative to the practice of offering human sacrifices in Ganjam," and Mr. Chamier, Chief Secretary to the Government of Madras, responding to the call, by forwarding copies of all the papers in his possession. The subject also appears to have been brought regularly to the notice of the Court of Directors, who heartily approved of what had been proposed, and partially executed. The importance, in particular, of promoting intercourse between the Hill Tribes and the people of the low country, seemed to impress itself upon the conviction of the Hon'ble Court, who most liberally sanctioned the opening or formation of routes and passes through the wild and difficult tracts of Khondistan.

appear, doubted the expediency and good results of the proposed mission, and did not see that such a mission would have any clear duties imposed upon it which the present Commissioner, if properly qualified, could not perfectly perform with some moderate assistance. It did not think that much could now be done beyond the direct repression and punishment of notorious and violent acts; and it was disposed to look with better hope to improving the internal communications and the local police of the country, and thus facilitating the progress of commerce, and the consequent gradual civilization of the people. In other words, all confidence in the efficacy of purely conciliatory measures in securing the *immediate* or *early* abolition of the Meria sacrifice was fairly repudiated, and all intention of resorting to forcible or coercive measures, either as inapplicable or impracticable, finally abandoned.

Shortly after the receipt of Mr. Bannerman's last Report, on the 16th March 1841, Lord Elphinstone, the Governor of Madras, recorded his views on the subject in the form of a Minute, which all, who have had the opportunity of perusing it, have united in pronouncing a luminous, masterly, and statesman-like document. In it his Lordship was led first to review the past proceedings of Government and its accredited agents, and then to suggest an outline of operations for the future. And certainly it is but justice to his Lordship to say that, from the beginning, he bestowed on the subject an unwearied attention, and watched every movement and the effect of every project with an unslumbering interest.

Respecting the contents of his Minute it is not of course competent for us to do more than simply to indicate, in a general way, what we understand to be its main drift, scope, and purport.

From his Lordship's intimate acquaintance with the various Reports of the different Government Agents, directly or indirectly employed in connection with Khond affairs, he could not but perceive how little *real* progress had been made towards the realization of the main object—the suppression of the Meria sacrifice.

Experience seemed to prove the insufficiency of violent measures, which, from their very nature, must be partial ones. When, through the fear which his presence inspired, Mr. Bannerman once succeeded in rescuing a destined victim, the inhabitants, within three or four days after his visit, sacrificed another instead! And when, on another occasion, a victim was released, through the violent interposition of a police force, it was found that the kidnapper had to supply a substitute in the person of his own daughter!

Such examples seemed to prove that force alone was unsuitable to the object in view. And then, as to the efficacy of conciliatory means, in ensuring its attainment, there was much to abate the ardency of hope. The delusiveness of partial success, even when obtained by conciliation, was strikingly demonstrated in Major Campbell's last report. In the Goomsur Maliahs, which differed essentially from the neighbouring ones, inasmuch as British power was there acknowledged, and intercourse prevailed to a great extent between the Khonds and their neighbours of the low country, the Múlikas or priests faithfully and repeatedly promised Major Campbell that they would refrain from human sacrifice *forever*. But it soon appeared that the inhabitants had been in the habit of sacrificing victims in the neighbouring Mútahs; and that since this promise was last reiterated, not less than 24 victims had been purchased in Goomsur! Besides, as late as the 18th December, 1840, Lieut. Hill, from data in his possession, roughly estimated the number of victims who were to be put to death in the forty Mútahs of Ganjam alone, at the new moon feast on the 8th January, 1841, at *two hundred and forty!* These, and such like facts, tended at last powerfully to shake the confidence even of Mr. Bannerman and Major Campbell in the efficacy of conciliatory means only; though, of such means only, were they at first the strenuous advocates. Mr. Bannerman, in his last report, was constrained to remark, that "if the Government desired to see the early accomplishment of the object which they had in view, they must be prepared to authorize such measures (of force?) as may become necessary for bringing these tribes under subjection to their authority." Major Campbell still more explicitly declared, that during his last visit he was led to conclude that the "intention to continue the sacrifice of human victims existed with *undiminished force*,"—that "*persuasion and remonstrance had not had the anticipated effect*"—and that "unless *more decided measures* were adopted, the Meria sacrifice *would not cease*, though it might *not be performed openly*."

This very conclusion, at which, after the painfully abortive experience of three or four years, these gentlemen were compelled to arrive, is none other than that, which, it may be remembered, Captain Millar had, by a short soldier-like process, arrived at from the first. "Intimidation and force," said he, with plain blunt honesty, were the *only* means which he himself had employed, and the *only* means which he could deem either applicable or adequate. But, supposing this conclusion as to the necessity and sole sufficiency of coercive measures to be adopted, how is it to be made practically available? The

measures must be either of limited or of universal operation. If the former, they could be of little or no avail; since, on all hands, it must be admitted, that all partial and isolated attempts of a violent character must end in signal failure. If the latter, how was it to be compassed? The forty Mútahs of Gangam were but a small part of the wide region over which the atrocious practice prevailed—a region of wild inaccessible mountains and jungles, extending, in length and breadth, over hundreds of miles, and peopled by diverse races out-stripping each other in savage barbarism. When all this was borne in mind, the impossibility of applying force, in any degree commensurate with the vastness of the undertaking, must be abundantly evident to every reflecting mind. And when, in addition to all this, the condition of the rude tribes who were under the dominant influence of so execrable a superstition was distinctly kept in view, as well as the nature of that influence itself, above all others the most difficult to counteract,—the conclusion seemed inevitable, that it was on other means of a more general and progressive character that reliance must be placed for the attainment of the great object contemplated.

Fully persuaded, therefore, of the futility of partial efforts for the suppression of the abhorred enormity, and of the inexpediency and hopelessness of violent ones, his Lordship, as we understand, went on at great length, in accordance with this general persuasion, to propound an outline of the plan on which alone, in the first instance at least, the efforts of Government should be directed. The plan itself, we believe, contained nothing whatsoever that was new either as regarded principle or mode of operation. It only repudiated certain measures that had been casually or deliberately proposed, while it discriminatingly singled out and firmly grasped certain others, on whose development and application, it was argued, the energies of Government ought to be exclusively concentrated. The measures thus finally advocated by the Governor of Madras were fully approved of by the Government of India. What the measures themselves were we find from the following communication, which, on the 3d May, 1841, was addressed by the Secretary of the Supreme Government to the Chief Secretary of the Government of St. Fort St. George:—

"The Governor General in Council entirely participates in the strong anxiety evinced by Lord Elphinstone and the Government of Fort St. George, to put an end to the savage practice of human sacrifice unfortunately so

prevalent among the wild tribes of Ganjam and the neighbouring districts of Orissa and Berar, and believes with his Lordship that the best hope of success is in cautious and gradual measures, by which, without any direct attack upon national customs or religious prejudices, the natural march of civilization may be securely facilitated.

The plan which Lord Elphinstone has conceived, in order to bring about, in the course of time, the conclusion so much to be desired, is, I am directed to state, thoroughly approved. It embraces the following measures:—

First.—The opening of Routes and Passes through the wild tracts, more particularly between Aska and Gúndaguddah.*

Second.—The encouraging of the commercial intercourse between the Hills and the plains by all available means, and the establishing of fairs or marts for that purpose.†

Third.—The raising of a semi-military Police force from among the Hill men, upon a footing similar to that of the Paik Company of Cuttack.‡

As to the mode in which these measures may be accomplished, the Governor General in Council concurs with the Governor of Fort St. George that an officer, subordinate in all respects to the present Commissioner, may with a reasonable prospect of success be sent, suitably accompanied and escorted to negociate for the assistance of the Rajah of Gúndaguddah, towards the opening of the communication above adverted to. He should, as suggested, communicate with the Governor General's Agent at Sumbulpore and with the Resident at Nagpore, and it need scarcely be observed that he should cautiously approach any inquisition into human sacrifices, and confine himself very closely to the immediate purposes of his Mission.§

* This route was proposed because a road carried between these places would open a direct communication between Nagpore and Ganjam, passing through the heart of the Khond country. The Khonds did not appear, at that time, to be averse to the opening of roads through their country, and it was desirable that this favourable disposition should be improved, and made subservient to the objects of Government.

† Such a measure was originally suggested by Mr. Russel. Its importance was obvious. With the extension of commerce the wants of the Khonds would be increased; new ideas would be introduced among them; and alarm and suspicion would give way to feelings of confidence.

‡ Mr. Bannerman supposed it would be found necessary to establish posts for the security of our communication, when they should have been opened; and it was suggested, that, instead of employing our regular sepoys upon this duty, a corps might be formed among the Hill tribes themselves. In Cuttack, there was Paik company which was a force of this description. And one of the means employed by Mr. Cleveland, in Rajmahal, to encourage his mountaineers, and at the same time keep them in order, was "to raise a corps of sepoys from among them."

§ Though not expressly stated here, one of these purposes, as expounded in Lord Elphinstone's minute, seems to have been, the improvement of the political relations between the Hill chiefs and the British Government. It has repeatedly appeared from the Reports and Letters of the Government agents, already largely quoted, that these Chiefs asserted an absolute independence. They said, that they paid no tribute and owed no allegiance to any earthly power. It was, therefore, thought desirable to take every proper opportunity of removing this impression, and of accustoming the Hill tribes to look to the British Government as the Ruling power to whom obedience was due. To attempt to effect such an end was felt to be at once a delicate and a difficult task. It was a clear and recognized principle of sound policy, to avoid committing the Government by any order which it might not have the means to enforce. But occasions, it was supposed, might arise when its interference might be exercised without risk of compromising itself. And it was well to keep stedfastly in view the policy of improving the influence of the

Yet it does not seem to his Lordship in Council that it would be otherwise than prudent, if opportunities should occur to him of discussing the subject with friendly Chiefs of influence, that he should declare the extreme abhorrence with which this custom is regarded by the British Government, and its right and determination unrelentingly to punish every attempt to entrap or to steal British subjects for purposes of immolation.

The ulterior measures contemplated by Lord Elphinstone's minute, though altogether in accordance with the judicious propositions suggested for more immediate adoption, and such as it in all probability will become eventually necessary to carry into execution are yet far distant, and need not now be commented on.* For the present, all that is done should be tentative and gradual, and for this as well as other reasons, it seems proper that the Government of Fort St. George should superintend the proceedings, and that their more immediate control should be in the hands of the Local Agent to that Government. This Agent may be authorised to enter into communication with the Commissioner of Cuttack, who will be furnished with a copy of this correspondence, and upon whose cordial co-operation he may entirely depend."

This may seem rather a lame and impotent conclusion after the indulgence of once such ardent hopes, and the lavish expenditure of such anxious toil and trouble, for a period of years. But the truth is, that, the more attentively the subject was considered, the more arduous and intricate did it present itself. To all parties concerned, the difficulties that beset it, only appeared in a vastly stronger light than that in which they were originally seen. Consequently, the views of all may be said to have gradually undergone modification to a very considerable degree. The unexpected fact so recently revealed by Major Campbell, viz. that, in districts, the most favourably circumstanced—districts,

Paramount Power, among the people, and at the same time strengthening its hold over the Chiefs. If the relations of Government were placed on an improved footing with these Chiefs, their influence might be usefully employed among the Khonds, not for their subjugation, but in many ways which were not those of coercion, nor of violence. There could be little doubt that their co-operation, if only obtained, would be invaluable to the British Government in opening communications through their country, in establishing mails or fairs, in fixing upon Military posts for the protection of the roads, in supplying the garrisons with provisions and necessaries, and in inducing their dependents, or people of the neighbouring Hill tribes, to enlist in the British service. To secure, therefore, if practicable, this political influence over the chiefs, would be to accelerate and render certain the success of other measures.

* What these ulterior measures were, at which Lord Elphinstone appeared to aim, we have no means of knowing. Rather, perhaps, it would be nearer the mark to hazard the conjecture that his Lordship did not know very well himself what they might or ought to be. That ulterior measures of some kind, over and above the tentative and auxiliary ones then proposed, would be needed, to consummate the object in view, was what his Lordship seemed to foresee with sufficient clearness. But in the existing state of his information on the subject, he probably deemed it altogether premature to discuss in detail what these measures should be. The only one to which he seems to have adverted at all—one which had already suggested itself to the Court of Directors—was, whether, as in the case of Thuggi, special tribunals should not be constituted for the trial of the wretches who supplied the victims, and lived by kidnapping and selling for slaughter their fellow-creatures?

under the direct and immediate control of Government itself —districts, the Múlikas and Elders of which had repeatedly and solemnly promised to abstain from human sacrifices,— that, even in such districts, the Khonds had relapsed into the practice, if indeed they ever discontinued it!—Such a fact, so recently and unexpectedly disclosed, was well calculated to confirm the doubting, stagger and astound the most sanguine, and shake the confidence of the most hopeful.

From the sanctioning Resolution of the Supreme Government, of the 3d May, 1841, it will be seen, that all expectation of immediate success was unequivocally relinquished. The chief, if not sole reliance, in subsequent attempts to eradicate the bloody rites of iniquitous superstition,—which, though so clearly an outrage against the laws both of God and man, had been handed down to their present perpetrators by the traditions of unnumbered generations,—was thereby placed on the gradual and progressive influence of general civilization. And this, too, was the final and settled scheme proposed and adopted, while it was yet unconditionally admitted that the progress of civilization is necessarily slow even under the most favourable circumstances,—and how much more so must it be expected to be, among the jungles and mountain fastnesses of Orissa! What was this, but virtually to adjourn, for an indefinite period, the final extinction of the sanguinary rite?

Even as regarded the special Agent to be deputed to the Hill chiefs, it cannot escape notice, how guardedly and cautiously, under what restrictions and limitations, and within what a circumscribed sphere, he was commissioned to act. It could not but be foreseen and distinctly acknowledged, that, ultimately, the efforts of such an officer, if expected to prove successful, must not be limited, either in kind or in the sphere of their operation. In the course of time, when some progress was made in the undertaking, and the authority of the British Government was better established, and its intentions better understood, it might be advisable to allow a wide discretion and an ample jurisdiction. Instead of being confined to one district, his authority might require to be extended over the whole tract of country, where the practice of human sacrifice prevailed—in Cuttack, in the dominions of the Nagpore Rajah and the adjoining Zemindaries, in the Hill districts of Vizagapatam and Ganjam. In the first instance, however, it was deemed expedient to assign to him particular limits, and to prescribe to him the exact course which he was to follow. Accordingly, it will be seen that the European officer, whoever he should be, that was first

to be despatched into the Hill country, was not to be sent *directly* to the *Khonds themselves*—either to plead, or remonstrate, or discuss, or threaten, on the subject of their hateful superstitions. To do so, in the excited and exasperated state of feeling understood to prevail throughout the country, might, it was supposed, be productive of harm rather than of good. He was, *therefore*, to be sent merely as a sort of ambassador to the Rajah of Gúndaguddah, *ostensibly* for the purpose of securing his assistance to the opening of the proposed communication. With this view, he was to be accompanied by an officer of the survey department, draftsmen, and a detachment of sappers, as well as an escort of infantry, merely for personal protection among the wild tribes, through whose country he would have to pass. He was to be strictly enjoined to "confine himself" to these, the avowed and more "immediate purposes of his mission," and only "cautiously to approach any inquisition into human sacrifices." It was only indirectly, incidentally, and in a very subordinate manner, that the distressing subject was to be alluded to at all. And even then, it was only when "opportunities occurred to him of discussing it with friendly chiefs of influence," that the Supreme Government "thought it would be prudent to declare the extreme abhorrence with which the custom was regarded by the British Government, and its right and determination unrelentingly to punish every attempt to *entrap* or to *steal British subjects* for the purpose of immolation."

Under the authority thus given by the Government of India,—and clogged and fettered by the foresaid registry of cautions and warnings, restrictions and limitations, injunctions and prohibitions,—Lieut. McPherson was appointed an Assistant to the Commissioner or Governor's Agent in Ganjam, for the special object of carrying into effect the preliminary measures, of which an outline has now been given. On the 15th December, 1841, he proceeded on his journey to the Khond country. Thither, for the present, we shall not follow him. His labours in the Khond cause, we consider of far too great importance to admit of being dismissed with a slight or superficial sketch. From the great and unexpected success which attended them, as well as from certain *marked* and *original* features by which they were distinguished, alike in principle and mode of operation, we have no hesitation in declaring that they constitute a *new* and *distinctive* epoch of their own, in the history of Government measures for the abolition of the Meria sacrifice. With Lieut. McPherson's appointment, we consider that the *first era* of comparative ignorance,

twilight groping, abortive but well meant experiments, and really philanthropic but somewhat disheartening conclusions, terminated; and with his appointment we, in like manner, consider that the *second era* of maturer knowledge, fuller and more steady light, more skilful and successful experiments, and equally philanthropic but more cheering conclusions, commenced. The narrative, therefore, of this *second* and more hopeful epoch we purposely reserve for a separate place in a future number.

Meanwhile, we may turn aside to contemplate another field of labour, and a distinct set of operations, conducted under the auspices of a different Government. It has already incidentally appeared, that considerable tracts of Khondistan, such as the Hill districts of Boad and Duspalla, lie within the limits of the Bengal presidency. At an early period, as we shall see immediately, something was done in connection with the Government of that presidency, towards the suppression of the Meria sacrifice. It can scarcely, however, be said to have set itself in earnest to the task till a period somewhat later than that with which the *first* epoch of the proceedings of the Madras Government had closed. Still, overlooking the mere element of time, and directing exclusive attention to the *predominant spirit* and *distinguishing character* of the different proceedings themselves, we cannot hesitate to pronounce them as belonging to essentially the *same genus*. Disregarding, therefore, altogether the mere *anachronism*, with respect to time, as practically and comparatively of little consequence, we must at once assign the narrative of the proceedings of the Bengal Government to the *first* epoch or era of Government measures.

In the beginning of 1837, Mr. Ricketts, the Commissioner of Cuttack, marched through the Duspalla and Boad districts, for the purpose of co-operating with Mr. Russel on this side of the frontier, and preventing the rebels from finding an asylum in the Tributaries under his superintendency.* He met Mr. Russel in Boad. From the latter, he heard for the first time, of the extensive system of human sacrifice which had been discovered in Goomsur. Inquiry soon led him to find that it was not limited to that district alone—that it equally prevailed in Duspalla and Boad.

At that time he had no jurisdiction in Boad, as it was attached to the South West frontier Superintendency. Accordingly, he proceeded to Duspalla, and called on the Khonds to give up the victims they had in keeping. They agreed to

* See the Khond Article, No. IX. p. 17.

do so; and Mr. Ricketts was left under the impression that "all were brought to him." The Rajah, he perceived, had little real power of control over the Khonds; and during his stay he did all in his power to strengthen the Rajah's authority:—

"I made," he writes, "all the chiefs sign a document, acknowledging themselves the subject of his Raj, and bound to regard and obey the Rajah as their immediate chief, and in agreeing, in token of their dependence, to attend each year at the Dole Jattra, and pay the tribute at the rate of four and six guns of rice per house. They were also made to understand that the Rajah would be assisted by the Government, in maintaining a proper control over them. I passed hours and days in talking and reasoning with them, and before I came away, induced them to sign a paper—engaging to give up human sacrifices, allowing that they were without effect, and wicked, and that any instance of it in future should be followed up by the destruction of the perpetrators and all assisting. Were the Rajah strong enough to attack the village, in which the next sacrifice may be made, and kill the chief, it is my belief there would be no more in Duspalla, but I fear he dare not. I gave him a *perwanah* authorizing him to stop any person sacrificing a human victim."

Though, from his want of jurisdiction, he could not introduce the same arrangement into Boad, he proceeded into the country of Mahadeb Khonro and Nowbhun Khonro, who held all the Boad Khond forests and hills. The former of these Sirdars or chiefs waited upon him, and, though he declined to assist in the liberation of victims, yet he did not seem openly at least to thwart any of his proceedings. "They allowed me," says Mr. Ricketts, "to seize the victims where I could find them, and made no attempt to induce others not to give them up."* In this manner he succeeded in bringing away altogether twenty-four—eight girls and sixteen boys.

Mr. Ricketts' report on the subject is dated 23d February (1837.) In the Government Resolution thereon, dated 14th March occurs the following strong paragraph:—

"His Lordship has perused the detail given by you of the system of human sacrifice prevalent among the Khonds with feelings no less of horror than surprise. He is well aware of the difficulty of dealing with a description of crime, which, however unnatural and revolting, has been sanctioned by long usage as a national rite, and confirmed by the gross delusions of

* On that occasion, in a discussion with some Khond chiefs, he is said to have told them to "sacrifice buffaloes, sheep and other animals only." They replied, "It is our custom; if we don't, we shall not be able to exist; the Deity will eat us all;—how can we escape?" The Commissioner remarked, "If you cannot exist, then come to me, and I will manage your business." They professed to assent. But it was an assent extorted through fear, and never intended to be implemented, except under the pressure of urgent necessity,—the dread of certain detection, and summary punishment. The shew of submission was only designed as a cloak to allay suspicion, and lead to a relaxation of energy in the adoption and prosecution of active measures for the extirpation of the obnoxious practice. This will fully appear from subsequent events and proceedings.

the darkest ignorance and superstition. The working of a moral change among the people by the progress of general instruction and consequent civilization, can alone eradicate from among them, the inclination to indulge in rites so horrible. But though the entire suppression of the practice of human sacrifice among this wild and barbarous race must be the work of time, yet much may be done even now, and no proper exertion should be omitted towards checking the frequency of the crime by the terror of just punishment. His Lordship is fully prepared to sanction the use of judicious measures in aid of the power of the Rajah of Duspalla, whenever that chieftain shall have discovered the commission of this crime in any of his villages. Immediate injunctions should be issued, not to him only, but all other Tributary Rajahs, having nominal authority over Khond population, expressive of the views of the British Government and of its determination to do all in its power for the effectual repression of this atrocious practice. You will be pleased to report upon every instance in which, in your opinion, the British power, in support of that of the Rajahs themselves, may be exerted, without the hazard of serious embarrassment and disturbance."

In conformity with the tenor of these remarks, worthy of the benevolent character of Lord Auckland, strict injunctions were issued on the 16th July, (1837,) to the Rajah of Duspalla, and the Rajahs of Boad and Atmullik,—which territories had, at Mr. Ricketts' recommendation, been transferred to the Cuttack jurisdiction,—expressive of the views of the British Government, and calling on them to adopt every means in their power for putting a stop to the practice.

If the Rajah of Duspalla had little power, it was soon found that the Rajah of Boad had practically no real power at all over his nominal Khond subjects. However, about *three* years afterwards, in April, 1840, the Rajah of Boad gave intelligence of some of his Khond subjects having purchased *Merias*, and a little boy and girl were on that occasion rescued. In July, 1842, two more children were seized in the Duspalla Zemindary. Again, in January, 1843, the Rajah of Boad sent in two children whom he had recovered from a Khond Sirdar, who had intended them as victims for sacrifice.

Such, as far as we can learn, were the *entire* proceedings of Government in the Bengal presidency, for *six* years, in the matter of the suppression of the Meria sacrifice within its borders. Mr. Ricketts having, in 1837, issued most stringent orders on the subject, these orders appear to have been left, in a great measure, to execute themselves. But it is a mere truism to say, that no orders, however stringent, no laws however peremptory, are endowed with self-acting, self-operative, energies. Accordingly, the signal failure of the Commissioner's orders, in securing the object contemplated, at length became manifest.

In June 1843, Mr. Mills, the Superintendent of Tributary Mehals, Cuttack, and immediate successor to Mr. Ricketts, submitted for the consideration and orders of His Honor the

Deputy Governor of Bengal, a report of his proceedings, regarding the rescue of some Meria children from the Khonds of Boad and Duspalla. As this report very clearly represents the views of the principal functionary of the Bengal Government to whom was entrusted the adoption of measures for the suppression of Meria sacrifices within the Bengal territories—including an explicit avowal of his principles of action, his mode of operation, and despair of success from conciliatory measures alone—we deem it proper to supply the following lengthened extract:—

"Having heard that Capt. McPherson, assistant to the Governor General's Agent, has recovered a large number of victim children in Goomsur, and having been told that that officer had stated, that the Khonds of Duspalla and Boad, had many Merias in their keeping, I deputed a trustworthy native officer, with two Chapprassis into the Khond Mútah for the purpose of effecting their liberation. I enjoined him to impress upon the Khond chiefs, the abhorence with which Government viewed the rite, to remind them that it had directed its abolition, and that a recurrence of the practice would bring down on its perpetrators the serious displeasure of Government. I especially interdicted the use of force, and desired the Rajahs of the territories above mentioned to co-operate with the Tehsildar in the accomplishment of the above object.

I am happy to have it in my power to state that the mission has been attended with some success. The Khond Chiefs gave up 8 children, of the names and ages as per margin, and have promised to restore 17 others. Sickness having compelled the Tehsildar to quit the country he left a Chapprassi to receive the latter when surrendered.

The Tehsildar first proceeded to Duspalla, and found that the Rajahs had seized and confined Ragu Máji (the Khond Sirdar of Nowsagur) and his son, having, in defiance of the orders of Government, sacrificed a Meria, a female child, 8 years of age. The Tehsildar accompanied by the Rajah's Dewan or Minister then went into the Khond country of Boad. The Khond Sirdars attended and delivered up the Meria children. They admitted that Ragu Maji had sacrificed privately one victim in order to propitiate the deity, but affirmed that this was the only sacrifice that had been committed, since the practice had been discontinued by order of Government, and all promised never to perform Meria again. They further alleged, that the children were bought in the famine, and that they were bringing them up as adopted members of their families.

The Tehsildar reports that the Khonds of Duspalla are under the Rajah's control, but the Khonds in Duspalla are comparatively few: and though the Rajah has shewn, by his liberation of Meria children at different times, and by his seizure of the Sirdar above mentioned, that he does and is able to exercise some authority over them, yet it is clear, from his urzí, that he holds the Khonds in just fear, and is unable of his own authority to suppress the practice.

The Tehsildar proceeded from Duspalla to Boad. The Khond country in this Killah is very extensive The influential Sirdars, Nowbhun Khonro and Mahadeb Khonro have, I may say, raised the standard of independence. The Rajah complains of their personal hostility to him and their lawless usurpation: though they have thrown off their alligiance to the Rajah, yet it is satisfactory to know that they are inspired with a wholesome dread of the ruling power.

Nowbhun and Mahadeb, with many other of the Sirdars, obeyed the Tehsildar's summons, and waited on him. The former, my Chapprassi informs me, assumed regal state: he came attended by a large body of matchlock men, preceded by musicians; but he shewed so much deference to the Rajah, as to pay his respect to him, and to present a Nuzzur of one Rupee.

The Sirdars surrendered to the Tehsildar two Meria children, and admitted that there were 17 others in the country, whom they promised to give up as above noticed.

There can, I fear, be little doubt that the practice of sacrificing children is still prevalent in the Khond Mútahs of Boad and Duspalla; the Khonds are afraid to speak openly about it, but the Sirdars of Boad tacitly admitted the fact.

Conciliatory measures alone will not effect the suppression of the rite; force must precede conciliation, and it is hopeless to expect to put it down even with the application of force, unless a special agent is appointed to use force, when necessary, and systematic measures are adopted for carrying out simultaneously the orders of Government, both in the Madras and Bengal Territories.

The Khond Sirdar, alluded to in a former paragraph, is in custody. He acknowledges that he killed the child, and that he wilfully disobeyed the orders of Government, but pleads, in extenuation of his guilt, that the Deity appeared to him in a vision, and commanded him to make this expiation, and so avert his justly provoked wrath.

If the Government were prepared to adopt coercive means for suppressing the practice, it would be politic, as likely to produce in the commencement of a new system a salutary impression on the Khonds, to sentence this offender to imprisonment for a period of two or three years; under existing circumstances I would only admonish and discharge him.

The Rajah of Duspalla's meritorious conduct is deserving, I think, of some special mark of approbation by Government. He rescued and sent in, in March last, two children, one of whom made its escape: and I would suggest that we be permitted to bestow on him, as well as on the Rajah of Boad who rescued the two children mentioned in my letter of 1st February last, and who cordially co-operated with the Tehsildar on the occasion, a present of a pair of shawls and a piece of kinkob each.

I shall deliver over the children to their relations if they can be found, and if found they are willing to receive them; but in the meantime I solicit the payment of three rupees per mensem for the boarding, clothing and education of those whom I make over to Mr. Sutton.

If the Sirdars shall fail to fulfil their promise of giving up the seventeen children above mentioned, I shall again depute the Tehsildar to Boad with a view to effect their release. I shall also continue to send, occasionally, officers into the country, on similar errands, in order to show the Khonds how unceasing is the desire and determination of Government to put a stop to the practice, but the presence of an European officer would be attended with far more good. And if it be determined to adhere to the present system of inducing the Khonds to give up the rite, I would suggest that an officer of experience, and qualified by disposition and character for the duty, be appointed to the command of the Khúrdah Paik Company, and be made ex-officio assistant to the superintendent of Tributary Mehals, on a suitably increased salary. I would require him to make a tour through the Khond Mehals every year, and to act in upison with Capt. Macpherson, under identical instructions, in bringing over the Khonds to our views."

The Hon'ble Mr. Bird, who was then Deputy Governor, expressed much gratification at the deliverance of the Merias—

would be glad to learn that the remaining seventeen had been recovered—approved of the suggestion for bestowing a present of a pair of shawls and a piece of kinkob each on the two Rajahs for their co-operation in the rescue of the victims, and for the allowance of 3 Rs. each per mensem on account of the boarding, clothing, and education of the children made over to Mr. Sutton, —but declined coming to any determination on the other proposed measures, which involved the application of force, and the appointment of a special Agent to exercise it, pending the result of a general investigation into the whole subject then in progress. In this conclusion of the Deputy Governor, the Governor General, Lord Ellenborough, fully concurred.

Here, then, are some very instructive points which it is well to pause and consider. Mr. Ricketts having, in 1837, expressed in unequivocal terms the disapprobation of the British Government, and having issued stringent prohibitory orders, for the abolition of the Meria sacrifices, accompanied with threats of punishment in case of disobedience, it seemed to be concluded that the business was definitively settled—and that the sanguinary superstition was consigned for ever to the number of "things that were." In 1843, or about *six* years afterwards, the new Commissioner, Mr. Mills, is suddenly awakened as from a dream. A report reaches him, not from any of his own people, but from an Agent of the Madras Government, carrying on operations in the Madras territory, that the Khonds of Boad and Duspalla, within his own jurisdiction, had many Meria children in their keeping. And, as if it had been a report of the abduction of children, by a common gang of Dakoits, he deems it quite enough to despatch a Tehsildar with Chaprassis for their rescue. The clear and ample returns of the Tehsildar, detailing the whole of his proceedings, soon satisfied the Commissioner, that the business which he had undertaken was altogether of a different kind from what he had been led to anticipate. The Khond chiefs of Boad gloried in a turbulent independence. The Tehsildar described them as "a set of rascals who did not mind the orders of the authorities." The "stringent orders" of Mr. Commissioner Ricketts were, he said, in his possession, but he could not venture to enforce them. The chiefs did not pretend to deny the still continued prevalence of the Meria sacrifice. When asked, whether they were aware that orders had been sent from Government six years before to the Rajah, to put a stop to the practice;—they unhesitatingly replied, that they were quite aware of the fact. And, when challenged to explain, why, when fully cognizant of the orders of Government, they still

persisted in the celebration of the cruel rite;—they deemed it a conclusive answer, to say, "Because the village Deity had told them that otherwise the people would die." The impression left on the Tehsildar's mind, from all he had seen and heard, was, "that, unless some Amlah, or, if possible, the Commissioner himself, went through the country once a year, the practice never could be put a stop to." Aroused at length to something like a just sense of the real difficulties of the undertaking, the Commissioner is constrained to give vent to his own impression of the apparently insuperable difficulties, by putting on record this memorable deliverance, viz. "CONCILIATORY MEASURES ALONE WILL NOT EFFECT THE SUPPRESSION OF THE RITE. FORCE MUST PRECEDE CONCILIATION; *and it is hopeless to expect to put it down even with the application of force, unless a special agent is appointed to use force, when necessary, and systematic measures are adopted for carrying out simultaneously the orders of Government, both in the Madras and Bengal territories.*"

The subsequent steps taken by Mr. Mills only tended still farther to corroborate his previous convictions.

The Chapprassi who had been left to receive the promised seventeen Merias, formerly mentioned, having reported that the Khond Surdars had declined to give them up, Mr. Mills directed the Tehsildar to revisit the Killah, and to proceed himself into the Khond fastnesses, for the purpose of effectuating their deliverence. A short extract will exhibit the result:—

"They (the Tehsildar and his party) proceeded across a high range of Hills to the high table land of Borogotsa Des, where many Khond villages are planted: they found all deserted, and for two days not a soul made his appearance. On the third day, two persons came as ambassadors from the chiefs, and delivered a message to the following effect.—"His Honor the Commissioner, (Mr. Ricketts) came and gave Mahadeb Khonro a horse, a gold khurrú and other ornaments, and taking the Meria children, desired him to discontinue the practice. He, in disobedience of these orders, bought himself one Meria and his people three, in all four, whom they sacrificed in the month of Pous of the present year. The Rajah, hearing of this, called Khonro and said—His Honor has fordidden you to sacrifice Merias, swear now to me, and his Honor, that you will not do so, and be careful in future. The Khonro promised accordingly and went away, but in four days he sacrificed four more Meriahs—we are but his inferiors. His Honor never admonished *us* but *him*, and he has now sacrificed, and we, following his example, purchased and sacrificed too. Forgive us, and we will come."

The Tehsildar exhorted them to bring in the Khonds, but they stipulated for permission to come armed, as the Khonds were afraid of Mahadeb Khonro and the Rajah. They accordingly attended the following day, in number from 4 to 500, armed with swords and matchlocks, and beating

drums. The Tehsildar explained to them the nature of the message which they had sent to him; they adhered to the same; but despite of his remonstrance, declined to give up the children to any one but myself. The Tehsildar states that he observed on his return, that they had constructed stone defences, and collected stones and other missiles in the passes."

From the Tehsildar's own written statement on the subject, it would appear that the Khond chiefs and their adherents were singularly obstinate, contumacious, insubordinate, and menacing in the attitude which they had assumed—and that he considered himself as having very narrowly escaped with his life. In these circumstances, Mr. Mills deemed it unadvisable to adopt any farther measures for securing the liberation of the children, until he himself could go to Boad. He was sanguine in his expectation that the Khonds would not, in this particular instance, finally refuse compliance with the orders of Government, though acknowledged to be "extremely loath to abandon a practice which they regarded with feelings so holy, and which they believed could alone expiate the wrath of the great spirit." Still, as regarded the general subject of the abolition of the rite, his views, so far from being modified, were only confirmed. It was his belief, in common with that of all the natives with whom he had conversed, that we "could never establish our authority amongst the Khonds by conciliation alone"—that we "must impress them with the wholesome dread of our power (since the Goomsur war they had learnt to respect the paramount authority of Government) and be prepared to adopt coercive, if conciliatory measures should fail, for the suppression of the practice, taking care to shew that it was a matter of necessity, not of choice." "The force of conversation would not alienate men from practices so firmly embedded in their affections." He would have it made known throughout the districts, that "the Government had resolved to put a stop to the inhuman practice of sacrificing children, and he would call upon the heads of each village and Mútah to come forward and give a distinct and unconditional pledge to relinquish the rite." A combined system of "rewards and punishments alone would effectually repress it. Various marks of regard might be shewn to those who observed their engagements, while cases of delinquency should in every event be punished, at first slightly, and when the law had been for sometime observed, with severity." The precise period of issuing a general prohibitory notice, by public proclamation, would depend on circumstances; but when once "our plans were matured, the authority of Government must be maintained." Finally, Mr. Mills strongly reiterated his former recommendation that "the

Khond Mútahs of Cuttack and Ganjam should be placed under the immediate control of an officer appointed for the special purpose of suppressing human sacrifices," and that for this end he should be "invested with the ample powers which are now exercised by the Superintendent of Tributary Estates."*

Such were the confirmed sentiments of Mr. Mills on the subject; though it is but justice to him to add that he offered them "with much deference to those of Captain MacPherson," who "eschewed the use of force," and who "spoke from local knowledge and experience," whereas he (Mr. Mills) candidly confesses that he had "no personal intercourse with the Khonds."

About this time a new actor suddenly appeared in the anti-meria cause, in the person of Col. Ouseley, Agent to the Governor General, South West Frontier. Acting with promptitude on information received early in January,† 1844, he succeeded in rescuing two Meria lads, and restored them to their friends. From the investigations which these cases involved, it fully appeared that numbers of Merias were in possession of the Khonds in the Zemindaries of Sohnpore, Patica, Khurriar, Bindranawagurh and Bamra—that those, who could not procure Merias otherwise, gave up their old and helpless fathers and mothers to be sacrificed—and that, in certain cases, from fear of the Government, in order to escape detection, they at once killed and buried the Merias.‡ Ample details were also furnished of the mode in which the cruel rite was usually performed.

Filled with indignation and loathing at "the most dreadful horrors perpetrated in sacrificing human beings," the Col. with the promptitude and decision of a gallant soldier, resolved to proceed to action. Without a day's delay he issued a notice to the Rajahs within the circle of his jurisdiction, to this effect:—"that they should send a list of the Sirdar Khonds§ of their estates

* These powers may be thus summarily expressed, viz., "to sentence offenders, in certain cases, to seven years' imprisonment,—to report for confirmation to the Government any severer punishment which he may propose to inflict,—to confine his interference to the suppression of feuds and animosities prevailing amongst the Khonds and the neighbouring Rajahs—to the correction of systematical oppression and violence—to putting a stop to human sacrifices, and to the sale and purchase of victims—to the punishment of kidnappers, and finally to the cognizance of all important points, which, if not attended to, might lead to outrage and confusion."

† His report to Government is dated 9th January.

‡ One of the cases deposed to, was that of a poor girl. When a report was brought that a "Sahib" was coming from Cuttack, she was buried up to her neck in the earth, when she said, "on the Sahib's coming I shall cry and make a noise, so let me go." On this they at once killed her.

§ "From what I can learn," says the Col. "there may be from forty to fifty thousand men capable of bearing arms who are addicted to these practices, but not above a twentieth part within this Agency. The rest are in the Berar Rajah's country, Karond, Bustar, and in the Madras Presidency, with the exception of Boad, and Cuttack.

and make every enquiry whether any Merias were in their country—that, whenever these were found to exist, they should be instantly forwarded to him—that, if any still remained, and were not reported on, or were in any way secreted, the persons who aided and abetted in the matter would be liable to have their Zemindaries confiscated—that a copy of the notice should be sent in Uriya to all the Khond Zemindars, to warn them to desist from such practices as human sacrifices, and to send in the kidnapped Merias then in their possession—and that, henceforward, should any Khond Zemindar allow of sacrifices, his Zemindary would be liable to resumption, and the person sacrificing subject to capital punishment."

The Colonel himself, however, adds that he "much feared that this plain order would have but little attention paid to it." But did such unfavourable anticipation disconcert him? No. Foreboding the worst, he is quite prepared for it. Idle dallying, vacillating delays, irresolute half measures are not in accordance with the determined spirit of the gallant soldier. Accordingly, the Colonel, though with "much diffidence," at once submits it to Government, as his decided "opinion," that should no attention be paid to the orders which he had issued before the cold season next ensuing, he "should be empowered to proceed with all the Ramgur Light Infantry and Irregular Horse available, with the guns, and make such an example of those who persisted in thus treacherously kidnapping and destroying their neighbours, as would compel them ever after to become obedient subjects under their respective Rajahs." Aware of the tactics of the Khonds, the Colonel, in no way discomposed, goes on to say, that, "it would be useless to pursue them into their jungles and fastnesses;" but, "by keeping detachments in the cultivated districts, seizing their cattle and grain, and otherwise inflicting punishment on them," he feels assured they would eventually comply with his demands. "It was by such a course alone," continues he, "that the Lurka Koles of Singbhúm were convinced of their errors; and among a barbarous people like the Khonds, who are infinitely below the Koles in every way, the *only argument that they could understand is that supported by force.*"

In a subsequent report of the 9th March, the Colonel furnishes additional evidence, corroborative of his former statements, respecting the frequency of the sacrifices. He names a chief who would be happy to enter the country, and "soon point out *hundreds* of these poor Meriaa." That "these dreadful sacrificial acts were common," he also knew "from personally conversing with the people on the borders—not only the chiefs, but the poorer classes." He was fully aware that "many

obstacles would be placed in the way of all inquiries," and that "opposition would be shewn to every step taken to put down such proceedings by the Zemindars, who profit by the continuance of the ceremonies, and all the chiefs of the human sacrifice sect." Nevertheless, he did "not hesitate to state that he would in one season be able to subdue those who might refuse to give up such a line of conduct, either by conciliation or force." Nothing, however, but the application, or at least the dipslay of force would suffice. In the way of such application or effective display of force he was aware of the physical difficulties that interposed. The climate, he admited, to be "very insalubrious"—the country "dreadfully unhealthy." He had himself already experienced its sad effects, even when not exposed to the risks and hazards of a campaign in an unexplored region—having been repeatedly attacked with fever. Like a brave soldier, with a spirit as generous as it was undaunted, he adds, "I would not, however, advise the measure, and not share the dangers; nor would I require any officers or men to go where I would not. There is little honour and glory to be gained in such jungles; but to suppress these horrors, openly enacted within 300 or 350 miles of the seat of Government, is, I with the utmost deference, beg to state, imperative."

Zeal so honest, so warm, so laudable in the sacred cause of humanity, it is impossible not to admire. But, while greatly admiring the zeal, both as to its source and its object, one may be permitted to doubt the wisdom or the efficacy of the summary measures proposed.

The Colonel distinctly admits that the Khonds constantly "quarrelled among themselves, and had pitched battles, in which the Rajahs could not and indeed never attempted to interfere, nor could they prevent the exercise of this dreadful rite." The second most influential Khond chief within his own agency, he describes as "a most outrageous barbarian, who paid no attention to any order of the Rajah of Patna or any one else." Now, in such circumstances, the expediency of issuing such admonitory notices as those already mentioned, seems more than doubtful. With the present deficiency of information as to localities, and the degree of obedience which the Khonds pay to the superior Rajahs, and their own immediate chiefs, it seems clear that no certain knowledge of the effect which the admonitory notices might have produced, could be obtained before the season for operations had come round. The surrender of a few Merias would be no proof that *hundreds* more were not *reserved* for immolation; and thus the Government would be left in a state of distressing suspense, as to

whether its orders had, or had not been carried into effect. To remain quiet in such circumstances might encourage the destruction of numerous victims, and lead the Khonds to treat with contempt, orders which were not enforced. And then, as to a hostile incursion into the country, the harassing nature of the warfare, carried on at a great expense, in an unexplored territory and in a deadly climate, was not the only objection. On this subject it affords us much pleasure to be able to quote the plain and forcible remarks of Lieut. Hicks—the assistant Superintendent of the Tributary Mehals, Cuttack—more especially as he himself seems fully persuaded, that, sooner or later, conciliatory measures must be supported by the direct application of force :—

"Our intercourse with many of the Khond tribe has been very limited. I believe we only came into direct contact with them, but a short time ago, in the Goomsur country, the inhabitants of which were subjected to all the calamitous effects of a protracted and desultory warfare; and although our troops had instilled a terror in the minds of the people, the Meria rite still continues to some extent in that district,—Captain MacPherson having only this last cold weather brought away a considerable number of victims.

It is difficult to conceive that the mere act of marching a Regiment into the country, and then marching it out again, will have the desired effect. It would not. A line of posts must be established, and troops detained in the country for a length of time, or at all events until objects aimed at have been effectually gained; and should a collision ever take place, a general rise would most likely happen, and no human calculation can define the limits and expenses of a desultory warfare, as it inevitably must be, in a country too abounding in natural and almost insurmountable difficulties.

The destitution and poverty of the Khonds is very great; they are possessed of little or no property, and would, on the approach of our troops, fly to their fastnesses, where it would be useless, and indeed impracticable, to pursue them, and I am perfectly assured that from sheer ignorance of our motives, three-fourths of the inhabitants of Khondistan would offer a mad and blind resistance to our demands, under the idea that they were merely fighting in defence of their country, independence, and tribe. I say from ignorance of our real motives, because from the naturally wild shyness and timidity of these people, it would be vain inviting them to an understanding in the front of an armed force, and it would also be impossible to make known to them the true reason of the advance of our troops.

It therefore seems probable that a coercive undertaking, to be effective, must be a protracted one, and this is the strong objection to the application of force, until all other measures have failed; for troops would require to be detained in the country, so as to worry and harass the people into submission, by not permitting them to cultivate their lands, and by keeping them confined to the fastnesses, where they may take refuge. The climate of Khondistan is so notorious for its insalubrity, and the baneful effects it has on the health and constitution of strangers, that little else may be said in regard to it, except that it will prove more destructive than either the fire or sword of the enemy.

There is, from the rocky and sterile nature of the country, a great drought of about four months' duration, which would oblige troops to seek the banks of the Mahanadi River, in the months of March, April, May and June; they would be dependent on Sumbulpore, Nagpore and Cuttack, for supplies, the country being too poor to maintain even a very small number of troops.

Should however Government be in possession of sufficient evidence to convince it, that nothing, but an appeal to arms, will compel the Khonds to adandon the practice, an overwhelming force should be poured into the country, from all sides simultaneously, viz. from Nagpore, Ramghur, Cuttack, Russelconda, and Aska, to enforce instant submission and prevent the slightest inducement to the neighbouring Khonds, in making a common cause with those of Sohnpore."

To these we may add one or two other considerations of our own. All agree that on the first appearance of a superior force, the Khonds would at once forsake the vallies and betake themselves to the jungles and the hills, where they could not be pursued. It is usually presumed, however, that after a time, they would be constrained to give way and in the end make an unconditional surrender. But is this so certain an issue? Even supposing the difficulty of a permanent occupation of these deadly vallies, on the part of our troops, to be overcome —an event in itself highly problematical—is it so clear that it must terminate in concession or total submission on the part of the Khonds? We think not. Wholly incapable of appreciating our motives or our ends, and burning with a consciousness of injury and of wrong, might they not drop all hope of mercy or justice at our hands, and grasping despair, give themselves up to the infuriate pursuit of an implacable, unrelenting revenge? It is always easier to sink than to rise—to degenerate than to advance in a career of progressive improvement; it is easier for a civilized man to glide into the savage than for the savage to be transformed into the civilized man. The civilized man, as has been well remarked, "has only to divest himself of certain tastes; and to forbear the exercise of certain faculties, in order to fit himself for enjoying a life of adventure; the savage has the double task of laying aside acquired habits, and rousing into action faculties which have lain dormant from his cradle, and become all but extinct from desuetude." Accordingly we find, in point of fact, that there is so much in the pleasures and privations, the risks and the hazards of savage existence, to gratify that love of excitement and wild independence so congenial to the heart of unregenerate man, that, whereas there are many authentic instances of civilized men voluntarily assuming the form and the habits of savage life, there is no instance of a savage spontaneously assuming the form and the habits of civilized life. Now, the Khonds are already a half nomade half hunting race of barbarians.

They depend but in part on agriculture. For them, therefore, the transition from a partly agricultural, to a wholly nomade or a wholly hunting life, would be neither a violent nor an improbable one. History abounds with examples of tribes that have been compelled to "exchange the care of fields and flocks and herds for the more precarious labours of the chase." And having once, whether from choice or necessity, adopted a roving wandering life, there has always been manifested an extreme aversion to settled abodes and stationary pursuits. Washington Irving gives us the details of the progressive downfal of a once powerful Indian tribe, that inhabited a branch of the Red River—deriving their subsistence mainly from the produce of well cultivated fields. From these they were driven by a more powerful foe across the Missouri. They again took root near the Warricane creek, and established themselves in a fortified village. Their implacable foes "still followed them with deadly animosity, dislodged them from their village, and compelled them to take refuge in the Black hills near the upper end of the Cheyenne river. Here they lost even their name, and became known among the French colonists by that of the river they frequented. The heart of the tribe was now broken, its numbers were greatly thinned by these harassing wars. They no longer attempted to establish themselves in *any permanent abode* that might be an object of attack to their cruel foes. *They gave up the cultivation of the fruits of the earth, and became a wandering tribe, subsisting by the chase, and following the buffalo in its migrations.*" And might not this, or something similar to this, be the fate of the unhappy Khonds, were we by mere force and violence to drive them to despair. Already, there is reason to believe, that their ancestors were scoured by oppression from the larger and more productive plains below the Ghats to seek for refuge among the upper plains and less fertile valleys of the mountain. For the sake of suppressing one of their most cruel and sanguinary rites, and thereby so far humanizing them, we might now, by an overpowering force, drive them from the upper plains and valleys to seek for refuge in the wilder jungles and more inaccessible fastnesses of the everlasting hills. We might compel them to exchange their present frail but settled wooden habitations for the dens and caves of the rock—the labours of partial tillage for the more exclusive toils of the chase—the nutriment of grain and vegetables for the roots and wild fruits of the forest. In realizing such a transition, thousands would inevitably perish; while the remainder would necessarily lapse into a condition far more de-naturalized and

de-moralized than before. And thus, without in any way accomplishing the grand object of our solicitude, the only effect of our well-meant but injudicious mode of interference might be to constrain these uncultured children of nature to relinquish a comparatively modified type of barbarism for one of its lowest, most degraded, and most unmitigated forms. Let no one regard such an issue as a wholly visionary contingency. Those who are best acquainted with the history of humanity in its strangely varying aspects and phases, will be the first to acknowledge that it is fairly within the range of the possible, and not very remote from the confines of the probable.

Mr. Mills, as we have seen, was substantially of the same opinion as Colonel Ouseley; with this difference, that, whereas the latter would *at once* proceed to the adoption of hostile and coercive measures, he would for *some time longer postpone* the resort to such open hostilities. In further explanation of his views, he however, adds,—"while I deprecate force, at *present*, I beg not to be understood as advocating a *mere argumentary* interference which would permit the agent to become a passive spectator of sacrifices committed all around him. He must on some occasions act with firmness, though with prudence, and omit no proper exertion to enforce compliance with his requisitions and to establish his authority over the Khonds."

In consequence, we presume, of Mr. Mills' energetic representations, Government was pleased to nominate Lieut. Hicks, and to "vest him with the powers of an Assistant to the Superintendent of Tributary Mehals for the purpose of suppressing the practice of human sacrifices among the Khonds."

Accordingly, early in year (1841), Mr. Mills deputed his Assistant to the Duspalla and Boad Tributaries, with the special view of liberating intended Merias, and of gaining information on various accessory subjects. In doing so, he furnished him with written instructions for his guidance. In these, while he says that "all coercive measures" ought, "*for the present*, to be carefully eschewed," he reiterates the statement of his own impression "that gentle means would not *alone* effect the discontinuance of the practice." At the same time, he adds, that it will remain with Mr. Hicks to "offer his opinion on the point, after mature consideration of the case in all its bearings."

Unavoidable circumstances had prevented the Assistant from setting out on this expedition, at the most favourable season. Having started only towards the end of February, the great drought and intense heat of the weather, at the time he reached the Boad country, compelled him to cling to the banks of the

Mahanadi river, and rendered it impracticable for him to visit the Khond fastnesses, without prejudice to the health of the whole of his party. The actual results of his mission may be briefly stated to be, that *twenty-five* intended victims were rescued from the fate which had been reserved for them—that of these he had the heartfelt gratification of restoring six to their bereaved relatives—that, of the Khond Sirdars, twenty-six were induced to pledge themselves, in the form of a written agreement, to refrain from the horrid rites of their tribe—and that a kidnapper or dealer in stolen children was arrested and forwarded for trial by the Rajah of Boad.

This success was so far highly gratifying. Still, there were various cirumstances which tended powerfully to temper the joy with which it might naturally be hailed. It is not of course to be understood that *all* the Merias in the Boad district had been given up, or that *all* the Khond Sirdars had entered into an agreement to forego the practice. And even as regarded those who had given the pledge, Mr. Hicks himself was constrained to remark, that he "much feared that an infraction, on their part, of this compact, was too likely an occurrence." Nor were his fears on this head without a good foundation He himself mentions the bad faith of Mahadeb Khonro, the second most powerful chief of the Boad Khonds: This Sirdar, as already stated, promised Mr. Ricketts, when that gentleman went to join and co-operate with Mr. Russel in Goomsur, (1837), that he would relinquish the rite, would faithfully keep his word, and do anything in his power to dissuade his people from killing victims. On this, Mr. Ricketts presented him with a horse, some native ornaments and money, and sent him away relying on his declaration to abandon sacrifices. Mahadeb Khonro no sooner reached his home, than he barbarously slew several unfortunate wretches. A description of the inhuman ceremony Mr. Hicks received from his own lips; and while reciting the horrid story, a smile of satisfaction seemed to play on his features, indicating that he himself was perfectly assured of having done something most acceptable to his Gods.

Again, though the Rajah of Boad himself seemed friendly enough, he was found "surrounded by a set of niggardly grasping underlings who encouraged all sorts of rapacity and outrage, sharing of course the plunder obtained by such means, and designedly keeping the Rajah most profoundly ignorant of his actual position with reference to Government." The conduct of these individuals also caused Mr. Hicks "much trouble and annoyance, from their determined and unremitting efforts to throw obstacles in his way;" he had "great reason to

believe that these unprincipled men were strongly leagued with the Khonds and encouraged them in their evil practices."

The Rajah, in lending his co-operation, was powerfully seconded by Nowbhun Khonro, the head of all the Khond chiefs. But, for a time, the united influence and exertions of both completely failed, either in inducing any of the other Khond Sirdars to come in themselves, or to deliver up the Merias in their possession. Summons after summons was issued; promises of protection and favour were given; warnings of threatened penalties were duly delivered; allurements and intimidation were in proper proportion employed;—but seemingly all in vain. They riotously and pertinaciously persisted in refusing all demands. Some of them at length ventured to leave their villages, which were about 40 miles distant. Full of suspicion and distrust, they approached Mr. Hicks' camp as near as they considered consistent with safety, locating themselves and a horde of followers in a neighbouring hill to watch the course of events. But their patience having been exhausted, and apprehensive of ulterior consequences, they at last determined that the boldest should feel the way for the rest. And thus it was that the first party eventually came in, after detaining Mr. Hicks in suspense and anxiety for about fifteen days. The Boluskúpa Sirdars—who had, the year preceding, doggedly refused to deliver up the Meria children to Mr. Mills' Tehsildar, and who then shewed a disposition to oppose force by force, fortifying the passes leading into their country,—now also evinced a like determination to resist. Twice they were formally summoned to come in. Four of them once came within eight miles of Lieutenant Hicks' encampment, but fled again in the night time. The second deputation found them all in "a state of beastly drunkenness and wild excitement, having also blocked up the passes leading to their fastnesses." They still obstinately refused to come in. And their attendance was at last secured only by the personal exertion* of the Rajah, who proceeded himself to their haunts, and brought in the refractory Sirdars with four Merias.

When Mr. Hicks expressed to any or all of them, as he

* Mr. Hicks himself was most anxious to go, but was dissuaded by the remonstrances of the Rajah, and Nowbhun Khonro, who argued that on his approach, they would most assuredly fly to other secret places, and all subsequent attempts to persuade them to a conference would prove abortive. When all who were likely to come in, were at last assembled, Mr. Hicks publicly invested the Rajah with a *Khillat*—presented some of the Khond chiefs with silver bangles—and to all gave two pieces of cloth, which they prized exceedingly. In returning from Boad through Duspalla, he could obtain no information respecting the existence of Merias in that district.

frequently did, the horror with which their sacrifices were viewed, the revolting nature of these, as well as their total inefficacy towards either averting impending calamity or propitiating the Deity,—their sole reply in defence of them invariably was, that "the sacrifice was a ceremony practised by their progenitors."

From all that he had seen and experienced, the general impression left on the mind of Mr. Hicks appears to be embodied in the following deliverance:—

"The exercise of this revolting rite, which Government is so desirous of repressing, owes its existence to the superstition of ages. This cannot be wiped away from the ideas of the people, in the space of a month, or a year, even at the point of the bayonet, but must be the work of time. It is intimately blended with their religion, and unhappily so deeply rooted an evil in their form of belief, as to require the application of *a proportionally strong remedy*, to eradicate and crush its existence. I am firmly convinced in my own mind that, sooner or later, FORCE MUST BE RESORTED TO, *as no other measures, except those of a coercive nature, will effectually check its continuance*: but if the adoption of a persuasive and conciliatory system be permitted for some time longer, and officers employed in various parts of the country, to gain information and report on its resources, it would allow the Khonds a sort of intercourse with us, and would go far to civilize and exalt their mind above its present low level, and would certainly be the means of lessening the frequency of the Meria rite."

With these views, the only practical measures for immediate adoption which Lieutenant Hicks had to propose, were,—in the first place, to reward the good services of the Rajah of Boad and of Nowbhun Khonro, by the gift of an elephant to the former, and of a yoke of handsome cattle to the latter—to depute annually, to the Khond Mehals, at least for the next two or three seasons, both Madras and Bengal officers, who might mutually co-operate in rescuing Merias, and in explaining the sentiments and determination of the British Government—to appoint a Native Agent at Boad to collect and report information, and act as a check on the Rajah's proceedings—to open the Burmúl defile, by cutting a passable road through it, alike for facilitating the transit of troops, promoting commercial intercourse, and securing protection for travellers—to nominate an Agency for making a topographical survey of Duspalla and Boad.*

* All of these suggestions were warmly recommended by Mr. Bird, the Deputy Governor of Bengal, to the Government of India. To what extent these were sanctioned by the Supreme Government, or whether finally sanctioned at all, we have not been able to ascertain. In April 1844, we find the Governor General in Council sanctioning "the employment temporarily by Lieutenant Hicks, of a Mohurrir, on a salary of 20 Rs. per mensem, to accompany that officer to the districts of Duspalla and Boad."

Another suggestion which had been previously made by others, relative to the

In forwarding an account of Lieut. Hicks' proceedings and suggestions for the approbation and sanction of Government, Mr. Mills pronounced a high eulogium on his assistant, for "the ability and judgment, the patience and unremitting personal exertions displayed by him in the performance of the duty assigned to him"—a eulogium, in the justice and the propriety of which the head of the Bengal Government fully and cordially concurred.

The impression previously produced on Mr. Mills' own mind were now still farther confirmed. Though more thoroughly persuaded than ever that force must be ultimately resorted to, he is anxious to give another and another trial to preliminary measures of conciliation. His words are;—"These facts, while they shew how revered is the rite and how deeply rooted is the bigotry and superstition of the Khonds, afford incontrovertible proof of the difficulty and magnitude of the work, which we have taken in hand." Again, "It is my opinion, as stated in my letter of 2d June 1843, that *conciliation* will *not alone* accomplish the repression of the rite, and that in all probability *force must eventually be used;* but I strongly object to have recourse to this severe measure, until slow and gradual means shall have failed." Once more, "I would earnestly recommend that we depute annually active and intelligent officers in the Khondistan, under instructions to improve our intercourse with and extend our influence over the Khonds; to express the views of the British Government and its determination to put down the system; to induce them to substitute animals instead of human beings for sacrifice; and to sign agreements declaring the sacrifice a punishable crime. *In this manner, two or three seasons may be passed, when, as circumstances justified, I would publicly proclaim the repression of the revolting practice, and vest the officers with power of punishing summarily the aggressors of the law.*" Thus terminated the moral campaign of 1844.

Early in 1845, Lieutenant Hicks returned, with his wonted zeal and energy, to the active duties of his arduous and important mission. He first entered Duspalla. At the summons of the Rajah, all the Khond chiefs assembled to meet with him. He explained to them anew the abhorrence with which their sacrifices were viewed, and the determination of Government to suppress them. He failed, however, in getting possession

enlisting of the Khonds as soldiers, Mr. Hicks was not able to [illegible]. His words are, "they are by nature admirably adapted for soldiers, and I hold, I doubt not, form a very efficient corps; at present any attempt to employ them as such would be premature and would fail, as they are most marvellously ignorant of every thing relating to us."

29745

of victims, as all the Khonds stoutly denied the existence of the practice, and often quoted their promise to abolish these rites, made by them to Mr. Commissioner Ricketts, who marched through the country some years ago with troops and took away the victims. In upwards of a hundred villages, which Mr. Hicks visited, there certainly had been sacrifices, and the usual gathering of people; but he was told that animals had been immolated instead of human beings. Respecting this part of the country, Mr. Hicks' calm and sober conclusion is as follows:—

"I will not presume to say that sacrifices have been relinquished every where in Duspalla, as I do not desire the responsibility attached to such a declaration. I can only speak of what I have personally seen and heard. And having no organized subordinate establishment in the country, it is impossible for me to be acquainted with all that occurs during my absence. I have, therefore, only to express an opinion which must necessarily be based on circumstances that fell under my observation, during an intercourse with the people of Duspalla of three weeks' duration. In that time I learned that the rite, if practised at all, had certainly *lost its publicity*; and in the absence of any evidence to the contrary, I may venture to say that *its frequency is perceptibly on the decrease*. For, where formerly more than a *hundred* victims annually suffered, now but *a few* are killed, and these few are made away with, no doubt *in secret*, and without the customary parade and display, which, until our interference, always attended the ceremony. It now only remains to teach the Khonds to view its commission in fear and terror of a just punishment overtaking the perpetrators, and one man suffering for it would I am convinced deter others from ever indulging in the practice."

Mr. Hicks next proceeded to Ranigunge, in the Boad territory, where the Khond chief Mahadeb Khonro resided. He appeared for the time to be "frightened into propriety." He even professed that he had "exerted himself to abolish the Meria rite." But, having before given so many proofs of his deceit and wiliness, Mr. Hicks very properly adds, "but this I beg to remark is conjecture on my part; I have only his own word and pledge for it."

From Ranigunge Lieutenant Hicks went to Borogatsa, through some formidable mountain passes, and along a road which lay "through a very declivitous rugged country." In many places it rose to "an angle of forty-five degrees, and was so narrow that only one person could occupy it at a time, —running along the very edge of a precipice for seven or eight miles, and flanked on either side by ranges of high hills, in which there were numbers of stocades, built in commanding situations." The chief of this district and his followers had formerly behaved in a very refractory manner—driving back the Rajah's people and threatening Mr. Hicks in the same way. On arriving, however, at Borogatsa, he found the villages

deserted—the inhabitants having fled into the neighbouring mountain fastnesses. At mid-night they returned and assailed him with "noises of yelling and tom-tom beating; and, after amusing themselves with dancing and singing, they again retreated to their hiding places when day-light appeared." For several days he strove in vain to hold any communication with them. No supplies of provision being procurable, and the small quantity in camp being exhausted, Mr. Hicks was constrained to make arrangements for quitting the place—though not without grave apprehension of "the probability of his being subjected to perhaps a summary ejectment." At length, at the eleventh hour, some of the chiefs presented themselves, but in "an intolerable state of intoxication." He understood that there had been no sacrifices at Borogatsa during the past year, though preparations were then going on, to which he supposes his arrival may have put a stop. Two victims that were undergoing the preliminary processes were rescued; and he took pledges from the influential Khonds, "desiring them to refrain from such inhuman practices."

Mr. Hicks retracing his steps towards the Khalisa, next fixed his encampment at Boluskúpa. He there learnt that the Khonds of Surmundah were assembled in great strength, and on the point of slaying a victim. Indeed, "the noise of the music and shouting was distinctly audible in his camp, as it reverberated in echoes through the hills." He first sent some Khonds to stop the sacrifice and bring in the victim, but to no purpose. He then despatched the Rajah's Putnaik with some peons, who frightened the Khonds by telling them that a company of soldiers was at hand. They then dispersed, but obstinately refused to give up the Meria. And it was only in consequence of "repeated threats," that the boy was recovered, eight days afterwards.

The Khond Sirdar of Buttai Barai was then called on to deliver up several Merias which he had in his possession; but he declined in a very dogged manner, and would not come near Mr. Hicks, although repeatedly invited to do so. This chief had given every encouragement to the sacrifices—three victims having been ascertained to have suffered in his district since Mr. Hicks' last visit.

In other districts Mr. Hicks succeeded in rescuing eight victims; though he was pained to learn that in these, since his last visit, at least *thirteen* had been slaughtered. It was at the same time acknowleged, that, only a very few years before, the number of the slain amounted to *hundreds* annually. The frequency of the horrid practice might, therefore, be said to be in

some degree checked, though there was much reason to apprehend that the diminution was more apparent than real—fear having only caused the perpetrators to substitute *privacy* for *publicity*.

With reference to the means which Lieut. Hicks had at his disposal, there can be no doubt that he achieved as much as could well be expected from him. At the same time, as regards the prospect of ultimate success, the results were any thing but satisfactory. This, as far as we can gather, was the painful impression produced on Mr. Hicks' own mind. The more favourable state of Duspalla appeared to arise from its closer neighbourhood to the plains, from the greater facility with which it could be overawed by a display of British power, and from the wholesome terror excited in the minds of the people by Mr. Commissioner Ricketts, whose "stern yet judicious measures had not been forgotten by them." In any case in which a chief exerted himself to arrest the slaughter of human victims, he appeared to be influenced "more by a wholesome dread of punishment or a forfeiture of his Zemindary," than a sincere wish to discourage the atrocious practice "because it is abhorrent to principles of humanity, of which he has himself no idea." On this account Mr. Hicks pleads that "every chief who breaks his pledge by countenancing these sacrifices should be *severely and even capitally punished*;"* since, "so long as an example is not made of a chief who breaks his pledge, so long will they allow their dependents to indulge in the bloody rite." "I may venture to say," continues Lieut. Hicks, "that *the terrors of a just punishment will operate more powerfully on an unenlightened mind in checking its vicious propensities, than all the incitement to good which words alone or mere exhortations can effect.* The adoption of a persuasive or conciliatory tone is certainly judicious, when the capacity of the mind is such as to admit of its application with some hopes of success; but with the Khonds, *such a system will do no good*, as they are a people whose bluntness of feeling can scarcely be credited. They reject all appeals to their sympathy, and the mass generally (indeed I may say invariably as far as they are concerned) borrow their notions of right and wrong, from the leaders of their respective tribes." Altogether, Mr.

* Supposing this measure of severity to be applied to those Chiefs who had, not voluntarily, but under a species of virtual coercion, given pledges, how could it apply to the greater number who had not yet given any? And would not the exhibition of such severity inflicted on those who had been induced to give a pledge, merely because they had broken it, effectually restrain others from ever committing themselves in like manner, and thereby rendering themselves amenable to similar penal visitation?

Hicks appears to have been more painfully impressed than ever with a sense of the utter insufficiency of the means and measures then employed—means and measures which wholly excluded the application of coercion or the display of resistless force. He pleads that the experience of his last tour indicated the "necessity of a more extended and systematic course" than had hitherto been pursued, and which had proved itself to be "utterly inadequate to the magnitnde of the undertaking." As an indispensable preliminary to ulterior measures of coercion, or otherwise, he pleads for the establishment of an organized native Agency throughout the country. The entertainment of such a subordinate native establishment he deemed essentially necessary to enable him to do justice to his appointment. An occasional visit to the Khonds would avail nothing, unless it was supported by an Agency on the spot, ever on the alert to keep alive the impressions made, to watch over the operation of the Sirdars' engagements, and to give information of whatever was going on in the country. Without the aid of such an Agency, says Mr. Hicks, "I shall be made a dupe to gross deception every time I am required to make inquiries into the subject of these sacrifices. If, therefore, sanction be not given for the employment of a native establishment, I request most respectfully to be permitted to relinquish a duty, which is at once a serious and responsible one, and to which, unaided, I feel I cannot do justice. Of the policy of our present interference with the Khonds and their practices, it is not my duty to make any remarks. That has, no doubt, been long since considered; but, *if the matter be deemed at all worthy of the attentium of Government, proper means ought, I conceive, to be placed at the disposal of the officer entrusted with the duty.*"

Mr. Mills, in forwarding Lieutenant Hicks' report to Government, simply adopts and powerfully seconds the general views which it advocates. He considers that his Assistant had done as much as could be expected from him, considering the inadequate means at his disposal—that, on the whole, the result of his second mission did him much credit, while it shewed that "in him we had an Agent who was admirably fitted, in temper and judgment, to bring to a successful issue, *if practicable to do so*, operations of such magnitude and importance."

Of the zeal, energy, and good will displayed, alike by Mr. Mills and his Assistant, in this great philanthropic undertaking, there cannot be the shadow of a doubt. And on this account they deserve well of humanity. To us, however, the concluding words of both sound very much like a note of despon-

dency. We may be mistaken in this inference; but, if so, we cannot help it. They both seemed impressed, from the very first, with a sense of the inadequacy of *mere* persuasive or conciliatory measures. This impression was only deepened by growing and accumulating experience. From the very first they both seemed convinced that nothing but coercion or force would *fully* suffice—and that, sooner or later, such coercion or force must be applied. Still, as men endowed with noble and generous feelings, they shrunk from the miseries, the infliction of which the effective application of coercive measures necessarily involved. Before finally resorting to such measures, therefore, they would bear much, and forbear long. Hoping against hope, they would give a fair trial to every conceivable expedient, in the way of peaceful conference, persuasive argument, humane conciliation, and honorary reward. But what precisely to do, or how efficiently to do it, so as hopefully to reach the seat of the malady, was the problem. Not able from their skill in *diagnosis*, to hit either the root of the disease, or suggest the appropriate moral remedy, they were willing for a season to resort to sundry half measures and mitigating pallatives. But, having evidently no very clear perception of the real nature and source of the difficulty to be overcome—no thoroughly intelligent apprehension of the precise means adapted to overcome it,—they could have no absolute confidence in the success of the measures they were led from circumstances to pursue. And in the absence of strong faith, founded on transparent knowledge of the right and the true in action, where is there room for that resolute decision of purpose, which will neither bend nor yield to favours or to frowns—that high-souled enthusiasm, which finds fuel to feed on in the very difficulties it has to surmount—that indomitable perseverance, which untiringly works on amid opposing obstacles, till it has channelled out for itself a direct passage towards the attainment of its final object?

It is impossible not to be struck with the real identity of the experience of the responsible Agents of both the Bengal and Madras Governments,—the ardours of early hope quenched in the mephitic air of after disappointment—the growing persuasion that the subject was encompassed with difficulties vastly greater than had been originally apprehended—the conflicting struggle of antagonist convictions as to the relative necessity and desireableness of measures of conciliation and force—together with the final and painfully ominous forebodings as to the doubtful efficacy of either, in securing an early, happy and satisfactory settlement of the whole question!

Here, however, for the present we must pause. The sole task which we had undertaken, was, to furnish a plain and unpretending narrative of Government measures for the suppression of one of the most atrocious rites that has ever stained the name or outraged the attributes of humanity. That task we have strenously laboured to execute with all the faithfulness and impartiality of which we were capable. Our earnest desire has been throughout to do the fullest justice to all parties, so far as the authentic materials within our reach could possibly avail us. In securing such materials no pains have been spared, nor any trouble begrudged, in ransacking, epitomising, and arranging them when secured. The greater part of them by far, as stated at the outset, must be regarded as quite original—not even the substance of them having ever been previously communicated to the public. To the considerate liberality of the present Head of the British Government and his responsible advisers, we are indebted for their being so ample as they have been. And we earnestly trust, that the enlightened policy which gave us access to them, will meet with its proper reward, and be duly appreciated by all that aspire to the honour of philanthropy.

All reflections and speculations of our own, we have in a great measure, studiously and purposely eschewed—as these would only tend to interrupt the thread of the narrative and embarrass the orderly sequence and intelligibility of the details. We cannot help, however, remarking on the noble and elevated position in which, in a moral point of view, the narrative of such proceedings as have now been sketched, tends to place the conduct of the British Government. The career of the British in India has hitherto been regarded, by the world at large, as exclusively one of grasping avarice, and towering unscrupulous ambition—avarice, which, for the purposes of a basely selfish aggrandisement, could wring their last pittance from the palsied arms of pauperized millions—ambition, which, in seizing the objects of its unhallowed craving, could overturn ancient thrones, crush established dynasties, devastate wide spread realms, and leave whole cities with their temples, palaces, and towers, smoking in their ruins. The picture has no doubt been grossly exaggerated. Poetry, with its figures and personifications and vivid colourings, has greatly heightened the general effect; Oratory has partly obscured and partly magnified the whole, by pointing to the varied groupings through bursting clouds surcharged with the thunders and the lightnings of its own vehement indignation; while even the grave Historic Muse, with its partial statements and one sided representations and artful inuendoes—

often the prolific progeny of secret and subtle, but unacknowledged partizanship—has lent its aid in conferring a verisimilitude on the heightened colourings of Poetry and the wild distortions of Oratory. At the same time, after making all the deductions, abatements, and allowances which truth, in its stern and unbending rigour, imperiously demands, it must be owned, with deepest humiliation and sorrow, that there is enough in the recital of the bare and naked facts, connected with the rise and progress of British dominion in India, to stain the pride of all our gloryings. On this account, it is, that one turns, with feelings of unmingled pleasure and serenest joy, from the heartless manœuvrings of avarice and the doubtful conquests of ambition, to the attempted triumphs of a generous and disinterested philanthropy over the barbarism and bloody superstitions of Khondistan. Amid the varied activities thus put forth in the cause of suffering humanity, there are some, which very closely approach, if they do not positively exemplify, the moral sublime. To behold the Head of a great Government sitting, time after time, in earnest deliberation with his Counsellors of State, and issuing reiterated instructions to Judges, Magistrates, and Commissioners, to leave no measures untried, for the rescue of *two unhappy female children*, who, in the wide world besides, had no eye to pity and no hand to help them—their own natural guardian, the very father that begat them, having, in excess of "the limits of credible atrocity," actually sold them into the hands of savage barbarians, for the express purpose of being slaughtered!—Surely, this is a scene, which, amid the mechanical monotonous routine of ordinary official business, can scarcely prove less refreshing to the moral eye, than would, to the eye of sense, the sudden appearance of a rare islet of verdure amid the barren wastes of an African desert. It is a scene which serves, in some measure, to realize the glowing aspirations of the Bard of Charity, who fervently longed, that,—

"where Britain's power was felt,
"Mankind should feel her mercy too."—

It is a scene, which, in connection with the British name, will gladly survive in the memory of India's regenerated sons, long after many a tale of sordid avarice, and many a freak of wanton ambition, has been clean forgotten.

ART. III.—*The British world in the East;—a Guide, historical, moral, and commercial to India, China, Australia, South Africa, and the other possessions or connexions of Great Britain in the Eastern and Southern Seas. By Leitch Ritchie. In 2 vols. London. W. H. Allen and Co.* 1846.

THIS is a very good book with a not very good title. There are some modern publishers, who consider a good title more valuable than a good book. What for want of a better name may be called the antithetical, is, we believe, the most taking. The "Crescent and the Cross" was one of these, but it chanced to represent a really readable book;—the "Tiara and the Turban" was another of the same family, and a numerous brood of younger brethren have followed, equally relying upon a good name. We can not congratulate Mr. Ritchie—or we ought rather to say the *publishers*, for authors write books and publishers find title-pages—on having sent his off-spring into the world, with a good name to assist its progress. The title is not a taking one; and, moreover, it has not the merit of being a descriptive one. Mr. Ritchie's book is not a *Guide* book, in the common acceptation of the word; though Mr. Ritchie himself may be a very safe guide. It is something much better than a mere table of dates and distances—a mere dictionary of names of persons and names of things. It is a popular view of a not very popular subject. It is history without the dry bones of history. It is philosophy, divested of all that is harsh and crabbed in philosophy. It is in truth a very attractive introduction to the study of a most important subject—an attempt, and a very successful one, to popularise India and the East.

If Mr. Ritchie's title-page does not sufficiently describe the nature of his book, his preface duly sets forth its scope and object. We shall, therefore, do well in quoting it, more especially as we have reason to believe that this Review will be in the hands of our readers before the "British World in the East" has found its way into circulation:—

PREFACE.

"As one saith, in a brave kind of expression, the sun never sets in the Spanish dominions, but ever shines upon one part or other of them."—So remarked Bacon of a country which is now one of the least considerable of the powers of Europe, ignorant that one day the "brave expression" would be a simple truth when applied to his own. In like manner, it perhaps never occurred to Gibbon that the phrase he seems to delight so much in repeating, "the Roman World," might be adopted and modified with more than equal propriety by future historians of the British empire. Rome was great and pow-

erful at a time when the rest of the world was mean and weak, but England is a giantess even among the proudest nations of the earth; and as for the extent of her territory, to use the felicitous language of Webster, "her morning drumbeat following the sun, and keeping company with the hours, circles the earth daily with one continuous and unbroken strain of its martial airs."

When the author of these volumes was invited to prepare a Survey of the British World in the East, he was at first of opinion that the comparative smallness of the space to which he was restricted would prove a disadvantage. But so far from this being the case, although it has unquestionably added to his labour, it has saved him from the imprudence of entering into competition with better writers, and enabled him to produce a work which will not be subjected to invidious comparison. The intelligent publishers saw that, at least in so far as the two principal countries to be treated of were concerned, a History, in the usual sense of the word, was not wanting: they desired rather to have the spirit and results of history in a form at once popular and practical. They knew, likewise, that meritorious Abridgments already existed; but at any rate they were desirous of avoiding the details of such indices which, by crowding the memory, render it difficult for the reader to grasp and comprehend the subject. The present work, therefore, aspires only to give the heads of knowledge; and the author trusts that there will be found in it the materials for correct thought even where he has been unable to use them aright himself, and that it may thus serve to stimulate the curiosity, expand the mind, and invigorate the judgment.

Thus much it has been considered necessary to say, in order to explain any paucity of names and other details which may be observed in the following pages. Few *events* of any importance have been voluntarily omitted; but the reader is referred to other works for a personal account of the actors.

The same restriction must be applied to the commercial information; which is intended to give the merchant and economist a general idea of the nature, value, and resources of the various markets, and thus to serve as an introduction to the circular and price-current that are to be found elsewhere.

In spelling proper names, the author has had nothing in view but the practical nature of his book. He has adopted, therefore, that mode of spelling to which he supposed his readers to be most accustomed; although in doubtful cases he has of course assumed the privilege of a casting vote. The Arabian prophet, for instance, he has called Mahomed by way of a compromise; although, if his own ear is to be trusted, Mŭhummud would be nearer the sound. As for the French Mehemet, it resembles nothing in nature but the bleat of a goat.

It needs only be added on this subject, that at the request of the publishers he has refrained from encumbering his pages with those notes and references which, in the case of a book of greater pretensions, might be reckoned indispensable.

"Newfoundland, Nova Scotia, Bermuda, and the Bahamas," says an American writer, "overawe and command the entire stretch of our Atlantic coast; while the West India Islands guard the entrance to the Gulf of Mexico, and Canada environs us upon our northern border:"—to which he might have added that the Hudson's Bay territory extends backwards to the pole. But the eastern march of England is by far the most remarkable. Not to mention Gibraltar and Malta which dominate the Mediterranean, the whole outer coast of Africa is dotted with her settlements and fortresses; Ascension—Saint Helena—Mauritius—guard the intercourse of the two hemispheres; Hindústan is her own; along the shores of the Burman dominions, Siam, and the Malay Peninsula, are her

ports and her cities; from Singapore she commands the Indian Archipelago; and in China her colony of Hong-Kong, with a magnificence of spirit worthy of her destiny, throws open to the world that commerce which her arms had made her own. But this is not all. A new continent spreads its prodigious expanse on the ocean between India and America; and there, this modern mother of empires has already planted her standard round the coasts—east, west, north, and south—and the ceaseless hum of English industry mingles with the voice of the Pacific.

To describe the progress of this eastward stream, and the countries it fertilizes, together with those that lie near its course, is the object of the work now submitted to the public; and the author wishes only that the execution of the task corresponded better with the greatness and utility of the design."

Perhaps, we shall not convey a very incorrect idea of Mr. Ritchie's book to the minds of our readers, if we liken it to a series of collected essays or articles, each one of which is sufficiently perfect in itself, though only a contribution to one comprehensive scheme. The unity of the design is apparent; but there is an integrity in all the component parts, which gives a distinct value to every chapter. We think that this is likely to increase the popularity, and, therefore, the utility of the work. An attractive book about India is what we have long wanted.

Mr. Ritchie's volumes are well calculated to stimulate the curiosity of the reader and to induce him to enquire further into the history, the manners, &c., of a people in whom he has been, in spite of himself, so deeply interested. We could scarcely wish for a better book to put into the hands of a man—and unfortunately there are too many of this class—labouring under the conviction that India is not a subject the study of which will, in any way, repay the student. Very many writers have written learnedly about India—few have written attractively. Now, Mr. Ritchie is not only an elegant writer; he is eminently a picturesque one. His descriptions, although they be not copies from *nature*, are often highly graphic, and he has shown a remarkable amount of sagacity in the manner in which he has seized upon all those points, which are most likely to fix the interest and awaken the sympathy of the reader, and whilst prominently discoursing on these topics, kept others less calculated to entertain, very skillfully in the back ground. Mr. Ritchie is the very opposite of the literary *dry-as-dust*, for whom Mr. Carlyle has no mercy. If he does not interest his readers, we fear that there is no hope for them.

It is our wish to recommend this work to our readers, and we know no better means of securing the fulfilment of our wishes, than by exhibiting its merits through the medium

of a few characteristic extracts. The first, which we have marked for quotation, is taken from the second chapter, which treats of India, "From the first inroads of the Mahomedans to the fall of Ghizni." It relates to :—

THE DAWN OF MAHOMEDANISM.

"In the seventh century, when on one hand the Roman colossus was already in ruins, and on the other the great empire of Persia tottered to its fall through internal decay, a new and extraordinary power arose in that peninsular corner of Asia which divides it from the African continent. Arabia, with the partial exception of the line of country bordering on the Indian sea, is nothing more than a great desert dotted here and there with oases of comparative fertility; and from these solitudes, the natural cradle of a wild independence, there came forth a prophet-king who was destined to exercise a mighty influence not merely on the hordes of the Scythian desert, but on the civilised world. The Christianity of the holy Scriptures was by this time a forgotten dream. The mother of Jesus, a poor, weak, helpless woman, whom in dying he had bequeathed to the love and protection of one of his disciples, had nearly driven her eternal Son out of the temple. The images of saints and virgins had taken the place of those of the goddesses of profane antiquity, and many of the splendid absurdities which had drawn down upon Paganism the thunders of Paul were forcibly dove-tailed into the pure and simple gospel of the fishermen of Galilee. The Catholic Church was no longer Catholic; it was divided into sects and schisms; and instead of love and charity, all Christendom was full of hatred and persecution. At this moment, there came a voice crying from the wilderness of Arabia, THERE IS BUT ONE GOD. This, and this alone, was the original message of Mahomed; althuogh when persecution had compelled him to draw the sword, and the zeal of proselytism became powerful even to phrenzy, many fables were appended. His religion was the religion of simplicity and nature as contradistinguished from that of myths and symbols; and although it had little effect upon refined or sophisticated minds, or upon those of the vulgar which were filled even with a spurious Christianity, it found ready converts among the Asiatic nations. Mahomedanism was soon the faith of all Arabia, and the standard of the Prophet went forth from its native deserts conquering and to conquer."—*Vol. I. pp.* 23-24.

This is a fair sample of Mr. Ritchie's style—elegant, descriptive, and when the subject demands it, forcible.

Mr. Ritchie's sketches of character are good specimens of verbal portraiture. He hits off the characteristics of historical personages, in a free rapid style, which reveals more of the life within, than many more elaborate pictures with which inferior artists have presented us. We give the following brief sketch as a sample, though we might probably have selected many more felicitous illustrations :—

THE EMPEROR BABER.

"Baber, like his ancestor, Tamerlane, wrote his memoirs. The latter, one of the most hideous monsters mentioned in history, describes in sentimental terms, the shock he one day felt on treading accidentelly on an *ant*; and the former, whose butcheries were only surpassed by those of Tamerlane paints his own portrait as that of an amiable, humane, and simple-minded man. Both may have told the truth; for even in every-day life we see the human character adapt itself to contradictions quite as extraordinary. Shedding the blood of enemies was the habit and the duty of Tartars; but nevertheless the social virtues were in all probability as common among those wandering shepherds of Scythia, as among the other tribes of mankind. At any rate, there can be no doubt that, except in the practice of war, Baber was of a kindly and forgiving disposition, capable of friendship, fond of simple pleasures, wedded to those early recollections that keep the heart fresh, attached to poetry, to plants and flowers which are the poetry of the earth, and to women who are the poetry of life; and though addicted to sensual enjoyments, only to those that involve community of pleasure, and though a lover of drinking even to excess, a still greater lover of the sociality and sentiment of wine. This was much in a Tartar conqueror. But Baber was also a man of business; he attended personally to the affairs of his government, and his active mind was continually employed in the construction of tanks and aqueducts, and other improvements of the country."—*Vol. I. p.* 52.

As a pendant to this, we may hang up a female portrait. It is a picture of the celebrated Núrmahal. The accessories are all in keeping; the whole arranged with a good deal of art. The subject is one well suited to the pencil of Woolmer :—

NUR-MAHAL.

"According to other authorities, we are presented in the history of this celebrated woman (which throws much interesting light upon the state of manners at the epoch), with the spectacle of a refined and astute spirit accomplishing, by means of the charms and passive energy of the sex, the objects of an ambition which in the case of a man would have deluged India with blood. Before her introduction to Prince Selim, her father had risen by his own talents to so high a station at the court of Akbar, that he was sometimes visited as a guest by the prince; and on an occasion of this kind, when the crowd had retired and only the principal guests remained to drink wine, the ladies of the family, according to custom, were introduced in their veils. Among them Nur Jehan was conspicuous both by her wit and the exquisite contour of her person, and she completed the conquest of the prince by dropping her veil as if by accident, and in the graceful confusion occasioned by the incident allowing her timid eyes to rest for a moment upon his. She was by that time, however, betrothed to Shere Affghan, a man of rank and honour, whom she soon after married; and it was not till the murder of her husband by her royal lover after his succession to the throne—a catastrophe which in her dreams of ambition she may possibly have anticipated—that circumstances permitted a renewal of the intercourse. Shere Affghan, however, had been a man of high character in the country, and had defended his honour and his life so valiantly that Jehangir was perhaps ashamed of his crime; at any rate, when the young widow was transported to Delhi, her heart in all probability beating with expectation, and her beautiful eyes blazing with triumph, instead of being conducted to the arms of the emperor, she was shut up in one of the meanest apartments of the seraglio, there to support herself and her slaves on an allowance not equal to more than two shillings a-day. Nur Jehan did not lose much time in the indulgence of her grief or indignation, but set to work to pique the curiosity of the capricious tyrant; and with this view she employed her genius in inventing and her industry in manufacturing a thousand articles of taste and

elegance, till her name rang through every harem in the city, and her purse was supplied to overflowing with money. Jehangir at length determined to see this woman whom her talents had rendered still more famous than his love, and without announcing his visit he presented himself suddenly in the mean apartment to which he had consigned her.

Everything here was changed. All that wealth and taste could do to render it the abode of luxury and magnificence had been done. Seated round an embroidered sofa there was a circle of slave-girls dressed in rich brocade; while their mistress, who reclined on the cushions, was attired with severe simplicity in a white muslin robe, without jewels or ornaments of any kind. As she arose in slow and artful confusion, as if surprised and overwhelmed by his presence, touching the ground and then her forehead with her right hand in the usual form of salutation, Jehangir gazed alternately at her and her slaves, the first idea that entered his rude mind being the difference in their attire. He made her sit down with him on the sofa, and questioned her on this point, to which she replied with the fine and intuitive tact of her sex, "These are my servants, and I alleviate the burden of bondage by means of every indulgence in my power; but for me, I am *your* slave, O emperor, and I am satisfied with the raiment of the humble station it is your pleasure to assign me." Jehangir, according to the native writers from whom Colonel Dow has compiled, was more pleased by the wit than irritated by the sarcasm of the reply, and he at once clasped her in his arms. Their nuptials were celebrated the next day; the other favourites of the seraglio were discarded; and to such a pitch of honour did Nur Jehan attain that her name was inscribed conjointly with that of the emperor on the national coin."—*Vol. I. pp.* 60-61-62.

These extracts sufficiently exemplify the highly attractive style, in which the volumes now before us are written. We may with truth affirm that we have seldom met with a more readable book.

Mr. Ritchie is a very tolerant writer. There are some, perhaps, who will think that he is a little too tolerant. We shall explain this allusion as we proceed. Like all men of extensive observation and calm reflexion, who have seen much and thought much of the characteristics of mankind, as influenced by physical and moral circumstances, by country, climate, religion, education, &c., Mr. Ritchie has recognized, and has had the candour to acknowledge, the very little real inward difference existing *naturally* between the inhabitants of one part of the globe and of another,—however different may be the outward forms and manifestations of their good and evil qualities—however wide the distinction may appear to the eyes of the thoughtless looker on, who is content to observe only the manners of men, and has not the sagacity to perceive, under different disguises, the same good or evil agent working out the same results. Strip the *man* of all adventitious apparel—of the uncouth rough bear-skin on the one side, and of the glossy silks and gorgeous velvets on the other—look at him, in his naked humanity, and see what an homogeneous animal he is—how little the sleek denizens of London

or Paris differ from the mountaineers of the Hindu Kúsh, or the Islanders of the Indian Archipelago.

How strong are national prejudices! Even when we judge the manners of a people—the merest conventionalities of any race of men differing from our own,—we look at them through a glass of national prejudices, utterly disregarding essentials, and approving or condemning just as we may happen to be *accustomed* to the sight of what we are examining. Thus we think it a barbarous thing that the women of a country should wear rings in their noses—but the fact that our own women wear rings in their ears, we esteem to be a very pretty sign of advanced civilization. It is horrible that the women of a great nation should compress the natural dimensions of their feet by binding and bandaging them from tender infancy—but that the women of another great empire should bind and bandage their waists until they have converted their figures into something very different from what their Maker intended them to be, is not only very allowable, but very commendable indeed! If we merely look at these things with the outward eye we see in the small feet of the China woman something monstrous—almost revolting; but in the taper figure of the English woman, with her fashionable Parisian corset and appendages, a very delightful and refreshing sight—something truly pleasant to contemplate. But if we look at these things with the eye of reason, we can not fail to perceive that the latter is the more monstrous spectacle of the two, in as much as that all the most important vital organs, any injury to which must impair health and may jeopardise life, are situated in that very part of the human frame with which the European woman is fain to take such liberties. Tricks played with the extremities are comparatively harmless.

Again, we talk much about decency and decorum—we mix with a strange people and affirm that they are utterly wanting in both. We are shocked—not because we see what is intrinsically worse than what we have been accustomed to see, but because we see what we have *not* been accustomed to see. The "Griffin," who reproaches an inferior with want of respect, because he enters his presence with his head covered, does not make a greater mistake than the man, who affirms that a certain people are wanting in delicacy, because they do not attach ideas of indelicacy to precisely the same objects and the same customs, which in his own country, conventionality turns away from with repugnance. The Red Indian is shocked beyond measure, when he hears that the civilized inhabitants of Europe and America admit the "white medicine men" to the chambers of their wives, not only to preside over, but actually to assist the work of

parturition. There is probably nothing in the customs of the most barbarous people, which a civilized Englishman regards with greater abhorrence, than this custom is regarded with, by many races of men whom we are wont to look upon as savages of the lowest order.

We are wont too, in the absence of that many-sidedness which ought to characterise our views of all national questions, to attach to certain things and certain customs, ideas of extreme absurdity. We look with contempt upon the understandings of men, who can countenance and take a part in the ridiculous customs and ceremonies, at which we scornfully laugh. The truth, generally, is, that the thing is only absurd because it is strange. We have stranger, and intrinsically more preposterous things among ourselves; and we only do not consider them contemptible, because they are familiar to us. We take our own customs for granted; but we analyse those of our neighbours. We look with great contempt on the holiday ceremonies of the Asiatics—on their pomps, their pageantries, their childish pastimes. If an Asiatic were to visit, at certain seasons of the year, any one of the principal cities of *continental* Europe, he would find that he had much to learn in the art of fooling, before he could be considered a proficient in it. The natives, by whom we are surrounded, call an European "Fancy Ball," emphatically *pagol-ka-nach*—a dance of fools; what would they think if they were to be present at a *carnival*? The mummery of the east, is more than paralleled by the mummery of west. Even in sober England, exhibitions are sometimes to be seen, at which the magnates of the land assist in person—exhibitions, which are not preposterously absurd only because they have custom in their favor. Look at some of our civic institutions, with the parade of a Lord Mayor's day at the head of them—look at some of the solemn absurdities which still cling to the ceremonials of our seats of learning. Even the Universities are not free from this taint of folly.

But turning from these outward national characteristics, and looking further beneath the surface, we see that we have not after all much cause of congratulation. Beginning with absurdities of a deeper dye—those religious absurdities which, indicating an indifference to human suffering, are at once follies and crimes, it is obvious, if we only take the trouble to acquire such an amount of information as is necessary to entitle us to deliver an opinion on the subject, that many of the most grievous monstrosities of Paganism have been paralleled in *quasi* civilized countries. Let us hear Mr. Ritchie:—

"The horrible penances and religious suicides practised in India are said to be discountenanced or forbidden by the more ancient books; but when Wilson, in his valuable notes on Mill, goes the length of saying, with reference to the immolation under the car of Juggernaut, that the shrine probably attained reputation as a place of pilgrimage no longer ago than a century, we may fairly suspect him of partizanship, though on the more generous side. Nearly one hundred and forty years ago, Hamilton found this idol resorted to by vast crowds of pilgrims from all parts of India, and when its effigy was carried abroad, "old zealots" were seen falling "flat on the ground to have the honour to be crushed to pieces by the coach wheels." In his time the tradition was that Juggernaut had come from over the sea several thousand years before."

Here Mr. Ritchie, by way of set-off or parallel, describes, with some tinge of exaggeration borrowed apparently from Gibbon, the fanatical conduct of the African Donatists in the fourth century:—

"These sectarians burst into the temples and the halls of justice of the Pagans for the pleasure of being put to death; they attacked travellers on the highway to compel them to grant them the honour of martyrdom; and sometimes they treated the public to the spectacle of their removal to heaven, by flinging themselves over a precipice in the midst of an invited concourse of spectators. The Hindu custom of saints surfeiting themselves to death, reclining on iron spikes, suspending themselves by hooks in the flesh, roasting themselves in the midst of four fires, and submitting to various other horrid tortures, may be very easily paralleled by the austerities of the primitive monks. These zealots weighed themselves to the earth with chains; some of both sexes exposed themselves stark naked and permanently to the inclemencies of the seasons; some made a merit of living many days without food, and for many nights without sleep; some domiciled themselves in the depths of a cavern or the lair of a wild beast; and some went out habitually with the cattle to graze in the fields. Among these worthies may be mentioned the famous Syrian, Stylites, who chained himself for life on a mountain within a circle of stones, which he gradually raised to a column sixty feet high, from which he never descended alive, although he lived for thirty years."—*Vol. I. pp.* 152-153.

Upon one more point of national character—one which, perhaps, we are wont to regard with more ignorance than any other—we must briefly touch before we proceed to consider Mr. Ritchie's estimate of the Hindu character, to which these general remarks are introductory. We allude to the frequent charge of *inhumanity* brought by the inhabitants of civilized nations against people of more barbarous states. There is nothing in the world which takes its form and colour, more from conventional ideas, than the humanity of a people. The North American Indian thinks that the white men are inhuman monsters, because they beat their children and put men who owe them money into prison. The white man thinks this all reasonable enough, but marvels at the inhumanity of the Indian warrior, who wears the order of the *Scalp* at his girdle instead of the

order of the *Bath* at his breast. In more advanced stages of civilization, we set up certain representatives of things in place of the things themselves; we put, indeed, a fiction in place of a fact, and what we lose in truth we gain in convenience. Thus a rude people exchange commodities of one kind for commodities of another—actual value for actual value;—the real thing not the counterfeit. Of money and the various representatives of money the counterfeit of the counterfeit is which we rejoice, they know nothing. In civilized countries value is represented by slips of paper and scraps of writing. Now, in the same manner that a slip of paper represents so many pieces of gold, and through this medium so many bags of grain or so many head of cattle, a scrap of ribband is, under certain circumstances, made to represent so many scalps or so many skulls. Our generals do not actually wear round their waists the heads of the men, whom they have killed in battle; but they wear at their button-holes certain scraps of ribband, which indicate that they have killed a large number of the enemies of their country. The Dhyaks, as we are told by Mr. Brooke,* adorn their houses and their persons with the heads of their enemies, and no man is considered as eligible by the fair sex, if he has not at least one skull to represent his prowess. We may look upon this Dhyak custom as something very revolting, and think that because these simple warriors wear skulls instead of that which represents skulls, they are a very savage and inhuman race of men. But Mr. Brooke, after a long cross-examination, convinced himself that the Dhyaks do not go out of their way to obtain these insignia, but content themselves with the slaughter of their legitimate opponents; and, presuming that the heads are the produce of fair battle, we really cannot see any *real* difference between a display of skulls and a display of medals. The difference is merely a conventional difference. It is a question of taste, as Mr. Ritchie very candidly says of something else. In the much vaunted age of chivalry, to the manners and customs of which some philosophers would fain see a speedy return, our fighting men not unfrequently brought home to their ladye-loves almost as unmistakeable evidences of their activity, as the Dhyak warriors; but now, in this representative age of bank notes, bills of exchange and *scrip*, we have a sort of paper-currency of gallant

* See the *Expedition to Borneo* of *H. M. S. Dido*, with Extracts from the Journal of James Brooke, Esq., of Sarawak, by Capt. the Honourable Henry Kepple. —*London*, Chapman and Hall,—one of the most interesting of modern books—one to which we would gladly have devoted a separate article, but for a conviction that it must, ere this, be in general circulation.

actions, and our warriors instead of wearing their adversaries' skulls or wrapping round them their mistresses' scarfs, dyed in the blood of their enemies, are invested with the insignia of the Bath. It is pleasanter, certainly, and more convenient. We acknowledge it to be a much more refined fashion of scalp or skull-wearing; but, viewed in all its nakedness, it is nothing more nor less, in the eye of reason, than the wearing of scalps or skulls.

We may offer another illustration of this branch of the enquiry—an illustration which we borrow from Mr. Ritchie's instructive volume; speaking of the Malays, he says:—

"The union of general humanity with disregard of human life may be strange to European ideas, but it is very common among the eastern nations; and it is the more respectable among the people of the Archipelago, that it is rarely conjoined with personal cowardice. In the practice, now we believe never heard of, of "running a muck," the desperado, while attempting the lives of all he chanced to meet, made not the slightest effort to preserve his own. This was not, strictly speaking, madness, but merely a modification of the same feeling which made him stake and lose successively in gaming his money, his land, his wife, his children, his liberty. Running a muck, however, is not peculiar to the islands—or to the east; although the form it assumes there may be so. The Malays look upon the exploits of the forlorn hope of a European expedition as something precisely similar. With them it wants the motive of military honour. When the army of Saint Louis was before Damietta, that holy king, as his delightful biographer, Joinville, assures us, was with difficulty prevented from spurring alone against the Saracen host. The bishop of Soissons was more fortunate, inasmuch as he ran his muck without interference, and died upon the spears of the infidels. A Malay would not have had the motive of religion, and his exploit would therefore be termed the insane ferocity of a barbarian."—*Vol. II. pp.* 134-135.

We quite concur in the opinion, so well expressed by Mr. Ritchie, that the Malays are not the only people who know how to run a-muck. We have read a story, and an authentic one, of a young Highlander of the clan Leslie, who chanced to meet at an entertainment given by a powerful chief, a party of the Leith clan, with whom his own had a deadly feud; and there, when standing up to dance, with every appearance of courtesy and good fellowship, he drew his dirk, and as the reel proceeded, stabbed every Leith, whom he passed; and having killed some and wounded several, leapt out of the window and effected his escape. We suspect that the histories of many European states will furnish, without our going back to very remote annals in search of them, numberless examples of ferocity, as startling as any which the wilds of Central Asia or the islands of the Indian Archipelago can exhibit in any of their legends or traditions.

We would fain pursue this enquiry further; but it is our

object in the present article not to write a treatise of our own, but, as far as our limits will allow us, to review—that is, to pass in review the contents of Mr. Ritchie's interesting volumes. In a recent paper, we endeavored to show that in the very important matter—important as an indication of national character—of the treatment of prisoners, humanity and inhumanity are peculiar to no people and no country; and we may, perhaps, on some future occasion discourse more at length on national character as evidenced in the general usages of war. It has been our object in the foregoing remarks to indicate what we conceive to be the frame of mind which it behoves the reader to bring to the consideration of Mr. Ritchie's estimate of the character of the Hindus and other natives of the East. A writer so candid and unprejudiced, as Mr. Ritchie, incurs great risk of being mis-understood and mis-judged. If the reader continue resolute in his one-sidedness there is no chance for the many-sided writer. If he be determined to narrow his sympathies, and steadily refuse to suffer any intro-version of his judicial acumen, he may be led to condemn outright the toleration which he cannot appreciate, and to dissent from opinions, which he has not the faculty to comprehend.

There is no portion of Mr. Ritchie's work which we have persued with more interest than the book which is devoted to the "civilization of India." In it, the author has considered the religion—the manners and customs—the literature—the industry—the Government, &c., &c., of the Hindus. When Mr. Ritchie errs, he errs simply as a man, who has never visited the countries of which he writes, but we are acquainted with no work, written under similar circumstances, in which this unavoidable drawback is less apparent.

Concurring as we do in many of the opinions, which Mr. Ritchie has expressed, we are, nevertheless, compelled to acknowledge that we cannot always travel along with him in perfect harmony. We think that he looks upon the, so-called, religion of the Hindus with far too much kindness. When he says, with reference to their monstrous fables, "In point 'of fact, however, there is no distinction, in the credibility 'of miracles. A thing is either in or out of the order of nature, 'the tears shed by a marble statue of the virgin, are as mira-'culous as the change of a nymph into a fountain, and that is 'as miraculous as the most absurd and fantastic transformation 'of the Hindú deities; the one fiction has quite as little to 'do with religion (which is truth) as the other"—when Mr. Ritchie, we say, makes these assertions, we can not but admit that his theory, as regards *false* or *pretended* miracles, is sufficiently

led him into some incidental comparisons, the soundness of which we are constrained to question.

We may here make an observation, which we do not find in Mr. Ritchie's volumes, but which is much in the spirit of his work. It is said, and with all truth, that the indecent fables of the Hindu mythology, which are so familiar to the people of Hindustan, must have a debasing effect upon public morals. The youth of the country are, at an early age, made acquainted with the fabled doings of the impure Hindu deities—but, having granted that classical mythology is, to a great extent, as impure, what are we to think of the system of education in the West, which familiarises the tender minds of boys, ranging from ten to sixteen years of age, with the monstrously indecent history of the deities of Greece and Rome? A boy, at a merely *classical* school, who may not be expected to know anything about St. Paul, or John the Baptist, is well flogged if he is not perfectly familiar with the accomplishments of Jupiter and Mars;—and though it would be venial in him to be ignorant of the fact that Jesus Christ fed five thousand men with five loaves and two small fishes, he would not readily be forgiven if he were not familiar with the fable of Hercules having debauched, in a single night, the fifty daughters of king Thespius, to whom he was paying a visit. There is not perhaps a more filthy book in existence than Lempriere's classical Dictionary;—and yet it may be the first book of *religious* history, that is put into the hands of young persons at a large number of the principal schools of our own father-land. It may be a substitute at once for the Bible, and the History of England.

We wish that Mr. Ritchie had, *more suo*, drawn this very useful lesson from the fact of a debasement of public morals being the necessary result of early contact with impurity, through the medium of a most degraded and most filthy mythology, rather than contended that the popular religion is not the source of a degradation of public morals. "The indecencies," he says "which deform most Pagan religions are found, to a 'certain extent, in Brahmanism, but not as the learned assure 'us, in its more ancient or esoteric part. The form of the 'Lingam is said to suggest no impure ideas, and the dancing 'girls, and immodest representations are chiefly confined to 'the temples of the south. The practical proof given of this 'assertion is, the general propriety of conduct of the Hindu 'women, who are asserted by authors of credit to be most 'exemplary in point of chastity. However this may be, 'Europeans are not good judges of the question: for the abject 'poverty of the lower classes of natives would be likely to

it is not difficult to believe in the miracles performed by Jesus Christ, because there is nothing in those miracles which is not as illustrative of the goodness as of the power of God. But it would be very difficult to accommodate our faith to an assertion that Jesus Christ had performed a miracle, similar to some of those which are attributed to the gross deities of Greece and Rome, and the licentious divinities of Hinduism. We can not believe in this self-negation of an all-wise and all-pure God; but believing in the infinite goodness and power of God, we have not to tax our credibility any further to believe that he has actually done what we know him to be capable of doing. The difficulty lies in believing that God has done what is altogether unworthy of the God-head.

Again, we can not by any means acknowledge that Solomon's Song is to be regarded as a parallel to the indecent story of Krishna and the Milkmaids. In the one, we are actually called upon to believe that an incarnate deity was guilty of an act of gross licentiousness; in the other, we merely see running through a poem descriptive of spiritual love a stream of imagery borrowed from the vocabulary of human affections. We imagine that the metaphorical character of the Song is sufficiently distinct to be appreciated by all, and that by none will it be more readily comprehended than by the Oriental reader. The amours of Krishna are not understood in an allegorical sense; but are regarded in all their palpable grossness as acts committed in the flesh.

We readily admit that Mr. Ritchie is right up to a certain point. "It is needless," he says, "to seek excuses for mythology, 'which differs in different ages and countries only in its adap-'tation to the character of the time and the people. A 'European imagination is shocked at the idea of men believing 'in the monstrous impossibilities of the incarnations; whilst 'the Hindu is amazed to find the Ancient Gods of Europe 'so little more than men. Both systems of mythology are 'equally impossible, and the one faith viewed with reference 'to the genius of the people is not more absurd than the 'other." This is so far true; there may be nothing more absurd—nothing more revolting to reason, in Hinduism, than in the abominably obscene and preposterous mythology of the Greeks and Romans—but we can not go much further than this. We cannot admit—we must utterly protest against anything like a parallel between the attributes of Hinduism and those of the religion of the Bible as developed either in the old or the new Testament. Mr. Ritchie does not distinctly draw such a parallel; but his occasional excess of toleration has

'and even timid in everything but words. The children 'had no cruel pastimes. The baya birds built their nests in 'scores within their reach, secure from molestation; and flocks 'of wild peacocks, partridges, and ducks crowded round the 'villages in search of food. The pariah dog sate watching the 'traveller at his meals, in his certainty of enjoying a portion 'of the feast. All classes were surprised at the sporting pro-'pensities of Europeans. They could understand the propriety 'of destroying mischievous animals, or shooting game, when one 'is hungry; but the delight others take in killing for the mere 'excitement of the act was beyond their comprehension." "This 'gentleness of character," adds Mr. Ritchie, "remained with 'them to the last." After what we have written on the subject of national prejudices, we shall not, we trust, be suspected of falling into this error ourselves; but we can not honestly say that we have much, if any, faith in the often-alleged humanity of the Hindus. Mr. Ritchie does not stand alone; he has good authority, we know, for what he asserts—but we can not, after the sights, which we have repeatedly seen with our own eyes, believe that the natives of India, are not like the natives of other parts of the world, subject to the failing, which is commonly called "cruelty to animals." We have seen acts of wanton cruelty, committed, in mere pastime, by native children and native adults which it would be difficult to exceed. We have more than once caught one of our own servants in the act of picking, with a quiet smile on his face, the legs off an unfortunate grass-hopper, for the supposed gratification of our children; and when we have reproached him for his cruelty, he has listened to us with a countenance expressive of indifference and incredulity. You cannot drive along the high-road, without seeing the children before the mud-huts of the natives, indulging in some sort of cruelty to beasts or birds; whilst the men may often be seen lighting a fire under an obstreperous bullock, who is determined upon resting himself by the way; or establishing a most cruel "raw" on the back of an ill-fed horse. We do not say that they are worse in this respect, than some Europeans; but they certainly are no better; and their acts of cruelty are committed more unblushingly in open day. There are no laws to restrain them; and very few of them seem capable of understanding that there is any moral turpitude in the grossest acts of cruelty, which they can possibly commit.

We are willing to make every allowance for human inconsistency. We do not forget the story told of old Isaac Walton, who is said to have discoursed largely on humanity and love

'make their women fall an easy prey, even if the seducer were 'not surrounded with all the prestiges of conquest and autho-'rity."—(Vol. I. p. 154.) And again, he says (*page* 187), "much has been written of the indelicacy of the Hindu ladies, 'who in conversation are said to have pronounced and listened 'to words which would shock the ears even of an European 'man. This, we apprehend, involves a difference of taste 'more than anything else. Many of our old plays which 'were at one time witnessed by the noble and the fair 'would in our days chase their descendants out of the 'the theatre by their almost unimaginable grossness; and yet 'we have little to boast of in practical morality when compar-'ed with our ancestors. We would say, however, that the 'Hindu women could hardly be in reality the monsters of in-'delicacy they are described, since the men look upon them with 'an habitual reverence which in the present day makes them 'the object of ridicule to the polished European."—What Mr. Ritchie says about the question of *taste*, is not said without justice; but our own theories of the relative position of man and woman in this country differ essentially from our author's. What are the opinions, entertained by the Hindus themselves, of the continence of their women, Mr. Ritchie, at *page* 183, Vol. I., has sufficiently shown. But, apart from anything that may appear in the Institutes or the Literature of the Hindus, it is, we believe, an admitted fact that the danger of celibacy is the chief cause of the universality of early marriage among the people of India. It is not in India, as in England, considered a possibility that a large number of women should grow up from youth to maturity, and descend from maturity to old age, in a state not only of single blessedness, but single chastity. This surely does not argue much in favor of the natural continence of the Hindu women. That the men "reverence" the women, after a fashion of their own, is true. They reverence their women as a part of themselves—as their own property—some thing which they would keep sacred and pure, as they would keep their lotahs (drinking vessels) sacred and pure. The Hindu may go so far as to hold his wife,

> Something better than his dog, a little dearer than his horse;

But it may be questioned whether his reverence goes much further than this. So long as woman is regarded as an inferior—as a being to whom the most menial and debasing offices rightfully belong;—so long as the birth of a woman-child is habitually regarded as a misfortune, and her life is one of continued subjection to the authority of paramount man;—so long

sound;—but we can not equally say that we assent to all that is contained in the following passage:—

> "To describe the avatars would be useless, to criticise them absurd. To the cold imagination of Europe, they are the wildest and most extravagant of all conceivable fictions; but being consonant with the genius of the people who invented them, they are implicitly believed by the vulgar. It is evident from internal testimony that they belong to different epochs, and are the production of different minds: some presenting specimens of the lowest degree of rude and barbarous taste, and some a voluptuous refinement which has rarely been equalled and never excelled. Of the latter is the story of the incarnation of Vishnú in the person of Krishna; a fine poem which is only indelicate to unbelief. A Hindu would smile on being told that the warm descriptions in the Song of Solomon are merely a religious allegory, personifying the Almighty and his Church; and a Christian shudders to hear the lovely shepherdess of the Yamuna declaring that the burning desires inspired by the wanton Heri could not be otherwise than virtuous, since they were felt only for the Lord of Life. This incarnation, it needs hardly be added, is worshipped with devoted zeal by the Indian women; while other portions of the people find in the rest of the avatars types of less excusable passions."—*Vol. I. p.* 144.

Now as regards the credibility of Pagan miracles, it is just as easy to believe in the fables of Hinduism as the fables of classical mythology—just as easy to believe in either or both, as in the fabulous miracles of Romanism—and assuredly faith in one set of fables does not pre-suppose a greater amount of ignorance than faith in another. There can be nothing more preposterous in the most grovelling superstitions of the Hindus, than many which are still operative, among Romanists, whether on the continent of Europe, in unhappy Ireland, or throughout many of the fairest regions of the New World. A Romanist will resort to means of propitiating the deity, as monstrous in their absurdity, though not in their guilt, as any resorted to by Pagan idolaters. It would be difficult to stumble in this country upon any sight, more preposterous than that of a string of little effigies in silver, brass, tin, bone, &c., of hearts, heads, jaws, livers, legs, shoulders, and other components of the human frame hung up under a painted idol in a Romanist Church, by parties afflicted in those particular limbs or organs, for the purpose of propitiating the deity to grant an alleviation of their sufferings. And so far we agree with Mr. Ritchie; but certainly not, taken in its fullest acceptation, with the proposition that there is no distinction in the credibility of miracles. Starting on the admitted ground that "God is good," it is surely easier to believe in a miracle illustrative of this goodness than in one indicative of qualities of a base and revolting nature. The Christian's faith is, that God can do all things not involving self-contradiction. Now,

horse to escape from the yoke of the machine which his interminable gyrations are turning.

Whether the seclusion of eastern life, or the familiar contact of the sexes, which characterises society in the western world, be the more conducive to chastity, we can not now pause to enquire. We merely wish to indicate to the European reader the distinguishing characteristics of the unchastity of this country, as contrasted with that of the west. In the latter, the *will* is uppermost; in India, the unchastity of our women is generally no other than *passive* unchastity. The will is for the most part in subjection. Love is almost unknown in this country—love-matches are quite unknown; but the reverence of woman for her husband, as such, is unbounded. We are not sure that there is any part of the world, wherein this reverence so surely survives all trials and is more inseparable from woman's existence. A writer in one of the early numbers of this journal, himself a converted Hindu, has truly observed, "The women, 'except, perhaps, in the lowest ranks of society, consider matri-'monial faithfulness, as their first and paramount duty, not-'withstanding the irregularities to which their husbands may 'be addicted. It is in fact the only virtue which they care 'to preserve and to the unspotted maintenance of which their 'whole hearts are devoted."* We have no wish to weaken this testimony.

Mr. Ritchie arrives at the same conclusion as ourselves, but he reaches it by a different road. The writer, whom we have quoted above, admits—what we have asserted in a preceding page—that "no parent here dares to risk his daughter's virtue by allowing her to lead a single life." If this be true, it is plain, either that the women of India are not naturally a continent race, or that the men have so little "reverence" for the sex as systematically to malign them. But the truth is, that what preserves the chastity of the Hindu women, in spite of the evil influences of a debasing religion, is the system of early marriage, and the subsequent veneration, or rather perhaps, we should write *slavish awe*, with which the woman regards her husband. Whatever the feeling may be—one which only an inferior can entertain towards a superior—it assuredly has the effect of contributing, in no small degree, to the preservation of public morals.

We now pass on to Mr. Ritchie's estimate of the *humanity* of the Hindus. He says of them, that "they were humane

* Calcutta Review, No. III. Art. "The Kulin Brahmans of Bengal."

all probability alone even in that comparatively early stage of refinement—and with political institutions, laws, and social usages, forming a part of this religion,—the Hindus passed through unknown ages without encountering any of those circumstances which have elsewhere changed the character of civilization. They remained stedfast amidst the revolutions of the world. The waves of conquest dashed over them, changing the political surface of their society, but unable to penetrate into the mighty mass beneath, or to disorganize the primitive simplicity of their institutions. They derived no wisdom, and felt but little decrepitude from years. Within their memory the Roman empire rose and perished, and the British empire, extending itself from a small island in the western sea, clasped its Briarean arms around the world. But the Hindu saw nothing, felt nothing, understood nothing. Content with the religion, the laws, the arts and sciences of his ancestors when the world was young, he remained a boy in its senility. It matters not to what sect he may seem to attach himself: Vishnú the Preserver is his real patron. The Destroyer and Reproducer, who is elsewhere the god of nations, meddles not with the fatalities of the Hindu.

It is waste of time to compare the religion, government, literature, and usages of the early world with those of the present. The natural state of man is no more Hinduism than it is savageism. At this moment, even in the most cultivated parts of Europe, society is only midway in its progress: we are all pressing forward unconsciously to the fulfilment of an unknown destiny, our views bounded by the narrow circle of the present; the past and the future, the beginning and the end, being alike hidden from our vision. But while the Hindu is far behind us on this journey he has his own compensations. His natural goodness of character struggles, and as regards the body of the people struggles successfully, with the imperfections of his early institutions. Moderate in his passions and appetites, affectionate and submissive to his parents, reverential to women, humane, hospitable, industrious, ingenious, he stands forth a fine specimen of the antique world, before the windows of heaven were re-opened, and Christianity, war, and science, (extraordinary associates!) had begun to spread, like a new flood, over the earth."

This conclusion can only be regarded, at best, as that of an amiable and kind hearted author who never visited India, to have his visions of fancy corrected by the rude shock of stern realities. Before leaving, therefore, this branch of our subject—one to which we have devoted more of our space than we originally intended—we must offer one more remark on what, to use the mildest language, may be designated Mr. Ritchie's *excess of toleration*. There are, in his book, several passages most liable to be understood in a way which may subject the writer to suspicion, if not to reproach. The kindliness of Mr. Ritchie's nature—his abundant charity and toleration, his desire to judge fairly between all men, and, if possible, to give offence to none, have led him, as we have shown, to speak of Hinduism, with far greater leniency, than the real *merits* of the system require at the hands of the most impartial of men. In doing this, he has more than once alluded to Christianity, in a manner, which cannot but offend those who may not be able to perceive that Mr. Ritchie's doubts are intended to be

to all God's creatures, whilst impaling a frog alive. Sir James Mackintosh has told as that "the Crusaders, when they took 'Jerusalem, after an indiscriminate butchery of all the inhabi-'tants, of all sexes and ages, burst into tears at the sight of 'the holy sepulchre;" and that an "Irish Roman Catholic, 'after having been engaged in the most bloody scenes of the 'Irish massacre, is said, on coming into a house, to have un-'awares eaten meat on a Friday, and having discovered his 'sin, to have betrayed all the agonies and horrors of re-'morse." Like Crusaders and Irish Catholics, the Hindus will sometimes strain at a gnat and swallow a camel.

We would willingly quote, if our limits permitted us, much that Mr. Ritchie has written about the manner in which the Hindus testify their sense of their "duty towards their neighbours." We know few books, to which the European reader, though we are compelled to make some grave deductions, can better betake himself, for useful information, conveyed in a more attractive style, and imbued with a more tolerant and catholic spirit. It is, indeed, Mr. Ritchie's failing to be a little too tolerant, or tolerant to an extent which is liable to the charge of latitudinarianism. But we doubt whether any of our readers will find much that can be objected to in the following passages, containing his summing up, unless an objection be justly raised against the too unqualified epithets in the concluding sentences:—

"In treating of the character of the people, however, the misfortune is, that India has rarely had fair play either from her friends or enemies. The most minute accounts we have of her institutions and their effects are from holy men who crossed the ocean for the express purpose of spying out the sins of Pagans, and comparing them with the righteousness, not of Christians*—who, if history is to be believed, have in all ages ranked with the most depraved of mankind—but of Christianity. Those inquirers of course found what they sought, and were highly successful in suggesting such points of criminal difference as turned the balance completely against the religionists of Brahma. Another class of our instructors has been formed of those lay apostles of society who, going forth in early life with their ductile minds indelibly impressed with the seal of European civilization, tried in vain to find a corresponding mark on the Hindu. They discovered instead merely a daub of clay on the forehead, and have reported accordingly. A third, disgusted with what they profanely call the bigotry and ignorance of the two, and inspired themselves with a fine and heroical spirit, have sometimes mistaken the impulse of generosity for that of reason. It is not enough with such champions to defend the Hindus,—they may put them in a position to challenge the whole world. They must prove them to be unapproached in antiquity, unparalleled in wisdom, immaculate in morality.

The truth lies somewhere in the middle of these extremes. With a religion stumbled upon by the light of nature, at a time when they were in

* That is, of course, *merely nominal or counterfeit* Christians.

as she is looked upon simply as an animal being, one whom it is not necessary—it is not expedient to elevate in the social scale—one, whose mind they wish ever to preserve a blank, doubting its capacity for intellectual culture,—there can be but little real reverence, for women as such, though man may value his property in her, and, for his own sake, appreciate her purity.

The women themselves, may not be, in point of fact, greatly more unchaste than the residents of the colder countries of the western world. Mr. Ritchie is mistaken in supposing that such deviations as actually occur are for the most part the result of the subjection of the natives of India to their European masters. When the women of India fall "a prey to the seducer," it is not because the seducer is "surrounded by the prestiges of conquest and authority." The seducer is seldom or never an European. We do not mean that a native woman never becomes the paramour of an European, but that she seldom or never becomes so through the process of seduction. When these illicit connexions are formed—and happily, in these days, they are very rare—they are generally mere matters of merchandise. The European cannot obtain access to the houses—certainly never to the female apartments of the natives. That contact of the sexes, which is so freely allowed at home, is almost unknown in this country. The women are married, as mere children; they become wives and mothers, before they can possibly be thrown in the way of temptation. If seduction there be, it is among the lower orders of natives, who mix more freely with each other—the victims being married women. Prostitution, unhappily, abounds in Indian, as in European cities—but a very small proportion of the abandoned women who swarm in our bazars have fallen a "prey to the seducer." The majority of them have been regularly bred to the trade. They have been sacrificed in early childhood. Stolen, perhaps, in their infancy, abandoned by their parents, or left unprotected orphans before the day of betrothal, they have become the property of those degraded beings, who pander to the vile lusts of men, and carry on the loathsome business of their unholy calling after a fashion, which it sickens the soul to contemplate. The poor creature thus sacrificed is the victim not of her own unruly passions, or yielding weakness—but of most unhappy circumstance and the calculating guilt of others. She has no tale of love to tell; no history of affections blighted—of confidence betrayed. She has known no better, no holier state.—She has been bred for the sacrifice—trained to a life of crime, with no more power to escape out of it, than the hood-winked

merely hypothetical—the expression of them pre-supposing an argument regarding the superiority of their respective faiths, between a Christian and a Hindu, or a Christian and a Mussalman. At least, if this be our author's intent, as we must in charity suppose it to be, we heartily wish, for his own sake, and for the sake of truth, that he had used language, at once more cautious and explicit—and had not relied so fully, not only upon the discrimination, but upon the candour of his readers. He will find few as candid as himself;—few, who will be prepared to consider that when he writes of "the unconscious agents of Providence *or fatality*," or speaks of the Christian religion, as though its truth were not thoroughly established, he may be expressing not his own doubts, but the doubts of the people, of whom he is writing; and, arguing against them, may only be abstaining from doing what *they* would call "begging the question;"—we say this in caution, to the readers of Mr. Ritchie's book; for, while it is our sincere desire that he should not be misunderstood, we feel still more desirous that the transcendent claims of sacred truth should not be, directly or indirectly, intentionally or unintentionally, invalidated.

We find, at this stage of our article, that we are utterly unable to present our readers with anything like an adequate idea of the varied contents of Mr. Ritchie's book. A more *suggestive* work could not have been laid before us. Every chapter affords interesting matter for comment; and there is strong temptation, which, however, we must resist, to extend this article to an inconvenient length. Mr. Ritchie has written so much not only upon the history, but the religion, the manners, the literature, the institutions, the revenue, and judicial systems, the civil and military services, the native and European society and civilization, the natural resources, the commerce, &c. &c. of British India, and the adjacent countries, that it is impossible to follow him throughout all his extensive investigations. We shall therefore make, almost at random, a few more extracts, appending to them some brief remarks of our own.

Mr. Ritchie's political theory may be gathered from the following passage:—

"It will perhaps be sufficiently clear to the intelligent reader, without further illustration, that these and other similar measures of the English are quite unsusceptible of defence, except on the score of political necessity. Having once been forced into collision with the native powers in Bengal, and seduced into it in the Peninsula by their rivalry with the French, they were no longer in a position to act upon abstract principles. Their progress may have been accelerated or retarded by the character of individual governors, but it was certain. In the convulsed state of India they could no more remain safely and steadily as the dewan of Bengal than as a zemindar under the nabob. Their single chance of existence was in the onward movement; and it is only to be lamented that since they were under this fatality, their motions, owing at once to the jealousies of the nation at home and their own deference to appearances, were throughout so indecisive and contradictory. To withdraw from a scene in which they found they could arrive at greatness only through blood and rapine would have been well; to determine to give peace to India by establishing on the ruins of the Mogul despotism a just and paternal Government, would perhaps have been better; but to do, as was the plan they adopted, neither one nor other was to prolong the anarchy of the unhappy country, and throw around their own proceedings an air of repulsive selfishness."—*Vol. I. page* 241.

Such are not *our* opinions—but we believe that if we were to move an amendment, we should have the misfortune to be in the minority.

Of the very attractive style in which Mr. Ritchie has treated the ancient history of India, we have already given some specimens. We are not equally well pleased with his treatment of more recent—or, we should say, cotemporary history. Perhaps, this is our fault, and not Mr. Ritchie's. Our opinions, regarding certain important events which have occurred in "our own times," such as the invasion of Affghanistan and the appropriation of Sindh, differ very widely from those expressed in the volumes before us. We do not think that Mr. Ritchie's account of the events preceding the declaration of war against the Barukzye princes, is, by any means, a fair account. The opinions which we entertain regarding the treatment of Dost Mahommed may be gathered from what we have written elsewhere;—we shall therefore only comment briefly upon a single brief passage. Speaking of the seizure of Peshawar by Runjit Singh, Mr. Ritchie says "Although Shujah was unsuccessful 'in the attempt, (to regain his empire) it was the means of 'Runjit Singh acquiring a title to Peshawar at least as legi-'timate as that of conquest; for by a treaty of friendship and 'assistance entered into with the deposed prince, he obtained 'a formal cession of the country, of which he took possession 'with an army." The legitimacy of such a title we are very much disposed to question. Shah Shujah gave away what was not his to give. Louis Napoleon has just as much title to make Queen Victoria a present of Picardy, as Shah Shujah, in 1834, had to give Peshawar to Runjit. We demur, most strenuously, to the assertions contained in Mr. Ritchie's version of the events, which precipitated the conquest of Sindh. Our author's is a thorough-going Napierian version of these transactions. We need not repeat what we have already written on

this subject. "In the case of Sindh," says Mr. Ritchie, summing up his previous statements, "the Amírs were deposed 'and their dominions confiscated, because they persisted in en-'dangering the peace of India, and outraging the supreme 'power." We consider that the testimony of Colonel Outram, Captain Postans, Captain Eastwicke, and others, who have abundantly shown that the Amírs were not the transgressors, which some have found it convenient to represent them to be, has not been and cannot be impeached. Mr. Ritchie is less candid and many-sided in that portion of his work which relates to the political, than that which belongs to the social history of eastern nations. But the honesty and sincerity of such a writer is not to be questioned for a moment.

We are glad to perceive that Mr. Ritchie, in some portions of his work, has made good use of the information contained in this journal. We are not unwilling to believe that a work of this description must be of great service to future writers on India, who will often find in its pages, within the limits of a single article, an accumulation of facts, which he could not gather for himself without ransacking scores of volumes and vast heaps of public documents. In the chapter on the "Past —Present and Future" condition of India, Mr. Ritchie has borrowed our illustrations wholesale; but he is too honest a writer to shirk all allusion to the source whence he has derived them, though we are not sure that he has given us credit for quite as much as we deserve. In the very chapter, wherein he has made so much use of our antiquarian lore, he alludes to our Journal only to express dissent—not from our opinions, but from what he represents as our opinions. He says "Before the close of 'the last century drunkenness went out of fashion, and was fol-'lowed slowly and gradually by irreligion and profligacy. In 'an article in the *Calcutta Review*, in which some interesting 'particulars are given of the early manners of the English in 'India, the commencement of the change is attributed to Lord 'Cornwallis; but we are inclined to look upon this social 'revolution merely as a necessary consequence of the one 'which had taken place in the mother country....By Lord 'Cornwallis' time their habits and manners had been drilled 'for a quarter of a century into the cold and decent respecta-'bility of the third George, &c. &c." Now what we really said was this;—"We have said that morality advanced in 'England with the reign of George the Third. We may date 'the rapid and substantial improvement in the social condition 'of the English in India from the arrival of Marquis Cornwallis. 'With the accession of that virtuous nobleman to the Govern-

'ment of British India, a new social era commenced; and 'though it would be unreasonable to assert that this great social 'reformation was brought about by the sole influence of this 'one man's personal character, it would be equally unreason-'able to deny that such a character in a ruler must have greatly 'conduced to the change." Here Mr. Ritchie will perceive that we do not attribute the commencement of the change to Lord Cornwallis;—but say that it was *coincidental* with that nobleman's arrival; and that the personal character of such a man must have conduced to the establishment of the reformation, though of itself, it could not have effected it.

We are glad, also, to observe that Mr. Ritchie, unlike Mr. Thornton, can rightly estimate the services rendered to the country by the Indian Press. "The Hindus" he writes "like 'the early European reformers, have the advantage of the Press, 'which fairly commenced its labours in native literature with 'the present century. They have also the advantage of the 'Anglo-Indian journals, which are not mere provincial news-'papers, but the organs of a vastly more select society than 'is to be found at home, and exhibit generally the acumen and 'practical information of the European mind." "But," he adds, "more than all, they have the advantage of a bolder 'policy on the part of their ruler and a steadier and more 'rapid amelioration in the system of Government." On this latter subject, Mr. Ritchie has before said:—

"The Hindus can hardly be said to be bigotted to their religion, since they are tolerant of all others. They declare that there are many roads to heaven, and they admit that Christianity may be the one appointed by God for the salvation of the English. What then are the obstacles, more especially since freethinking has of late years become the fashion among educated Hindus? The obstacles are Caste and Law, which are the pillars of the national superstition; the one depriving a convert of his inheritance, and the other thrusting him forth from his tribe and family. That the prejudices of caste, which withstand so triumphantly the efforts of the missionaries, are to be dispelled by education has now been demonstrated beyond a doubt; while it is understood that at this moment the Company have it in contemplation to introduce into the proposed *lex loci*, a provision that property shall descend without reference to creed. One of these is useless without the other. "Young India," as the *esprits forts* of the day are termed, being unwilling to abandon its worldly possessions or prospects, and take up the Cross, clings to the Vedanta philosophy as an integral part of Brahmanism, but would soon loose its hold if it could do so without so serious a sacrifice. This alteration of the law will be worth a whole army of missionaries—or, to speak more generously of these devoted men, it will act as their pioneer by removing the obstructions which have hitherto rendered their advance almost impossible.

It is in the power of the Company, we repeat, by an alteration of the native law not so formidable as the abolition of the *sati*, to overthrow that selfish interest which forms one great bulwark of the existing superstition;

but it is only by the comparatively slow process of education that the other can be worn away—the prejudice of Caste."—*Vol. II. pp.* 421-422.

With this we must close our extracts; and here, again, if we were in the mood, we should betake ourselves to the least agreeable part of our task, and forthwith begin fault-finding. But we have said enough on this score, by way of caution. Mr. Ritchie's book is not free from errors of judgment, or errors of detail. Our critical eye is now accidentally resting upon one of the latter sort, in the page preceding that which we have just quoted; for there, our author says that "by the charter of 1793, a Bishop was appointed for all British India," whereas no Bishop was appointed before 1813. But the work now before us does not take its stand as a work of detail, but as a general survey of India, past and present; and it would be unfair to condemn the book for not being what it does not profess to be. Moreover the work is now before us in a rough, unfinished state; and it is more than probable that some of the errors, which we have privately noted—especially those of mere dates,—will find their way into a table of errata before the work is finally left to make its way along the road of popularity.

We have but one more observation to make. We trust that what we have written regarding Mr. Ritchie's tolerance will not mislead our readers into the belief that he has been led astray by any of that extravagant and overweening admiration of the Hindus, which so absurdly characterised the elegant effusions of Major Scott Waring. No two writers can be more unlike than Leitch Ritchie and Scott Waring. The latter was deficient, not only in the discrimination which every writer ought to possess, but in the moral sense which no Christian ought to want. He was an obstinate, blundering discoverer of mares'-nests, whose ponderosities would ere now have sunk deep into the bed of Lethe, if Andrew Fuller had not rescued some fragments of them, and held them up to posterity as curiosities of the loathsome order. Leitch Ritchie, on the other hand, is a sensible, shrewd writer, occasionally too unguarded or too tolerant, but not to the utter confusion of right and wrong; and he has written a work, which,—in spite of those imperfections, the more serious of which we have endeavoured in faithfulness to point out,—we are inclined to think will be pretty generally considered the most readable book about India, that has yet been given to the world.

ART. IV.—1. *Minute by the Police Committee, Calcutta,* 18*th August,* 1838.

2. *Minute by Mr. Halliday. Ditto ditto.*

3. *Reports of the Superintendent of Police,* 1844.

WHEN Lord Cornwallis devised and executed a new system for the administration of criminal justice in India, he deprived landholders of all the authority they had formerly possessed in matters of Police, and dispensed with those various establishments by means of which they had maintained order, and administered justice. This bold step on his part was in some measure a necessary one, but its consequences were, in many respects, equivocal. The state of things which his Lordship's system superseded, was indeed not without many evils; some of the landholders and their minions were undoubtedly the scourge of the country; and the village guards, amounting, according to Sir Henry Strachey's calculation, to more than one hundred thousand men armed with spears and shields, were more commonly employed in extorting rent than in the performance of their legitimate duty;—but the feudal Government of the Zemindars was not on the whole—as is too frequently supposed—a series of unmitigated evils, wanton oppressions and chaotic disorders. Tyrannical and cruel themselves, the nobility of the country ruled absolute over their own domains;—seldom permitting strangers to interfere in matters connected with their tenantry whom they considered their own exclusive property, and putting down all crimes, except those which they themselves committed, with a rod of iron.

The consequence was, that whatever benefit Lord Cornwallis conferred by placing a restraint upon the conduct of the Zemindars, and relieving the agricultural community from the relentless tyranny of their superiors, was more than counterbalanced by the substitution of his weak and inefficient police,—which afforded little or no protection against the incursions of lawless men, who earned their subsistence by plunder,—for a vigorous though perhaps selfish and oppressive administration.

The imbecility of his Lordship's instruments appears in a doubly glaring light, on account of the peculiar difficulties which they had to encounter. They had not only to cope with the hereditary robbers, who flourished as well during their supremacy as that of their predecessors, but to fight out battles with a new class experienced in the ways of artifice, and organised by a rude but universal discipline.

The disbanded followers of the Zemindars, who had been trained to a half-military life, and who were all at once thrown out of employment, were driven by the force of circumstances to predatory habits, and the slight opposition they met with from the Government authorities confirmed them in their evil courses. The horrible atrocities which these outlaws, committed in the first fifteen or twenty years, immediately following the introduction of the new system, are too well known to require any description. Their rapacity and pride were unbounded. They carried on their operations almost in the open day. Previous to the committal of outrages they sent missives warning their victims of the threatening danger. They made treaties of amity, like independent monarchs, with those who voluntarily offered them pecuniary assistance, and wreaked their vengeance on all who refused to comply with their exorbitant demands, or had the courage to resist their uncontrollable power. Bold with repeated success; —bold in their numbers, they ventured even to attack the indigo and silk factories of European colonists, making no distinction whatsoever between the wealthy and enterprizing foreigner, and the poor and timid native. Expedients of common occurrence with them, to discover concealed property, were, to burn individuals with straw and flambeaux, and variously to mutilate their persons, by depriving them of their ears, noses and arms. And when they were actuated by a spirit of revenge, "worse cruelties, if worse could be, were perpetrated."

The Government,—which had mustered in the field immense armies, and turned aside from the rich alluvial plains of Bengal the torrent of Mahratta Cavalry that annually overran and devastated them; which had put to flight the disciplined up-country troops of Chete Sing of Benares; which kept Nepal in awe; nor quailed before the impetuous hordes of Burmah,—the Government, which was renowned throughout all Asia for its stability, wisdom, and strength,—the Government, at whose very name the independent sovereigns of India trembled with terror, surveyed for a time, with an apparent indifference for which it is not easy to find any reasonable excuse, these enormities perpetrated, under its eyes, upon those who looked up to it, with undeniable rightfulness, for assistance and protection. It was not till the evil had reached its maximum height, till the disease had gained its climax, that the authorities shook off their lethargic stupor, to arrest its progress. Before the year 1842 it was hardly known to them that the Kechuks were a race

inhabiting several districts in the lower provinces,—following the profession of dakoity from generation to generation,—adhering strictly to the faith of their fathers, but unlike other Hindu sects admitting proselytes, into that faith,—incorporating with their class every likely vagabond they happened to fall in with,—possessing a strange dialect which enabled them to communicate their thoughts to each other, even in the midst of crowds, without fear of detection,—moving rapidly from place to place, and acting under one uniform carefully concocted plan, and under regular leaders who arranged all their operations, and led their attacks. Feverish attempts had indeed been previously made to unravel the mystery hanging over every dakoity, but none had been attended with complete success. The exertions of the Magistrates had been either opposed, or but feebly backed by their ill paid, and necessarily corrupt native subordinates. The extent of their jurisdictions, the anomalous nature of their overwhelming duties;—for it must be remembered, that they united in themselves the duties of Sheriff, Constable, Civil Judge and criminal Judge,—every thing combined to counteract the measures which their good sense suggested. The robbers continued spreading terror throughout the country, and devastating every thing that came in their way, in defiance of all opposition. Even the sanguinary measures adopted in Mr. Redfairns' time, when, according to Mr. Blacquiere's testimony, miscreants were hung by the hundred, failed of their effect, and, instead of throwing cold water and quenching the flame, added fuel to it, and increased its vigour. The dakoits, who perceived that they would be hung whenever detected in their vocation, and ascertained that the law made no distinction between an outrage attended with murder, and another unattended with any aggravated circumstances, rather than be such fools as to risk the chance of detection by letting those whom they robbed, live, as the eye witnesses of their misdeeds, naturally killed them with ingenious and inhuman torments. So callous had they become by a long series of villanies to the feelings of human nature, so utterly brutalized by sin, that they did not spare even the dead from unmannerly insults. Those whom they robbed, they murdered and hacked into pieces, and during their retreat hung up the bloody fragments upon the neighbouring trees, as trophies of their victory, and examples of their vengeance.

At present, however, several measures have been passed, calculated in time to produce a considerable amendment. From the following comparative statement, it will be found that a far greater number of crimes are now brought to light and a much

greater number of criminals punished, than in the earlier part of our rule :—

	Cases.	*Arrested.*	*Acquitted.*	*Convicted.*
In 1838	36,893	43,787	12,191	26,669
39	38,883	44,819	12,352	27,368
40	41,377	47,717	13,471	28,778
41	47,188	50,978	13,731	31,585
42	54,673	51,108	13,751	32,242
43	44,774	86,543	34,611	40,280
44	43,487	82,987	30,809	45,025

From this we would fain hope that crime is less concealed than before, and in this view we know that several of the highest authorities in the country coincide; though we are aware that a different impression prevails in the minds of others. The report of the Superintendent of Police, indeed, mentions that for the last two or three years dakoity has been on the increase, and the conviction of the dakoits on the decrease. This is not as it should be. Of what use would it be to put down other crimes, when that which is most common, most dreaded and most systematic, goes on increasing year after year? Of what use would it be, to lop off the branches of a tree without striking at the very root? To whatever cause the increase of this evil be attributable;—whether it arises from that reaction into supineness, which is a necessary consequence of sudden and violent exertion; or from the abolition of the bloody regulations, which, although they increased atrocities and brought down on several innocent individuals the highest penalty of the law, served for a time to infuse terror among all classes of ruffians; or from the extravagant notion of one of our late Governors,* of uniting the offices of Collector and Magistrate, which was partially carried out by him, notwithstanding the opposition of some of the Members of Council; or from the appointment of young Civilians fresh from College to the posts once filled by able and experienced officers,—men among whom Mr. Blacquiere was not the foremost,—it is certain that urgent measures ought to be taken to repress its virulence.

In a regularly established system of Police founded on a liberal and judicious scale of policy, there can be no great fluctuation of crimes. There cannot be a small number of dakoities in one year, and many in the next; nor can there be a great number of apprehensions in one year, and few in the succeeding. The

* This was one unwise measure amongst several judicious ones enacted by Lord William Bentinck. In Bengal some five or six instances are still to be found where the Collector, counting rupees in the station, is expected, at the same time, tracing out crime at the other extremity of his district; but as a general measure the above no longer receives the countenance of Government.

current of crimes and punishments would not vary much if the authorities were efficient. It would not rave and fret and foam, in one place, nor ebb and dry up in another. Its course would be even, tranquil, smooth, and uninterrupted. The uncertainty and vacillation of crimes and punishments, their continual increase and decrease, are therefore of themselves sufficient proofs of the inconsistency and worthlessness of our present system. The appointment of Deputy Magistrates, the increase of Darogahs' pay (if increase it can be called) and the earnest efforts now being made to check crime, and improve every department of the Police, prove that Government itself is neither insensible to existing evils, nor unwilling to listen to the voice of those who propose plans of amelioration.

Under this impression we have thrown together the following plain remarks for the effectual suppression, detection and punishment, not of dakoity alone, but of all those violent infringements of the laws of society, which are now so frequently perpetrated in the mofussil with impunity. We do not pretend that any of our plans are perfectly original. Our object has been not so much to urge new views, as to collect together whatever may have been suggested by experience as necessary for the improvement of the present Police. For this reason we have not scrupled to avail ourselves of the plans of other people, whenever such plans seemed to us to be the most advantageous.

It appears to us that one of the defects in the present system, is the want of a complete set of laws. The Mahommedan criminal law is in force in British India, except where it has been altered or modified by the Acts and Regulations of the Supreme Government, or the Circular Orders and Constructions of the Nizámat Adálat. Some of the most glaring discrepancies, ridiculous contradictions, and monstrous absurdities, of the Mahommedan law have been superseded by the British Regulations,—but the generality of the latter have no reference to the former,—and consist merely of rules of procedure.

It would be useless to point out in this age of enlightenment the defects of the Mahommedan law. Few people require to be told that it is a century behind the times, and that however useful it might have been in barbarous ages, it is impotent and weak in days of refinement, and among a community daily advancing in opulence, power, and civilization. Indeed a law to which the punishment of mutilation is familiar, and which lets off murderers if the weapon of destruction be below the standard weight for murderous weapons as prescribed in the Koran,

hardly requires any comment; it speaks for itself. The most exquisite patch-work would not conceal its blemishes. The flimsy texture of its ground-work would peep through the most careful covering with which human ingenuity could overlay its surface.

The defects of the British Regulations, however, seem to court our notice, from the peculiar circumstances under which they have been framed. They have been constructed not in a barbarous era, nor by illiterate individuals;—but in a civilized period, and by the most enlightened and politic of the most enlightened and politic nation upon earth. They might reasonably have been expected therefore to be free from even the slightest impurities. How far they are so we will presently enquire.

In an article like the present, we have no room to point out all the defects of the Regulations; we can only mention a few of those which strike us as the most important. Had we leisure and space we should expatiate more largely upon the frivolities, to which our lawmakers seem addicted, and on which they sometimes seem more fond of dwelling, than upon important matters, such as might change the tone of morality now prevailing in this country, and infuse a new spirit into her institutions and people. Had we leisure and space we should show how,—while provisions have been made directing that all copies of pleadings and petitions shall be written in a fair legible hand, with proper space between each word and line, and if the subject matter cannot be contained in a single sheet of paper, any additional sheet required shall be of the same description and value with the first,—and while Circular Orders have been passed peremptorily directing that in kacheris the officers at the head of each department, shall make some one person of their respective establishments answerable for the glass in each room,—no attempts have been made to check crime among British European subjects, by making them amenable to the Mofussil Courts, or to inspire the Zemindars with a proper pride and self-respect, or villains with terror, by salutary enactments. As it is, we must pass over all minor inconsistencies and contradictions, and reserve to a future period our censure for the truisms and repetitions which swarm throughout our laws,—confining ourselves for the present to a notice of some of the most glaring evils.

One of the most prominent of these defects is the uncertainty of the Regulations. They are so frequently changed, that it is scarcely possible to recollect whether any particular law is in force or has been repealed. Books of reference are not infallible guides. The last edition* of Mr. Skipwith's admirable work was published, we believe, in 1843. Since its publication two complete years have rolled over us;—not without their usual quota of useless alterations. To refer to it would therefore be to rush into error. Corporal punishment, which was abolished by an enactment of Lord William Bentinck, has been revived. An order empowering Assistant Magistrates to decide finally in summary suits about land, which was repealed by construction No. 1344, July 8th 1842, has been reinforced. A host of other changes have been introduced. Being generally mere rules of procedure, this constant alteration of Government Regulations is in some measure excusable, but it is evidently wrong in principle. True, the interests of the community are not so much affected by these changes as they would have been, had the Regulations been laws and not rules of procedure, but they still work enough of evil, and the practice of making them ought to be put down as most reprehensible. In force this year, annulled the next, and revived the following, our regulations present indeed sad examples of fickleness somewhere in the presiding power.

Another great evil is,—the nice distinctions of power—distinctions such as are not recognised in any civilized country, and which are alike wrong in principle and injurious in practice. An Assistant or a Deputy Magistrate, in cases of theft, is capable of giving one month's imprisonment with labor, and one month in lieu of corporal punishment; in petty misdemeanors, imprisonment for a period not exceeding 15 days, and a fine not exceeding 50 Rupees, commutable to 15 days' further imprisonment. Should the Magistrate think proper to refer cases to him for report, the Assistant Magistrate may send up his opinion to his superior under the usual vernacular proceeding, if for conviction, and release the prisoner on his own responsibility, if he deems the charge groundless. This however is a plan seldom practised by any Magistrate in Bengal. He is not permitted to use the rattan. He is not capable of deciding cases under Act 4 of 1840. He is incompetent to direct security to be taken to keep the peace. When in charge of an office at the Sudar Station during the absence of the Magistrate, he is not competent to make committals to the Sessions' Court. The duly invested Assistant has the power of imprisoning persons for six months, and one month in lieu

* While we write, Mr. Beaufort's Magistrate's Guide is daily expected, and the Circular Orders of the Nizámat Adálat now in force have lately been published in a volume of equal neatness and accuracy, by Mr. G. C. Cheap, the Civil and Sessions Judge of Rajshahi.

of corporal punishment, or imposing a fine not exceeding 200 rupees, commutable to a further period of imprisonment for six months, so that the entire period shall in no case exceed one year. He is competent to decide cases under Act 4 of 1840, but is not capable of using the rattan. He is competent to direct security to be taken to keep the peace.* A *Joint* Magistrate (a most barbarous designation) is competent to exercise the full powers of a Magistrate, unless interdicted from the exercise of such powers by his superiors. He is empowered to try appeals from the Orders of Sudar Amíns and Law Officers in petty criminal cases. When not holding independent jurisdiction, he is in every respect subordinate to the Magistrate, who is competent to refer to him cases for report. When holding independent jurisdiction, he possesses an exclusive control over his own police, is capable of using the rattan, and deciding cases under Act 4 of 1840. A Magistrate, besides the punishments he is capable of inflicting by the Regulations, is in cases not specially provided for by them, or by the Mahommedan Law, capable, in cases of theft, of ordering imprisonment for a period not exceeding six months, and one year in lieu of corporal punishment, and, in other cases, a fine not exceeding 200 Rupees, leviable by distress, (commutable, if not paid, to six months' imprisonment,) and imprisonment not exceeding six months. A Sessions' Judge exercises the powers of a Commissioner of Circuit in the conduct of trials; whenever a prisoner may be convicted by him of two or more offences, the prescribed punishment of which may exceed in the aggregate fourteen years' imprisonment with stripes, he shall sentence him to fourteen years' imprisonment in banishment, and two years more in lieu of stripes. If he is of opinion that the offender is deserving of imprisonment for a longer period than 14 years, he shall pass sentence in the several cases for the punishment provided by the Regulations, and shall transmit the proceedings on each trial for the final sentence of the Nizámat Adálat. If the crime of which the prisoner is convicted, and for which he is declared liable to discretionary punishment, shall not have been provided for, either by the Regulations or the Mahommedan Law, the Sessions' Judge may, after due consultation with his law officer, sentence him to imprisonment for a period not exceeding seven years, and two years in lieu of corporal punishment. He is incapable of inflicting capital punishment, without a reference to superior authority. The Nizámat

* This has been lately over-ruled by a construction of the Sudar Court; an assistant or deputy magistrate qualified to imprison a man for six months, cannot now exact from him a simple recognizance to keep the peace. We do not think it necessary to offer any comment on such a palpable absurdity.

Adálat, the highest tribunal in the country, is supreme in its power, and is alone capable of inflicting the punishment of death. Lest we should confuse our argument and divert the reader's attention from the general outline we have drawn, which in itself is sufficient to prove our theory—that the orders and counter orders of the authorities appear uncertain, conflicting and sometimes contradictory to the great mass of the natives,—we have intentionally left out a great many minor distinctions, such as those made by Regulation 17 of 1817, which provides among other things that if any prisoner, brought to trial before a Sessions' Judge, be acquitted by the Futwa of the Law Officer (who by the way exercises distinct powers), and the Judge be of opinion that the proof against the prisoner is sufficient to convict him, he shall submit the case for the orders of the Judges of the Nizámat Adálat, two or more of whom, after due reference to their Law Officers, can pass sentence upon the prisoner, in like manner as if he had been convicted, even although their own Law Officers should differ in opinion and direct his acquittal.

A third great defect in our system of laws is the number of appeals to which a Magistrate's orders are subject. When a new criminal code is passed, this serious annoyance ought to be obviated. An order passed by a Deputy Magistrate, vested with special powers, can be modified or reversed by a Magistrate, and if in excess of the simple powers of an assistant, can be altered by the Sessions' Judge. The decision of the Sessions' Judge however is not final, except in miscellaneous Judicial orders other than criminal cases. The Judges of the Sudar Dewány are competent to change it. In so litigious a country as Bengal, such a system of appeal is extremely hurtful. No felon feels certain of receiving his due punishment. He has hopes of acquittal to the last. If one court denounces his crime, another is certain to find out some loop-hole, for him to escape. Punished by the Magistrate, he appeals to the Sessions' Judge, and if dissatisfied with the latter, he has the Nizámat Adálat still to look up to. The worst of it is; the Court to which appeal is made seldom summons plaintiff and defendant, but grounds its verdict solely upon the records sent by the subordinate Court. No witnesses are examined—no new investigations instituted. And as a Magistrate does not write out the document of a case himself, but determines a question by the oral evidence of witnesses, the Judge, seeing but the cut-and-dry style of the Mohurrir, and nothing of the vivid pleading of the injured Ryot, is too apt to reverse the decision of the Magistrate, who drew his conclusions from a living picture. It may also be mentioned,

that presents of money frequently induce the subordinate establishment of the Magistrate's court, to add, change, or efface words in the original documents, in order to get the orders of their immediate superior subverted. Many of our readers will doubtless be startled to hear of such a wholesale system of corruption in the lower native officers, but they may rest assured, that the picture, as an average one, is not overdrawn. The daring audacity, the imperturbable assurance, with which these underlings carry out their nefarious views, can scarcely be adequately conceived by those who have not served in the department. Nor are the higher officers of Government entirely ignorant of their practices. Many of them are fully aware of the kind of people they have to deal with. It is well known that one Judge of the Sudar, lately deceased, placed so little reliance on the genuineness of the documents forwarded to him, that he made it a rule never to pass capital sentence on a criminal. He used to say "if I hang a fellow-creature by mistake, I have no means of rectifying the error; if I confine him for life, and his innocence be subsequently proved, I have the power of releasing him and affording him pecuniary assistance; and considering the corruption of Mofussil ámlas and the uncertain nature of Mofussil evidence, I have so many doubts in every case brought before me, that I have resolved never to pass sentence of execution on a man, however clear may be the proofs against him."

At Calcutta there are only two Courts of Justice, and there are no appeals. A writ of Certiorari might indeed remove a case from the Police to the Supreme Court, but the decisions of the latter in every criminal case are all but final. No Court is competent to reverse them except the Queen in Council. Once passed, they are almost irrevocable. In the Supreme Court the criminal has no loop-holes to escape through, except the barbarous technicalities of the English law. He is tried by an experienced Judge and an enlightened jury, and sentence is immediately passed upon him. The records of his trial are never sent over for inspection to other authorities. He is not harassed from court to court. He is not long kept in doubt about his fate. If guiltless, he is not huddled with desperate felons in the jail. If guilty; no bribes can save him from the rigors of the law. He cannot contemn the authority of the Court that tries him, as he knows there is no appeal against its decisions to which he could conveniently resort. He is impressed with awe and terror when put on his trial. The venerable appearance of the Judges, the imposing demeanour of the Barristers in their robes of office,

the solemn gravity of all the proceedings, tend to awaken vague and mysterious apprehensions. He feels in every nerve of his throbbing frame that a crisis is at hand,—that the sentence of merited punishment is about to be pronounced. Nor do his sentiments of respect and terror abate, when the case is entered into, when fact after fact is analysed by a strict cross examination, when arguments favorable to his interests are duly weighed, and when the judge sums up in a luminous speech the merits and demerits of the evidence adduced, its probabilities and improbabilities,—tossing up, and marshalling all the circumstances in succession,—creating order out of confusion, and arrangement out of chaos. Not that we can hold up the Supreme Court as a model, in other respects, to be copied. What we plead for is, that,—instead of the present interminable system of appeals, which, however humanely intended, has been shewn by experience to serve chiefly the purpose of defeating the ends of justice,—there should be such an organization of the Mofussil Courts as would, by a prompt and summary process, bring all cases to a *speedy* and *final* issue.

The next evil in our system of law is deserving of still more attention. No provisions have been made for the punishment of British European felons in the Mofussil. As this exemption does not extend to Europeans of any other nation, or to natives of any other country, it is a privilege which individuals belonging to the parent State exclusively enjoy, at the expense,—says the Report of the Police Committee,—of equal justice, to the great annoyance of the native community, whom they have thus the power of oppressing with very little risk of punishment, and to the hindrance of the Police, which, under these circumstances, they are enabled to set at defiance. It is a well known fact, and was admitted by certain indigo factors in their evidence before the Police Committee, that, owing to British-born subjects not being amenable to the local courts in cases of felony, and to the necessity of sending them with all the witnesses to Calcutta before they can be tried, their services are preferred to all other classes by European traders, residing in the interior; and that consequently the law, especially in districts remote from Calcutta, does not afford that protection to natives against British-born subjects, which they have every right to demand from their rulers. Innumerable instances are on record which show how lamentably this indulgence has been abused, and how frequently British Europeans, after the commission of outrages, which at Calcutta or at home, would have been visited with the most condign punishment, have baffled

the most strenuous efforts of justice. The only remedy at present is a prosecution in the Supreme Court, to which as it is not in the power of poor people living at the distance of several leagues to resort, there is no real redress for wrongs: consequently, that salutary influence which the presence of neighbouring and competent authority cannot fail to exert over a community is unfelt by British European subjects. Unrestrained in their actions,—with large sums at their command,—contaminated by daily intercourse with depraved natives, and forgetful of their God, they have been known to equal the worst Zemindars in cruelty and oppression. False charges, connivance at perjury, even subornation of perjury,—affrays—unnecessary disputes, have been as things of every day occurrence with them. When we say this we do not mean to vilify the whole body of European settlers. Far from it. We are aware that among them there are numerous upright and honorable persons. We speak only of those irretrievably wicked men, who, by their misdeeds, have unhappily made the name of planter and even that of Englishman detestable to many a native ear. In suggesting a remedy for this evil the Police Committee, in their letter of the 18th August 1838, very properly recommended that British-born subjects, residing in the interior, should like all other classes of the community, be placed, in criminal matters not involving capital punishment, within the jurisdiction of the local courts, "on the broad principle that persons of every description should be subject alike to the controul of the authorities where they reside, and that no distinction in this respect should exist between one class and another."

No doubt can exist of the propriety of the above suggestion. The necessity of dealing with all alike, of breaking down the invidious distinction of having one description of tribunal for the Governors and another for the governed, is too evident to be questioned. The injustice to the natives of exempting a class of wealthy persons, "who now enjoy a right of free resort to the interior," from the jurisdiction of the local authorities, which are always open to them against the people, appears to us to be an evil too glaring to be of long continuance. The sooner therefore the present system is done away with the better.

The last defect in our laws that we will have to notice is their bearing towards the native landed proprietors, who, whatever be their own misdoings or short comings (and they are legion), have not always been treated in a way calculated to encourage amendment. Some of the repealed Regulations were so severe upon them as to attract even the attention of

the European community of India generally, so apathetic to every thing that does not concern its own interests. It is idle to say that India is a conquered country, and that the Zemindars have no legal or rightful claims to the property they enjoy,—but have been invested with that property on condition of paying a certain revenue to Government, and of acceding to certain defined arrangements. When those arrangements were drawn up, Government might, on due inquiry, have learned, that they could not be fulfilled, and that, from the nature of their functions and the want of requisite powers, the Zemindars could not by any means successfully co-operate with the police authorities in checking crime.

Among the existing Laws we find Regulation 8, of 1814, Sec. 2, providing that any landholder of any description who will neglect to give early and punctual information to the Magistrate, or Police Darogah, of the commission of murder, arson, or theft, shall be subjected to a fine not exceeding 200 Rupees, and to imprisonment not exceeding six months; and construction No. 1281, August 7th, 1843, declaring that it is not sufficient if chowkidars are sent to inform the Magistrate or Daragah of such crimes, but that the Zemindars must send written statements on such occasions, or wait in person on the Magistrate, or Darogah, as they may think fit. Thus the nobility of the country are saddled with a heavy and irksome duty, when there are Chowkidars and Burkundazes and Superintendents,—people who are paid, and whose especial duty it is to ferret out crimes.

How much liable to abuse such Regulations must be cannot but be evident. When a dakoity or murder happens, and the injured party himself comes forward to prosecute, the merits of his case are entered into; and if the felons are found guilty they are punished, and with them the Zemindar or landlord of the prosecutor, provided the former should have delayed to send a written account of the circumstance, exclusive of the statement of the latter.*

* At the same time the Zemindar has, or ought to have always, his Naib or Gomastah on the spot, and it is no great hardship that this functionary should be required to send one of his *Paiks* to the Thannah, or the station, with notice of the occurrence. Moreover, though the law may seem somewhat severe, we understand that, practically and in point of fact, no man has ever actually been punished with imprisonment for not giving information of a dakoity, and very rarely by fine, and even then, there is an appeal to the Sessions' Judge. There are other laws also which appear to look rather severely towards the Zemindar. These, however, do not require any extended notice at our hands; as they are for the most part dead letters, and seldom if ever put in force. Most of them, therefore, might as well be modified; and others wholly abrogated. On the whole, a *moderate* Zemindar, who shuns affrays and does not keep up bands of *Lattials* (or club-bearers), has no reason to

Before we conclude our reflections on the laws,—we cannot help, notwithstanding our previous determination, noticing two minor defects. We cite them however not so much on account of their intrinsic importance as to prove that there are many others of the same kind.

The first relates to the penalties for perjury. This crime, which is perhaps the most common in India, is declared punishable with nine years' imprisonment. In aggravated cases this punishment would be too little, and in ordinary cases by far too much. When a man wilfully commits perjury and swears his enemy had committed murder and gets him hanged, ought he to be imprisoned for nine years only? When another gives an old and faithful servant the character of an honest man, knowing that the same servant appropriated without permission, years ago, some cast off clothes, is he to be kept in duress for full nine years or even for three? A greater latitude should have been given to the penalty for this offence, and the local authorities ought to have been empowered to inflict imprisonment for life (with a reference if necessary to Government) or for a year or six months as they might think proper. The severity of the punishment makes its infliction uncertain. In every common case of perjury, the Session Judges hesitate to inflict a punishment so much disproportioned to the offence. They endeavour to find out some flaw in the case, and generally contrive to set the prisoner free. They are led to do so by the purest of motives. Nine year's punishment for perjury, in a country where that offence is a matter of every day occurrence, may seem too rigorous.

The second relates to printing presses. Regulation 11 of 1835, Sec. 9 provides that any person knowingly affirming an untruth relating to a printing press is liable to a fine of 1,000 Rupees, commutable to imprisonment for two years, thus making an untruth relative to a printing press a distinct offence from perjury. We have never been able satisfactorily to account to ourselves why such a distinction has been made. To us it appears not only unnecessary but unjust.

It is now, we believe, about ten years since Mr. Macaulay's code was submitted to the Home Government. But excepting an acknowledgment of its arrival, we believe nothing has yet been heard upon the subject. A work on which some of the ablest men were employed for more than three years, and which cost

cavil at *the spirit* of our regulations. We must admit, however, that instances have occurred in which Zemindars have sometimes been treated in a manner unworthy their high rank and position. The surest guarantee against even the occasional recurrence of such petty vexations will be found in the general diffusion of superior intelligence and high-toned moral feeling.—Ed.

the state the sum of £70,000, has apparently been laid upon the shelves at Leadenhall-Street to moulder amongst rubbish and sink into oblivion,—while the antiquated laws of a former age continue to be administered to millions of human beings. Remonstrances have been frequently made; it has been urged that the Home Authorities ought either to get the Code revised by the Law Commissioners or to pass it at once into law,—but all in vain. That apathetic body have remained deaf to all kinds of complaints—preferring a system of criminal jurisprudence, "which has no other recommendation than that it may be retained without exertion," to one which, however beneficial, would have cost them the trouble of an enquiry. Need we say any thing more on this subject?

The next grand evil in our system of administering criminal justice is the union of the offices of Ministerial and Judicial Magistrate, of thief catcher and thief trier. There is scarcely any principle in jurisprudence more important than the separation of these two offices. Their union is injurious to offenders, to the community, and to the Magistrates.—Injurious to the offenders, because they are not tried by an unbiassed judge,—but by one whose interest it is to convict them,—who will gain credit if they are convicted;—whose opinion has been formed before the trial by a previous knowledge of the circumstances of the case, whose judgment has been influenced by collateral circumstances,—who has himself been advising the police officers how to conduct the case,—who unites in himself the offices of accuser, judge and jury.—Injurious to the community, because their interests are neglected,—because, while the Magistrate is endeavouring to ferret out a criminal from the remotest corner of the district, many accused but perhaps innocent persons are left to pine at the Sudar kacheri, exhausting their little stock of money and debarred from the occupations by which their daily food is earned.—And lastly, injurious to the Magistrate, because the hunting up of thieves, although a very useful is far from a dignified office,—because it militates against his respectability and fixes upon him the title of constable, besides that of justice of the peace,—because it gets him no credit, but rather acquires for him an ill-name, by overwhelming him with duties which are conflicting in their nature, and could not possibly be well performed.

To strengthen our argument we annex an extract from the very able minute written by Mr. Halliday about eight years ago. It would have been well for Government if it had availed itself of the suggestion at that time; but regrets when dilatory are invariably fruitless. The omission cannot be rectified un-

less the authorities choose to act upon the old proverb, "better late than never."

"The union of Magistrate with Collector has been stigmatized as incompatible, but the junction of thief-catcher with judge is surely more anomalous in theory and more mischievous in practice. So long as it lasts, the public confidence in our criminal trials must always be liable to injury and the authority of justice itself must often be abused and misapplied. For this evil which arises from a constant and unavoidable bias against all supposed offenders, the power of appeal is not a sufficient remedy; the danger to justice under such circumstances is not in a few cases nor in any proportion of cases, but in every case. In all, the Magistrate is prosecutor, constable and judge. If the appeal be necessary to secure justice in any case, it must be so in all;—and if, as will follow—all sentences by a Magistrate should properly be revised by another authority, it would manifestly be for the public benefit that the appellate tribunal should decide all cases in the first instance.

It is well known on the other hand that the judicial labours of the Magistrate occupy nearly all his time; that which is devoted to matters strictly executive, belonging to the short space daily employed in hearing Thannah reports. But the effectual management of even a small police force and the duties of a public prosecutor ought to occupy the whole of one man's time, and the management of the police of a large district, must necessarily be inefficient which from press of other duties is slurred over in two hasty hours of each day.

I consider it then an indispensable preliminary to the improvement of our system, that the duties of preventing crime and of apprehending and prosecuting offenders should without delay be separated from the judicial function: and for this essential improvement the amendments of the report do not provide."

While on the subject of the incompatible junction of the duties of thief-catcher and judge, and of the overwhelming nature of the duties of the Magistrate, we cannot help noticing also the present low scale of remuneration allowed to those hard working officers and their subordinates. The highest pay allowable to a Magistrate and a Darogah has, we believe, by the late order of the home authorities been reduced to 1000 Rupees and 50 Rupees respectively.* Deputy Magistrates who were authorized by the local authorities to draw 400 Rupees and to look up to five and six hundred a month as a stimulant to their zeal; will in future be allowed only 200, with the prospect of getting 350 rupees, when they show themselves qualified for independent jurisdictions. This retrogade movement in the state of things is generally ascribed to the Board of Control,—but we are afraid will be found, on a strict

* We must remark that hitherto no distinct order has been issued from the local Government, limiting the salaries of Darogahs to fifty rupees, and the Superintendent of Police can still elevate the deserving to the second grade of seventy-five rupees or the first of 100. The lowering of the Deputy Magistrate's salaries is a piece of injustice, which the Local Press have already commented on ably and efficiently.

enquiry, to have emanated, not from an office over which so distinguished and politic a Statesman as Lord Ripon presided, but from another of a far different stamp. What the motives of the Court of Directors may be for carrying into effect so impolitic and objectionable a measure, we are scarcely able to divine, but its manifest injustice compels us to look upon it with a suspicious eye. We may be mistaken, and we sincerely hope we are so, but appearances are bad, and it certainly looks as if invidious and dishonorable feelings had some connection with this contemptible reduction of allowances. No person can be such a simpleton as not to be aware that a man in this country, possessed of all the qualifications of a good Deputy Magistrate, must be priced far above 350 rupees a month. To ignorance, therefore, this measure cannot be ascribed. It is true that of those who have been appointed to the office, a good many are content with their pay, and we could even point out some who would have been satisfied with less,—but the object of Government ought to be to secure not the cheapest but the most efficient men. It would surely be better to abolish the office altogether, rather than make all the useful officers dissatisfied with their appointments by an ill-advised and ill-judging parsimony, or to employ others, content indeed with their scanty pay, but by birth, connections and education alike incapable of dispensing justice honestly and fearlessly, and of discriminating a real grievance from an alledged one!

In the philosopher, this absurd measure, will recall the first days of our administration,—the days, when the factor, sent out to compare invoices, to make advances, to measure and ship goods with a pay hardly adequate to cover his ordinary expenses, suddenly found himself called upon to conduct the judicial, financial and diplomatic affairs of an extensive empire; and, giddy with his extensive powers and beset by a thousand temptations, strayed from the paths of rectitude to eke out by corruption and extortion what was denied him as honest remuneration for his services. In the philanthropist, it will create a sentiment of regret to think, that the old and pernicious system done away with, by the wise and benevolent provisions of Lord Cornwallis, has yet some chance, however vague or undefined, of regaining its footing on a soil from which it had been so completely out-rooted,—not so much on account of financial considerations as of the anxiety of certain interested individuals to preserve the distinction between the covenanted and the uncovenanted services inviolate, and to retain in their own hands exclusively the power of appointing candidates

to posts of emolument. In the patriot, it will awaken feelings of alarm lest the old system of corruption and rapacity should be revived, and the country be once more placed in charge of a set of men similar to the former servants of the company, who are said to have amassed fortunes with almost the rapidity of thought, while thirty millions of human beings were reduced to the last extremity of wretchedness;—men, who insulted with impunity every tribunal of the country, and covered with their protection a set of wretches, who, says Mr. Macaulay, "ranged the provinces, spreading terror and desolation wherever they appeared." In the dispassionate future historian, it will kindle nothing but disgust and contempt to contemplate, that a Government, which did not hesitate to expend the sum of Co.'s Rupees 75,00,000 in state pensions, begrudged the sum of scarcely 14,000 rupees annually for an effectual reformation of the Police. But the evil of reducing Deputy Magistrates' pay is not half so glaring as the evil of reducing Darogahs' allowances. Vested with almost unlimited ministerial powers,—placed at a distance from the Sudar Station,—uncontrolled in their actions by even the shadow of an authority, nothing can prevent the corruption of these officers when they are once bent on evil. The past has shown what capabilities they possess of remunerating themselves when Government refuses them adequate assistance. With the reduction of their pay their old manœvures will commence. Once more, falsehood and tyranny will reign over the land. Reports, exaggerated or wholly untrue, but the correctness of which the Magistrate has no certain means of testing, will be forwarded,—people, whose only crime is poverty and a necessary inability to comply with unjust and unreasonable demands, will be sent in, bound hand and foot as criminals. And while all this is done, the blame, in the eyes of all sensible men, will rest not so much with the Darogahs, as with the Government, which holds out no sufficient inducements to the former to become honest. Devoid, in a great measure, of those moral qualifications which are in themselves a guarantee for the honest discharge of public duties,—selected without any reference to his connections or education,—"expected constantly to be on the move in the interior of the district," and to live decently, as a respectable member of society, receiving a most inadequate pay without any prospect of promotion,—constantly liable also to the displeasure of the Magistrate and frequently subjected to a change of masters,—but little blame, comparatively, can attach itself to the Darogah. As he holds his office by a precarious tenure and is liable to be dismissed at the whim and caprice of his immediate

superior, whose chagrin and vexation, whenever the perpetrators of a dakoity cannot be discovered, are often changed into the most violent anger, a Darogah naturally endeavours to make the most of his time. During the few months he is employed in office he makes provision for a whole life time, because when once dismissed his good name is lost for ever, and he has no chance of finding employment elsewhere. His rapacity consequently is unlimited. He lets few opportunities slip without adding some sum, however trifling, to his hoarded wealth. Every perwannah or order from the Magistrate's office he turns into a source of profit. An order to investigate the respective characters of the residents of a village, called in official language a maish-tadarak, is to him a mine of gold. A perwannah vigilantly to look out for the perpetrators of a crime, or to supply a regiment passing up or down the river with boatmen or victuals, is to him a rich harvest. Whenever a dakoity happens,—says Dwarkanath Tagore, whose experience in these matters obliges us to place assured confidence in his statements,—the Darogah and all his people go about the villages and indiscriminately seize the inhabitants, innocent or culpable; and it often happens that persons so taken, although of the most suspicious character in the particular transaction, are released on some money inducement being given to the officers.

To obviate all these difficulties,—to enable the Darogahs to keep up an appearance corresponding with their station, and to remove what seemed a fair justification for exaction, the Government, in accordance with the views of the Police Committee, increased the pay of those officers, and divided them into grades. They also passed an order directing Magistrates on no account to dismiss Darogahs from office without reference to superior authority. Although these wise provisions did not instantaneously arrest the progress of corruption, it might reasonably be expected that in the course of a few years they would have effected much good; more especially if subsequent enactments were made to co-operate with them in the good work of reform. A paternal Government would have followed up such provisions by paying the sum of Co.'s Rupees 100 to the lowest grade of Darogahs, and 150 to the highest—by appointing to the office only persons of first rate ability and approved character, trained in one or other of our best conducted educational institutions—by changing the hateful name of Darogah into that of Superintendent—and by a revised, and wholesome system of promotion. The necessity of the first two of these improvements is obvious. No person re-

quires to be told of the evils resulting from the employment of uneducated persons—evils, the nature of which has been but too well ascertained by sad experience—and of the impossibility of living decently in this country under 100 Rupees. Our two latter propositions however require a little explanation.

It is incumbent upon Government to change the name of Darogah, because it is one with which the most odious associations are connected,—one, which is almost synonymous with dakoit—which carries terror in its very sound—which reminds the poor cultivator of him over whom there is no controul, of him who lives upon cruelty and extortion, and whose very vocation is corruption. No real native gentleman, however distressed his circumstances, will condescend to take a Darogahship as long as it bears its present designation. You may increase the pay of the appointment, you may heap honors on those who hold it, and yet, —or we have much mistaken the native character,—no person of respectable connections, educated in any of our large Colleges, will demean himself so far as to accept it, while it bears its ill name. The present Darogahs are often the dregs of native society. When out of office they are held in the same estimation by their countrymen as porters and grooms. Imagine a durwan, with a salary of 50 Rs., placed in charge of an immense tract of land situated leagues away from the Sudar Kacheri, and holding command over some fifteen or twenty armed men, —his brethren, as regards ability and dis-honesty,—and you have no inadequate conception of the head native Police officer of the present day. If it be desirable to employ efficient and respectable persons as Dārogahs,—the name must be changed, —there is no alternative.

The system of promotion too must be altered. A Darogah must not be compelled to stick to his Darogahship, the whole of his life time; he must be permitted to look up to something else. When found deserving he ought to be raised step by step. He ought to be made a Deputy Magistrate and then a Magistrate; and when he distinguishes himself in the last capacity, the law which provides that the highest offices will be open to the natives when they prove themselves eligible to them, must not be made a dead letter.

These we venture to pronounce the surest, if not the only methods by which corruption in Police Darogahs might be successfully checked, and a set of men gradually substituted in the room of the present incumbents,—men, whom no temptations would seduce from the path of honor, no fears overawe or subdue, no fabrications deceive. But it is useless to speak of these reforms, should those placed at the head of affairs, be bent upon

letting things exist in their present condition, lest the State may be subjected to expenditure. We need not set the clock a-going, should those with whom the power lies, be determined upon putting it back. The home authorities have reduced the pay of Darogahs and Deputy Magistrates. Who can reverse their order?

The next evil in our catalogue is the inefficiency of the persons selected to hold the magisterial office and their constant removal from one district to another. The former is partly attributable to inadequacy of pay, and might be remedied by a more liberal system of allowances; the latter is a consequence of the corrosive nature of the climate, which renders it impossible for Europeans to remain here long without serious injury to their constitutions, and of the necessity of rewarding merit by promotion to superior office. That young men,—fresh from college, ignorant of the native languages and customs, and, what is worse, half read in the laws and usages of civilized nations, without experience, and with but an unfinished general education,—should be suddenly raised to high judicial offices, and be empowered to fine, imprison, and inflict corporal punishment, is a circumstance to be lamented, while we find abler officers, men of comparatively greater knowledge and greater experience, vested with proportionally inferior powers for good and evil. If a Magistrate does not rank higher than a Collector, he should at least be placed on an equal footing. It is wrong in principle to have more regard for the interests of Government than for those of the community,—to appoint an experienced and well paid officer to collect public revenue and an inexperienced and ill-paid one to dispense public justice. We do not find that the civilized Governments of Europe are generally so selfish as to consider the collection of revenue more important than the distribution of justice. In England or France such an opinion would never be tolerated. A Collector in the former country is ordinarily a very common person, seldom admitted into the circle of Society; a Justice of the peace is a gentleman, and therefore the equal of Lords and Earls. A Collector ranks with a preventive officer; a Magistrate is as much a gentleman as a Duke. To put the respective positions of Collector and Magistrate, therefore, at least on a par in this country, is, for decency's sake, if not for any other, indispensable. At the same time we must admit that the word Collector, to English ears, conveys a very inadequate idea of the responsibility of an individual, to whom is committed the collection of the Land Revenue, the supervision of the estates of minors, the *Butwara* or division of estates, the sale of estates for arrears of rent, and the decision or at

least the supervision of some three or four thousand summary suits a year. If Civilians of the standing of Collectors cannot be found to fill all the Magistrateships, we would, rather than continue the present system, recommend a more free use of uncovenanted Agency. An educated Native or an East Indian, properly chosen, would be of more value than a young Civilian, and should, when well weighed in the balance, have the preference. When we say this we do not mean to insinuate that all young Civilians are equally worthless. We hold a very different opinion. Some young gentlemen of the Civil Service, with whom we are personally acquainted, are in point of talent, ability and intelligence, far superior to many of their seniors. Clever, sharp, patient, indefatigably industrious, zealously active, they are perfect models of Magistrates. Moving constantly about in the interior of the district,—stealing upon the Darogahs in hours least expected and taking them by surprise,—watching their manœuvres with the most suspicious scrutiny,—encouraging the good, discountenancing the bad, employing all his resources, his very best endeavours to catch criminals, and though perhaps occasionally mistaking his man, and catching colds and fevers instead, yet nevertheless generally far from unsuccessful in his efforts,—suffering privations, travelling over immense plains seldom trodden by European footsteps, in a cribbed and confined palanquin, which from the smallness of its size scarcely permits him to turn on his side, or stretch his limbs at full length,—under a broiling sun, which adds heaviness to his head and languor to his frame, and sucks up the very streams of his life,—with food, from which his palate revolts, and water, at the sight of which even when most thirsty, his gorge rises,—or enduring the inclemencies of a cold season in a small single-poled tent, pitched in the heart of some jungle, where, for the voice of friendship and love, he hears the flapping of the tent ropes, the wild whistle of the wind, and the repeated cry of the famished jackal, when the fall of darkness summons him shivering to his bed,—and still as the night advances the cold becomes more and more intense, while every gust of the chill north shakes from his frail tenement of cloth the heavy dews that have gathered upon it, and makes his teeth chatter and his limbs stiffen, even amidst the layers of flannel and blanket, in which he carefully wraps himself,—and all this from a pure disinterested zeal, a sincere wish to benefit the people, and perform to the best of his ability the duties with which he is entrusted;—surely, the young Civilian, thus labouring and enduring, merits well of the community and of the State. But instances of this kind are like angel visits—"few and far between;" and the good qualities of a few can never cover the blemishes of

the many. When we compare the very small number of young Civilians—who endeavour to imitate those ornaments of their own body, who set examples of zeal and perseverance to their subordinates, hold them under a tight rein, never permit them by orders injudiciously worded to stray from the paths of honesty into those of corruption, and thus render the name of the rulers of India alike loved, feared, and respected by the governed body,—with the considerable number of youths, who, wrapt in the pursuit of their own dissipated pleasures, neglect the welfare of thousands, we cannot help raising a sigh of regret, to think that such a body of men should, to so great an extent, have the exclusive privilege of superintending the Police business of so extensive and populous an empire.

The other evil we have noticed, or the removal of Magistrates from one district to another, it is, for the reasons already assigned, very difficult to root out. Although an evil, it is a necessary one. The promotion of a deserving person to superior office should not be barred on any account. It is, however, the duty of the Local Government to see, that, while this system of promotion is carried out fully and justly, due attention be also paid to the interests of the community by transferring an official from one district to another as seldom as possible. Whenever a change of this kind is not found to be urgently necessary, it should not be carried into effect. Whenever a Magistrate desires a removal himself, he ought to show strong reasons for the measure. The whims and caprices of an individual ought not to weigh against the welfare of thousands. The last report of the Superintendent of Police, informs us that in the district of Dinajpúr, the magisterial authority was changed seven times; seven times in twelve months! Could this be a measure of urgent necessity!

The next defect we have to refer to, is, the extent of country over which the jurisdiction of each Magistrate extends, and the extreme inequalities and irregularities in the division of the whole province of Bengal into districts and thanahs. A reference to the maps of Bengal, compiled by Mr. Tassin, from the records of the Surveyor General's office, will show at a glance the enormity of these two evils. By the disproportioned extent of his jurisdiction, not only is a Magistrate debarred from communication with the rural population of the country, a familiar intercourse with whom can alone lead to the successful detection of crime, but he is prevented from exercising that supervision over his subordinates, which is imperatively necessary to keep them in order and discipline. It is perhaps owing to this want of supervision that the corruption of the Darogah is in a great

measure to be ascribed. But this is the least of the evil. The inconvenience, to which the residents of the extreme quarters of the districts are liable, exceeds all belief. A plaintiff or witness is generally subjected to more trouble than a criminal, against whom an offence has been proved, would have to suffer in another country. In the most trivial case a witness is necessitated to undergo the labor of a journey to the station of the Magistate,—in many cases, says Mr. Ross, in his minute of the 22d May 1832, exceeding a distance of 100 miles,—to submit to the harassment of a daily attendance in the Magistrate's Court, for weeks together, and to suffer all the distress occasioned by a long absence from his home and occupations.* So severely are these hardships felt that a person seldom voluntarily submits to them. To procure the attendance of a prosecutor and witness, it is therefore usual in the Mofussil to seize and send them to the Magistrate's Kacheri under change of Bukándazes, and while there to keep them under restraint, and sometimes in confinement, with the pretext of accommodating them with lodgings. Fully sensible of the evils of such a system, the Police Committee reported to Government the expediency of appointing an additional number of Assistant Magistrates, with separate jurisdictions, so that the number of Thanahs in charge of each officer should in no case exceed four.

"Taking the number of Thanahs," says the report, "at 444, (which if not the exact number now under the Superintendent of the Police, is sufficiently correct for the purpose of an estimate,) and reserving four Thanahs for the special superintendence of each Magistrate of the 32 districts, with which we have at present to deal, and a like number for each of the Assistant Magistrates, there would not be more than 79 of the latter officers, who, if the plan succeeds, might be divided into three grades as follows:—

5	on	600 Rs.	per month.
10	„	400 „	„
64	„	300 „	„

making an annual expense of Rs. 3,14,400, to which must be added for establishment 80 Rs. each per mensem Rs. 75,840—giving a total expense amounting to Co.'s Rs. 3,89,748."

* Since the above was written, we have been happy to learn, that the detention of witnesses has been in a great measure, if not wholly, obviated by the late orders of the Nizámat Adálat. A regular diary is now kept in every Judicial Court, and each officer is required to state how many days each witness or plaintiff was in attendance. We could name, on the instant, some half dozen Zillahs, where, in the course of a month, the aggregate of witnesses dismissed, *on the very day they arrived*, from the Courts of the Magistrate, Joint Magistrate, Assistant or Deputy, and Maulavi exceeds 700, 800 and even 1000.

We are sorry to perceive, however, that this enlightened view of the subject has been but partially carried out. Exclusive of the decrease of salaries which we have already noticed as a most hurtful measure, propositions have been adopted, from the same parsimonious motives, by Government, which will materially detract from the good which the Police Committee's system would have been capable of producing. Among these we may most prominently mention the appointment of only one Deputy Magistrate in some of the zillahs, and none in others. A zillah, on an average calculation, we suppose, contains about fourteen Thanahs. The appointment of a single Deputy Magistrate therefore can by no means add much efficiency to the Department. Instead of being placed in charge of four Thanahs, as recommended by the Committee, he will have to superintend seven. He will be burdened with the same duties as his superior,—have to perform almost an equally overwhelming quantity of work—to rule over an almost equally enormous extent of land—to combat with the same disadvantages;—and his efforts to check corruption, or bring to light crimes committed by wealthy individuals, for which *hush* money has been paid, will consequently be equally imbecile. The non-appointment of Deputy Magistrates, in some districts, scarcely needs any remark. It is practically a continuance of the old system which has been so fruitful of evil. The opinions of Magistrates as to the advisability of appointing assistants in their respective districts need not be taken. We understand some of them consider it derogatory to their characters to say they are in want of assistants. They think they are very well able to perform their duties without help. To afford them the assistance of uncovenanted deputies, is, in their opinion, to pass a silent censure upon them. Their answers to the Government Circular, enquiring whether any Deputy Magistrates were wanted, must, we are afraid, have been dictated in some cases, not so much by a sincere wish to benefit thousands of people, or to save unnecessary expenditure, as by a not very unnatural wish to magnify, in the eyes of their superiors, their own capability of discharging all the functions of the magisterial office without supplementary aid. The Government should, if such be the real state of the case, take upon itself the sole responsibility of appointing Deputy Magistrates. The full complement should be immediately appointed: and every officer, selected after due trial, not only of his capabilities of expounding a knotty passage from Bacon and Milton, or a subtle theorem from Euclid and Bonycastle, but of be-striding a horse, firing a gun, and quelling a tumult, should without delay be placed in charge of four Thanahs.

But it would be almost useless to appoint the full number of Deputy Magistrates, if no measures were at the same time taken to equalise the jurisdiction of the Thanahs, and to remove the stations of Magistrates into the hearts of districts. Mr. Adam's letter to Mr. Mangles, published among the proceedings of the Police Committee, informs us that the present division of a district into Thanahs is most capricious and unsystematical. He states that, in the Behar district, one Thanah contains upwards of 2000 Mouzahs, another less than 500; and in Tirhút, one Thanah has upwards of 1000 Mouzas, and another, less than 200. The distance between the extreme and opposite points in a Thanah is probably often not more than twenty miles, perhaps sometimes less. In the Bhanwara Thanah, the distance from the Thanah station in one direction only, viz. to the northeast, is stated by the Thanadar to be twenty-coss or forty-four miles, with the ordinary distance in the opposite direction. These inequalities are sought to be rectified by the formation of Sub-Thanahs called Farries,—but the sub-divisions are generally introduced with equal or even still more arbitrariness. In Rajshahi, there are three Farries: and in Tirhút, fifteen. The practised eye of Mr. Adam discerned also the injudicious positions of some of the Magisterial stations. Rampúr Bauleah, in zillah Rajshahi, Arrah in zillah Shahabad, Chuprah in zillah Sarun, Berhampore in zillah Múrshedabad, Krishnagur in zillah Nuddea, Pabna in the zillah of the same name, are respectively situated in the extreme boundaries of the several districts; and although they are more or less conveniently located on the great line of water communication between Calcutta and the Western Provinces, yet, with reference to the internal administration of each district it must be confessed they cannot be very convenient to the people. Being generally more healthy localities than the interior portions of the districts, and situated on the banks of large rivers, they are preferred by the public officers themselves. Nor can any blame attach itself to them for consulting their own personal welfare, if they are permitted to do so. The blame, if any there be, is manifestly the exclusive property of Government, whose duty it is to remove the stations to more centrical parts of the zillahs without delay, and to insist that the Public service exists for the benefit of the country, not the country for the benefit of the Public service.

We now come to one of the most important evils of our system; we mean the employment of village Chowkidars in subordination to village communities instead of Magistrates. Mr. Halliday's remarks in his minute, already more than once alluded to, are "so sound in principle, so systematic in plan, and

so complete in detail" that it would be worse than useless to attempt to say any thing new on the subject. His experience in Police matters, his talents and good sense, and thorough knowledge of the native character,—qualifications which have endeared him to the inhabitants of the several zillahs, in which he served, and which make his memory, even at this distance of time after so many changes since his removal from the former spheres of his usefulness and promotion to higher office, still cherished with veneration amongst them,—compel us to bow before his superior judgment. Without endeavouring, therefore,

> To gild refined gold,
> Or paint the lily,
> Or add new colours to the rainbow,

we will lay before our readers his sentiments, in as much of his own well-formed style as the brevity of this article can well admit.

The present Police establishment under Mr. Superintendent Dampier consists, we believe, of the following:—

Darogahs	...	...	444
Moburrirs	...	...	473
Jamadars	...	...	580
Burkundazes	...	...	6,699

or 8,196 men, at an annual charge of Rupees six lakhs and twenty-three thousand six hundred and twenty-nine, for an area of 119,013 square miles and a population amounting to 31,200,000,—being one Police officer to every fifteen square miles and 3,900 inhabitants. Comparing this with the Police force of Ireland, which is one to about 875 inhabitants, or to the Police force of London, which is one to about 363 inhabitants, we are struck with the numerical deficiency of our establishments.

But before we proceed to accuse the Government of inattention or parsimony for this disparative ratio of officers and inhabitants, we ought to remember that besides this systematic and organised complement, there is a heterogeneous and disorganised mass of men, who only require to be reduced to a system, and regularly remunerated to become expert and useful. These are the Chowkidars who theoretically are appointed, paid, removed and controlled by the village communities, subject, at the same time, to an incompatible control by the Magistrates, and practically are controlled sometimes by Thanah officers, oftener by villagers, and frequently by the Zemindar's Naib or local agent. By position, function and numerical force, the Chowkidars form by far the most important branch

of the Police. There is no means of accurately calculating their number, but a statement supplied to the Superintendent of Police for 27 districts, and which is evidently an understatement, gives it at 142,798, which, estimating the remaining five districts at the same ratio, would make the whole force 169,243 men. Although it is evident that the real number of Chowkidars in these districts is much greater and in fact not at all short of 200,000 men, yet assuming the Superintendent of Police's estimate to be correct, and taking the pay or receipts of each Chowkidar at no more than three Rupees per mensem, we have a force of 169,243 men, at an annual cost to the country of rupees 60,92,748.

But numerous as these officers are,—for all practical purposes of Police they are, by the anomaly of their position, absolutely useless. They are, as it were, a class of Police officers by themselves, connected by no effectual link with the rest of the system, and having no inter-community amongst themselves. The chain of subordination, which subsisted from the Superintendent of Police through the Magistrate to the Thanah Burkundazes, is broken when it reaches them, and it is broken just where the true interests of Police require the most complete unity. The interposition of independent village authorities, acting under no control and professedly incompetent to perform the duties they are entrusted with, between the Chowkidars and Magistrates, not only renders the former useless, but subverts the organisation and efficiency of the whole system.

There are two distinct kinds of Police; the one, rude and primitive, but under peculiar circumstances not wholly ineffective; the other, polished and perfect, the result of civilization and security, and increased facility of intercommunication;—the one is the system of dispersion; the other, of centralisation Whether in any given country the one system or the other be for the time most expedient, may fairly be a question for consideration, but in no country can they beneficially exist together. We may choose to support dispersion, or to introduce centralisation, but dispersion modified by centralisation appears to be a contradiction in terms. This, however, seems precisely to be the practice of our present system. Eight thousand Police officers are 'exalted' and 'encouraged' and 'disciplined' and 'centralised' and 'consolidated,' while 170,000 are dispersed about the country under no practical control but that of irresponsible and ignorant communities, of whom they are by turns the petty tyrants and slaves;—thieves by caste, habit and connections, totally disconnected from the general system of Police,—unorganised, ill paid, and often not paid at all, depraved, degraded, worse than useless. No wonder therefore if all our improvements in the petty minority of eight thousand should prove futile in eradicating evils, while the immense majority of our instruments are abandoned to another and an antagonist system.

Those who advocate the village Chowkidari system do not thoroughly understand the importance of the subject.—It amounts not to making over to village management, a small and unimportant part of our police, but to resigning almost the entire department. It is a measure by which not only a large force is frittered away in detached portions and rendered generally useless,—but the virtue inherent to the whole system is suspended, if not destroyed. To reflective minds the question is plain enough. Either the village communities are competent to manage a hundred and seventy thousand Police men, or they are not. If they are competent they should forthwith be vested with the management of the remaining 8,000 men. If they are not competent they should have the management of none. But in neither case is there occasion to vest them with authority over a portion of the force, while the remainder is left to other management and control.

The direct management of executive details by communities has always, even under the most favorable circumstances, failed of success. In such a country as India, it is morally certain to fail. If any individual had now a sum of sixty lakhs of rupees, annually placed at his disposal by the Government for any executive purpose, would he consent to commit its administration to village communities, and, what is more to our purpose, to Indian village communities? If, again, he had for forty-nine years allowed this vast sum to be mal-administered by village communities to the public detriment, would he, after consideration and retrospection, continue to permit such mal-administration? Would he authorise it? And applaud it? And perpetuate it? Certainly he would do no such thing. Yet this is precisely what is now done by the Government. Sixty lakhs of rupees are in their hands to be administered for the public good; those sixty lakhs have been annually mal-administered by village communities for the last forty-nine years to the public mischief. Ought not a thorough reform then immediately to be introduced? There can, we think, be but one reply.

To obviate these difficulties it would be necessary to abolish the present Chowkidari system altogether, and to appoint an additional number of Burkundazes. If the Thanahs were doubled, and about seventy-five Burkundazes attached to each,

our police establishments,—besides the Superintendent General, his local or assistant Superintendents, who would be vested with all but the judicial powers of the present Magistrate, and their deputies,—would cost as follows:—

444	Darogahs to be called Inspectors, ... at 150 pr.mensem, including all charges		7,99,200
444	Ditto ditto ditto ..... at	100 ditto	5,32,800
888	Sub-inspectors ..... at	25 ditto	2,66,400
4,440	Jamadars, being 5 to each Sub-inspector at	10 ditto	5,28,200
66,600	Burkundazes ..... at	5 ditto	43,82,000
			65,08,600

To provide for this expenditure we have the following resources:—

Present cost of Thanah establishments	6,23,629
Proceeds of a police commutation tax, which the people will have to pay in lieu of wages to Chowkidars, being at the rate of 3 Rs. per mensem for every Chowkidar whom the Zemindars or villagers entertain, or ought by law or custom to keep up for an estimated number of 1,69,243 Chowkidars in 32 districts	60,92,848
	67,16,477

Such a police force, which would be in the ratio of one to every 413 inhabitants (that of Ireland being as one to 875), would, from its composition and graduated organisation, be capable of complete control; and would, at all times and under all circumstances, be entirely in subordination to its head, the Superintendent General. The mode in which the great body of police would be employed or distributed, would of course vary as the circumstances of the several districts might suggest, or the growing experience of the heads of the system dictate. Generally, however, we should suppose that the local Superintendent of each district would station at its head quarters a portion of his constabulary force, keep it according to rules to be provided, under a certain loose or semi-military discipline, and from time to time so relieve from it the different Thanahs, as to cause the whole body to pass, periodically, under his own inspection and personal command. At the Thanahs a similar system would be pursued, and four out of the five Jamadars with a complement of Burkundazes, would no doubt be stationed by regular relief in different sub-divisions of the Thanah jurisdictions, from whence again, it would probably be found expedient to station, by similar relief, two or more Burkundazes, in different towns and villages. These Burkundazes would, either on the complaints of individuals or on their own knowledge of the occurrence of crimes, transmit intelligence to their Jamadars, and through them to the inspector, and upwards to the local Superintendent. We

would not place, as is now too frequently done, any single Burkundaz in a village, nor would we permit two or three to remain attached to one, for more than a month. It has latterly been the practice in several districts to place one Thanah Burkundaz in a village for years. The distance of the Thanah and the necessary want of effectual assistance in cases of emergency, was the origin of this measure, and the unhappiness and misery of the people have been the result. Isolated from his brethren and superiors, and surrounded with temptations, the Burkundaz, deputed from the Thanah, is in reality a Darogah in his small way, and accumulates in a short time immense wealth. Sent to protect the rights of the community he never hesitates to be the first to infringe them. Threats of prosecution in the Magistrate's Court, or what is almost equally dreaded, of *chellown* as a witness to the Sudar station,—slaps administered in a corner, and occasionally a day's confinement, are his means of extortion. Ignorant, illiterate, cowardly, the populace patiently submit to his tyranny. Conceiving his authority absolute they never attempt to resist him. His orders are obeyed with as much willingness and alacrity as if he were king. Articles of diet are usually supplied to him gratis. The first fruits of the season, the best rice in the bazar, the best clothes in the village are his by right. Even the Brahman, the hereditary priest of the country, arrayed in all the terrors which superstition can inspire, falls in the estimation of the vulgar when compared with the independent Thanah Burkundazes. The thunders of excommunication, the terrors of a future hell, are less imposing than the stripes of the rattan, and the horrors of confinement. The amount of mischief done by these unsupervised Burkundazes, has indeed been enormous; but a regular system of relief, and a strict adherence to the rule of never permitting one officer to be placed in a village, will neutralise many of the evil effects, and make Mr. Halliday's system, when carried out, a blessing to the country.

From a revision of the Chowkidari system, and the land Police, we come by a natural and easy step to a revision of the river Police, which, according to the statements furnished by the Superintendent of Police, appears to be very unequally distributed. Some districts, largely intersected or bordered for a considerable distance by rivers, have guard boats; others, equally in want of them, have none; and of those that have boats; the allotment seems to proceed upon no settled or reasonable system. It would be unnecessary to point out the several districts, in which guard boats are most needed, but to which none or only

a very few are attached. A reference to Mr. Halliday's minute will fully satisfy the curious reader on this subject. We have already borrowed so largely from his statements, that we almost hesitate to borrow more. His remarks on the best means of effecting a reform in this department are, however, so judicious, that we cannot help calling him once again to our assistance.

To the protection of river communications, he observes, the same principles should be applied as have succeeded on roads. If a land patrol is established on an extensive line, it is found necessary to divide the road into sections over each of which a head officer is placed with an adequate number of Policemen: these last, under the orders of their superior, keep patroling their own section in both directions from their head quarters, which is the centre of the sections, and at either extremity of their beats, they come into communication with the next parties of Police, belonging to the two neighbouring sections on the right and left of the line.

The application, he continues, of this system to rivers is obvious. Each squadron of Police should consist of five boats, of which one should be fitted for the accommodation of the inspector, and the others may be the usual kind of *panshis* now employed as guard boats. The four guard boats should be constantly cruising, two on either side of the centre, and while one boat is passing towards the extremity, the other should be, at the same time retiring from the extremity of the section towards head quarters.

The cost and establishment of each Section should be estimated thus:—

Manji	7		
10 Dandis	50		
1 Jamadar	10		
4 Burkundazes	24		
	91		
Multiply by number of boats	5		
	455		
Add one inspector to each squadron with the establishment	120		
		575 × 12 =	6,900
Add interest at 6 per cent. on cost of boats, the panshis being valued at 200 Rs. each and the inspector's boat at 300 Rupees, and wear and tear and repairs at 13 per cent.			209
Each squadron per annum			7,109

Taking the main lines of river communication, and stationing one squadron to about every fifty miles instead of a hundred, as

proposed by Mr. Halliday, the distribution of the river Police would be nearly as follows:—

Lines of Communication.	*Round number of Miles.*	*Number of Squadrons.*	*Annual expense.*
From Calcutta viâ Múrshedabad and Súti to Buxar	600	12	85,308
From the junction of the Súti and the Ganges, south eastward to the extremity of the Furrídpúr district on the Pudma	200	4	28,436
From Surdah down the Bureal to Dacca, viâ Naraingunge, across the Megna to Daúd Khundi, in Tipperah	200	4	28,436
From Tarda, on the east of the Salt Water Lake, viâ Súnderbuns to Kúlna, Burrisal, and the mouth of the Megna	250	5	35,545
From Kúlna to the Pudma, viâ Kúmercolly	75	1	7,109
From Burrisal to Dacca	125	2	14,218
From Dacca to Mymensing, and the frontier of Assam	200	4	23,436
From the junction of the Húgly and Matabangah to Pubna	190	2	14,218
From Pubna viâ the Issamutti and Húra Sagur to Dacca	120	2	14,218
From Daúd Khundi on the Megna to Noacolly	100	2	14,218
From Noacolly, viâ Hattea, and Sundip to Chittagong, including the Noacolly islands	100	2	14,218
From Nuddea on the Bhagirati, viâ the Jellinghi to the Pudma opposite Surdah	100	2	14,218
From Hastings' bridge to Kedgeri	65	2	14,218
Total	2,235	44	3,12,796
Deduct present expense			39,591
Remains additional expense			2,73,205

This, for the efficient protection of upwards of 2,000 miles of river navigation, must be considered a very reasonable expenditure.

The squadrons, of which there are altogether forty-four, must be attached according to location to different districts, to the local superintendents of which, they would report and be subordinate; and the whole force would of course be responsi-

ble, through the local superintendents, to the Superintendent General of Police. It is by no means necessary to appoint a local judge to every section to try cases. The district Judges should perform that part of the business. When the station is a long way off, however, from the head quarters of the guard boats, and trivial cases accumulate together, in immense numbers, such a measure might be introduced.

The continuity of the proposed system will still be imperfect, and as Mr. Halliday has justly remarked, one important branch of our subject left without amendment, unless a change be made in the Police of Military Cantonments, and the Police of Calcutta be declared subordinate to the Superintendent General of Police. The latter may as easily be done as thought of, and to effect the former it will only be necessary to extend the general system of the country to military cantonments, by stationing a local judge to adjudicate to a certain extent all cases, and an assistant Superintendent or Inspector with an adequate force of Police. The services of officers of the regiments quartered, should usually be preferred to those of other people; and when not disqualified the commanding officer, or his deputy, might be the judge, and one of the junior officers the inspector. Should this be found impracticable, one of the military officers ought to be vested with the powers of judge, and another with the powers of inspector, that they may co-operate with those deputed by Government in such capacities, whenever, necessary,—their decision being of course subject to the same appeal. This, however, is unnecessary, should the Government Judges and Inspectors prefer being left alone. *

Our list of the great evils in the existing system of administering criminal justice in Bengal might be thought incomplete were we to omit noticing the state of the jails,—a subject, which, for the last sixty years, has been considered of paramount interest in Europe, and has engaged the attention of the greatest statesmen and philosophers in France, England, Germany and America. It is, however, so extensive, both as regards the principles to be applied to it, and the varied resulting details, that we must purposely reserve it for ample discussion in a subsequent number.

We have now gone through all the principal points connected with the administration of criminal justice, in which it appears to us that the existing system most urgently requires amendment. There remain, however, a few secondary matters, relating less perhaps to principle than practice, which deserve serious attention.

The first point, is, the voluminousness of both Magistrate's and Darogah's proceedings,—an evil which was noticed at considerable length in the report of the Police Committee.

From the orders passed by Government and the Nizámat Adálat, since the publication of that report, it appears that latterly this inconvenience has been, in some measure, remedied,—at least as far as regards the records of the superior officer. Formerly it was the practice to swell the final *Rúbakári* of the Magistrate, and often even the intermediate proceedings, with a recapitulation of all the evidence, although the original depositions were inserted amongst the other papers. This was a needless measure involving great waste of money and labor, and at the same time, affording the Amlahs opportunities of distorting and mis-stating the evidence, in order to magnify to the parties, their own influence and importance. At present the practice is to insert in the Rúbakári, a list of the witnesses, with short summaries of the depositions given by each,—a statement of the grounds of the verdict, and the verdict itself. Although this process is not in strict conformity to the written opinion of the committee, which declares, that the Rúbakári should contain only the final order or sentence in the case, and the reasoning on which it is founded; it is very far superior to the old plan, and has been the means of effecting an enormous saving of ill-employed time and labor. In whatever light it is taken, this improvement has been decidedly beneficial.

The Thanah proceedings, however, are still as unwieldy as of old, and are, therefore, susceptible of much simplification and improvement. The present practice, in this respect, is as follows:—On the receipt of any information regarding crime, the Darogah takes down, in writing, the deposition of his informant, and forwards a copy of the same to the Magistrate, with due notice of his intention to proceed in person, or of deputing one of his subordinates, to the place of the occurrence, for the purpose of local investigation, together with every other step he is likely to take, thoroughly to sift into the matter. After the completion of his enquiry the investigating officer forwards a *súrothal* or statement, with or without prisoners as the case may be. This document, which has been justly described as a uselessly voluminous compilation in the native language, contains the deposition of all those persons, connected or unconnected with the case, whom the Police officer chooses to examine, the examinations of the prosecutors and accused parties, an account of the Police officer's own proceedings during the investigation, and a summary of his opinion on the charge preferred, as to the guilt or innocence of the accused.

It is generally accompanied by the original depositions of the parties, the original written orders issued by the Police officer upon his subordinates, with their *Kyfiuts* or returns, and an abstract of the whole. It is evident, says the report of the Police Committee, that no such bulky account was intended by the Framers of Regulation 20 of 1817, vide Section 13, Clause 2. But in the hands of an unskilful Mohurrir a Thanah proceeding always becomes what is above described. The *Súrothal*, even when faithful to facts, is useless, as no attention is ever paid to it by the Magistrate. Theoretically it is intended to assist the Magistrate's Amlahs, by furnishing them with the Thanah depositions, and thus directing them to frame their questions to each respective witness. In reality, it is drawn up by the Darogah to suit his own private purposes, and represents the case, "not as it has occurred, but as he is desirous it should appear. The depositions and examinations are written studiously with a view to support the opinion which he desires should be adopted by the Magistrate, and can never be relied on as a trustworthy representation of facts." One member of the Police committee recollected having received, through an oversight, two *Súrothals* in one day,—two different versions of the same story, and from the same officer. The depositions in one, were so framed as to make it appear, that a certain party was guilty of the crime with which he was charged, and those of the other, that he was not guilty. Both these must have been written to extort money, and would have been sold either to the plaintiff, or defendant, according to the price each would have offered, for a favorable report to the Magistrate.

"Though such signal detections," continues the report, "can occur but rarely, yet every Magistrate is well aware, that little or no dependence is to be reposed on *Súrothals*, and they are treated accordingly; while, therefore, they are of little or no use in promoting the elucidation of truth, they furnish excuses for delay and waste of time, in completing investigations, which is turned to account, in fabricating false evidence, in tampering with prosecutors and witnesses, and in extorting money."

The Police committee, in order to obviate these inconveniences, proposed the discontinuance of *Súrothals*, and the adoption of a system somewhat like that in use at Calcutta. They stated, that the Darogah or other Police officer, should make summary enquiry without recording depositions; and, at the conclusion, should merely send in the prosecutor, witnesses and prisoners, (if the case in his judgment, should require further investigation) with a brief summary of the charge,

and a list of the persons forwarded; or a similar list of the parties examined (if the case should, in his opinion, be unsubstantiated) and a statement showing the reasons as concisely as possible, for which he had thought fit to release the accused on bail, or on recognizance. In the latter case the prosecutor, if he deemed himself wronged, might of course apply to the Magistrate, for a trial of the charge. But the power of thus primarily releasing, was, in the judgment of the Committee, to be restricted to misdemeanours,—and not extended to felonies and larcenies. Notwithstanding these wise suggestions from an influential quarter, the Thanah proceedings are still as bulky as formerly. Government, with its usual apathy, has neglected their improvement. No steps have been taken to make them short and pithy. Circumstances, which if properly worded, would scarcely occupy a page, are still made to occupy half a dozen. The consequence is, that Magistrates seldom take the trouble to go carefully through a Darogah's report. As lumbering, heavy, useless, waste papers they are just glanced at, and then thrown away to rot in the *Sherista*.

The second point we have to notice, is, the mode of taking down depositions. A Mohurrir, receiving a salary of ten or twelve Rupees per month, generally takes down the depositions of all witnesses, and examines all prosecutors and defendants. His movements are not subjected to very strict supervision. He proceeds with his work, while the Magistrate is attending to other duties. He is without control. He writes down "*no*," when the witness says "*yes*," and "*yes*," when the witness says "*no*," as often as it suits his purpose. He is invariably leagued with one party or other. If he is against the prosecutor, he does not arrange the plaint in a proper way, but makes out a confused account, with as many contradictions as he can conveniently introduce;—if he is for the plaintiff, he makes the plaint a master piece of eloquence, squeezes in every possible argument, words it classically, and places, in strong lights, all those points, which he from experience knows, will *tell* with his superior. He arranges the defence and the evidence on the same principle. From a long and successful practice of villainy, he becomes callous to vice, and indifferent to his reputation. In the presence of other people he often changes sides. When the party, whose destruction he had been machinating, winks his eye and hints at a greater reward, he commences undoing all that he had previously done, and re-distorting evidence, which had been already distorted. He sometimes abandons his desk with a plausible pretence, goes out, settles terms, comes to an understanding, and consults his favorite múktear as to the best means of carrying

into effect his evil designs. He directs witnesses for the party with whom he is leagued what to answer, when cross-examined by the Magistrate, and endeavours to mislead the other party's people. He is frequently successful, and seldom exposed.

When the case is brought before the Magistrate, the head native officer sings out the depositions with great volubility. The witness, who is terrified at the solemnity of the scene, and is surrounded by officials, who often treat him with great indignity, does not understand a word of what is read. He is dumb-foundered, and looks on with a vacant stare. As soon as the Sheristadar stops, the Magistrate enquires, whether that is all he knew, and said:—"*Oye*," yes, he grunts forth, with a puzzled look, which the pen of a Cruikshank can alone fully do justice to;—"Oye," scratching his head with a most rueful countenance. "*Atcha*," very well, says the Magistrate,—"take him away, call in the next witness,"—and the fellow is hauled out of the room. Sometimes, however, the witness is more clever; and then the picture becomes somewhat different. If he understands the court jargon his first impulse is to contradict the Sheristadar. "Stop," he says,—"I did not say that." Should the Magistrate have a great quantity of work to get through, he pays no attention to this remonstrance. "You did, you bl———d, come speak the truth, and don't let me be bothered with your lies; I will send you to prison if you give me unnecessary trouble,"—are the words which he involuntarily utters, and the witness is silenced. But if the Magistrate has leisure, and does attend to the remonstrance, which is now and then the case, he may possibly think the witness a liar, and not the Mohurrir, who he knows from official records, has been serving in the department for the last forty years or so, with a most exemplary character. He compares the former statement of the witness with the latter, and concludes, that at first he told the truth, but that subsequently when he perceived that his friends would be injured, he substituted for it a lie. The greater the difference of the two statements, the more is this opinion confirmed. Thus the witness is injured, and the suit unjustly decided,—notwithstanding the uprightness of the Magistrate and his efforts to do justice.

We may safely assert, that in eight cases out of ten, decided in every Magistrate's court, a douceur is paid to the Mohurrir that takes down depositions. It does not necessarily follow from this, that in ten cases, eight are wrongly adjudicated. The money is frequently paid by the party who is in the right, because every body knows that no person, however good his cause, can successfully terminate a law suit without such a bribe. Even if the

Magistrate should suspect the roguery, and decide against the inclinations and advice of his subordinate, the chances are that his decision will be reversed. An appeal to the Session Judge, by the party who has paid the bribe, will compel the Magistrate to send up the papers of the case to that officer,—and as the latter has no means of judging of its merits, but by the documents submitted, and as those documents are expressly prepared to favor the party appealing, the decision is generally for him. A new Magistrate, whose eyes have not been blinded to the real state of affairs by long habit, perceives at a glance on his installation into office, all these evils, and endeavours to reform them. If active and firm-minded, he takes down the depositions invariably before him, or institutes such a cross examination in every case, as to elicit, in the end, the truth from all the witnesses.—But if weak and inefficient, he remains satisfied with the excuse, usually offered by the Native Amlah on such occasions. He is told, that he will never get through the whole of his work if he takes down all the depositions, before him,—that four or five Mohurrirs take down depositions, of as many different suits, while he himself is busily employed in other matters, and that, notwithstanding this, arrears accumulate. He is frightened with extravagant stories, and believes in the impossibility of achieving so hopeless a task, as that of doing every thing in his own presence. He fancies to himself, huge piles of business—drudgery from sun-rise to sun-set,—and yet no end, no respite, constant wiggings from the Sudar, the Superintendent of Police, and the Government, sleepless nights—dissatisfied Amlahs;—he reverses the picture and imagines, all business brought up,—kacheri from twelve o'clock to three,—laudatory letters from all his superiors,—pleasant nights, satisfied Amlahs;—and he determines to let things remain as they have hitherto been. He forgets the old proverb—more haste, less speed. He does not know that the surest, the easiest, and the quickest way is to take in case after case, examine witness after witness, calmly, patiently, dispassionately, to ask necessary questions *only*, and to cross-examine in such a manner as to bring out the truth. He underrates his own powers. He supposes that two or three illiterate, ignorant and dishonest natives are capable of doing that in an hour, which he, if left to himself, cannot do in the same space of time. How foolish this idea is, how utterly ridiculous, every body will bear testimony to, who has seen a Mofusil record. The depositions are written in such a round about, circumlocutory manner, with so many extraneous circumstances, totally unconnected with the case, inserted, with so much that would have been better left out,

—that they cannot fail to excite the risible faculties of the gravest man.

The best plan to check these evils is not, as a stranger would suppose, to strike a wholesome terror by making examples of the notoriously bad Mohurrirs, because it is impossible to prove any Mohurrir guilty;—and "a thief must be caught before he can be hanged." Both he and the bribe-giver will stoutly deny the fact,—and as money is generally offered in extreme privacy, no witnesses are likely to be capable of establishing the truth. But even if there were witnesses, few of them would come forward to give evidence. Those who compose native society, are opposed to the exposure of such evils.

The best way, is, to deprive the Mohurrirs of their powers; to make it a rule never to take down depositions in the presence of any but the Magistrate. There is no danger whatsoever of work falling into arrears by the adoption of such a measure. The experiment has been successfully tried.

The third point, is, the practice which prevailed, and even now prevails to some extent, of judging of the efficiency of Magistrates, and the state of districts, from the proportion between acquittals and convictions.

The evils of this practice are, first, that it is not a proper test or criterion; for instance, in cases of serious disturbance, and boundary disputes between Zemindars, it may be necessary to apprehend a great many persons to prevent violent breaches of the peace, and to release them after an amicable settlement between the parties. To blame a Magistrate for few convictions is just as proper as blaming him for the unhealthiness of his district. He has as much control over the one as over the other. Second, that it exerts a bad influence over the state of the Police. A Magistrate has now to consider whether conviction is likely to follow, before he orders the apprehension of an offender. "In cases of dakoity," says Mr. Wilkinson, "a dakoit may confess and name twenty others, all these men should be apprehended with a view to ascertain whether evidence may not be procured for their conviction," and yet the Magistrate under the present circumstances is afraid to apprehend them. He may be blamed if they are eventually released. Third, that it is the means of injuring innocent prosecutors. A Magistrate, who is desirous of ingratiating himself with his superiors, is naturally anxious to adopt those measures which please them most. He finds that their good opinion is regulated by the number of convictions, and therefore determines to convict some person or other in every case. If the charge against the prisoners is not legally proved,—he convicts the prosecutors of false complaint. And

lastly that it in some degree biasses the Magistrate's judgment. Every officer has a natural inclination to convict those whom he has himself apprehended, and if any unfavorable inferences were to be drawn by higher authorities, from the proportion between convictions and acquittals, this inclination would be deepened, and persons against whom offences have not been clearly established, would be subjected to punishment.

We are far from thinking lightly of the inconveniences, resulting from indiscriminate apprehension of offenders, and fully appreciate the necessity and propriety of conforming strictly to the letter of the law, and exercising a sound discretion in that particular. But the benefits arising from the present practice, are outborne by the evils. The adoption of the criterion of judging of a district and its Magistrate, by the proportion between convictions and acquittals, has led to the infliction of greater injustice than that which it was humanely intended to prevent. These points were noticed in all their bearings in the report submitted by the Police committee. "It is difficult to comprehend," says the report,—"how the proportion between convictions and acquittals in petty complaints can form any just criterion of the state of a district, or the ability of a Magistrate, and we think that it would be better to specify all such cases in a distinct column, the proportion being restricted merely to the number of apprehensions and convictions. We would suggest likewise, with reference to the petty complaints above mentioned, whether the rule alluded to by Mr. Wilkinson, of first sending for the witnesses before the attendance of the defendant is required, may not in the generality of cases, lead to far greater abuses, and be a source of far greater molestation to unoffending individuals, than the course of procedure which has been superseded by it."

The fourth point, is, the treatment of native *Budmashes* or bad characters. Formerly it was the practice in every district where crime was very prevalent, to confine discharged convicts in dark nights favorable to the perpetration of offences either at the Thanah, or in distant places at the watch houses of village chowkidars. At every large Thanah fifteen or twenty, and at every watch house two or three wretches, were huddled together in this manner. The most unlimited powers were thus placed in the hands of the Darogah, who might confine and set free, whomsoever he liked without any check or control. The worst of the whole was, that he received his power not by any Regulation or statute for the purpose, not from the Government or the Nizámat Adálat, but from the Magistrates themselves. To what abuses this unjust latitude of authority was liable

it is not necessary to point out. Even now, when the Darogahs are merely head chowkidars without any substantial authority, they are noted for their rapacity and tyranny,—what they were, when they had real authority, may therefore be well imagined. At the suggestion of the Police committee an enactment was passed, discountenancing in the most decided manner this system, and empowering Magistrates to imprison bad characters whenever they thought proper. This, although it was not tantamount to "leaping from the frying pan into the fire," was certainly no remedy for the evil. It was the substitution of a minor sore in the "political body" for a greater. In France or England, the idea of imprisoning a freed convict, merely because he was a bad character, and without satisfactory proofs of any overt offence committed by him would be scouted as preposterous. In no country is it recognised as a principle of Government. On the contrary it is an arbitrary violation of personal liberty which should, except under peculiar circumstances, be held sacred. It cannot be productive of any good; it may be the fertile source of much that is bad. It is expensive and unnecessary. A good Police will never require the aid of such an enactment. It matters little whether such a law represses or encourages crime. If it does repress crime, and Government were disposed to continue it on that account, we could point out something better to them. If the most effectual mode of repressing crime be that of hanging all the bad characters, it seems about as reasonable to hang people, as to imprison them, without proof of specific crime! But we are satisfied, that it does not repress, but does rather tend to increase crime. It breaks down all distinctions between honest men and thieves. It puts them on a level. The honest man has many chances of going into jail, if he quarrels with the Darogah, as the thief. The Darogah has but to report to the Magistrate, that his enemy is a bad character, and to send a few perjurers to prove that he does not stay at home at night, effectually to crush his spirit, to put him to jail as a felon, to blast his character, to make him a marked man for life, and to triumph as the victor. No man, therefore, who considers worldly welfare the only reward of honesty, has incentives to pursue the right path, and how few of the rural population of this country, think of a higher reward—a reward in heaven! How many consider worldly happiness and security,—their goal, their first and last aim!—It drives also the discharged thief to despair. He knows that he is not safe under any circumstances. He may resolve to become virtuous, honest, and industrious, and yet be put to jail at

the whim of the Darogah, or caprice of the Magistrate. When business flags, the most profound scrutiny is instituted into his actions. When the Police Officers have nothing else to do, they look after their old acquaintance. And, generally, they do contrive to find out some mote or speck, in his character. He was out one evening for a "lark," to see a friend in sickness, or to dine with one by invitation,—"impossible"—says the sagacious Thanah officer, shaking his head,—"he must have taken to his old prigging habits, he must have been out on a thieving excursion." His wife and children have got new trinkets on their persons,—they may be the thrifty savings of his drudging industry. "Where could he have got them?" says the Darogah,—"he must have stolen them, the bl————d." Forthwith he is handed up to the Magistrate, and what is worse, punished too! Thus, he feels that there is no safety in honesty, and rather than labor, and be virtuous, and go to jail, to mix with felons as depraved as those who inhabit his own dreaded *patal*,—he prefers to be lazy and vicious, and suffer the same punishment.

This summary power of confining native Budmashes appears doubly odious, when contrasted with the license allowed to European bad characters. An English Indigo Planter may have caused a dozen affrays, each attended with homicide, have escaped by some petty technicality of the law, and yet live in much more security and freedom, than the most honest native subject. The Supreme Court of Calcutta, never arbitrarily violates his liberty. He may do any thing he likes; no punishment will be inflicted on him unless an overt offence is laid to his charge, and satisfactorily established. His peculiar privileges, his influence with the authorities, place him entirely out of the control of the Darogah, who is frequently afraid even to watch his motions.

Thinking as we do, on this subject, we cannot hesitate to recommend the immediate abolition of the law regarding the punishment of native Budmashes.

The fifth point, is, the baneful influence exerted on the whole system, by the number of statements, which the Magistrate is required to furnish to his superiors. This evil has been already noticed at some length in an article headed—"The corruption of the Police," and published in the fifth number of this periodical. We are fully sensible that when these statements are rightly used, they are admirably calculated to answer the purpose for which they are intended. They tend to increase industry and efficiency, by exhibiting to those, who can inflict disgrace on the idle, and give praise to the diligent, the quantity of work performed

by each respective officer in a given time. But used as they are at present, they only promote inefficiency, idleness, and dishonesty. They are taken merely as proofs of neglect of duty,—and while great stress is laid upon their figured portions, none is laid on their explanatory. For instance, if a dakoity happens two days before the conclusion of a month, it is entered in the column of crimes; but the column of apprehensions and that of convictions are left blank. "Blank too become the faces of Magistrate and Judge and Superintendent of Police." None remember that to trace out the perpetrators of a well concerted dakoity, may require the labor of weeks, sometimes of months. Every body believes a screw is loose somewhere. Occasionally the highest officer taxes his immediate subordinate with laxity of discipline and idleness; and if the latter thinks himself just the reverse, as he frequently does, he launches the taunt at his inferior;—and thus it is handed down from grade to grade, till its "accumulated fury" reaches the head of the unfortunate Darogah, who generally receives a perwannah carefully to investigate the case, and to seize and send the delinquents to the Magistrate, in the course of a week, on penalty of dismissal from office, and imprisonment for neglect with labor in irons. If every effort on his part to discover the perpetrators proves unsuccessful, the Darogah naturally endeavours by subterfuge to seek his own safety. He casts his eyes around for suspicious characters, or those who are obnoxious to him, and contrives to weave around them such a mass of falsehood and fraud, as to make conviction certain. Threats and menaces usually induce the families robbed, to commit perjury, and to say before the Magistrate, that they recognised certain individuals on the night of the occurrence; the chowkidar of the village in which the persons charged with the offence reside, is commanded to say they were not at their house on the eventful night, but that he saw some of them in the morning, returning as if from a distance, worn and weary, with bundles under their arms: clothes of the most ordinary description from their houses are produced as the articles robbed,—and the whole thing is done. The Darogah is loaded with rewards and honours, and the innocent culprits are sentenced to imprisonment. All this injustice could be avoided by a most simple method. If, in the column of remarks, it were stated, that the dakoity occurred only two days before the statement was drawn out, and if greater attention were paid to the column of remarks than to the column of apprehensions, the highest officer would not abuse his subordinate, nor would the subordinate hand down the terms of reproach to those below him;

the Darogah would not be directed to apprehend the felons in a week, nor threatened with fine and dismissal. He would have more leisure for pursuing his operations,—and the result would be the apprehension of the right men. By paying more attention to the column of remarks,—in which every step taken for the apprehension of the offenders, should be inserted in brief,—not only will right-minded and industrious people be saved from abuse, but they who deserve reproach will receive their due. Success alone seems to be the criterion by which officers are now judged. It matters little if one exerts himself greatly. He will be charged, either with want of diligence, or want of talent, if he is unsuccessful in his efforts. On the other hand, if chance, or the exertions of his subordinates, should throw success in his way, although very lazy himself, he may yet obtain honors. This injustice in the distribution of praise and censure would no longer exist, if, as we have already said, due attention were paid to the remarks of the Magistrate. By an examination of the steps each officer takes to apprehend felons, his comparative discretion and industry would be placed in a proper light. A Magistrate would not be blamed simply because it might appear that many prisoners were under trial, either in jail, or on bail, at the end of a month, or year,—if he offered a full and satisfactory explanation of the reasons of delay. Nor would another be praised merely because his files were blank. He would have to adduce other evidence to prove that his duties had been performed, and that they were not blank for the sole purpose of obtaining praise.

The sixth point, is, the practice of convicting prisoners on their own confessions. If statistical returns were to be examined, we would find, that in England or France, scarcely four prisoners in a hundred, and in India more than seventy in the same number, are convicted on their own evidence. Had the Regulations in India countenanced, as they do in some of the German states, the extortion of confessions, by threats, promises, or cross-examination, this disparity of numbers would not be a matter of wonder. Had it been usual to examine witnesses, in the absence of the defendant, and then suddenly to confront him with them, face to face, in order to take the truth out of him by surprise;—had it been usual to place the corpse of a murdered man before his supposed murderer, to oblige the latter to place his hand upon the heart of the deceased, and to declare before God whether he was guilty or not of the crime with which he stood charged;—had it been usual to confine a man against whom no specific offence had been proved, for five, six, or seven years, in order to get time to hunt up evidence

unfavorable to his interests, to depress his spirits, to enervate his frame, and to wear out his patience, so that he might at last be induced to confess;—had it been usual to bring him, month after month, before the *untersuchungs richter* to be cross-examined in the most minute points;—had it been usual carefully to compare his former depositions with his latter, and to note all down, and remind him of every slight variation;—had it been usual to recapitulate again and again, what had already been urged by the witness, to establish his guilt, and to shame him out of his lie;—had it been usual to deceive him with promises or to frighten him with terrors;—had any or all of these modes been usual, confessions in any number would not excite much surprize. They would most probably be found to exceed seventy per cent., as we believe they do in the continental states already referred to. But in this land with few incentives to confess, with regulations which provide that any officer, intimidating or persuading, or using any other unjustifiable method, to induce a prisoner to declare his own offence, will be severely punished, it may well appear unaccountable, how there should be so large a proportion of self-confessions. To a stranger this difference will appear perfectly mysterious. "Are the Asiatics, luxurious, licentious, cowardly as they all are," such will be the course of his reflections, "superior to Europeans in the most christian virtue of repentance? Are their minds so delicately framed, as to be unable to bear the least infliction of conscience? Are they so truly devout, as to go and voluntarily confess their crimes, and suffer the highest punishments of the law, the moment they have committed any?"

We profess to be somewhat more behind the curtain than a mere stranger, and shall therefore endeavour to state a few plain facts. Notwithstanding the benevolent provisions of the law, the confessions of the Mofussil are sometimes, though now more rarely than before, extorted by force, or extracted *by promises of forgiveness.* Instances of voluntary confession are seldom to be met with. Some indeed are apt to confess through fear of maltreatment; some, by offers of large rewards; and others, with a view of drawing money from their relations and friends, who pay both them and the police, large bribes to conceal circumstances, which would, if revealed, entail disgrace upon them. But instances of these kinds are very rare. By far the majority of those who confess, are influenced by ill-treatment, or by promises of pardon. We do not mean to say, that the Magistrate ever maltreats, or insincerely offers pardon. On the contrary, he exemplarily punishes the Darogah, whenever that officer's real mode of pro-

cedure, comes to his knowledge. He signs the confession taken down before him, and honestly states, in the prescribed way, that to the best of his knowledge, it was voluntary, and induced neither by intimidation, nor persuasion. The only things he is generally to be blamed for, are, first, that he takes few steps to ascertain what measures the Darogah adopted in the Mofussil, to secure the conviction of the offenders; and second, that he does not weigh the reasons which should induce them to confess their crimes, in the manner such reasons should be weighed. If the prisoners say they want to confess what they have done, he does not hold a parley with them; he seldom asks them why they wish to do so; nor does he direct them to be careful and on their guard;—he takes down their confessions in writing at once. It saves him a good deal of trouble, and at the same time does not oblige him to speak an untruth. Although he never enquired whether they were maltreated or not, that is, in his opinion, no reason why he should not state the confessions, as far as his knowledge extends, to be voluntary;—particularly when the fellows themselves inform him, according to the instructions of the Darogah, that their declarations were made of their own free will, that neither intimidation nor persuasion had been used, and that they were not under the influence of liquor. He is therefore legally right, but morally wrong. It is true he admits nothing fictitious in his statement, but it is also true, that if his zeal in the good cause of punishing felons had permitted him thoroughly to investigate the whole matter, his verdict might have been different. He states the truth, but he does not *investigate* and state the *whole* truth. When we say this, we do not impute any thing but honorable motives to the Magistrates. Some of them adopt this idle course, because they place far too implicit confidence in the integrity of their Darogahs; others, because they conceive it useless to enquire into what the felons themselves admit to be voluntary; and others still, because they reckon the punishment of villains to be the primary aim and principal object of officers of their stamp, before which all other considerations of less vital importance must give way.

When a Darogah goes into the interior to apprehend felons, he sometimes takes with him two or three noted bad characters of the neighbourhood. By the offer of large rewards to these wretches, he induces them to endeavour to scent out the perpetrators of the crime, which is the immediate object of his inquiries. If his spies are successful, he singles out those who are suspected of the offence, takes them one by one into a room, and there, either commences a series of violent

assaults, or offers them pardon, in order to induce confession. He promises also rewards of money, and says to every fellow in his turn, that if he confesses and criminates the others he will not only be excused, but lauded to the skies, and blessed with a competence. He draws out two different pictures, and places them both at their disposal to select from. First, he speaks of confession, pardon, rewards, praise, happiness,—then, of obstinacy, silence, the jail, the lash, family disgraced—wife forced into the gaze of the public and maltreated—children in destitution, starving for food. No wonder if the deluded victim prefers the former to the latter!

If, however, his emissaries fail, he carves out a different line of conduct. Not being able to suspect any one, he selects some innocent person from the adjoining village, takes him into a solitary room, and there continues beating him till he roars for mercy,—and when he is thus in a fair way to accede to any conditions, he is told that the only way of avoiding flagellation, disgrace, and infamy, is to say before the Magistrate, that he and several others did commit the crime with which they stood charged. If he refuses, the flagellation is renewed with redoubled vigour, and kept up till his consent is obtained. But few, simple, untutored hearts can resist the temptation of choosing rewards and freedom, in preference to disgrace and punishment, although at the sacrifice of truth and honesty. Many, accordingly, at the very first offer, accede to the Darogah's terms. The result is, that one guiltless person accuses others equally innocent as himself, and, with the active co-operation of the Darogah, who weaves around all a dense tissue of circumstantial falsehood, gets himself, as well as his victims sent to jail.*

That the Darogahs do use the measures we have described for eliciting confessions is known to almost every person who has served in the Mofussil. It is a well ascertained fact that unless a confession is taken down, immediately after the prisoners are sent in, they deny having made any declaration even at the Thanah. The iron must be struck when it is hot. Unless the Magistrate enquires of a prisoner what he knew and had done, when the latter's ears are yet tingling with the admonition of the Darogah, he makes no confession at all. This is partly owing to the advice of other villains with whom he is brought in contact, while in jail, but principally to his own reflections. Sometimes,

* Although the Darogah appears the chief villain in this drama, he may plead some palliations to his guilt. It must be remembered, that his perwannah usually directs him to apprehend the delinquents in a week, on penalty of dismissal and imprisonment. What is done, may, therefore, be alleged to be done only in self-defence. To protect himself, he is, it may be said, instigated to ruin others.

a consciousness of innocence is his ruling motive,—at other times, a desire to save himself. It is also well known, that the generality of criminals who confess before the Magistrate, deny their confession before the Session Judge. As it takes some time to send up a case to the latter authority, the impressions indented by the Darogah on their minds grow faint, and their own reflections and the contact of other jail tenants, suggest to them a different course of procedure. They cease to think, that declaring their guilt is the only way to save themselves. They hear from those already in jail, that to confess is to rush upon destruction, and their new ideas are confirmed. They endeavour to retreat back from the brink of the precipice, on which they now suppose themselves to stand, by retracting their previous declarations. But, it is all too late. Implicit reliance is placed, and rightly placed, on documents signed by the Magistrate. Nothing can prevent their conviction. They are the doomed victims of an unprincipled Darogah.

In a former number it was noticed how, in the hope of obtaining rewards offered by a Darogah, two poor and innocent persons came forward, before the Magistrate, and confessed being guilty of murder, and how they were saved from the jaws of death at the very moment their fate seemed inevitable, by the opportune arrival of an order from the Nizámat Adálat which proved that they were imprisoned in the civil jail when the murder was committed! We could now, if it were necessary, adduce three or four instances of a similar nature,—several, in which confessions have been extorted by maltreatment,—and very many of those elicited by promises never fulfilled. But we are afraid of doing so, lest our article, already too long, should swell to an utterly disproportioned size

The seventh point, is, the want of honest informers, regularly paid by Government.

There is no plainer axiom in criminal jurisprudence, than that the nearer to certainty the infliction of a penalty can be brought, "the more powerful will be its influence in deterring from crime and the stronger its foundation in justice." Penal laws loosely enforced, says a writer in the *Edinburgh Review*, are "lotteries in which offenders speculate, and it is remarkable how accurately they calculate their chances of prosecution and escape." As there is no certainty of punishment in such laws, there is in reality no restraint upon the evil minded, who run certain risks indeed, like the members of the commercial and some other professions, but with nearly equal chances of success. These considerations seem to have been very much lost sight of in our criminal system. For it cannot be a matter of

doubt that all the penal laws of this country will continue to be loosely enforced, as long as measures are not taken to appoint competent persons whose peculiar duties must be to drag crime into light, and criminals to punishment.

The unpaid minions of the Darogah, who act at present as informers, are the dregs of jails. They form the most degraded and unprincipled portion of society. They are worse than the village Chowkidars. They receive no regular pay from Government, but earn a wretched subsistence by *levying hush money from offenders, or compounding cases against honest people.* "Their object is not to further the ends of justice but to fill their own pockets." They seldom direct their attention to cases which are not likely to yield them pecuniary profit, but bring into action all their energies to investigate those which are likely to enrich them. While they "profess to enforce, they frustrate the law." Most of the felons who escape, escape through their agency. Most of the innocent who are punished are their victims. They are the medium of corruption between the Darogah and the village communities.—Through them principally bribes are given, and taken. But although they are such reprobate and incorrigible rogues, they are indispensable. Without them no Police officer can ferret out offenders. A new Deputy Magistrate or Darogah who sees through their villainies, and scruples to avail himself of their assistance, may get into discredit with his superiors. He is branded as an inefficient officer. The rural population too, cease to respect or dread him. They take up the tale disseminated by the heads of the Police, and laugh at him, as one incompetent to fill the post in which he has been placed. When a dakoity or other serious crime happens in his jurisdiction, he goes to the place of it's occurrence, only to make a fool of himself. He enquires of the persons robbed whether they recognise any of the perpetrators of the outrage. They generally answer "no," even if they did, which is very rarely the case. This they do, in order to save themselves the labor of repairing to the Magistrate's kacheri, which is frequently situated miles away, and to avoid the expense and trouble attendant on a journey, and the prosecution of a suit. He enquires the same question of the chowkidar, and that meritorious officer, whose qualifications we have already described, and who is almost invariably leagued in secret with the offenders, complains of the large extent of country which he is deputed to guard and rule over, and states, that he was in a different part of his jurisdiction, when the affair took place. He enquires of the villagers;—they one and all plead ignorance; some

were asleep, some had been out, some were sick, and unable to stir from bed. He goes into the house robbed, and sees doors broken,—chests smashed to pieces,—floor dug up,—clothes and other articles scattered about. There are traces of a most violent outrage,—but none, of those who committed it. He idles away a day or two in fruitless attempts to unravel the mystery; then other duties engross his attention and he gives up the matter in despair. He sees there is no other course left him but making a report to the Magistrate, stating that he had used his best endeavours to apprehend the dakoits,—but without success.

To remedy this state of things, and to allow the honest officer, who will not permit villains to interfere in any business, the same chances of distinction, which he who now employs Mofussil informers enjoys, nothing can be better, than regularly to employ a class of men, whose duty will be to scent out crimes and criminals.* Besides their regular pay, these persons ought to receive pecuniary rewards, at the discretion of the Magistrate. A small moiety of about ten or twenty Rupees, at the conclusion of every heinous case satisfactorily proved, would be amply sufficient and not misplaced. Rules should be framed for their guidance, deviations from which, should on every occasion be visited with punishment. Compounding false cases, or levying hush-money, should be strictly prohibited, and declared liable to the severest penalties. Obedience to the local inspectors, or Darogahs, to whom they would be subordinate, should also be enforced. By a judicious sprinkling of such officers throughout the country, a great reform might be effected in the whole system of Police.

The qualifications for these offices should, *if possible*, be rated rather high. Persons of respectable connexions, perhaps of the same rank as Mofussil múktears, and well educated men, should only be eligible to them,—*supposing, indeed, that they would accept such offices.* If a bad set of men were to be introduced, the remedy would be worse than the disease.

The eighth and last point, is, the want of a public prosecutor

* It is true that the Thanah Burkundazes are of this class, but, being sometimes up-country men and attached exclusively to the Thanahs, their sources of information are few. They do not mingle with the rural populace, and the chowkidars, who do mix, are so corrupt and so completely under the influence of the Zemindars, as to be "worse than useless." Their duties too, are somewhat different. They are employed not so much to trace out crimes as to apprehend criminals, prevent affrays, and overawe the evil-minded. Persons, independent of the Zemindars, capable from their connections with village communities of supplying every information required, and at the same time likely to devote all their energies and time to the detection of crimes and the ferreting out of offenders, would therefore be a desideratum.

in the Magistrate's Court. In the Session Adálat there is a *Wukil Sirkar* or Advocate General, but no officer of the same description is attached to a Magistrate's office. The benefits which would arise from such an appointment are numerous. The person, who is already the sufferer, is now obliged to leave his home, undertake a journey, and it is frequently a very long one, to the Magistrate's kacheri, and attend there during perhaps more than one examination, previous to committal. A great loss of time, an unnecessary waste of money, and an unusual amount of trouble, may be thus entailed upon him without any corresponding benefit to himself—"the offence being in reality against the community." There can be no doubt that these hardships have facilitated the escape of many offenders. The reluctance of prosecutors is generally so very great that an experienced officer remarked, that there are very few persons, who, having once gone through a criminal proceeding, would ever feel inclined to complain again.

It is also universally known, that prosecutors are mostly actuated by feelings of a "vindictive nature," which, for offences against society, should never be permitted. Both these evils would cease to exist on the appointment of a public prosecutor. But these would not be the only advantages of that measure. The Magistrate himself would become a more unbiassed judge. Under the present state of things he is himself a sort of prosecutor. He has to prepare and arrange the evidence before he tries the case, and however honest his intentions may be, he cannot discard from his mind all those extraneous matters, which do not come before him as evidence, but which he must have alighted upon, extra-judicially, in the course of his preliminary investigations. A public prosecutor would relieve him of all that part of his duty, which relates to the getting up of evidence, and his verdict would therefore have very few chances of resting on points, not adduced in evidence, and very many, on what is publicly sworn before him.

But we must now hasten to bring our extended observations to a close. Whatever may be thought of our views or suggestions,* the paramount importance of our theme is unquestiona-

* In looking back at what we have written, we find that the statement, at the bottom of page 159, may require some comment to exhibit its consistency with our general views. There, we advocated the appointment of the *full complement* of Deputy Magistrates, only, so long as Mr. Halliday's plan of separating the judicial and ministerial duties of Magistrate, and appointing local superintendents and assistants to perform the latter, is kept in abeyance. Should that plan be ever carried into effect, as it certainly ought, the Deputy Magistrate would only be a Munsiff or Judge, to take cognizance of criminal cases, without any authority over the Police. The services of the full complement of Deputy Magistrates would not be necessary after such a reform.

ble. There are topics indeed of a more thrilling or profitable nature to particular individuals, but in universal interest this far surpasses all. Security of life and property which can only be effected by a regularly organized system of Police, is one of the primary aims of society. In communities where life and property are insecure, capital can never increase,—industry can never flourish,—commerce can never expand. Every thing that ministers to the comfort, affluence, and happiness, of the people, is there deadened with a torpedo touch,—and slavishness,—wretchedness,—and immorality, reign supreme. Incentives to labor are there taken away. The vicious man is confirmed in his evil course. He sees he can rob his neighbour with impunity; even the honest peasant and artisan feel disposed to leave the plough in the furrow, and the shuttle in the loom, to follow a calling, which although villanous and sinful, requires little manual toil, and is followed by no bodily punishment. Security of life and property is a duty which the Government owes to those from whom it annually realises so magnificent a revenue. That it has exerted itself long and strenuously to fulfil this duty, we neither doubt nor deny. The most jaundiced eye cannot fail to perceive that, in its bearing towards the great body of the community, and particularly the humbler classes, it is immeasurably superior to all its predecessors. Impartial history will point out, how,—while Mahommedan sovereigns were employed in picking out the eyes of their subjects, in dissecting the wombs of pregnant women, and in dragging Zemindars, who refused to comply with their unjust exactions, through pits of mire and filth,—the English Governors were engaged in loosening the bonds of the slave, in rescuing the Hindu widow from a premature death, and in diffusing far and wide the germs of education. Impartial history will describe, how, during one administration, the lies of the Koran were promulgated at the point of the sword, and how, during another, the mildest toleration was adhered to; how, during one, the rich tyrannised uncontrolled over the poor, and how, during another, both poor and rich were placed on a level, and greatness was measured chiefly by intellectual qualifications. But the same sense of justice, which compels us to admit, unhesitatingly, the superiority of the English Government over those that preceded it, necessitates us in the spirit of candour and impartiality, to point out defects, and to confess that all its measures have neither been judicious nor effectual. It has achieved much, when compared with other foreign rulers, but little, when compared with what perhaps it might have done, and at all events ought unceasingly to as-

pire to do. It is not an isolated regulation, or a solitary enactment that can benefit the millions who inhabit this country. To abolish one inhuman practice,—to disseminate the seeds of enlightenment among a few, is, as the Hindu poets say, to cast a drop of milk on the mighty ocean in order to turn it sweet. The mass of the people must be educated. The whole system must be altered. The crumbling edifice must be demolished from turret to foundation stone, and a new and more compact one raised in its stead. This of course must be the work of time. What we plead for, is, an acceleration of the progress towards its realization. In all its amplitude, such a consummation cannot possibly be ensured without the co-operation of the people. To render, however, such co-operation advantageous, general enlightenment must be the natural and qualifying precursor. Had it been possible to secure that co-operation without first eradicating the most flagrant abuses, an insuperable bar would have presented itself, in their ignorance, their want of character, and their superstition. The rural population of Bengal are ages behind the lower classes of Europe in civilization. A Bengali peasant is often spoken of by respectable Bengalis themselves, as if he were the connecting link between the orang-outang and the human race! His intellect has been warped, his sensibilities have been deadened, all the better qualities of his nature outrooted, by a long course of subjection to the influence of a domineering and tyrannical priesthood. In his lowest type, he is scarcely a rational being. One can with difficulty conceive the human mind in a more degraded and impassive condition. Long, arduous and unremitting perseverance, wholesome provisions, like Lord Hardinge's Education Resolution, *fairly and liberally wrought out in practice*,* together with an unstinted expenditure in the encouragement of all improvements, can alone restore him to the enjoyment of his ennobling faculties. Assistance or co-operation, from one placed in his deplorable condition, it is unreasonable and preposterous to expect. But it is not possible to secure co-operation to any good purpose, even if the community were able and willing to afford it, without reforming the great discrepancies of our administrative system. How could they co-operate if the officers of every court continued to be as corrupt as now? Of what use would their co-operation be, if the laws which are to govern and direct their actions continued to be barbarous,—if felons continued to be set free because they murdered their neighbours with a light instead of a heavy instrument? Of what use would their co-operation be, if our jails were permitted to remain dens for impurity and contamination, hot beds for crime? Of what use would their co-operation be, if the same weak, inefficient, disorganised chowkidars were to be allowed to remain sole guardians of their lives and property?

* We are constrained deliberately to employ this modified style of expression. We may safely say that, in all India, none could be found who more cordially hailed that Resolution than we did, or who laboured more to bring it into universal notice and favour. It is, therefore, with deep and unfeigned sorrow we have now, at the end of nearly two years, to record the calm and sober conviction, entertained by many of those most interested, that, hitherto, as worked out *in practice*, it has proved little better than a mortifying disappointment of all justly raised expectations.

If every flagrant abuse were remedied, if the light of sound education, which at present only shines perceptibly in a few favoured cities and districts, were made to illumine the length and breadth of the land, then—but not till then,—might co-operation,—successful co-operation, be hoped for. Now, the Government must work alone, and work indefatigably. It must not only do without assistance, but must surmount barriers piled up by those for whose very welfare it is laboring. It must break through the meshes which superstition and corruption will weave round it, to arrest its progress. It must even work with antagonist instruments, which will endeavour to thwart its objects, and counteract its operations. But let not its hopes flag, or its spirits be depressed, by the magnitude or the number of the obstacles, which it will have to encounter. The cause is a glorious one, and the time perhaps is not far distant—remote as it now appears—when the sons of India will burst the veil of bigotry and ignorance which now envelopes them in its enormous folds, and strive not only to protect their rights and advance their interests, by salutary and wholesome measures, but to evince in some substantial way their gratitude to the Government for kind offices rendered in their days of imbecility. If, under a gracious providence, wars with every foreign nation were to be closed up for an indefinite period—and peace were allowed an undisputed sway; if Governors, as noble minded, disinterested, and intelligent as Lord William Bentinck, and others who might be named, were to succeed each other for a series of years, we might reasonably hope to witness—not indeed the grand consummation itself, for that were too much to be expected within the course of an ordinary life—but the soundest measures rapidly developing, in the right direction, towards its sure, ultimate attainment.

ART. V.—1. *Memoirs of the Life, Writings and Correspondence of Sir William Jones; by Lord Teignmouth. London*, 1806.
2. *Works of Sir William Jones. 6 vols. 4to.* 1799. 13 *vols. 8vo.*
3. *Annual Obituary, for* 1817.

THERE is an expression that always gives us pain, when we hear it made use of by the vulgar and thoughtless, by whom alone it ever is employed. These, now in tones of careless indifference, and now in those of silly bravado, are in the habit of pronouncing upon the occurrence of any unpleasant or annoying event, that "it will be all one a hundred years hence." Such a mode of expression must be necessarily confined to the profane vulgar; for every one who is accustomed to reflect on the connexion established between all events, however apparently different in their nature, and however distant from each other in the time of their occurrence, must soon learn to regard all events, not as an assemblage of unconnected and independent things, but as the links of a great chain, extending from the unsurveyed heights of the remotest past, into the unfathomed depths of an equally remote future. We know no subject on which the mind is apt sooner to lose itself than this, and to come to the conclusion, which, after all, is perhaps the limit of all our poor philosophy, that *so* it is, but that *how* it is, or *why* it is, can be known only to HIM whose sublime attribute it is to "know the end from the beginning," and who causes "all things to work together" for the fulfilment of his own good purposes. An ingenious living writer* speculates on the effect produced upon the atmosphere that envelopes us by every impulse to which it is subjected. And indeed it is very certain, that no vibration communicated to the air can leave it precisely as it was before, or as it would have remained, had such vibration not been communicated. It may be that "every idle word" that is spoken by every idle man (and woman too) is traceable by beings of higher intelligence than we, and especially by *the* Being of infinite intelligence, in the undulations excited by it in the limpid element, expanded into distant places, and perpetuated into distant times. It may be, for aught we can tell, that the gentle evening breeze by which we are occasionally refreshed in this sultry land of Bengal, in this sultry month of August, derives its origin from a soft sigh, emitted from the bosom of some one who in a far off land is thinking

* Professor Babbage, in his Ninth Bridgewater Treatise.

of our exiled selves! It may be that the "sound of the Church-going bells" of happy England, though not heard by the ears of her children who are doomed to wander afar, is not altogether without its influence on their physical and moral state! It may be that —— But what may not be?

We have been led into this train of reflexion by the consideration that our readers, in and around Calcutta, may probably have this article in their hands on the hundredth anniversary of the birth of that illustrious man whose life and writings form its theme. If it could be said of any event that it was not likely to exert any important influence on men and things at the distance of a century in time, and a quarter of the earth's circumference in space, from the period and the locality of its occurrence—it might have been said of an accession to one of the numerous families of "Smith, Brown, Jones, or Robertson:" and yet he who should have hazarded such an assertion in regard to the battle of Trafalgar or Waterloo, would not have erred more widely than he who should have made it in regard to the birth of a son and heir to Mr. Jones, teacher of mathematics in London, on Michaelmes Eve,* A. D. 1746.

It is not to be supposed, however, that Mr. Jones was an ordinary cockney School-master: on the contrary, he was a very distinguished man in his day. He was the intimate friend of Sir Isaac Newton, and seems to have been employed by him in arranging one of his works and preparing it for publication. We are not aware that any correspondence is preserved that passed between Newton and Jones; but in the letters preserved by Lord Teignmouth between the latter and Mr. Cotes, (next to Newton the most distinguished mathematician of the age, and perhaps in *pure* mathematics not second even to him), the great philosopher is always spoken of in terms, not only of such admiration as must have been felt by mathematicians towards such a mathematician, but in terms also of affectionate friendship indicating the intimacy that must have subsisted between him and both the correspondents. Dr. Hutton, in quoting one of the works of Mr. Jones, designates him as "the celebrated Wm. Jones, Esq. the friend of Sir I. Newton, and father of Sir W. Jones," and speaking of one of his works, he says, "the solution (of an important problem in hydraulics) by Mr. Jones, is done in his usual manner, which was always remarkably concise, neat, and accurate." Lord Teignmouth gives a catalogue of the published works of Mr. Jones, and if they are

* 28th September O. S. Corresponding to 9th October N. S.

not generally known now, this is because their substance has been transferred into more modern works. Lord Teignmouth states, that "the compilers of the Biographical Dictionary, in their account of Mr. Jones, have asserted that he had completed a Mathematical work of the first importance, and had sent the first sheet of it to the press, when the indisposition which terminated in his death, obliged him to discontinue the impression; that a few days before his demise, he entrusted the manuscript, fairly transcribed by an amanuensis, to the care of Lord Macclesfield, who promised to publish it, as well for the honor of the author as for the benefit of his family, to whom the property of the work belonged. The Earl survived his friend many years, but *the Introduction to the Mathematics*, (the alleged title of the work,) was forgotten, and after his death the manuscript was not to be found. There is no evidence in the memorandum left by Sir William Jones to confirm or disprove this assertion." It seems to have escaped his Lordship's notice, that in the list of Mr. Jones's works, given in the very page from which this extract is taken, there is a work, whose alternative title corresponds with that of the lost work, viz. *Synopsis palmariorum Matheseos, or a new Introduction to the Mathematics, containing the principles of Arithmetic and Geometry, demonstrated in a short and easy method*—8vo. 1709. Now it is not very likely that Mr. Jones should be engaged at the period of his death, in 1746, in publishing a *different* work under the *same* title with one that he had published forty-three years before; and, therefore, we think it highly probable that the work in question was only a new edition of this old work; and therefore its loss, though doubtless much to be regretted on account of the improvements that he must have introduced into it, is not so great an evil as would have been the suppression of an original work.

If our own predilections have led us to say more of the father of Sir William than some may think pertinent to the subject in hand, there can be no doubt that the influence exercised over his mind, not only in his earlier years, but throughout his life, by his other parent, will fully justify us in the estimation of all for saying a few words about her; here Lord Teignmouth is our only guide; for, so far as we know, Mrs. Jones is mentioned nowhere, but where alone, in general, a matron should be publicly mentioned, in the biography of her son.

Mrs. Jones was a woman of great talent and strength of mind, as well as of great amiability and devotedness to her husband and to her son. An anecdote is related by Lord

Teignmouth illustrative of her qualities both of head and heart. After her husband was affected by the disease which eventually caused his death, but before he himself was aware of its nature or its probable termination, he received a letter from an injudicious friend, expressive of sympathy with him in his painful and dangerous situation. This letter was handed to Mrs. Jones that she might read it to her husband. She, immediately perceiving the nature of its contents, and fearing the effect that it might have on the invalid, feigned indeed to read, but read not in reality a word of the letter before her. She composed an altogether imaginary letter as she went along, and introduced into it only such topics as were fitted to cheer the patient. This anecdote serves to give us a pretty fair notion of the intellect and the heart of the woman. It could only have been done by a very clever woman, as every one will admit, who will try the experiment of reading aloud from a book or letter something wholly different from what is written in it. It also indicates an amiable and refined disposition; but we are compelled to say that it does *not* indicate that unbending truthfulness which we should desiderate as the first qualification in the woman who was to conduct the early education of a clever boy. We know that by some this may be deemed harsh and censorious, but we cannot help it. So sacred is truth, and so essential an element of every good quality is truthfulness; so natural also is it for a clever and an ambitious boy, (and perhaps all clever boys are ambitious) to deviate from the strictness of truth on many occasions, that every teacher and every parent ought to have, we say not merely a conscientious love of truth, but a constitutional abhorrence of falsehood in every form and degree.

The early education of Jones was conducted exclusively by his mother, his father having died in 1749, when William was but three years old. She brought to her task a well stored and a well cultivated mind, a kind and amiable disposition, and an ardent love towards her pupil. For his sake she declined the repeated invitation of Lady Macclesfield to take up her residence at Sherbourne Castle. However kindly meant was this invitation, it is very probable that, had it been accepted, Jones would have grown up a mere useless hanger-on upon the great;—and we feel that the thanks of all who love literature, and science, and India, are due to his mother for her good sense in adhering to the plan she had formed for the education of her son.

We are not going to write a treatise on "Home Education," but we may be permitted to say that, in her views on this

highly important subject, Mrs. Jones seems to have been far in advance of her age. We do think, however, that she fell into its error in one respect, that of encouraging him to make too rapid progress in his very tender years. These years nature points out as the fitting period of physical rather than of mental developement. It is all very well to point to such examples as Jones and others to shew that such precocious development is not incompatible with the highest degree of mental expansion; but, like the man, who, on seeing the votive offerings of those who had escaped from shipwreck, asked where were the offerings of those that were drowned, we think we are fairly entitled to meet those cases by the far greater number of others who have owed feeble constitutions and stunted minds to the vain ambition of mamas (and papas too) to exhibit them as infant prodigies. And even in regard to those rare exceptions, we must be permitted to have recourse to the *argumentum ad ignorantiam*, and to ask, if they were such under this system, what might they not have been under a better? It is possible indeed that Jones and a few others may have been exceptions to the general rule; but sure we are that the rule, of all but universal application, is, that children are injured in mind and body by being encouraged to read and commit to memory before they have fully completed their fifth year. But we cannot dwell longer on this matter, however interesting—suffice it to say that, at three years of age, Jones was initiated in the mysteries of letters, at four he was able to read freely any English book, and to repeat some of the most popular speeches in Shakespere, and the best of Gay's fables. Even at this tender age he was constantly stimulated to read by representations of the benefits to be derived from it—"*Read and you will know*" was the constant answer of his mother to his constant enquiries on all kinds of subjects. "To the observance of this maxim (says his biographer) he always acknowledged himself indebted for his future attainments." Truth to tell, we think that he was much more indebted to two accidents that befel him in succession, the one of which endangered his life, and the other his eye-sight. We cannot doubt that these accidents, by compelling a season of fallowing, were instrumental in saving his body and mind from the ruinous effects of over-cropping.

In his fifth year we are told that "his attention was forcibly arrested by the sublime description of the angel in the tenth chapter of the Apocalypse, and the impression which his imagination received from it was never effaced." In his sixth year he began the study of the Latin Grammar, but did not

like it, and was judiciously allowed by his mother to give it over for the time. At the close of his seventh year he went to Harrow School, of which he is till this day regarded as one of the brightest ornaments. For the details of his career there, his trials and sufferings and successes, the verses that he composed, and the plays that he transcribed, with all the other ups and downs of school-boy existence, we must refer to the pages of his biographer. Suffice it to say that he was deservedly the prime favourite of all those who could appreciate his rare qualities, and that he was very cruelly treated by a teacher who was not gifted with this power. The writer of the notice of Sir Wm. Jones in the Annual Obituary for 1817, informs us that "a rumour having lately prevailed that his name, cut with his own hand on a pannel, was still extant, Dr. Butler the present (in 1817) Archididascalus, offered a prize book to any boy who should discover it. This was at length effected by a youth of the name of Platt, after having long eluded the search of others, from the modesty of the form, and size of the letters. It is now protected by a square, which like the name is colored black for the purpose of designation." We will yield to none in reasonable admiration of Sir William Jones, but we do think that this is carrying things to excess. We suppose that the "modesty of the size and form of the letters," traced by the young engraver, had for its object the escaping of the flogging which he fairly deserved for the exercise of that propensity which is generally regarded as not peculiarly honorable to British youth, a propensity to deface the benches and pannels of the school. If Master Platt had carved his own name, he would most probably have been punished for so doing; and we do think it would be very difficult for the worthy *Archididascalus* to shew how that was wrong in him, which the subsequent fame of Jones had rendered meritorious in *him*. For that matter, if the discovery of autographs on wood of Indian literati be deemed praise-worthy or prize-worthy, we think we know of a certain school where a certain *Calcutta Reviewer* has left behind him a perfect mine of wealth to the alumni in all time coming!

The Obituarist goes on to inform us that "the place where the pear-tree once stood whence he fell to the ground,* is still pointed out in Mrs. Brown's orchard; and the boys to this day

* By this fall he broke his thigh-bone, and was many months absent from school. On his return he was joined with his former class, behind which he had of course fallen. He was accustomed all his days to reflect upon the conduct of the teacher who treated him with great severity, for that which was unavoidable.

hold that master in abhorrence who placed him in the shell with his quondam companions of the fourth form, and punished him while there for *stupidity*, because he had not kept pace with them while confined to a sick bed, from and after their *remove*."

At Harrow he continued, gaining for himself golden opinions, till he reached his seventeenth year, when he was removed to the university of Oxford. The preference seems to have been given to this over the sister university, chiefly on the ground that it was more convenient for his mother and sister to reside with him there than at Cambridge. It is stated by the Obituarist, whom we have already quoted, that his mother had resided at Harrow during his school-boy days; but Lord Teignmouth gives us no hint of this, and we know not whether it were so or no. It were idle to speculate on the effects of the choice of Oxford in preference to Cambridge as the *alma mater* of the young scholar. It is not unlikely that, had he gone to Cambridge, he would have been as much distinguished in mathematics and science as he actually was in literature; and despite our high regard for science, we cannot regret that his mind was directed into the channel in which it flowed with so stately a current. After all, we believe, and it is the most pleasant as well as the soundest belief, that all such matters are regulated by a higher wisdom than that of short-sighted man.

> There's a divinity that shapes our ends
> Rough-hew them how we will.

Mr. Jones left school and entered the university in a very different state from that in which it receives the generality of its alumni. Already he had acquired a large store of information, and his taste was, in great measure, formed into a love of classical models of composition. Many of his juvenile productions exist, and some are published; of these latter we can truly say that they are very different from the generality of school-boy themes. Even at this early period, he was preparing for the press, by the advice of Dr. Sumner, head master of Harrow, a volume of "Greek and Latin compositions, including a comedy, written in the language and measures of Aristophanes." We cannot but regard it as fortunate that he was induced to listen to the advice of less partial or more judicious friends than his amiable teacher, to give heed to the Horatian precept—

> Si quid tamen olim
> Scripseris, in Metii descendat judicis aures.
> Et patris, et nostras; nonumque prematur in annum,
> Membranis intus positis. Delere licebit,
> Quod non ederis.

Had Jones then embarked on the sea of authorship, it is more than probable that the "calm," with which he would certainly have been greeted, would have damped his spirits, and crushed his rising genius. As it was, he seems to have felt very painfully the difference between *the* boy, the *facile primus* of Harrow, and *a* man, one of a hundred, of Oxford. This is often a salutary discipline to the young student, and so, we doubt not, it proved to Jones. "After the residence of a few months at the university, on the 31st October 1764, Mr. Jones was unanimously elected one of the four scholars on the foundation of Sir Simon Bennett, to whose munificence he was ever proud to acknowledge his obligations."

About this time he seems first to have tasted *(summis labris attigit)* that oriental spring from which he was destined to drain such copious draughts. He was incited to the study of the oriental languages by the example and encouragement of a fellow-student, whose very name is not handed down to us, and regarding whom we have only the general statement of Lord Teignmouth, that he was a youth "of great worth and abilities." Even at this time he seems to have been possessed of a large measure of that determination which he manifested so largely afterwards, and which is an essential requisite to distinguished success in any department of human application. Having met in London with a Syrian, he prevailed on him to remove to Oxford, and became responsible to him for the means of his support, although he was then almost exclusively dependent himself on his scholarship. To the ordinary duties of the university, he, from this period, added the study of the Arabic and Persian languages; and although the aids within his reach were very imperfect, his progress was very rapid. We think we had once before occasion to quote in these pages a saying of a very distinguished man, the late Professor Wallace of Edinburgh, that "in order to be a philosopher, a man must be able to bore with a saw and saw with a gimlet." And indeed it is a characteristic of true genius to be almost independent of external aids and external circumstances, yea to convert into aids those very circumstances which seem in their own nature most adverse: genius, in this respect, be it spoken with reverence, having in it something akin to the divine omnipotence, of which it hath been said, that, while "in the ordinary course of providence it maketh use of means, yet is it free to work without, above, or against them, at pleasure."

"His vacations (says his biographer) were passed in London, where he daily attended the schools of Angelo, for the purpose of acquiring the

elegant accomplishments of riding and fencing. He was always a strenuous advocate for the practice of bodily exercises, as no less useful to invigorate his frame, than as a necessary qualification for any active exertions to which he might eventually be called. At home, his attention was directed to the modern languages; and he read the best authors in Italian, Spanish, and Portuguese, following in all respects the plan of education recommended by Milton, which he had by heart; and thus, to transcribe an observation of his own, with the fortune of a peasant, giving himself the education of a prince.

If the literary acquisitions of Mr. Jones at this period be compared with his years, few instances will be found, in the annals of biography, of a more successful application of time and talents, than he exhibits; and it is worthy of observation, that he was no less indebted to his uncommon industry and method for his attainments, than to his superior capacity."

Mr. Jones had been little more than two years at Oxford, when an offer was made to him to become tutor to the late, or rather penultimate, Lord Spencer, then Lord Althorpe; and after a good deal of hesitation he agreed to accept the appointment. Altogether we have reason to think this was a fortunate circumstance, and in this light Jones himself seems ever to have regarded it. An amount of affection seems to have subsisted between him and his pupil, equally creditable to them both, while a few letters from Jones to Lady Spencer, the mother of his pupil, shew that his employers were able to appreciate the rare qualities which he brought to bear upon the instruction of their son. This appointment gave him opportunities of paying some visits to the continent of Europe, from which, we need hardly say that he was fully prepared to derive all possible benefit. Occasionally we find him at Oxford, but only for a short period. On one of these occasions he went in order to be admitted to a fellowship, which he regarded as rendering him rich. At *this* time then, at all events, he was surely not chargeable with the fault of avarice which is charged upon him, in the worst possible taste, in the notice of his death in *Dodsley's Annual Register*. Shortly after this he received from the Duke of Grafton the offer of an appointment as Interpreter of Eastern languages to Government. This offer he thought proper to decline, although its acceptance would not have interfered materially with his other engagements;—another proof that at this period at least of his life he valued progress in learning more than money. But as yet he was not out of his teens. We shall have occasion afterwards to advert to the charge to which we have now alluded, and therefore for the present we pass it over. We may mention that, in declining the appointment, he took occasion to recommend its being conferred upon his Syrian friend Mirza, but without effect. Up to 1768 he went on with the instruction of his pupil and with the pursuit of his own

studies. These were of a sufficiently miscellaneous character ranging from dancing* upwards (or shall we say downwards) to Chinese roots. In the end of 1766, that is, about the beginning of his 21st year, he began his *Commentary on Asiatic poetry*, which he finished in the course of the following summer, during which he also transcribed an Arabic manuscript on Egypt and the Nile, and copied the keys of the Chinese language. Having also, for amusement, read the treatise of Fortescue on the laws of England, he was led into a train of reflection which considerably modified his admiration of the constitutions of the Greek republics, of which he had become enamoured from his study of the ancient orators.

The time was at last come when Mr. Jones was to appear before the world as an orientalist. The occasion was this. The king of Denmark, then on a visit to England, had brought with him an Arabic manuscript, consisting of a life of Nadir Shah. The Secretary of State applied to Mr. Jones to translate this piece of Biography into French. At first he declined, and recommended that the work should be entrusted to Major Dow; but he also having declined it, the request was repeated to Jones with increased urgency, and he was prevailed on to comply; the work was completed within a year, but the translation was not published till 1770. For this service he was honored by a fellowship of the Royal Society of Copenhagen; and a recommendation from the king of Denmark to his Brother of England. Having thus seen Mr. Jones fairly embarked on the sea of authorship, we shall not notice now the different stages of his voyage, as it is our intention that a separate portion of our article shall be devoted to a detailed notice of his works.

Lord Teignmouth presents us with copious selections from a regular and interesting correspondence between Mr. Jones and the Count Reviczki, chiefly on literary subjects, and abounding, to a greater extent perhaps than modern taste would approve, in mutual commendations, but mixed up with very frank and very judicious comments by each on the poetical productions of the other, which, original or translated, seem to have been enclosed in almost every letter. In every variety of literary acquisition Mr. Jones spent his life until the autumn of 1770; by that time it is needless to say that the amount of his

* He seems to have had quite a singular fondness for dancing. We find him studying the art in London under Signor Gallini, and on his removal to Spa, although his stay was to be of only three weeks' duration, we find him dividing his time between the study of the German language and the instructions of Janson, of Aix-la-Chapelle, who, we have Lord Teignmouth's authority for stating, was "an incomparable dancing-master."

acquirements was immense; and although they were not of a kind to be very generally appreciated, or to excite very noisy applause, yet Jones was undoubtedly by this time in good repute among the learned; and if praise is to be weighed rather than measured or counted, he was already rich in renown. But all this was but the beginning of his career:—.

"Mr. Jones now determined to enter upon a new career of life. Whatever satisfaction he might derive from his connection with the noble family, in which he had undertaken the office of tutor, or whatever recompence he might ultimately hope to receive from their gratitude or friendship, the situation did not altogether correspond with his feelings, nor the extent of his views. To a spirit of independence, which from his earliest years strongly marked his character, he united the laudable desire of acquiring public distinction, and of making his fortune by his own efforts; above all, he was animated with the noble ambition of being useful to his country. In the capacity of private tutor, his expectations were bounded by a narrow prospect, and his exertions circumscribed; whilst in the profession of the law, he saw an ample scope for the gratification of all his wishes; and from his extensive knowledge, studious habits, and indefatigable industry, he had every reason to expect the most brilliant success. The advice and importunity of his friends confirmed the suggestions of his own reflection, and he resolved to resign his charge in Lord Spencer's family, and to devote himself in future to the study and practice of the law. In consequence of this determination, which he immediately executed, he was admitted into the Temple on the nineteenth of September 1770."

If we regard the refusal of Mrs. Jones, on the death of her husband, to accept the proffered hospitality of Lady Macclesfield as the *first* crisis or turning point in Mr. Jones's history, the decision that he should go to Oxford rather than Cambridge, as the *second*,—we believe we ought to regard, as the *third*, this relinquishment of literature as a profession. Was it wise or unwise? Was it good or evil? This is a question on which some would be for having recourse to the cautious Coverleyan response; but for ourselves we are all in favor of a profession for every man, apart from, or in addition to, literary pursuits. It is now several years since we read the life of Sir Walter Scott, but we very well remember the common sense view that he takes of the matter, although we have, in great measure, forgotten the particular arguments by which he enforces it. For ourselves, we have not been unobservant of the habits of a considerable number of literati, and we must say that we have neither known (personally or by character and repute), nor have we read of more than three or four literary men who could safely be without a profession. The *otium cum dignitate* is all very well in theory; but in practice the *otium* almost always gets the preponderance over the *dignitas*. Instances we could quote without number, but it is not necessary. Some scientific men may be safely trusted without a profession, because they have very generally to come into contact with material things, and have the *ipsa corpora*, which are the subject of their studies, frequently before them. The descent from the closet to the laboratory, and the re-ascent from the laboratory to the closet, furnish to them that relaxation and variety which are essential to the vigorous life of the mental faculties, and from the want of which so many merely literary men are driven to the use of opium and other exciting, but deleterious stimulants. When we hear literary men complaining that they are chained and fettered by the necessity of giving heed to the gross and material concerns of business, we always feel that they are abusing their best friend. Compare Cicero, retiring for a short holiday to his Tusculan villa, with Horace sauntering and lounging in the *via sacra*. Which of their minds was in the healthier state? Compare Bacon, *hominem* (so he describes himself) *inter homines ætatis suæ civilibus negotiis occupatissimum*, with the whole host of "noble authors" whose names are recorded in the pages of Horace Walpole. What might not Swift have been, had he been suited to his profession, or had a profession suited to him? What might not Byron have been, had he had the necessity imposed on him of fixing down his mind from day to day to the routine of a regular employment? Campbell relinquished his profession, and what did he ever achieve afterwards?—Scott kept by his, and what did he not achieve? Who are the men whose works form the staple of our libraries in quantity and quality? Take the department of theology alone, and confine yourself to the English divines. They are not the Prebendaries of the Cathedrals, nor the Fellows of the Colleges, that furnish the shelves of our theological libraries; but the laborious bishops, men who felt on their consciences the burden of the "care of the Churches," the "working clergy" of every grade; and still more the puritan and non-conformist Divines, men regarding whom we should suppose on looking at their works that they must have spent their whole lives in the writing of them, and yet when we read their lives we find that they were so incessantly employed in labor, that we wonder how they found time to write at all. Or look at the historical writers of our own day; they are almost all of them busy men, independently of their studies and their writings. Perhaps Lord Mahon is an exception, and he is a distinguished one. So is Carlyle. But we have Mr. Alison, the author of the largest, and despite its many faults, perhaps the greatest historical work of our day, Sheriff of the most populous and most important county in Scotland; and Lord Brougham,

one of the busiest men in the empire; and Lord Campbell, who is (or was at the period of the departure of the last mail) Chancellor of the Duchy of Lancaster. And then but a little while ago we had the truly great and noble Dr. Arnold, whose works were written after the fagging of the hardest daily tasks, or during his short retreats to his beloved Fox How. It were easy to string together a list of names in all departments of literature, but we forbear.

We are glad then, for the sake of literature, that Mr. Jones was led at this period to abandon the thought of it as a profession; and can afford to smile when he tells us that Themis will not consent to accept of the partial homage of a heart divided between her and the muses; because we know that he will soon feel that his literary and his legal studies, instead of being incompatible with each other, are fitted to be the most valuable mutual auxiliaries. We do find however that he devoted himself with commendable assiduity to the work of preparation for the bar, although it does not appear that he allowed this work to absorb his whole time or his whole mind.

The letters at this period between Jones and his learned friends are, as might be expected, deeply interesting. We cannot however spare space for quotations, but shall confine ourselves to a letter to his former pupil, Lord Althorpe, which will form a fitting theme for various remarks that we intend to make on his opinions:—

"MR. JONES TO LORD ALTHORPE.

Temple, Nov. 13.

As I have a few minutes of leisure this evening, can I employ them better than in writing to my friend? I hasten, my dear Lord, to impart to you the pleasure I received to-day, from seeing a series of experiments exhibited by Mr. Walsh on the American eel, by which he clearly proved that the animal has a sensation wholly distinct from any of the five senses. When he announced the proposition to be demonstrated, I thought it might possibly be true, but could not conceive how a new sense could be made perceptible to any sense of mine, as I imagined it would be like talking to a deaf man of harmonic sounds, or to one who had no palate, of nectarines and pine-apples; but he produced the fullest conviction in me, that his position was in a degree just. His first experiment was by fixing four wires, about two inches in the water where the fish was swimming, one in each quarter of the elliptical trough; each of these wires communicated with a large glass of water placed on a table at a little distance, though the distance signified nothing, for the experiment, had the wires been long enough, might have been conducted in another room; while the four glasses remained separate, the gymnotus (for that is his technical name) was perfectly insensible of the wires, but in the very instant when a communication was made by an instrument between any two of the glasses, he seemed to start, and swam directly to the wires which were thus joined, paying no attention to the others, till a junction was made between them also. This could not be sight, because he did not see the wires while they were insulated, though they were equally conspicuous; it could not be feeling (at least not like our feeling) because the water was not in the least agitated; still less could it be hearing, and least of all smell, or taste. It was therefore a distinct electrical sense of feeling, or power of conceiving any stronger conductor than the water around him, for which reason he did not perceive the wires till their junction, because they were at the extremities of the tub, and so little in the water, that they were less powerful conductors. Several other experiments were exhibited with equal success; one of them only I will mention. A triangular instrument of brass was held over the tub, and one of the legs placed gently in the water, to which the fish was wholly inattentive, though he swam close to it; but when the other leg was immersed to complete the circulation, he instantly started. It is by this faculty that the wonderful animal has notice of his prey, and of his enemies. These are pleasant amusements, and objects of a just curiosity when they fall occasionally in our way; but such experiments might have been exhibited at Paris, Madrid, or Petersburgh, where the philosophers, who are discovering new senses in other animals, are not permitted to use their own freely; and believe me, my dear Lord, it is not by electrical experiments, nor by triangular instruments, nor by conductors of wire, that we shall be able to avert the black storm which hangs over us. Let you and me, therefore, be philosophers now and then, but citizens always; let us sometimes observe with eagerness the satellites of Jupiter, but let us incessantly watch with jealousy the satellites of the King. Do you hear any certain intelligence concerning America? Mr. Owen Cambridge has just informed me, that a New York Gazette is brought over, in which the late uncertain accounts are confirmed in their full extent, with this important addition, that three counties of Maryland have offered not only submission, but assistance to General Howe. This may, or may not be true.—Farewell."

We are not going to enter into a discussion as to the comparative excellence of physical or political philosophy. Mr. Jones's dictum, "philosophers sometimes, but citizens always," reminds us strongly of the sentiments of one whom we named a few pages back, Dr. Arnold, whose life, we may be permitted to say in passing, is one of the most engrossingly attractive works that we have read for many a day. He constantly speaks of politics (γνωσις πολιτικη) as that which ought, next to the study of religion, to form the grand business of life. Now with this sentiment we cannot fully agree. While we attach a very high importance to the study of moral and political science, we must be allowed to claim a high place also for physical science. Lord Bacon somewhere remarks that whatever God deems worthy to exist, man ought to deem worthy to know,—knowledge being as it were the image of existence.

As to Lord Spencer's tastes and pursuits we know little, and we do not know whether it will strike our readers as it strikes us, but we confess it does seem somewhat singular, that this

letter on the habits and instincts of animals should have been written to the father of one who, after the generation shall have passed away who were acquainted with his amiableness of character and his private virtues, will be chiefly known from his researches into this very subject;—the substance of the results of which researches is recorded in one of Lord Brougham's dissertations supplementary to Paley's Natural Theology.* Did this account of the Gymnotus first direct the father's attention to the subject, and did he, by precept and example, direct that of his son into the same channel? Or was it Mr. Jones's acquaintance with his quondam pupil's taste already formed that made him know that such information would be gratifying to him? Or was it only the son, and not the father, who took pleasure in such subjects, and was the co-incidence purely accidental? We should not have supposed any thing else, had it not been for the very striking accordance between the expression of Mr. Jones and that of Lord Brougham, as quoted in the note at the bottom of this page.

This may be the proper place to offer a few observations on the political sentiments of Mr. Jones. His connexion with the Spencer family might be of itself received as a guarantee that these were generally in accordance with those of the Whigs; and thus much we can easily learn from Lord Teignmouth's work, and the letters preserved by him. But it must be acknowledged that his Lordship "fights shy" of politics, and seems as if he were anxious to conceal the strong bias of his friend. It is for the express purpose of supplying this defect that the notice in the *Annual Obituary* professes to be written; and it doubtlessly appears that politics occupied so much of the attention of Mr. Jones, as to have required that his views should have been more prominently stated and more fully dwelt upon by his biographer. The obituarist certainly makes it clear that Jones was a "whig at least." A statement is quoted from Dr. Paley to the effect that he was a republican; but we do not see that this statement is substantiated, while

* It certainly does seem remarkable that Lord Brougham's account of what Lord Spencer *was*, is as much a commentary on what Mr. Jones here *advised his father to be*, as if it had been written with that special purpose. "When the general election of 1837 (says Lord B. in the introduction to the dissertation on instinct) was near its close, and every day brought accounts of those mighty boasts of our expected successes under the new reign (so idly made) being overthrown by the activity and resources of our adversaries and the listlessness of the people in our behalf, Lord A. came to me in his way to the North, where he was minded to diversify with field sports his habitual life of farming. *Those pursuits had never interfered with the duty he owed his country, as long as he deemed that the sacrifice of all his domestic comforts could prove serviceable to his public principles; nor had they ever at any time prevented him from cultivating a sound philosophy, in the study of which much of his leisure is always consumed.*"

we can easily understand that his sentiments were such, and so expressed, as to give occasion to his political adversaries to represent them as of a republican tendency. He uniformly expressed an unbounded admiration of the British constitution; and we cannot see that this is compatible with republicanism. We do not doubt that he might attach more value to the popular element of the constitution than to either of the two others; but that he was a republican in the sense of wishing to have no king, and no hereditary nobility, we see not the slightest reason for believing. On the contrary it seems that his ardent attachment to the British constitution, (not indeed exactly as it was in his own time, but as he supposed it to have been at some former era,) indicates a strong conservative feeling. It is true he was not for the conservation of things as they were, but as they had been. Undoubtedly, had he succeeded in getting a seat in the House of Commons, he would have been in general a zealous advocate of whig *measures*, although we doubt whether his independent mind would have brooked subjection to the leaders of the whig *party*, or the leaders of any party whatever.

As it was, his political views were not such as to commend him to the magnates of the university of Oxford, so as to induce them to choose him for their representative in parliament. His claims for this honor depended, besides his general credit as a distinguished scholar and alumnus of the university, upon the service he had rendered to it by his defence of it against an attack of Anquetil de Perron. Although Mr. Jones received assurances of support from many members of the university, he saw that success was hopeless, and retired from the field before the election, in favor of Sir William Scott, (Lord Stowell) whom, next to himself, he wished to be successful, on account of his great learning; although it is needless to say that they differed *toto cælo* in their political views. Scott also withdrew from the contest, and Sir William Dolben was elected without opposition.

Mr. Jones's defeat on this occasion seems to us another matter of congratulation. If he had got into parliament, he would of course never have come to India, and his senatorial duties would almost certainly have abstracted him from his oriental studies. Besides, we are not quite sure that he would have made any distinguished figure in parliament. It is proverbial that scarcely any distinguished literary man ever does; and we think he was less fitted to succeed than many others who have failed.

In connexion with his political sentiments we ought to mention

his association with a society or Club "for the diffusion of political imformation." Under the auspices of this society was published a tract, in the form of a dialogue, which in these days of free discussion seems sufficiently moderate, but which in those days was deemed indictable as being seditious. The tract was published anonymously, but Mr. Jones's brother-in-law, a dignitary in the church, was brought to trial on the ground of his having superintended the publication and distribution of an edition of it. Before the trial, Jones acknowledged himself the author of the dialogue, and it is probable that his legal fame, and the feeling that he could not have been so foolish as to publish what he did not well know to be justifiable in the eye of law, may have conspired with a notable speech of Lord Erskine, to induce the jury to bring in a verdict of acquittal.

With the interest and connexions of Mr. Jones, with his undoubted talents of the very highest order, and with his indefatigable diligence, it was impossible that he should not have been a rising man at the bar. He was so. But he does not seem ever to have given his whole heart to his profession. His grand object was to get into parliament; and next to this, or rather as a means of accomplishing this object under more advantageous circumstances at a subsequent period, was his desire to obtain a judicial appointment in India. The advantages which he promised himself from such an appointment were two-fold;—the opportunity of prosecuting under the most favorable circumstances his oriental studies, and that to which we have just alluded—the realization of a fortune which should enable him to get into parliament, and devote his whole time to politics, without the distractions of a forensic life. Perhaps to these we should add a third motive, the desire to take to wife Miss Shipley, the daughter of the Bishop of St. Asaph, to whom he had long been attached, but whom he did not deem it prudent to marry on the precarious income of a barrister. Despite the recommendation of His Danish Majesty, and his reputation as a lawyer and a scholar, a considerable time elapsed before his wishes in regard to an appointment were gratified; but at last, in 1783, he set sail for India with the office of a *puisne* judge of the Supreme Court of Fort William, the rank and title of a knight, and the wife of his early and mature choice.

After the usual incidents of the outward voyage, and some incidents that in these degenerate days of voyaging are not usual, such as a visit to the island of Joanna (know'st thou where it is, thou last year's importation by the *Monarch*, the *Queen* or the *Alfred*?), Sir William and Lady Jones arrived in Calcutta in September 1783:—

"His reputation (says his biographer) had preceded his arrival, which was anxiously expected, and he had the happiness to find, that his appointment had diffused a general satisfaction, which his presence now rendered complete. The students of the Oriental languages were eager to welcome a scholar, whose erudition in that branch of literature was unrivalled, and whose labours and genius had assisted their progress; while the public rejoiced in the possession of a magistrate, whose probity and independence were no less acknowledged than his abilities."

In due course he entered on his judicial functions, and in his first charge to the Grand jury gave evidence sufficient to convince any (if any such there were) who were not previously aware of the fact, that he was no ordinary man. But his first great work in India, and perhaps his greatest, was the organization of the Asiatic Society—a Society which has been subject, doubtless, to those ebbs and flows to which all such bodies are liable, but which, from then till now, has been the instrument of collecting a vast amount of valuable information in regard to the languages, manners, history, geography, chronology, zoology, geology, and botany of India, and Asia generally. When we are on this subject, we hope the learned members of that society will not take it amiss if we hint to them that the centenary of the birth of their illustrious founder would be a suitable time for giving a new and more vigorous impulse to it,* so that the occupant of our editorial chair in 1946 may have fresh laurels of its growth wherewith to crown the memory of its founder!

Very shortly after his arrival, Sir William set about the study of the Sanskrit language; and it is to the knowledge he acquired of this language, and the use that he made of it, that we are indebted for what is most valuable in his researches into oriental subjects. Sir William's progress in the knowledge of Sanskrit was, according to his own account, slow but sure. Labor and expense were regarded as nothing in comparison with any advancement in his favorite pursuits. During the sittings of the court, he lived at Garden Reach. He walked every morning from his house to his chambers, a distance of three or four miles, so as to reach the latter place before the first appearance of the sun. There he spent three or four hours in close study, before the opening of the court. After his labors on the bench were over, he seems regularly to have retired with his Pandits for the

* In particular we must take the liberty of saying, that so far as we are able to form a judgment, the Zoological department has been allowed of late to acquire an undue ascendancy in the transactions of the Society. Now we have no wish to undervalue this branch of science; but let it be kept in its place.

furtherance of his great work on Hindu law, and the evening he spent in the reading, with Lady Jones, of books in all modern European languages, and in playing chess. Every third month however this plan was suspended by the necessity of his spending his evenings in the Loll Bazar, in order to be in readiness to issue warrants for the apprehension of drunkards! The court sat for eight months in the year, and the other four, with the exception of his month of duty as Justice of Peace in the Loll Bazar, he spent, the first year on a trip to Benares, the second on a visit to Chitagong, and the subsequent years at a cottage in the district of Krishnagur, in the neighbourhood of Nudiya. Here, away from the strife of plaintiff and defendant, his mind went forth unrestrained on the pursuits that were dearest to it. The earnest investigation of Sanskrit lore, the study of botany, and the conduct of literary and scientific correspondence, left him never a vacant hour, and frequently called forth from him the acknowledgment that, but for one abatement, he was as happy as it was possible, or perhaps proper, for any man to be in this world.

Let us call the attention of our European readers to this picture, so different from those that many of them have been accustomed to paint to themselves of Indian life. None of the glare and glitter and parade, none of the intrigue and adventure and conspiracy and assassination; but a calm, peaceful existence, spent in constant discharge of laborious duty, and in the unremitted prosecution of engrossing studies. *O si sic omnes!*

The abatement of his happiness to which we have alluded was one of a painful kind, the frequent indisposition of Lady Jones. This at last came to such a height that she was constrained to leave India. He was prevented from accompanying her to Europe, not by the desire of accumulating wealth, but by the conscientious desire to finish his work on Hindu law, a work which he could only prosecute in the midst of his Pandits. He hoped soon to follow her to England, but it was otherwise ordained. On the 20th April 1794, he called on the Governor General, Sir John Shore (Lord Teignmouth,) and told him that he felt indisposed, and was returning home to take some medicine. He seems to have been more severely affected than he supposed, (a thrice-told tale in Indian biography) and his medical attendant was not called for several days. On the 27th, Sir John Shore was sent for, and reached his home just in time to see him die. "He was lying on his bed in a posture of meditation; and the only symptom of remaining life was a small degree of motion in the heart, which after a few seconds ceased, and he expired without a pang or groan."

We have thus run over the principal events of Sir William Jones' life, with a desire to put our readers in possession of the main points in his history, in order that they may be the better able to estimate the Herculean task of the composition of his voluminous and most erudite writings. Having little time or leisure ourselves to furnish such a view of these multifarious writings as should be at once brief enough for our limited space, and interesting enough to attract the attention of the general reader, we made application to a learned friend, whose pen is not a stranger to these pages, to supply us with a brief but comprehensive sketch of his principal works; and this sketch we now *append precisely* as it reached us.

In viewing the WORKS of Sir W. Jones, and particularly those on Sanskrit literature, we are quite astonished at his indefatigable energy. He paid his Pandit, Ram Lochan, a Vaidya, who died at Nudiya in 1815, 500 Rs. monthly for teaching him Sanskrit. Such was the objection of Pandits to teach Sanskrit to Europeans that even Akbar's liberality and influence could not prevail on the Brahmans to instruct Abul Fazl, his Secretary, in Sanskrit literature, until by stratagem, Fazl, brother of Abul Fazl, got access to the house of a Bráhman at Benares, representing himself as a Bráhman, and spent ten years studying Sanskrit. At last the Bráhman discovered it, and was about to kill himself, but Fazl prevented him and swore he would not translate the Vedas, nor reveal the mysterious symbols of the Bráhman creed: but after the Bráhman's death, Fazl considered himself released from his promise. Dárá also, the son of Sháh Jehán, retired to Benares, and studied the Vedas, he assembled the Pandits round him and had one of the Upanishads translated into Persian.

One effect of Sir W. Jones' labours is seen in the circle of Orientalists, he raised up by his example and writings—Halhed, an accomplished Sanskrit scholar, who published the Gentú Code, compiled at Benares, by a number of Bráhmans, assembled for that purpose by Warren Hastings,—Wilkins, called by Schlegel, "the Nestor of Sanskrit studies."—Wilford, who, in his geographical writings, has preserved "a venerable fragment from the shipwreck of time:" he was a Swiss and came to India, as a private soldier, but soon obtained a commission in the engineers; when over seventy years of age he lived at Benares, giving the whole day to study, and not ashamed of having hung up in his room the musquet he had used fifty

years before,—Gladwin, the father of periodical writing, in Bengal,—Harrington, the editor of the works of Sádi,—Leyden, who "was occupied from a very early hour in the morning till mid-day with professional duties, yet after that sat down to study till midnight,"—Colebrooke, "little known and less appreciated in Calcutta, of retired habits and cold manners, yet enthusiastic in oriental subjects,"—and Lumsden, called by Von Hammer, "the stupendous prop of the temple of Arabic and Persian lore." Men like these served to remove the stigma that "literature in India is to Europeans an exotic," though they were preceded in the line of historical research by Orme, Vansittart, Hastings and Verelst.

Sir W. Jones was one of the first to open the mysteries of Hindú law to the literati of Europe—since his time various treatises have been published, as Colebrooke's Digest and translation of the Dáyá Bhágá and Mitakshárá; Sutherland's translation of the Dattaká Mimánsa and Dattaká Chandraka; Macnaghten's Hindú law; Galloway on Mahommedan law; Hamilton's Hedáyá: works which free the judge from vassalage to the law officers. Sir W. Jones thinking laws to be of no use without manners, made with this object a translation of Manu, in order that English judges might know Hindú law. In translating Manu he met with considerable difficulty:—

"And the *Bráhman*, who read it with me, requested most earnestly, that his name might be concealed; nor would he have read it for any consideration on a forbidden day of the moon, or without the ceremonies prescribed in the second and fourth chapters for a lecture on the *Veda*; so great, indeed, is the idea of sanctity annexed to this book, that, when the chief native magistrate at *Benares* endeavoured, at my request, to procure a *Persian* translation of it, before I had a hope of being at any time able to understand the original, the *Pandits* of his court unanimously and positively refused to assist in the work, nor should I have procured it at all, if a wealthy *Hindú* at *Gaya* had not caused the version to be made by some of his dependants, at the desire of my friend, Mr. Law."

He presents the following admirable summary of the work:—

"It is a system of despotism and priestcraft, both indeed limited by law, but artfully conspiring to give mutual support, though with mutual checks; it is filled with strange conceits in metaphysics and natural philosophy, with idle superstitions, and with a scheme of theology most obscurely figurative, and consequently liable to dangerous misconception; it abounds with minute and childish formalities, with ceremonies generally absurd and often ridiculous; the punishments are partial and fanciful, for some crimes dreadfully cruel, for others reprehensibly light; and the very morals, though rigid enough on the whole, are in one or two instances (as in the case of light oaths and of pious perjury) unaccountably relaxed: nevertheless, a spirit of sublime devotion, of benevolence to mankind, and of amiable tenderness to all sentient creatures, pervades the whole work; the style of it has a certain austere majesty, that sounds like the language of legislation and extorts a respectful awe; the sentiments of independence on all beings but God, and the harsh admonitions even to kings, are truly noble; and the many panegyrics on the *Gayatri*, the *Mother*, as it is called, of the *Véda*, prove the author to have *adored* (not the visible material *sun*,) but *that divine and incomparably greater light*, to use the words of the most venerable text in the *Indian* scripture, *which illumines all, delights all, from which all proceed, to which all must return, and which alone can irradiate* (not our visual organs merely, but our souls and) *our intellects*."

Manu's laws were written about 1,100 B. C. near the period when Kanauj was founded. Sir W. Jones infers the antiquity of Manu from the style, metre, grammar and astronomical references, and is of opinion it was compiled after the Hindú race was settled south of the Himalaya mountains. It shows that civilization prevailed at an early period among the Hindús, as reference is made to losses by adventures at *sea*, to engraving on stone, giving a beautiful polish to the diamond, enchasing in gold, working in ivory; it mentions silk, spirits made from the dregs of Sugar and Indigo. The laws of Manu show, by their complexity and minuteness that a long time of settled government must have elapsed ere they were published. In them are many laws like those of the Jews as—the Levirite,—the Aswamedha, like the scapegoat,—the lex talionis "an eye for an eye,"—the ordeal,—ceremonial defilements. The penalties are severe;—thus the adulteress is to be devoured alive by dogs in the public market, the adulterer is to be bound to an iron bed heated red hot, dakoits are to be impaled, false witnesses to be deprived of sight; if a man insults a Bráhman, an iron style is to be thrust red hot down his throat; for offering to instruct a Bráhman, boiling oil is to be dropped into his ears and mouth.

The *First Chapter* treats of the creation—that water not light was first produced—the division of castes.

The *Second Chapter* discusses the education and duties of a Bráhman—the giving names:—

"The first part of a *Bráhman's* compound name should indicate holiness; of a *Kshatriya's* power; of a *Vaisya's* wealth; and of a *Súdra's* contempt:

Let the second part of the priest's name imply prosperity; of the soldier's preservation; of the merchant's, nourishment; of the servant's, humble attendance.

The names of women should be agreeable, soft, clear, captivating the fancy, auspicious, ending in long vowels, resembling words of benediction.

In the fourth month the child should be carried out of the house *to see the sun*: in the sixth month, he should be fed with rice; or that *may be done*, which, by the custom of the family, is thought most propitious.

By the command of the *Veda*, the ceremony of tonsure should be legally performed by the three *first* classes in the first or third year *after birth*."

His duties:—

"Each day must a *Bráhman* student receive his food by begging, with due care, from the houses of persons renowned for discharging their duties, and not deficient in performing the sacrifices, which the *Veda* ordains.

Let him not beg from the cousins of his preceptor; nor from his own cousins; nor from other kinsmen by the father's side, or by the mother's; but, if other houses be not accessible, let him begin with the last of those in order, avoiding the first;

Or, if none of those *houses* just mentioned can be found, let him go begging through the whole district round the village, keeping his organs in subjection, and remaining silent: but let him turn away from such as have have committed any deadly sin."

The following observation is rather liberal:—

"A believer in scripture may receive pure knowledge even from a *Súdra*; a lesson of the highest virtue, even from a *Chándala*; and a woman bright as a gem, even from the basest family:

Even from poison may nectar be taken; even from a child, gentleness of speech; even from a foe, prudent conduct; and even from an impure substance, gold.

From every quarter, therefore, must be selected women bright as gems, knowledge, virtue, purity, gentle speech, and various liberal arts."

The *Third Chapter* is on the time and duties of marriage—the eight kinds of marriage—the ceremonies at a shradda—the description of wife to be chosen:—

"She, who is not descended from his *paternal or maternal* ancestors within the sixth degree, and who is not *known by the family name to be* of the same primitive stock with his father *or mother*, is eligible by a twice born man for nuptials and holy union:

In connecting himself with a wife, let him studiously avoid the ten following families, be they ever so great, or ever so rich in kine, goats, sheep, gold, and grain:

The family, which has omitted prescribed acts of religion; that, which has produced no male children; that, in which the *Veda* has not been read; that, which has thick hair on the body; and those, which have been subject to hemorrhoids, to phthisis, to dyspepsia, to epilepsy, to leprosy, and to elephantiasis.

Let him not marry a girl with reddish hair, nor with any deformed limb; nor one troubled with habitual sickness; nor one either with no hair or with too much; nor one immoderately talkative; nor one with inflamed eyes;

Nor one with the name of a constellation, of a tree, or of a river, of a barbarous nation, or of a mountain, of winged creature, a snake, or a slave; nor one with any name raising an image of terrour.

Let him chuse for his wife a girl, whose form has no defect; who has an agreeable name; who walks *gracefully* like a phœnicopteros or like a young elephant; whose hair and teeth are moderate respectively in quantity and in size; whose body has exquisite softness."

The *Fourth Chapter* dwells on economics and morals—the duties of a priest, and householder:—

"He must not gaze on the sun, whether rising or setting, or eclipsed, or reflected in water, or advanced to the middle of sky.

Over a string, to which a calf is tied, let him not step; nor let him run, while it rains; nor let him look on his own image in water: this is a settled rule.

By a mound of earth, by a cow, by an idol, by a *Bráhman*, by a pot of clarified butter, or of honey, by a place where four ways meet, and by large trees well known in the district, let him pass with his right hand toward them.

* * * * * * *

Let him not dwell in a city governed by a *Súdra* king, nor in one surrounded with men unobservant of their duties, nor in one abounding with professed heretics, nor in one swarming with lowborn outcasts.

Let him eat no vegetable, from which the oil has been extracted; nor indulge his appetite to satiety; nor eat either too early or too late; nor *take any food* in the evening, if he have eaten to fulness in the morning.

Let him make no vain corporeal exertion: let him not sip water *taken up* with his *closed* fingers: let him eat nothing *placed* in his lap: let him never take pleasure in asking idle questions.

Let him neither dance nor sing, nor play on musical instruments, *except in religious rites*; nor let him strike his arm, or gnash his teeth or make a braying noise, though agitated by passion.

Let him not wash his feet in a pan of mixed yellow metal; nor let him eat from a broken dish, nor where his mind is disturbed with anxious apprehensions.

Let him not use either slippers or clothes, or a sacerdotal string, or an ornament, or a garland, or a waterpot, which before have been used by another.

With untrained beasts of burden let him not travel; nor with such, as are oppressed by hunger or by disease; nor with such as have imperfect horns, eyes, or hoofs; nor with such as have ragged tails."

The *Fifth Chapter* treats of women, purification, diet forbidden to Bráhmans, as:—

"Garlic, onions, leeks, and mushrooms (which no twice-born man must eat), and all vegetables raised in dung,

Red gums or resins, exuding from trees, and juices from wounded stems, the fruit *selu* and the thickened milk of a cow within ten days after her calving, a priest must avoid with great care.

Rice-pudding, boiled with *tila*, frumenty, rice-milk, and baked bread, which have not been first offered to some deity, flesh meat also, the food of gods, and clarified butter which have not first been touched, while holy texts were recited.

Fresh milk from a cow, whose ten days are not passed, the milk of a camel, or any quadruped with a hoof not cloven, that of an ewe, and that of a cow in heat, or whose calf is dead or absent from her.

That of any forest beast, except the buffalo, the milk of a woman, and any thing naturally sweet but acidulated, must all be carefully shunned:

But among such acids, butter-milk may be swallowed, and every preparation of butter-milk, and all acids extracted from pure flowers, roots, or fruit *not cut with iron*.

Let every twice-born man avoid carnivorous birds, and such as live in towns and quadrupeds with uncloven hoofs, except those allowed by the *Veda*, and the bird called *tittibha*."

He thus writes of women:—

"By a girl, or by a young woman, or by a woman advanced in years,

nothing must be done, even in her own dwelling place, according to her mere pleasure:

In childhood must a female be dependent on her father; in youth, on her husband; her lord being dead, on her sons; *if she have no sons, on the near kinsmen of her husband; if he left no kinsmen, on those of her father; if she have no paternal kinsmen, on the sovereign:* a woman must never seek independence.

Never let her wish to separate herself from her father, her husband, her sons; for, by a separation from them, she exposes both families to contempt."

The *Sixth Chapter* is on devotion and yogis:—

"In the hot season, let him sit exposed to five fires, *four blazing around him with the sun above;* in the rains, let him stand uncovered, *without even a mantle,* where the clouds pour *the heaviest* showers; in the cold season, let him wear a humid vesture; and let him increase by degrees the austerity of his devotion."

The following graphic description is given of the body:—

"A mansion with bones for its rafters and beams; with nerves and tendons, for cords; with muscles and blood, for mortar; with skin, for its outward covering; filled with no sweet perfume.

A mansion infested by age and by sorrow, the seat of malady, harassed with pains, haunted with the quality of darkness, and incapable of standing long; such a mansion of the vital soul let its occupier always cheerfully quit."

The *Seventh Chapter* dwells on Government, the divine right of kings, their duties:—

"Let the king, having risen at early dawn, respectfully attend to *Bráhmans* learned in the three *Vedas,* and in the science of ethics; and by their decision let him abide.

Constantly must he shew respect to *Bráhmans,* who have grown old, *both in years and in piety,* who know the scriptures, who *in body and mind* are pure; for he, who honours the aged, will perpetually be honoured even by cruel demons."

Respecting towns:—

"Let him place, as the protectors of his realm, a company of guards, commanded by an approved officer, over two, three, five, or a hundred districts, *according to their extent.*

Let him appoint a lord of one town with its district, a lord of ten towns, a lord of twenty, a lord of a hundred, and a lord of a thousand.

Let the lord of one town certify of his own accord to the lord of ten towns any *robberies, tumults, or other* evils, which arise in his district, *and which he cannot suppress;* and the lord of ten, to the lord of twenty.

Then let the lord of twenty towns notify them to the lord of a hundred; and let the lord of a hundred transmit the information himself to the lord of a thousand townships.

Such food, drink, wood, and other articles, as by law should be given each day to the king by the inhabitants of the township, let the lord of one town receive *as his perquisite:*

Let the lord of ten towns enjoy the produce of two ploughlands, *or as much ground as can be tilled with two ploughs, each drawn by six bulls;* the lord of twenty, that of five ploughlands, the lord of a hundred, that of a village or small town; the lord of a thousand, that of a large town.

The affairs of those *townships,* either jointly or separately transacted, let another minister of the king inspect; who should be well affected, and by no means remiss."

The *Eighth Chapter* is on judicature, the law of creditor and debtor, the rate of interest, and witnesses:—

"Let the judge cause a priest to swear by his veracity; a soldier, by his horse, or elephant, and his weapons; a merchant, by his kine, grain, and gold; a mechanic or servile man, by *imprecating on his own head, if he speak falsely,* all possible crimes;

Or, *on great occasions,* let him cause the party to hold fire or to dive under water, or severally to touch the heads of his children and wife:

He whom the blazing fire burns not, whom the water soon forces not up, or who meets with no speedy misfortune, must be held veracious in his testimony on oath."

On women:—

"He, who talks with the wife of another man at a place of pilgrimage, in a forest or a grove, or at the confluence of rivers, incurs the guilt of an adulterous inclination:

To send her flowers or perfumes, to sport and jest with her, to touch her apparel and ornaments, to sit with her on the same couch, are all held adulterous acts on his part."

On killing Bráhmans:—

"Ignominious tonsure is ordained, instead of capital punishment, for an adulterer of the priestly classes, where the punishment of other classes may extend to loss of life.

Never shall the king slay a *Bráhman,* though convicted of all possible crimes: let him banish the offender from his realm; but with all his property secure and his body unhurt:

No greater crime is known on earth than slaying a *Bráhman:* and the king therefore, must not even form in his mind an idea of killing a priest."

The *Ninth Chapter* is on judicature and inheritance.

The *Tenth Chapter* is on the middle classes, the marriage of Bráhmans, of Súdras and Chandálas:—

"The abode of a *Chandála* and *Swapáka* must be out of the town; they must not have the use of entire vessels; their sole wealth must be dogs and asses:

Their clothes must be the mantles of the deceased; their dishes for food, broken pots; their ornaments, rusty iron; continually must they roam from place to place:

Let no man, who regards his duty, religious and civil, hold any intercourse with them; let their transactions be confined to themselves, and their marriages only between equals:

Let food be given to them in potsherds, but not by the hands of the giver; and let them not walk by night in cities or towns."

The *Eleventh Chapter* is on penances and diseases:—

"Some evil-minded persons, for sins, committed in this life, and some for bad actions in a preceding state, suffer a morbid change in their bodies:

A stealer of gold from a *Bráhman* has whitlows on his nails; a drinker of spirits, black teeth; the slayer of a *Bráhman*, a marasmus.

A malignant informer, fetid ulcers in his nostrils; a false detractor, stinking breath; a stealer of grain, the defect of some limb; a mixer *of bad wares with good*, some redundant member;

A stealer of dressed grain, dyspepsia; a stealer of holy words, *or an unauthorized reader of the scriptures*, dumbness; a stealer of clothes, leprosy; a horse stealer, lameness;

The stealer of a lamp, total blindness; the mischievous extinguisher of it, blindness in one eye; a delighter in hurting sentient creatures, perpetual illness; an adulterer, windy swelling in his limbs:

Thus, according to the diversity of actions, are born men despised by the good, stupid, dumb, blind, deaf, and deformed."

The punishment for drinking spirits is to swallow spirits on flame; he who has accidentally killed a cow must clothe himself in her hide, and watch the herd three months.

The *Twelfth Chapter* is on transmigration and the punishment of wicked persons:—

"The slayer of a *Bráhman* must enter *according to the circumstances of his crime* the body of a dog, a boar, an ass, a camel, a bull, a goat, a sheep, a stag, a bird, a *Chandála*, or a *Pukkasa*.

A priest, who has drunk spirituous liquor, shall migrate into the form of a smaller or larger worm or insect, of a moth, of a fly feeding on ordure, or some ravenous animal.

He, who steals the gold of a priest, shall pass a thousand times into the bodies of spiders, of snakes and cameleons, of *crocodiles and other* aquatic monsters, or of mischievous blood-sucking demons.

* * * * * *

They who hurt any sentient beings, are born *cats and other* eaters of raw flesh; they, who taste what ought not to be tasted, maggots or small flies; they, who steal *ordinary things*, devourers of each other: they who embrace very low women, become restless ghosts.

* * * * * * * *

The wretch, who through covetousness has stolen *rubies or other* gems, pearls, or coral, or precious things of which there are many sorts, shall be born *in the tribe of goldsmiths, or* among *birds called* hemakáras, or *goldmakers*.

If a man steal grain in the husk, he shall be born a rat; if a yellow mixed metal, a gander; if water, a *plava*, or diver; if honey, a great stinging gnat; if milk, a crow; if expressed juice, a dog; if clarified butter, an ichneumon weasel;

If he steal fleshmeat, a vulture; if any sort of fat, the water-bird *madgu*; if oil, a blatta, or oil-drinking beetle; if salt, a cicada or cricket; if curds, the bird *valaka*;

If silken clothes, the bird *tittiri*; if woven flax, a frog; if cotton cloth, the waterbird *krauncha*; if a cow, the lizard *gódhá*; if molasses, the bird *edgguda*;

If exquisite perfumes, a musk rat; if potherbs, a peacock; if dressed grain in any of its various forms, a porcupine; if raw grain a hedgehog;

If he steal fire, the bird *vaka*; if a household utensil, an ichneumon fly; if dyed cloth, the bird *chakóra*;

If a deer or an elephant, he shall be born a wolf; if a horse, a tiger; if roots or fruit, an ape; if a woman, a bear; if water from a jar, the bird *chátaka*; if carriages, a camel; if small cattle, a goat.

That man, who designedly takes away the property of another, or eats any holy cakes not first presented to *the deity* at a solemn rite, shall inevitably sink to the condition of a brute."

Six charges delivered to the Calcutta Grand Jury are published: in them he points out the importance of the Supreme Court, and of juries—gives his opinion that forgery in India cannot be punished with death—recommends a mitigation of the imprisonment in Calcutta jail—and points out the evils of slavery in Calcutta:—

"Hardly a man or woman exists in a corner of this populous town, who hath not at least one slave child, either purchased at a trifling price, or saved perhaps from a death, that might have been fortunate, for a life, that seldom fails of being miserable: many of you, I presume, have seen large boats filled with such children coming down the river for open sale at *Calcutta*; nor can you be ignorant, that most of them were stolen from their parents, bought, perhaps, for a measure of rice in a time of scarcity, and that the sale itself is a defiance of this government, by violating one of its positive orders, which was made some years ago, after a consultation of the most reputable *Hindús* in *Calcutta*, who condemned such a traffic, as repugnant to their *Sástra*. The number of small houses in which these victims are pent, make it, indeed, very difficult for the settlement at large to be apprized of their condition; and if the sufferers knew where or how to complain, their very complaints may expose them to still harsher treatment; to be tortured, if remanded, or, if set at liberty, to starve."

He refers to the prevalence of perjury, drinking, gambling and punch houses in Calcutta, makes some excellent remarks on the duties of jurors, and gives a quotation from Sydney, which is a key note to his own political principles:—

"The good of a people ought to be fixed on a more solid foundation than the fluctuating will or fallible understanding of one or a few: for this reason law is established, which no passion can disturb. It is void of desire and fear, of lust and anger; it is pure dispassionate mind; written reason, retaining some measure of the divine perfection: it enjoins not that, which pleases a weak, frail man, but, without any regard to persons, commands what is good, and punishes evil in all, whether noble or base, rich or poor, high or low: it is deaf, inexorable, inflexible."

These charges are well-worthy the perusal of all those in this country who discharge the functions of jurors.

A translation is given of *Al Sirajeyah* or the Mahommedan law of inheritance, composed by Sirajuddin and Sherif, the Littleton and Coke of Mussalman courts—also of the *Property of Intestates*, by a Mussalman native of Mesopotamia;—it is "a law tract in verse." The Essay on *Suppressing Riots*, shows that the civil power has full authority without resorting to the military in cases of riots. Of his "Essay on the Law of Bailments," Gibbon has remarked "Sir W. Jones has given an ingenious and rational essay on the law of bailments. He is

perhaps the only lawyer equally conversant with the year books of Westminster, the commentaries of Ulpian, the Attic pleadings of Isæus, and the sentences of Arabian and Persian Kazis."

In his work on *the Gods of Greece, Italy and India*, Sir W. Jones traces up with great clearness all mythology to four principal sources:—

"I. Historical, or natural, truth has been perverted into fable by ignorance, imagination, flattery, or stupidity; as a king of *Crete* whose tomb had been discovered in that island, was conceived to have been the God of *Olympus*, and MINOS, a legislator of that country, to have been his son, and to hold a supreme appellate jurisdiction over departed souls; hence too probably flowed the tale of CADMUS, as BOCHART learnedly traces it; hence beacons or volcanos became one-eyed giants and monsters vomiting flames; and two rocks, from their appearance to mariners in certain positions, were supposed to crush all vessels attempting to pass between them; of which idle fictions many other instances might be given from the *Odyssey* and the various *Argonautic* poems. The less we say of *Julian* stars, deifications of princes or warriors, altars raised, with those of APPOLLO, to the basest of men, and divine titles bestowed on such wretches as CAIUS OCTAVINUS, the less we shall expose the infamy of grave senators and fine poets, or the brutal folly of the low multitude: but we may be assured, that the mad apotheosis of truly great men, or of little men falsely called great, has been the origin of gross idolatrous errors in every part of the pagan world. II. The next source of them appears to have been a wild admiration of the heavenly bodies, and, after a time, the systems and calculations of Astronomers: hence came a considerable portion of *Egyptian* and *Grecian* fable; the *Sabian* worship in *Arabia*; the *Persian* types and emblems of *Mithra* or the sun, and the far extended adoration of the elements and the powers of nature; and hence perhaps, all the artificial Chronology of the *Chinese* and *Indians*, with the invention of demigods and heroes to fill the vacant niches in their extravagant and imaginary periods. III. Numberless divinities have been created solely by the magic of poetry, whose essential business it is, to personify the most abstract notions, and to place a nymph or a genius in every grove and almost in every flower: hence *Hygieia* and *Faso*, health and remedy, are the poetical daughters of ÆSCULAPIUS, who was either a distinguished physician, or medical skill personified; and hence *Chloris*, or verdure, is married to the *Zephyr*. IV. The metaphors and allegories of moralists and metaphysicians have been also very fertile in Deities; of which a thousand examples might be adduced from PLATO, CICERO, and the inventive commentators on HOMER in their pedigrees of the Gods, and their fabulous lessons of morality; the richest and noblest stream from this abundant fountain is the charming philosophical tale of PSYCHE, or the *Progress of the Soul*; than which to my taste, a more beautiful, sublime, and well supported allegory was never produced by the wisdom and ingenuity of man. Hence also the *Indian* MAYA, or, as the word is explained by some *Hindú* scholars, "the first inclination of the Godhead to diversify himself (such is their phrase) by creating worlds," is feigned to be the mother of universal nature, and of all the inferior Gods; as a *Kashmírian* informed me, when I asked him, why KAMA, or *Love*, was represented as her son; but the word MAYA, or *delusion*, has a more subtile and recondite sense in the *Vedánta* philosophy, where it signifies the system of *perceptions*, whether of secondary or

of primary qualities, which the Deity was believed by EPICHARUS, PLATO, and many truly pious men, to raise by his omnipresent spirit in the minds of his creatures, but which had not, in their opinion, any existence independent of mind."

He then discusses the connection between the Gods of Greece, Italy and India. He compares *Ganesa* having an elephant's head, the symbol of wisdom, with Janus, in the names of both were sacrifices and daily duties begun; *Saturn* with Noah and Manu—*Lakhmi* and Ceres, both female deities—Indra and Jupiter—Siva and Jupiter Genitor—Suradevi and Bacchus—Neptune and Siva with his trident—Dúrga and Pallas—Saraswati and Minerva—Iswara and Isis—Ram and Dionysius—Krishna and Apollo—Vishwakarma and Vulcan—Káli and Diana. Sir Wm. then traces the relation between Egypt and India in the name *Misar*—"priests from Egypt came and settled in Tirhút"—the Nile is derived from the Sanskrit *nil*, blue. He thinks the story of Krishna was partly derived from a spurious gospel brought into India. Sir W. Jones concludes his discourse with a strange declaration:—

"We may assure ourselves, that neither *Mussalmans* nor *Hindús* will ever be converted by any mission from the Church of *Rome*, or from any other church; and the only human mode, perhaps, of causing so great a revolution will be to translate into *Sanskrit* and *Persian* such chapters of the Prophets, particularly of ISAIAH, as are indisputably Evangelical, together with one of the Gospels, and a plain prefatory discourse containing full evidence of the very distant ages, in which the predictions themselves, and the history of the divine person predicted, were severally made public; and then quietly to disperse the work among the well-educated natives; with whom if in due time it failed of producing very salutary fruit by its natural influence, we could only lament more than ever the strength of prejudice, and the weakness of unassisted reason."

Sir W. J. had a house at Krishnagur, where he may have penned these lines: it is now in ruins, but within one hundred yards of it are erected a Christian Church, Mission House, Mission Schools and residences for native Christians, and in the district are the greatest number of converts in North India!

In an article on the *Chronology of the Hindús* he endeavours to reduce within the limits of historical probability the Hindú Yug, that Adam was the *ádim* or first Noah or Manu,—on the age of Buddha, he supposes there were two Buddhas with an interval of 1,000 years between them,—the genealogies of the Suryabansa and Chandrabansa; Jarasandha, a contemporary of Judhistir, founded a new dynasty in Magadh—a list is given of 21 Andhra Kings who reigned in Magadh between B. C. 908 and 456, when Magadh ceased to be an independent kingdom, being reduced to insignificance by the Pal kings of Gaur. He traces the foundation of the Indian empire

above 3,800 years ago—supposes that Sakya, or Sishak imported Buddhism into India from Egypt, about 12 centurise B. C. —But his data for Hindú chronology are very few, vague, and unsatisfactory; he chiefly depends on the place of the colures.

Sir Wm. in his paper on "*the Antiquity of the Indian Zodiac*," endeavours to show it was not borrowed from the Greeks or Arabs:—

"In fact, although the figures of the twelve *Indian* signs bear a wonderful resemblance to those of the *Grecian*, yet they are too much varied for a mere copy, and the nature of the variation proves them to be original; nor is the resemblance more extraordinary than that, which has often been observed, between our *Gothic* days of the week and those of the *Hindus*, which are dedicated to the same luminaries, and (what is yet more singular) revolve in the same order: *Ravi*, the Sun; *Soma*, the Moon; *Mangala*, Tuisco; *Buddha*, Woden; *Vrihaspati*, Thor; *Sukra*, Freya; *Sani*, Saturn; yet no man ever imagined, that the *Indians* borrowed so remarkable an arrangement from the *Goths* or *Germans*.

* * * * * *

There is no evidence, indeed, of a communication between the *Hindús* and *Arabs* on any subject of literature of science; for, though we have reason to believe, that a commercial intercourse subsisted in very early times between *Yemen* and the western coast of *India*, yet the *Bráhmans*, who alone are permitted to read the six *Vedángas*, one of which is the astronomical *Sástra*, were not then commercial, and, most probably, neither could nor would have conversed with *Arabian* merchants. The hostile irruption of the *Arabs* into *Hindústán*, in the eighth century, and that of the *Moguls* under CHENGIZ, in the thirteenth, were not likely to change the astronomical system of the *Hindús*; but the supposed consequences of *modern* revolutions are out of the question; for, if any historical records be true, we know with as positive certainty, that AMARSINH and KALIDAS composed their works before the birth of CHRIST, as that MENANDER and TERENCE wrote before that important epoch: now the twelve *signs* and and twenty-seven *mansions* are mentioned, by the several names before exhibited, in a *Sanskrit* vocabulary by the first of those *Indian* authors, and the second of them frequently alludes to *Róhini* and the rest by name in his *Fatal Ring*, his *Children of the Sun*, and his *Birth* of KUMARA."

He shews that the Púranic astronomy is not to be confounded with the Jyatish or mathematical astronomy. In his paper on the *Lunar year of the Hindús*, an account is given of all the Hindú festivals held in each month of the year. Sir W. J's. *Hindú Odes* first appeared in Gladwin's miscellany, a work which preceded the Asiatic Researches, and the first periodical published in Calcutta.

Sir W. Jones' *Eleven discourses* delivered before the Asiatic Society are distinguished for the variety of subjects he has brought forward, the valuable suggestions and hints thrown out, and their freedom from dogmatism: they show that *though an active professional man he turned his leisure hours to good account*. He was the first President of the

Asiatic Society, and few of his successors have imbibed his spirit: it reflects disgrace on men to accept an office for the mere honour of it without performing the duties; we have known of a President of the Asiatic Society who would not take his dinner half an hour earlier in order to enable him to attend a monthly meeting—the spirit of the age loaths having men as drones at the head of a Society, even though they be Lords, and could trace up their ancestry to the Plantagenets. Sir W. Jones executed the duties of his office faithfully—*si monumentum requiris, circumspice*. His memorial lies in these inestimable discourses.

Sir W. Jones, in his preliminary discourse to the Asiatic Society states, that the design of forming such a Society occurred to him on his way to India, the objects he states to be:—

"It is your design, I conceive to take an ample space for your learned investigations bounding them only by the geographical limits of *Asia*; so that, considering *Hindústán* as a centre, and turning your eyes in idea to the North, you have on your right, many important kingdoms in the Eastern Peninsula, the ancient and wonderful empire of *China* with all her *Tartarian* dependencies, and that of *Japan*, with the cluster of precious islands, in which many singular curiosities have too long been concealed: before you lies that prodigious chain of mountains, which formerly perhaps were a barrier against the violence of the sea, and beyond them the very interesting country of *Tibet*, and the vast regions of *Tartary*, from which, as from the *Trojan* horse of the poets, have issued so many consummate warriors, whose domain has extended at least from the banks of the *Ilissus* to the mouths of the *Ganges*: on your left are the beautiful and celebrated provinces of *Iran* or *Persia*, the unmeasurable deserts of *Arabia*, and the once flourishing kingdom of *Yemen*, with the pleasant isles that the *Arabs* have subdued or colonized; and farther westward, the *Asiatic* dominions of the *Turkish* sultans, whose moon seems approaching rapidly to its wane.—By this great circumference, the field of your useful researches will be inclosed; but, since *Egypt* had unquestionably an old connection with this country, if not with *China*, since the language and literature of the *Abyssinians* bear a manifest affinity to those of *Asia*, since the *Arabian* arms prevailed along the *African Mediterranean*, and even erected a powerful dynasty on the continent of *Europe*, you may not be displeased occasional to follow the streams of *Asiatic* learning a little beyond its natural boundary.

* * * * * *

Agreeably to this analysis, you will investigate whatever is rare in the stupendous fabric of nature, will correct the geography of *Asia* by new observations and discoveries; will trace the annals, and even traditions, of those nations, who from time to time have peopled or desolated it; and will bring to light their institutions, civil and religious; you will examine their improvements and methods in arithmetic and geometry, in trigonometry, mensuration, mechanics, optics, astronomy, and generally physics; their systems of morality, grammar, rhetoric, and dialectics; their skill in chirurgery and medicine, and their advancement, whatever it may be, in anatomy and chemistry. To this you will add researches into their agri-

culture, manufactures, trade; and, whilst you inquire with pleasure into their music, architecture, painting, and poetry, will not neglect those inferior arts, by which the comforts and even elegances of social life are supplied or improved."

Would that his plans had been carried out with spirit since by the Asiatic Society! In Sir W. Jones' time there were *weekly* meetings of the Society, *now* few besides the officers of the Society, attend at the *monthly* meetings. He next enlarges on the beneficial results likely to ensue from the labors of the Society.

In his *Second Anniversary discourse* in 1785, he congratulates the Society on "their progress having far exceeded his expectations." He points out the importance of studying the geography of India, the botany as useful for diet and medicine:—

"The noble deobstruent oil, extracted from the *Eranda* nut, the whole family of *Balsams*, the incomparable stomachic root from *Columbo*, the fine astringent, ridiculously called *Japan* earth, but in truth produced by the decoction of an *Indian* plant, have long been used in *Asia*; and who can foretell what glorious discoveries of other oils, roots, and salutary juices, may be made by your society."

Its music:—

"But the *Hindú* system of *music* has, I believe, been formed on truer principles than our own; and all the skill of the native composers is directed to the great object of their art, *the natural expression of strong passions*, to which *melody*, indeed, is often sacrificed: though some of their tunes are pleasing even to an *European* ear. Nearly the same may be truly asserted of the *Arabian* or *Persian* system; and, by a correct explanation of the best books on that subject, much of the old *Grecian* theory may probably be recovered."

He expresses a wish which has not been fulfilled:—

"Yet I cannot forbear expressing a wish, that the activity of the *French* in the same pursuits may not be superior to ours, and that the researches of M. SONNERAT, whom the court of *Versailles* employed for seven years in these climates, merely to collect such materials as we are seeking, may kindle, instead of abating, our own curiosity and zeal."

He makes a proposal which has never been properly carried out:—

"If each of us were occasionally to contribute a succinct description of such manuscripts as he had perused or inspected, with their dates and the names of their owners, and to propose for solution such *questions* as had occurred to him concerning *Asiatic* Art, Science, and History, natural or civil, we should possess without labour, and almost by imperceptible degrees, a fuller catalogue of Oriental books, than has hitherto been exhibited, and our correspondents would be apprised of those points, to which we chiefly direct our investigations."

The *third anniversary discourse* embraces a wide scope of historical subjects,—he censures etymological investigation

(Germany however disproves his censures)—he notices the geography of India:—

"Nor can we reasonably doubt, how degenerate and abased so ever the *Hindús* may now appear, that in some early age they were splendid in arts and arms, happy in government, wise in legislation, and eminent in various knowledge."

He then treats of the Vrija Bhasha, or vernacular language used near Mathúra when the Mussalmans came to India; the Hindi "the primeval language of Upper India," the Deva Nagari and its cognate characters used from Kashgar to Ramisaram, and from Sindh to Siam; the Indian religion:—

"We now live among the adorers of those very deities, who were worshipped under different names in old *Greece* and *Italy*, and among the professors of those philosophical tenets, which the *Ionic* and *Attic* writers illustrated with all the beauties of their melodious language. On one hand we see the trident of NEPTUNE, the eagle of JUPITER, the satyrs of BACCHUS, the bow of CUPID, and the chariot of the *Sun*; on another we hear the cymbals of RHEA, the songs of the *Muses*, and the pastoral tales of APOLLO NOMIUS."

Of mythological affinities, he justly remarks:—

"Although I cannot believe with NEWTON, that ancient mythology was nothing but historical truth in a poetical dress, nor with BACON, that it consisted solely of moral and metaphysical allegories, nor with BRYANT, that all the heathen divinities are only different attributes and representations of the Sun or of deceased progenitors, but conceive that the whole system of religious fables rose, like the *Nile*, from several distinct sources, yet I cannot but agree, that one great spring and fountain of all idolatry in the four quarters of the globe was the veneration paid by men to the vast body of fire which "looks from his sole dominion like the God of this world;" and another, the immoderate respect shown to the memory of powerful or virtuous ancestors, especially the founders of kingdoms, legislators, and warriors, of whom the *Sun* or the *Moon* were wildly supposed to be the parents."

He makes the following observation on a subject which ought to be investigated by some ethnologist in this country:—

"All these indubitable facts may induce no ill-grounded opinion, that *Ethiopia* and *Hindústán* were peopled or colonized by the same extraordinary race; in confirmation of which, it may be added, that the mountaineers of *Bengal* and *Bahar* can hardly be distinguished in some of their features, particularly their lips and noses, from the modern *Abyssinians*, whom the *Arabs* call the children of CUSH: and the ancient *Hindús*, according to STRABO, differed in nothing from the *Africans*, but in the straitness and smoothness of their hair, while that of the others was crisp or woolly."

He writes flatteringly of the inventive powers of the Hindús:—

"The *Hindús* are said to have boasted of *three* inventions, all of which, indeed, are admirable, the method of instructing by *apologues*, the *decimal scale* adopted now by all civilized nations, and the game of *Chess*, on which they have some curious treatises; but, if their numerous works on Grammar, Logic, Rhetoric, Music, all which are extant and accessible, were

explained in some language generally known, it would be found, that they had yet higher pretensions to the praise of a fertile and inventive genius."

The *fourth Anniversary discourse* treats of the Arabs, who with the Hindus were both commercial nations at a very early period, and both retained their primitive features, languages and manners in spite of foreign conquest. Sir W. Jones gives the following lively but over-coloured picture of the Arabs:—

"Their eyes are full of vivacity, their speech voluble and articulate, their deportment manly and dignified, their apprehension quick, their minds always present and attentive; with a spirit of independence appearing in the countenances even of the lowest among them. Men will always differ in their ideas of civilization, each measuring it by the habits and prejudices of his own country; but, if courtesy and urbanity, a love of poetry and eloquence, and the practice of exalted virtues be a juster measure of perfect society, we have certain proof, that the people of *Arabia*, both on plains and in cities, in republican and monarchical states, were eminently civilized for many ages before their conquest of *Persia*."

He then dwells on—the encouragement given by the university of Leyden, by Golius, Schultens and Erpenius to the study of Arabic—the difference of the Arabic from the Sanskrit in its aversion to compound words and triliteral roots, and the affinity of its characters to the Hebrew—the Sabianism of the ancient Arabs and their adopting, like the Hindús, the powers of God represented by female deities and the adoration of stones—the Kibla of Mecca—the settlement of people in Arabia about 1800 years before Christ, when the Hindús under Ram were extending their conquests to Ceylon—their ports, the emporia of considerable commerce between Egypt and India—the skill of the early Arabs in poetry and rhetoric,—

"A language, that is only spoken, may nevertheless be highly polished by a people, who, like the ancient *Arabs*, make the improvement of their idiom a national concern, appoint solemn assemblies for the purpose of displaying their poetical talents, and hold it a duty to exercise their children in getting by heart their most approved compositions."

The *fifth discourse* is occupied with TARTARY, "the foundry of the human race," the ancient Scythia which Monsieur Bailli considered to be the spring of arts and sciences to the rest of Europe, though Sir W. J. shows the Tartars had no literature. Even Genghis Khan could find none of his own Moguls able to write his despatches, and Timur could neither read nor write. Over fifty dialects are spoken between Moscow and China. The theory of Bailli respecting the ancient civilization of Tartary is discussed,—its Sabianism—Lamaism

was diffused from Tibet into Tartary—few great monuments of Tartarian antiquity exist:—

"No evidence, therefore, has been adduced to shake my opinion, that the *Moguls* and *Tartars*, before their conquest of *India* and *Persia*, were wholly unlettered; although it may be possible, that, even without art or science, they had, like the *Huns*, both warriors and lawgivers in their own country some centuries before the birth of CHRIST."

In his *sixth discourse* he dwells on PERSIA, or the empire of Iran, "the noblest peninsula in the habitable globe." Sir W. Jones shows that Persia was first known to the Greeks in the time of Cyrus, the Khosran of Firdausi—he treats of the loss of old Persian archives—of the Pahlavi, the learned language of Persia, a dialect of Chaldaic,—the Zend, the sacred tongue, and the vernacular Parsi:—

"Having twice read the works of FIRDAUSI, with great attention, since I applied myself to the study of old *Indian* literature, I can assure you with confidence, that hundreds of *Pársí* nouns are pure *Sanskrit*, with no other change than such as may be observed in the numerous *Bhúshás*, or vernacular dialects, of *India*; that very many *Persian* imperatives are the roots of *Sanskrit* verbs; and that even the moods and tenses of the *Persian* verb substantive, which is the model of all the rest, are deducible from the *Sanskrit* by an easy and clear analogy: we may hence conclude, that the *Pársí* was derived, like the various *Indian* dialects, from the language of the *Bráhmans*."

Of the Zend, 7-10th is of Sanskrit origin:—

"The oldest discoverable languages of *Persia* were *Chaldaick* and *Sanskrit*; and that, when they had ceased to be vernacular, the *Pahlavi* and *Zend* were deduced from them respectively, and the *Pársí* either from the *Zend* or immediately from the dialect of the *Bráhmans*; but all had perhaps a mixture of *Tartarian*."

The ancient Persian religion was Sabianism, traces of which are preserved among the Sagnic Bráhmans, who keep up a perpetual fire for their nuptial ceremonies, shraddas and their own funeral pile. Zoroaster, who travelled into India, reformed the old Persian religion, acknowledging fire as only a symbol: the Mussalmans overthrew this system. Sir W. Jones relates about the Súfis, who, like the Esoteric Bráhmans, hold the doctrine of Maya, of the soul being an emanation from God, of absorption in deity, and speak of beauty and love in a transcendental and mystic sense. He thinks that from Persia issued colonies to all the countries of Asia:—

"We may therefore hold this proposition firmly established, that *Irán*, or *Persia* in its largest sense, was the true centre of population, of knowledge, of languages, and of arts; which, instead of travelling westward only, as it has been fancifully supposed, or eastward, as might with equal reason have been asserted, were expanded in all directions to all the regions of the world, in which the *Hindú* race had settled under various denominations."

The *seventh discourse* is on the CHINESE. In it he discusses the origin of the Chinese, attributed by the Bráhmans to Khetryas who abandoned India: the Chinese empire was in its infancy, when Manu's laws were compiled B. C. 1,200. In Manu the Chinas are mentioned as a race of outcast Hindús. He discusses the religious connections between the Chinese and Hindús:—

"We discover many singular marks of relation between them and the old *Hindús*: as in the remarkable period of *four hundred and thirty-two thousand*, and the cycle of *sixty* years; in the predilection for the mystical number *nine*; in many similar fasts and great festivals, especially at the solstices ond equinoxes; in the just-mentioned obsequies consisting of rice and fruits offered to the manes of their ancestors; in the dread of dying childless, lest such offerings should be intermitted; and, perhaps, in their common abhorrence of *red* objects, which the *Indians* carried so far, that *Manu* himself, where he allows a *Bráhman* to trade, if he cannot otherwise support life, absolutely forbids "his trafficking in any sort of *red* cloths, whether linen or woollen, or made of woven bark." All the circumstances, which have been mentioned under the two heads of *literature* and *religion*, seem collectively to prove (as far as such a question admits proof) that the *Chinese* and *Hindús* were originally the same people, but having been separated near four thousand years, have retained few strong features of their ancient consanguinity, especially as the *Hindús* have preserved their old language and ritual, while the *Chinese* very soon lost both, and the *Hindús* have constantly intermarried among themselves, while the *Chinese*, by a mixture of *Tartarian* blood from the time of their first establishment, have at length formed a race distinct in appearance both from *Indians* and *Tartars*."

He notices Japan, the Britain of the East, colonised by Hindús 1,300 B. C., where Hindú idolatry prevailed from the earliest ages.

The *eighth discourse* takes a wide survey of the Islanders, Borderers and Mountaineers of Asia. In this he treats of the Abyssinians, the Affghans of Jewish origin, the Gypsies of Hindú descent who entered Europe via Egypt, the Aborigines of India, and of the Eastern Archipelago, theparent of whose languages was Sanskrit, the Tibetans of Hindú descent, the Burmese, the Brachmani of Ptolemy.

The *ninth discourse* is on the origin and families of nations. He treats of the human race sprung from one pair diverging from the plains of Irán or Persia in three clans—the Arab, Hindú and Tartar—he makes some just observations on the Etymological reveries of Bryant, resulting from his ignorance of Arabic, Persian and Sanskrit.

The *tenth discourse* is on ASIATIC HITORY, NATURAL OR CIVIL. He makes the following observation which deserves the attention of every Indian resident:—

"For, though labour be clearly the lot of man in this world, yet, in the midst of his most active exertions, he cannot but feel the substantial benefit of every liberal amusement, which may lull his passions to rest, and afford him a *sort of repose without the pain of total inaction*, and the real usefulness of every pursuit, which may enlarge and diversify his ideas, without interfering with the principal objects of his civil station or economical duties."

He points out the modified value of Hindú mythology as a clue to history:—

"The numerous *Puránas* and *Itihásas*, or poems mythological and heroic, are completely in our power; and from them we may recover some disfigured, but valuable, pictures of ancient manners and governments; while the popular *tales* of the *Hindús*, in prose and in verse, contain fragments of history; and even in their *dramas* we may find as many real characters and events, as a future age might find in our own plays, if all histories of *England* were, like those of *India*, to be irrecoverably lost: for example, a most beautiful poem by SOMADEVA, comprising a very long chain of instructive and agreeable stories, begins with the famed revolution at *Pátaliputra* by the murder of King NANDA, with his eight sons, and the usurpation of CHANDRAGUPTA, and the same revolution is the subject of a tragedy in *Sanskrit*, entitled the Coronation of CHANDRA, the abbreviated name of that able and adventurous usurper. From these, once concealed but now accessible, compositions, we are enabled to exhibit a more accurate sketch of old *Indian* history than the world has yet seen, especially with the aid of well-attested observations on the places of the colures."

He refers to the geographical labors of Wilford and the astronomical ones of Davis—the site of Palibathrá. He touches on Hindú mythology, mineralogy, botany, and manufactures. "The manufactures of Sugar and Indigo have been well known in these provinces for more than two thousand years."

The *eleventh discourse* is on the PHILOSOPHY OF THE ASIATICS—their *medicine*;—they have no book which treats it as a science, "the Ayurveda as a revealed science precluding improvement from experience"—their metaphysics in the schools of Kapila, and Gotama, author of the Nyáya:—

"*Nyáya*, or *logical*, a title aptly bestowed; for it seems to be a system of metaphysics and logic better accommodated than any other anciently known in *India*, to the natural reason and common sense of mankind; admitting the actual existence of *material substance* in the popular acceptation of the word *matter*, and comprising not only a body of sublime dialectics, but an artificial method of reasoning, with distinct names for the three parts of a proposition, and even for those of a regular syllogism."

Of Vyasa, the founder of the Vedanta, he writes:—

"The fundamental tenet of the *Vedánti* school, to which in a more modern age the incomparable SANKARA was a firm and illustrious adherent, consisted, not in denying the existence of matter, that is, of solidity, impenetrability, and extended figure (to deny which would be lunacy), but, in correcting the popular notion of it, and in contending, that it has no essence independent of mental perception, that existence and perceptibility are convertible terms, that external appearances and sensations are illusory,

and would vanish into nothing, if the divine energy, which alone sustains them, were suspended but for a moment; an opinion, which EPICHARMUS and PLATO seem to have adopted, and which has been maintained in the present century with great elegance, but with little public applause."

Their *Ethics* were delivered in the form of Aphorisms. In *Natural Philosophy*, Sir Wm. thinks the Asiatics had some glimpse of the doctrine of gravitation. This discourse is attended with melancholy interest, as it was delivered only six weeks before the death of the great Orientalist.

Sir W. Jones, in an elaborate paper, points out the confusion that has arisen from various writers spelling Oriental names according to their caprice—the difficulty in recognising the names of eastern towns, in Greek writers, because—

"They had an unwarrantable habit of moulding foreign names to a *Grecian* form, and giving them a resemblance to some derivative word in their own tongue: thus, they changed the *Gogra* into *Agoranis*, or *a river of the assembly*, *Uchah* into *Oxydracæ*, or *sharp-sighted*, and *Renas* into *Aornos*, or *a rock inaccessible to birds*."

He refers to the obscurity of De Herbelot in consequence of this—the importance of a fixed system in Persian:—

"A learner of *Persian*, who should read in our best histories the life of Sultan AZIM, and wish to write his name in *Arabic* letters, might express it *thirty-nine* different ways, and be wrong at last: the word should be written *Aázem* with three points on the first consonant."

He notices the two chief systems—the first advocated by Major Davy, of writing according to the pronunciation, the second of Halhed and Wilkins writing according to the letters. Halhed used double letters for the long vowels and intermixed Italian with Roman letters. Sir W. Jones has adopted the Italian pronunciation of the vowels as his standard, which thus answers for learned foreigners on the continent as well as for Englishmen. Sir Wm. employed *c*, leaving *k* to express a gutteral k in Arabic; but later Orientalists have not followed him here, as *c* is now very properly discarded, *s* being used for its soft sound, *k* for its hard. His grand rule is "to give every full sound its own specific symbol." No one can read the productions of Oriental writers before Sir W. Jones' time without being convinced of the necessity of some fixed system: that work of extraordinary philological research, the Mithridates of Adelung is obscure in many parts in consequence of there being no definite plan for spelling Sanskrit words. Hindú names are generally significant, but their force is lost when inaccurately spelled: Gilchrist's system long held sway, but Sir W. Jones' is the one now adopted by the Asiatic Societies of London, Calcutta, Bombay, and by almost all the Continental Societies.

The influence of missionary literature has been lent to it, and there seems little doubt that half a century hence it will be the only recognised one. Professor Wilson remarks of it, "though Sir W. Jones' system does not express sounds as well as Gilchrist's, it is constructed on more philosophic principles, is more easily comprehended by the Orientalists of Continental Europe, and is more accurately adapted to the analogies of the Devanágári Alphabet."

In the days of Sir W. Jones, the Persian language was the medium of business in all the Company's Courts; in 1794 a knowledge of Persian was required from all judges of circuit, and appellants, though it was not the usual channel of communication in private among either judges, interpreters, parties or witnesses! The Romans spread their language in all the countries they conquered—the Portuguese promoted with great assiduity the diffusion of their tongue—and the Musalmans diffused the Urdú throughout India—while the English strangely discouraged the use of their own language in Canada, South Africa, and Mauritius. In Sir W. Jones' time the study of Persian was rendered imperative on all civil servants; this gave an impulse to the study of Persian. Sir Wm. wrote a Persian Grammar, in the preface to which he shows the evil that resulted to the study of the Persian from dry philosophy, from "men of learning who have no taste, and men of taste who have no learning:" he shews the need of patronage:—

"But there is yet another cause which has operated more strongly than any before mentioned towards preventing the rise of oriental literature; I mean the small encouragement which the princes and nobles of Europe have given to men of letters. It is an indisputable truth, that learning will always flourish most where the amplest rewards are proposed to the industry of the learned; and that the most shining periods in the annals of literature are the reigns of wise and liberal princes, who know that fine writers are the oracles of the world, from whose testimony every king, statesman, and hero must expect the censure or approbation of posterity. In the old states of Greece the highest honours were given to poets, philosophers, and orators; and a single city (as an eminent writer* observes) in the memory of one man, produced more numerous and splendid monuments of human genius than most other nations have afforded in a course of ages."

Of the men who have suffered from the want of patronage, he states:—

"Hyde, who might have contributed greatly towards the progress of eastern learning, formed a number of expensive projects with that view, but had not the support and assistance which they deserved and required. The labours of Meninski immortalized and ruined him: his dictionary of the Asiatic languages is, perhaps, the most laborious compilation that was

* Ascham.

ever undertaken by any single man; but he complains in his preface that his patrimony was exhausted by the great expence of employing and supporting a number of writers and printers, and of raising a new press for the oriental characters."

Sir W. Jones' *Grammar* was the result of years of labor: he thus states its plan:—

"I have, therefore, endeavoured to lay down the clearest and most accurate rules, which I have illustrated by select examples from the most elegant writers; I have carefully compared my work with every composition of the same nature that has fallen into my hands.

* * * * * * *

It has been my chief care to avoid all the harsh and affected terms of art which render most didactic works so tedious and unpleasant, and which only perplex the learner, without giving him any real knowledge: I have even refrained from making any enquiries into general grammar."

The first Persian book he recommends to be read is the Gúlistan, he advises that Arabic should be studied at the same time:—

"The Hebrew, Chaldaic, Syriac, and Ethiopean tongues are dialects of the Arabic, and bear a resemblance to it as the Ionic to the Attic Greek; the jargon of Hindústán, very improperly called the language of the Moors, contains so great a number of Persian words, that I was able with very little difficulty to read the fables of Pilpai which are translated into that idiom: the Turkish contains ten Arabic or Persian words for one originally Scythian, by which it has been so refined, that the modern kings of Persia were fond of speaking it in their courts: in short, there is scarce a country in Asia or Africa, from the source of the Nile to the wall of China, in which a man who understands Arabic, Persian, and Turkish, may not travel with satisfaction, or transact the most important affairs with advantage and security."

An edition of his Grammar has been published, much improved, by Professor Lee.

A "*history of the Persian language*" is given—he points out the ignorance of the Persian among the ancient Greeks—the flouriahing state of it under the Persian kings—the discouragement given to it by the Mussalmans, as the Kalifs encouraged Arabic, which by their conquests was mixed with the Persian—Firdausi spent thirty years on his poem, which comprised sixty thousand couplets: in the time of Sádi, the Arabic was incorporated with the Persian. Baber introduced Persian literature into India; the Turks improved their dialect by a mixture of Persian; the Turkish was afterwards spoken commonly at the Court of Persia. "A *History of Nadir Shah*" was published in French by Sir W. Jones; it abounds in interesting information respecting Nadir Shah's low origin—his rising by sheer energy to the throne of Persia—his victories over the Turks, Russians, Affghans and Persians—his invasion of India through the defiles of Kábúl—his destruction of 200,000 Hindús—the sack of Delhi. Few can read this life without having some suspicion that the invasion of India, effected by Nadir Shah, an adventurer of fortune, is practicable by Russia with her superior power. Fraser in 1742, published an interesting life of Nadir Shah: he compiled it from over 200 Persian MSS. collected in the east, and from eye-witnesses of the scenes. Fraser was the first Englishman who brought Sanskrit MSS. into Europe. Sir W. J. wrote his translation from Persian into French at the request of the King of Denmark. As an introduction to the History of Nadir Shah, he gives a description of Asia—the Persian empire—the Tartarian kingdoms—the Indian empire—the Turkish empire—a short history of Persia—the Pishdadian family—the Caianian family—the Sassanian family—and the Mahommedan Dynasties.

The *Moallakat*, or seven poems, suspended in the temple of Mecca, were compiled previous to Mahommed's time, and are the only literary monument of the Ante-Mahommedan state of Arabia. Sir W. translated them at the time of war:—

"It is hoped, that the war will raise no obstacle to this intercourse with the scholars of *Leyden*, *Paris*, and *Madrid*; for men of letters, as such, ought, in all places and at all times, to carry *flags of truce*."

It is a series of love tales, but describes the manners and customs of the Nomades of the Arabian desert, the wars and love intrigues of their chiefs. This series comprises the Poems of Muriolkais, Tarafa, Gohair, Lebeid, Antara, Amru, Hareth. He translated various other poems also from the Arabic. In his "*Essay on the Poetry of the Eastern Nations*," he considers Arabia to be the country best adapted for pastoral poetry: he defends eastern imagery thus:—

"So, when they compare *the foreheads of their mistresses to the morning, their locks to the night, their faces to the sun, to the moon, or the blossoms of jasmine, their cheeks to roses or ripe fruit, their teeth to pearls, hailstones, and snow-drops, their eyes to the flowers of the narcissus, their curled hair to black scorpions and to hyacinths, their lips to rubies or wine, the form of their breasts to pomegranates and the colours of them to snow, their shape to that of a pine-tree, and their stature to that of a cypress, a palm-tree, or a javelin, &c.* these comparisons, many of which would seem forced in our idioms, have undoubtedly a great delicacy in theirs, and affect their minds in a peculiar manner; yet upon the whole their similes are very just and striking, as that of *the blue eyes of a fine woman, bathed in tears, to violets dropping with dew*, and that of *a warrior, advancing at the head of his army, to an eagle sailing through the air, and piercing the clouds with his wings*."

Their mode of life suggests the imagery:—

"Except when their tribes are engaged in war, they spend their days in watching their flocks and camels, or in repeatingtheir native songs, which they

pour out almost extempore, professing a contempt for the stately pillars, and solemn buildings of the cities, compared with the natural charms of the country, and the coolness of their tents: thus they pass their lives in the highest pleasure, of which they have any conception, in the contemplation of the most delightful objects, and in the enjoyment of perpetual spring."

He describes the love of the Arabs for poetry:—

"The fondness of the *Arabians* for poetry, and the respect which they show to poets, would be scarce believed, if we were not assured of it by writers of great authority: the principal occasions of rejoicing among them, were formerly, and, very probably, are to this day, the birth of a boy, the foaling of a mare, the arrival of a guest, and the rise of a poet in their tribe: when a young *Arabian* has composed a good poem, all the neighbours pay their compliments to his family, and congratulate them upon having a relation capable of recording their actions, and of recommending their virtues to posterity. At the beginning of the seventh century, the *Arabic* language was brought to a high degree of perfection by a sort of poetical Academy, that used to assemble at stated times, in a place called *Okadh*, where every poet produced his best composition, and was sure to meet with the applause that it deserved: the most excellent of these poems were transcribed in characters of gold upon *Egyptian* paper, and hung up in the temple, whence they were named *Modhakibat*, or *Golden* and *Moallakat*, or *Suspended*: the poems of this sort were called *Kasseidas* or *eclogues*."

He refers to the poems of Sádi, Firdausi,—how the Persians borrowed in their poetic style from the Arabs, as the Turks have done from the Persians, and the Romans from the Greeks.—He points out the advantage of studying oriental writings in addition to Latin and Greek; as giving a greater insight into the history of the human mind, furnishing new images, &c.

Sir W. Jones composed an ode in imitation of Alcæus, which expresses such noble sentiments that we shall give it entire:—

What constitutes a State?
Not high-rais'd battlements or labour'd mound,
Thick wall or moated gate;
Not cities proud with spires and turrets crown'd;
Not bays and broad-arm'd ports,
Where, laughing at the storm, rich navies ride;
Not starr'd and spangled courts,
Where low-brow'd baseness wafts perfume to pride.
No:—MEN, high-minded MEN,
With pow'rs as far above dull brutes endued,
In forest, brake, or den,
As beasts excel cold rocks and brambles rude;
Men, who their *duties* know,
But know their *rights*, and, knowing, dare maintain,
Prevent the long-aim'd blow,
And crush the tyrant while they rend the chain:—
These constitute a State,
And sov'reign LAW, *that state's collected will*,
O'er thrones and globes elate
Sits Empress, crowning good, repressing ill;
Smit by her sacred frown
The fiend *Discretion* like a vapour sinks,
And e'en th' all-dazzling *Crown*
Hides his faint rays, and at her bidding shrinks.
Such *was* this heav'n-lov'd isle,
Than *Lesbos* fairer and the *Cretan* shore!
No more shall Freedom smile?
Shall *Britons* languish, and be men no more?
Since all must life resign,
Those sweet rewards, which decorate the brave,
'Tis folly to decline,
And steal inglorious to the silent grave.

The "*Poeseos Asiaticæ Commentarii*" written in Latin, at the age of 23, treat of the love of the Asiatics for poetry—of Asiatic metres—the Arabic Idyl—Persian verse—Poetic images—Translation—the mystic signification of poetry—Heroic Poetry—Funereal poetry—Moral poetry—Amatory poems—the various Arabic, Persian and Turkish poets. He wrote also in French a *Traité sur la Poésie Orientale*, wherein he discusses the subject of oriental poetry—the Heroic poetry of eastern nations—Amorous poetry—Elegies—Moral poetry—Satires—Panegyrics.

In his essay *on the Musical modes of the Hindús*, he points out the distinction between music as an art and a science:—

"Thus it is the province of the *philosopher*, to discover the true direction and divergence of sound propagated by the successive compressions and expansions of air, as the vibrating body advances and recedes; to show why sounds themselves may excite a tremulous motion in particular bodies, as in the known experiment of instruments tuned in unison; to demonstrate the law, by which all the particles of air, when it undulates with great quickness, are continually accelerated and retarded; to compare the number of pulses in agitated air with that of the vibrations, which cause them; to compute the velocities and intervals of those pulses in atmospheres of different density and elasticity; to account, as well as he can, for the affections, which music produces; and, generally, to investigate the causes of the many wonderful appearances, which it exhibits: but the *artist*, without considering, and even without knowing, any of the sublime theorems in the philosophy of sound, may attain his end by a happy selection of *melodies* and *accents* adapted to passionate verse, and of *times* conformable to regular metre; and above all, by *modulation*, or the choice and variation of those *modes*."

He gives a short notice of the ancient music—Persian music—Indian music and its decline.

On the *Mystical Poetry of the Persians and Hindús* he shows the comparison between the religious mysticism of Europe, Súfism and Vedantism—Hafiz. He gives the following account of Jayadeva:—

"The loves of KRISHNA and RADHA, or the reciprocal attraction between the divine goodness and the human soul, are told at large in the tenth book of the *Bhágavat*, and are the subject of a little *Pastoral Drama*, en-

titled *Gítagovinda*: it was the the work of JAYADEVA, who flourished, it is said, before KALIDAS, and was born, as he tells us himself, in KENDULI, which many believe to be in *Kalinga*: but, since there is a town of a similar name in *Burdwan*, the natives of it insist that the finest lyric poet of *India* was their countryman, and celebrate in honour of him an annual jubilee, passing a whole night in representing his drama, and in singing his beautiful songs."

A translation is given of the Gítagovinda—He wrote various short pamphlets, as *remarks on the island of Johanna*, containing an interesting account of a visit paid there by Sir W. J. and of the conversations he had with the King of the island; He describes *The Indian Game of Chess* or Chaturanga, in which the Bráhmans of Bengal formerly excelled. Sir W. Jones has also written on Natural History, as on the Indian Gross Beak, the Pagolin of Bahar, the Loris; He recommends arsenic for the cure of Elephantiasis. *The Literature of the Hindús* presents a brief view of the chief Sanskrit books:—

"Of the Philosophical Schools it will be sufficient here to remark, that the first *Nyáya* seems analogous to the *Peripatetic*, the *second*, sometimes called *Vaiséshika*, to the *Ionic*, the two *Mimánsà's*, of which the *second* is often distinguished by the name of *Vedánta*, to the *Platonic*, the first *Sánkhya* to the *Italic*, and the second, or *Pátanjala* to the *Stoic*, Philosophy; so that GAUTAMA corresponds with ARISTOTLE; KANADA with THALES; JAIMINI with SOCRATES; VYASA with PLATO; KAPILA with PYTHAGORAS; PATANJALI with ZENO."

Sir Wm. translated the HITOPADESA of Vishnúsarman: it is now translated into over twenty languages. He misapplied his genius in composing hymns to the Hindú Gods—to Kámdeo, the Cupid of India—to Durgá, Bhávani, Indra, Súrya, Lakshmi, Naráyána,—in the latter the doctrine of Máyá or the non-existence of matter is referred to,—a hymn to Saraswati, Gangá. He published an extract from the Ramayan with passages from the Vedas. SAKANTALA or the Fatal Ring, an Indian drama, was translated by Sir W. Jones: it is allowed to be the best production of Kálidas, the prince of Hindú dramatists; it shows the ancient refinement of the Hindús, for a people must have attained a certain status in civilization to be able to admire such a work as Sákantálá. Kalidasa its author was one of the *nabaratna* at the Court of Vikramaditya, the patron of poets, philologists and mathematicians, "a court equal in brilliancy to that of any monarch or country." Dushmanta, the hero of the piece, lived about the time of David. In Sákantálá we have the manners of 2,000 years ago pictured before us, as Dushmanta may have ruled over India 1,000 B. C.; from Sákantálá we learn that the worship of the Sun prevailed once in India, and that the land tax exacted only one-sixth of the produce of the ground. Sákantálá has been well entitled "a mythological pastoral."

Sir Wm. has written several able articles on Indian Botany. "*Design of a treatise on the plants of India.*" "*On the Spikenard of the ancients.*" "*On the fruit of the Melon.*" *Botanical observations on select Indian plants.*" In viewing the amount of general information possessed by Sir Wm. Jones, we are struck with the remark of Campbell. "In the course of a short life Sir W. Jones acquired a degree of knowledge which the ordinary faculties of man, if they were blest with antediluvian longevity, could scarcely hope to surpass." Sir W. Jones has perhaps made an over-estimate of the value of Sanskrit literature, but he is on a safer side than Ward, who professing to give an abstract of the Mahábhárát, merely selects the absurd parts of the work, while he does not notice the valuable geographical and historical information contained in it. Sir W. Jones, by his high rank in society, in connection with his oriental acquirements, was one of the first to wipe away the reproach advanced by Golám Hussein in 1782. "The tongue happens to be deprived of its office between the Hindústánás and the English; most of the Englishmen do not understand the language of their subjects, and none of the last understand a word of English." By laying open the arcana of Hinduism, he has scattered that halo of romance with which all connected with it was viewed by such men as Reynal and St. Pierre.

There is one division of the writings of Sir William Jones on which our friend has not dwelt much; we mean his poetical compositions. These are of two classes, translations and original productions. As a poetical translator, we question if Sir William has ever been surpassed. We should like to present a few specimens; but must put a check on our desires. We therefore restrict ourselves to the following exquisite epigram from the Persian, which has been often quoted before, and which will be often quoted still, as long as any taste remains for chaste simplicity.

On parent knees, a naked new-born child
Weeping thou sat'st, while all around thee smiled;
So live, that, sinking in thy last long sleep,
Calm thou may'st smile while all around thee weep.

As an original poetical writer, we confess that Sir William Jones has a little of the appearance of the *poeta factus*, rather than the *poeta natus*. He is not the man to have

Lisped in numbers, for the numbers came.

His exactness sometimes, to our honest thinking, degenerates into pedantry, and art and labor appear too manifestly in most of his compositions. Yet certainly Jones was a poet; and had he had no other grounds of claim to a niche in the temple of fame, he might have claimed a vacant place on the ground of his poetical merits.

And now, after laying our friend's sketch before our readers, what need we say more? What can we say to enhance the admiration that every intelligent reader must have conceived of one who was pronounced by no mean judge,* "the most enlightened of mankind?" It has been denied by some that Sir William Jones was a man of genius: and we care not to dispute the point. If by genius be meant a wild and fitful exercise of great talents, that will not submit to rule or method, then we fully admit that Jones was not a man of genius. But he was far better. He was a man whose great talents were most stedfastly directed towards the realization of a great object, a man of the most unwearied application, whom no difficulty ever frightened, whom no amount of labor ever caused to turn aside from an undertaking. And in this respect, his life and writings read an important lesson to hundreds of European residents in India. If we might venture to stand as interpreter between the dead and the living, we should say that his example declares aloud to all our countrymen in the East, that there is no one of them who may not accomplish something worthy. There is no man, be he civilian or militaire, lawyer, chaplain, missionary, merchant or agriculturist, who may not devote two or three hours of each day on an average to the pursuit of any extra-professional study or labor that may be most to his liking. How much progress each will make, must of course depend upon his talents; but they must be very moderate talents indeed, which will not enable a man to succeed to a very considerable extent in any pursuit to which he devotes two or three hours of every day; and this amount of time, we repeat it, every European in India has at his disposal, without infringing either on his professional engagements or on proper and needful recreation. If any one expect that he can accomplish much, and at the same time spend his mornings in idleness, his days in business, and his evenings in silly gossip, he will of course be disappointed; but if any one *will*, then we maintain that he *can*, make himself a proficient in any pursuit that he pleases.

* Dr. Johnson.

It was not by vile loitering in ease
That Greece obtained the brighter palm of art;
That soft, yet ardent, Athens learned to please,
To keen the wit and to sublime the heart,
In all supreme, complete in every part;
It was not thence majestic Rome arose,
And o'er the nations shook her conquering dart.
For sluggard's brow the laurel never grows
Renown is not the child of indolent repose.

For all practical ends and purposes, man is endowed with an ample sufficiency of power, provided only time be vouchsafed to him; and if his time be shortened by the disposal of the great Supreme, we suppose it will not be a less pleasing retrospect to contemplate designs entered upon and cut short, than time misspent, or spent in vain. Once more, ere we leave this subject, let us urge upon our readers to consider whether they are redeeming their time, and once more, if haply it may have more effect, in the language of poetry:—

Ut jugulent homines, surgunt de nocte latrones;
Ut te ipsum serves, non expergisceris? Atqui
Si noles sanus, curres hydropicus: et, ni
Posces ante diem librum cum lumine, si non
Intendes animum studiis, et rebus honestis,
Invidiâ vel amore vigil torquebere. Nam cur,
Quæ lædunt oculos, festinas demere, si quid
Est animum, differs curandi tempus in annum?
Dimidium facti, qui cœpit, habet. Sapere aude:
Incipe.

But if any be disposed to point to the brief career of Sir William Jones, and to argue that he by his vast exertions shortened the period of his useful life; we can easily answer that death spares the idle no more than the busy; and that in no case is it possible to say, when he puts a period to the labor of the laborious, whether he might not as soon have stopped the idleness of the idle. But we are not disposed to deny that there *is* such a thing as an excess of labor, and that overmuch study *is* a weariness to the flesh. There are cases in which "Science self destroys her favorite sons." Such things have been, and such things will be. But such things never were, and never will be, in the case of any who require to be urged and incited to study; they are and they will be only with those to whom study is a fatal necessity. Such an one, perhaps, was Jones; and yet, to say truth, we do think that all his abundant study was less fitted to do him physical injury than was his mis-chosen amusement. How rational men, employed habitually in intellectual work, can dream of sitting

down for amusement to a game of chess, we have never been able to comprehend. We have no difficulty in understanding that people with tolerably strong intellectual powers, and with nothing in their daily work whereon to exercise them, should find chess a relaxation; just as we can understand that those who are employed in sedentary professions should feel it a relief to stretch their limbs; but that men employed in severe intellectual work during the working hours of a long day, should deliberately betake themselves to equally fagging intellectual work as an evening's amusement, transcends our power of conception. The relaxations and amusements of literary men are a matter of no little importance, and well deserving of more attention than is generally paid to them.

We have alluded to the charge of avarice that is by implication brought against Sir William Jones in a brief announcement of his death inserted in *Dodsley's Annual Register* for 1794. From all that we can learn regarding him, we have no hesitation in saying that the charge was utterly unfounded. He certainly did not keep up a grand equipage, and squander his money, as many did in those days in India, and as some do still. He was, we believe, thoroughly economical in respect of his style and equipage; but not because he set too high a value on money, but because both he and Lady Jones set a low value upon those things that money might have bought. As to the dispute that ensued between him and his colleagues on the bench on the one hand, and the Indian government on the other, some vague report of which was probably the ground of the charge advanced against him in the *Register*, we think it very clearly appears that their object was simply to resist what they, under a mistaken apprehension, supposed to be a gratuitous insult inflicted on themselves, and a wanton injury inflicted, not only on them, but on their successors also to all time coming. Of this we can have no doubt, when we consider that when the matter was properly explained, the judges most willingly offered to sacrifice a larger amount of their salary than it had been proposed to take from them; although before the explanation was given, two of the three had resolved to throw up their appointments and return to England. On the whole, we do not know that any name could be named of all the men who have ever been in India, in whose expenditure *the sum laid out for others bore a larger proportion to that laid out for himself* than would be shewn by the account books of Sir William Jones.

Altogether, it seems to us that the life of Sir William Jones

is fitted to be very useful to all scholars, and especially to all Indian scholars. His biographer's part, though it has not escaped grave censure on several grounds, is, to our thinking, very creditably executed. On one of these grounds of censure, and, (in connection with it) on a most important point of Sir William's character, we shall now offer a few remarks, and with these we shall bring our article to a close.

Lord Teignmouth has been severely found fault with, because in several parts of his work, he sets himself to the consideration of the grave and solemn question as to whether the subject of his memoir were a Christian or not. Those who find fault with him on this ground, either suppose that it is a matter of comparatively little importance, or else they suppose that it could admit of no doubt, and might have been safely taken for granted. Now with those who could entertain the former supposition, we have scarcely any common ground on which to argue. Either they or we take an entirely erroneous view of every thing—literally of every thing—that relates to man and his duties and destinies. But if men admit that the Bible is not a tissue of falsehood, and Christianity is not a base imposture, it does not seem that it should be difficult to convince them that a man's being a Christian does not follow as a matter of course, from the mere fact of his having been born in a professedly Christian country, and having been baptized with Christian baptism. No one who knows any thing of the character of Lord Teignmouth can doubt that he must have felt the deepest solicitude as to his friend's having been not merely a nominal and theoretical, but a vital and hearty Christian. He clearly could not, with his sentiments and principles (sentiments and principles with which we fully concur and heartily sympathize) avoid the consideration of the solemn question; and it is pleasing to know that the conclusion arrived at by such a man is in the main satisfactory.

But yet not completely so. Why is it that such a question should be difficult to answer in regard to any of us? The lawyer and the merchant, the soldier, the sailor and the statesman, the sportsman and the gamester, the artist and the naturalist, the poet and the mathematician, usually betray their various tastes and characteristics in the course of every casual conversation and every common-place letter. And is it so that the difference between a lawyer and a sportsman, or between a mathematician and a poet, is less than the difference between a Christian and an unchristian man? Surely, if the Bible is to be our guide, we must answer most emphatically, No. And

yet so it is, that multitudes of Christians go into all kinds of society, and engage in all kinds of business, and speak and write on all kinds of subjects, and yet leave no evidence behind them from which it may be certainly concluded whether they are Christians or not. This is unquestionably a very unsatisfactory state of things; and yet we fear it is the state of things in regard to a great portion of the Christians of our day; and so we fear it was with Sir William Jones. A Christian, in so far as a conviction of the truth and beauty of the Christian system is concerned, he certainly was; and his eloquent and evidently heartfelt eulogium on the surpassing excellence of the Bible must be familiar to the mind of every cultivated reader:—but it does not appear that Christianity ever exercised that controlling influence over him which is unquestionably, on the admission of its truth, its legitimate due. Very much of this want may be traced to the prevalent coldness and indiffence of his age, and probably also no small portion to the defect of his early education. His mother was all to him that the most amiable, and accomplished and virtuous mother can be to her son, with the exception of this great and most important want; and so her son was amiable in the highest degree, accomplished beyond example, virtuous as any citizen of Sparta or Old Rome. Do we then say that he was not a Christian? We dare not say so: an authoritative decision on this point belongs to another tribunal—a tribunal, the rectitude of whose awards is infallible, and their issues eternal. But what we do say is this, that it is to us a matter of deep regret, that he does not seem to have derived from Christianity any very large measure of that solid joy which it is fitted to impart; that while his amazing learning is everywhere and always apparent, his religion requires to be searched for. Well it is that it can be found on searching; but better far that no search were required.

ART. VI.—1. *Papers respecting the late hostilities on the North-Western Frontier of India. Presented to Parliament by Command of Her Majesty.* 26*th February*, 1846.

2. *Further Papers respecting the late Hostilities on the North-Western Frontier of India, and the conclusion of treaties with the Maharajah Dhulip Singh of Lahore, and the Maharajah Golab Singh of Jummú, &c. &c.*, 1846.

3. *Victories on the Sutlej. The Speeches of the Right Honorable Sir Robert Peel, Bart., on moving the thanks of the house to the Army of the Sutlej for the victories of Múdki, Ferozshah, Aliwal, and Sobraon, in the House of Commons, Monday, March* 2*nd and Thursday, April* 2*nd*, 1846.

4. *The War on the Sutlej. May number of the North British Review*, 1846.

5. *Article in the Friend of India. The late Major Broadfoot, &c.*

6. *Article in Colburn's Magazine for May*, 1846. "*Our tribute to the Army of the Sutlej.*"

IN the *second* and *third* numbers of this *Review* we described the rise and progress of the Sikh power. In our *eleventh* we have to tell of its "decline and fall." This catastrophe has not been brought about by the natural process of gradual decay. India has not been looking on at the affecting spectacle of an ancient dynasty sinking feebly and peacefully into the grave; but at the violent agonies of a young and profligate state which has died by its own hand in the mad moments of a national debauch.

Our present narrative therefore will have to deal with military events; with war, and victory, and ruin; and we need give but a hasty outline of the tragedies which have been enacted at Lahore, since we left Híra Singh in the pride of his power, exulting in a double victory over his uncle Súchet Singh, and the brothers Peshora and Kashmíra Singh. The debauched, imprudent, but gallant Súchet Singh slain; Kashmíra Singh and Uttur Singh destroyed; Peshora Singh and Lehna Singh driven from the field; and Golab Singh with cautious cunning keeping to his mountains;—Híra Singh and his coadjutor Pundit Julla seemed left in the Punjab without a rival. Of the former much has been written, but his character is still little understood. That he was the spoilt minion of Runjít is not to be denied; but the energy, activity, and ability

of his later years, and his gallant death,* bespoke a spirit full of promise for his country, if his country could have understood it. If the Punjab had a Shakspeare, Hira Singh would be his "Prince Hal." But Pundit Julla, his adviser, was the man on whom the building up of the empire would have rested. Free alike from the incautiousness of youth, and the impetuosity which premature prosperity had fostered in his master's mind, he pursued his way with slow but certain step along the slippery paths of state intrigue;—one of those cold, deep, calculating men who rise in troubled times on the ruin of every thing around them.

To such a man friend and foe are alike; both are his instruments for a time; both are cast aside when no longer wanted, and without regret or rejoicing forgotten. He has courage enough for the crisis of an empire; none to throw away upon a brawl with an opponent. He believes success to be a heaven to which all roads are holy; and looks upon that man as a fool who tries to gain by force what he might effect by fraud. Such a man *is* Rajah Golab Singh; such a man *was* Pundit Julla. Of the priestly tribe, and we believe a *purohit*† of the Jummú family, he followed the same household tactics as the Jesuits of Europe; insinuating himself into the good graces of Súchet Singh; and early gaining such an influence over his nephew, that latterly he governed him with a more absolute sway than ever Dhyan Singh possessed over the mind of the Veteran Runjít. Pundit Julla's state policy was not less insidious and Jesuitical than his domestic. Secretly and unsparingly he uprooted the old families; lopped off the Sirdars of note, and office bearers of long service; and then grafted in their places creatures of his own. But he outwitted himself; and fell by the hands of his own instruments. He wished himself to be believed the friend and ally of the Sikh soldiers; but while openly he increased their pay and their privileges, he strove secretly to diminish their numbers, and by recruiting the army from the Hill Provinces, surround himself with a body guard of his countrymen who in time might defy the army. His measures were incomplete when the bubble burst. Jealousy had crept in between Rajah Golab Singh, and his nephew; and as its fits went and came, the former encouraged or opposed, the rival claims of Peshora Singh to the Wizarut.

* He was killed in the act of flight; but he was flying from an army; and he turned bravely upon his pursuers, many of whom he slew before he himself was overpowered.

† Family priest.

That prince, however, had no ability; and wanting even the gallantry of his countrymen, he threw up the contest, and fled across the Sutlej. It was about this time (October, 1844,) that an insurrection broke out in Kashmír and the surrounding country. The fort of Mozufferabad commanding the entrance into the Kashmír valley, fell into the hands of the petty Mahommedan chiefs; who, emulating the bigotries of earlier days, massacred all Sikhs who refused to abjure their faith. The Lahore Durbar became alarmed, and troops were ordered up. They refused to march. Cajolery and promises were tried in vain. Intrigues were rife; and the emissaries of Peshora Singh, Lehna Singh, Sham Singh, and other malcontents, were not idle among the soldiers. A military insurrection in the city was the consequence; and Rajah Hira Singh and his followers were in the greatest danger. The young Minister lost not his courage; nor did his master spirit, Pundit Julla, quail; and their small but faithful band of Hill men rallied manfully round both. But a handful of heroes cannot engage an army; nor a priest reason with a rabid multitude. When therefore wit and courage had both done their best, the Rajah and his friends were forced to escape across the Raví, and fly towards Jummú. The news of their flight soon spread, and an immediate pursuit ensued. The Rajah and his companions stripped off their costly jewels, the golden trappings of their elephants and horses, and strewed them in their track. In vain. Revenge, and not avarice, was the ruling passion of the moment. The mangled limbs of their own children would not have arrested the ruthless soldiers in their pursuit. At last the fugitives were overtaken; but even then they were not subdued: and though their own Sikh escort basely abandoned them, it was not until after a gallant resistance, and slaying many of their enemies, that Rajah Hira Singh, Pundit Julla, Mean Sohun Singh (Golab Singh's eldest son) and Mean Labh Singh, "put the immortal cup of martyrdom to their lips." Their heads were cut off and carried in savage triumph to Lahore. Their bodies were given to the dogs and vultures.

This tragedy closed on the 21st December, 1844; and examining carefully the acts which preceded it, we are obliged to acknowledge, that, though the game played by Rajah Hira Singh and Pundit Julla was both bold and desperate, it was yet the only one left by the army, the *real* rulers, to the *nominal* Government of the Punjab. It failed less from the errors of the Rajah and the Pundit, than from the unprecedented unanimity of the rebellious soldiers; who trampling upon the constitution, acknowledged no law but their own interests;

and to protect those combined together with a greater singleness of purpose than ever dignified the efforts of the Mamelukes, the Janizzaries, or the Prætorians of the ancient world. Two vital errors the Rajah and the Pundit did indeed commit. They despised the wrath, and intrigues of a woman; and they dispensed with the services of Dewan Dína Nath and the Mútsuddís.* In the patrician Sirdars, and the plebeian army, they had surely enemies enough; and should at least have made common cause with men who had learnt the rarest secret of the times—how to fatten on their country's ruin, and survive all revolutions. Of the two mistakes however the former was the worst; for the moving spirit of the revolution just recorded was undoubtedly the Raní.

Junda, or Jund Kowr, was the daughter of a common Sikh horseman; whose peerless beauty being praised before Runjít Singh, he immediately sent for, and married her. This was but one of those freaks of his last years, for whose vicious tyranny the worn out sensualist could plead no passion in excuse. The girl was at once made over to the charge of Rajah Súchet Singh and his Vizír Rai Kesri Singh, who contested with a tent pitcher in their own service the honour of being father to the present Maharajah. Runjít knew this well; but affected to be rejoiced at the child's birth; recognized his legitimacy before all his Court; and then, ever afterwards neglected him. Perhaps he thought he had done enough in giving him a royal birth-right. *How* royal it might prove, the Jummú brothers were not slow to see; and they carefully kept the child in their possession, to be produced at a fitting opportunity. Raní Junda has been designated by one writer in the Indian Press† "The Messalina of the Punjab;" another, with severer pencil paints her thus; "As abandoned as Messalina in her amours; and as insatiable as Faustina in her excesses; in modern times she can only be compared with Catharine the 2d, who yet falls short of her rapacity of voluptuousness."‡ The picture is scarcely overdrawn; for to the most selfish ambition of the other sex, she unites in her character the worst vices of her own; and her whole career has been a struggle to reconcile the stern necessities of the one with the soft indulgences of the other. Rajah Lal Singh is the living embodiment of the attempt.

A Brahman of Rhotas, between the Indus and the Jhelum, this adventurer early came to the Capital to try his fortune.

* Writers: in a word "the Secretariat."

† The *Friend of India*.

‡ Letters of "Brahmani Bull" in the *Delhi Gazette Overland Summary*.

He brought with him as his stock in trade a brawny, athletic person of unusual height even among the Sikhs; an open, merry countenance with rather a sensual expression; a bold, manly bearing; great ambition, and——*no scruples*. His first footing within the precincts of the Court was in the humble capacity of Assistant in the Toshukhanah, or Treasury of Regalia; and a mule's load of the royal chattles was the first charge of the future minister. Rajah Dhyan Singh afterwards selected him as a fit instrument to be set up in opposition to Misr Beni Ram, the head of the Toshukhanah; and he gave him a separate Treasury of his own. But it was not until after Dhyan Singh's death, and when Híra Singh was in the zenith of his power, that, tired of her old lovers, Raní Junda cast her eyes on the gallant figure of Misr Lal Singh; and commenced an amour which, though it has drawn down the envy of the young adventurers at the Court, the shame and reprobation of the old Sirdars, and the ribbald jests of the people, has raised the object of it to the Wizarut, and all but regal power in the Punjab. Misr Lal Singh now began to have some weight in the scale of parties. He intrigued alternately with and against the Jummú Rajahs; and no sooner did his bias become consistently hostile than his intimacy with the Raní was made an excuse for removing him from the Toshukhanah; to the control of which he had succeeded on the death of Beni Ram. The disgrace of her lover gained for Híra Singh the implacable enmity of the Raní; and we have already seen the issue.

On the death of the Rajah and Pundit Julla, the watchful Mútsuddís openly joined the rival and successful party; as of course did the ever pliant Fakírs Uzíz-úd-dín, and Núr-úd-dín; and Bhai Ram Singh, the astute Archbishop of Lahore. But all seem to have forgotten that though they had desired, intrigued for, and obtained the destruction of the late ruler; it was the soldiery alone who had effected the measure. The infatuation of the Raní at this crisis was complete. Instead of looking round her for some bold spirits who would seize with vigorous hand the helm of Government; she threw it, as if it was a bauble, to Jowahir Singh her brother; a weak, vain, besotted debauchee. She herself plunged into a round of festivities, and voluptuousness, with a paramour whom she was now at liberty to honour. The Court joined in their drunken revels; and none perceived that while the ministry were thus celebrating the revolution, the Army had stepped into the Government, and appropriated the power.

The Sikh soldiers now rioted at will; took furlough to their homes when they liked, and returned as it suited them; govern-

ed themselves and their Officers by a parliament of their own, chosen from the ranks; obeyed no other orders; overawed the Government; and set the laws at defiance. The idiot Minister, Jowahir Singh, they openly insulted, with expressions of contempt for his imbecility and drunkenness; and loudly called for Lehna Singh to re-place him in the Wizarut. The Punchayats even forced themselves into the Durbar; demanded gold necklaces and presents, and an increase of pay from 11 to 14 Rupees. The Colonels, Generals, and other Officers lost all authority over their men, who beat them and drove them at will from their ranks.

It might be supposed that such a state of things as has been here hastily described, would soon induce so complete a disorganization, that the Army must dissolve, and disperse over the country in marauding bands. But nothing of the kind occurred. On the contrary, it was the civil and social system, which was torn asunder; the executive Government, which was threatened with dissolution; while the army itself, riotous, and disorderly to all else around, was only drawn more firmly and compactly together by the bond of mutual interest. The very name which they at this time arrogated to themselves, "Surbut-i-Khalsa Jí" or, the body of the Khalsa, breathes the spirit of exclusiveness and unanimity. Their acts, wild and bad as they were, were drawn into the focus of a single object; and thus, while plunder and violence were rife at the capital, the provinces were left unmolested, except by their own Governors. The country about Lahore and Amritsur is indeed the native place of the majority of the Sikh soldiers; so that, though they led a life of alternate war and peace, now drawing their sword in a Court revolution, now guiding the plough in the fields of their own village,* they had no temptation to wander beyond the Manjha.† Anomalous all this, but true. Europeans too often judge Asiatics by European rules; and call false, unnatural, or extraordinary, what is merely new. It is not however a page of history, to be lightly passed over by the Anglo-Indian, which exhibits the rude Punchayats of the Sikh army, setting at nought the legal authority of the Government, and yet

* It is a common mistake to suppose that the Sikhs are not cultivators. In the Manjha at least they are so; and in a large family where one of several sons has gone to the wars to get his livelihood, he will return occasionally on furlough to see his father and brothers, and cheerfully assist them in cultivating the paternal acres.

† That part of the Punjab which lies between the Ravi and the Byas. The word simply means *central* and refers not so much to its geographical as to its national position, including as it does both the civil and the religious Capital of the Sikh people; the cities of Lahore and Amritsur.

enforcing their own with iron and mysterious sway among their comrades. Rebellion was so regulated that it might be almost called an institution; and Military license had yet its bounds, reducing it to conditional liberty. Woe indeed to the wretch who disobeyed the will of the *nation!* expulsion from the ranks, mutilation of a hand, an ear, or a nose, even *death* awaited him. Mutiny was the condition of their existence; the Government, the Sirdars and their own immediate Officers were their proscribed enemies; and the treasury was their open aim. But to gain these ends, sure never was a debauched army so consistent in its conduct.

But we are rambling from our Military sketch. The reader however will perhaps not be angry with us if we detain him yet a moment to listen to an anecdote of the times we have been recording; perhaps in its very wildness more illustrative of those times than any thing that has been said. General Avitabile, whose character and habits have been drawn to the life in the pages of "The Adventurer in the Punjab" had a daughter (the child of some favorite beauty in his harem) on whom he doted. He brought her up and watched over her, with jealous care, in a cloister-like building which may still be seen in the garden of the General's house, now occupied by Colonel Courtlandt. Here she spent the years of her youth, and grew up a lovely girl. So carefully was all access to her guarded, that even her meals were conveyed to her from without by means of a *tour* such as are used at convent gates. The very shadow of a man had never crossed the threshold of her retreat. And for what high and romantic destiny does the reader think this fair recluse was reserved? Does he picture to himself some young Sikh warrior, who had heard the tale, crouching solitarily night after night among the roses beneath the windows of her prison, and singing in low melting voice the charms of liberty and love, until she forgot her father and fled with her lover to his fort? Does he hear that shout for "a horse and sword!" and see those fifty iron cavaliers spurring madly after one who seems to press a damsel to his broad breast and bid her be not afraid? The old leader of the fifty, far, far, in front, with grey hair streaming in the wind, and his Italian eyes lit up with the prospect of revenge, comes nearer at every bound. The gallant beast on which the young warrior rides sinks deep into the sand at every step beneath his double burden; but mad with the spur still staggers on. But fifty yards and the Ravi is gained. The old man draws his sword. It flashes in the moonlight, bright, cold, and merciless as him who wields it. Not a word is spoken; there is not time to curse or

pray; not a horse's length between pursuer and pursued; and ten yards further to the river. The old man strikes his heel into his horse; they are together; his left hand drops the reins, and reaches out greedily towards the foe; his right is in the air; another moment and—a scream—a plunge—they have missed the ford;—the young warrior and the old man's daughter are deep beneath the swift waters of the Raví!—Is this we say our readers' dream of Avitabile and his daughter? Alas for Romance! Alas too for *fact! he married her to his cook*; a young Mahommedan to whom he also gave with her a large dowry of money, jewels and precious stones. Time passed on, Avitabile had returned to Europe to receive a jewelled sword from the Honorable East India Company, and many honors from the Kings and Princes of the civilized world. The cook and his bride had sunk into private life; wishing for nothing more than to be left in quiet to enjoy their wealth. But they lived in times when the Government being poor it was *lese majesté* in a subject to be rich. To hunt out traitors of this kind, and confiscate their property, was a favorite branch of Pundit Julla's administration. The story of our little heroine and her culinary spouse therefore soon reached his ears and excited his cupidity. In the service of General Avitabile there had been a Kashmír Brahman, named Jodha Ram. He was a handsome, dark featured man, with ability enough to rise to be the General's Dewan; in which capacity he continued for many years; and when Avitabile returned to Europe, succeeded to the command of his Battalions, and became a General. By a sort of Punjab propriety he was now selected by the Minister as the fittest person to plunder his patron's daughter: and the Pundit seems not to have been mistaken in his man. The spoilt, petted, prisoned, ill-used daughter of Avitabile was stripped of her jewels and robbed of her riches. But retribution soon overtook the ungrateful servant. Pundit Julla was murdered, and Jowahir Singh sat in his place. Jodha Ram gave offence to the new Minister and was given over to one of those cruel sentences which Runjít Singh was accustomed to call mercy.* But Jodha Ram was a Brahman, and no Hindu would do the deed which would secure to himself damnation through a hundred generations. The Kotwal of the city of Lahore,—a Mussalman, and no very particular person, who had for years been the municipal instrument of violence,—was therefore ordered to cut off the ears and nose of the wretched

* "The culprits, bleeding as they were, were driven out. "Sharp work Bellasis," observed the King, as I looked after the mutilated thieves. 'We *do not take life but we punish.*'"—Adventures in the Punjab: Chapter 1st.

man. He too refused; and we blush to record that the only man in Lahore who could be found to execute the barbarous decree was a European. Mr. Gardener, or Gordana, in the Sikh Artillery, took a razor, and with his own hands in cold blood, without personal enmity of any sort, inflicted the punishment which Sikhs, Hindus, and Mussalmen had shrunk from with disgust. But then he was made *a Colonel*; and as Walpole observed, "Every man has his price. The only thing is to find it out!"

But to our narrative. The incapacity and profligacy of Sirdar Jowahir Singh and the little favour that even his liberality gained for him among the troops, naturally inspired the ambitious and discontented with hopes of rivalling, getting rid of, and succeeding him. Of these the only two worth noticing are Rajah Lal Singh and Peshora Singh. The former was abetted by the Raní, who, not devoid of natural affection, found herself hurried, by a passion more violent though less pure, into schemes which could only end in the death of her own brother. Ministers in the Punjab do not *resign* when they have "lost the confidence of the people;" nor are they coldly told that "their services are not required," when they have lost the confidence of the sovereign. In either case the removal is complete; into another world. The unhappy woman therefore could not have blinded herself as to the inevitable tendency of her intrigues. But, though in the early part of June, 1845, (see papers respecting late hostilities, p. 3) the Punchayats of the army, were willing to confer the Viziership on Lal Singh; yet, in the course of the next two months, the lavish promises of the prince who was aiming at the throne, and was secretly supported by Golab Singh, had so worked upon the troops, that we find Bhai Ram Singh advising Major Broadfoot, on the 6th August (see Papers, p. 4), that they intend "to set up Peshora Singh and Rajah Golab Singh as King and Wazír." This was an alarming turn of affairs for both the Minister and the Raní; and united them both in a resolution to assassinate their common enemy. The deed was effected with much mystery through Sirdar Chutter Singh Uttariwallah, whose daughter was betrothed to the Maharajah, and who consequently had a deep interest in keeping Dhulip Singh upon the throne. "The Papers, &c.," p. 6, say the Prince was "put to death on his way from "Attok to Lahore;" but the popular belief in the Punjab, is, that he was murdered in the fort of Attok itself by a *Chúra* or sweeper—sent by Jowahir Singh for that purpose with the promise of being made a General—and that his body was cut up into minute pieces and thrown from the

fort into the Indus to avoid detection. The rage of the Lahore Army at this thwarting of their schemes, knew no bounds; and it soon became apparent that instead of staving off, the Minister had only hastened, his downfall. Largesses, bribes, promises for the future, failed to appease the baffled troops; and even a projected expedition against the English, could not turn them aside from their now settled resolution to murder Jowahir Singh. The catastrophe has gone the round of the newspapers and the Theatres of Europe; and is graphically recorded by Major Broadfoot in the "Papers" so often quoted, (pp. 9-10). Suffice it here that the miserable wretch, whose debauched and cowardly heart shrank from the storm which his crimes had raised, and which his talents could not quell, prepared for flight;—prepared to throw himself for protection on the friendly and forbearing nation, which, during his ministry, he had hated, threatened, and, on one occasion, even marched against. He bribed his guards to let him fly; they took his bribes and confined him in his palace.

On the 21st of September they led him out in state to the plain of Mean Mír; and in the presence of his sister and the Maharajah, he was shot down like a dog. So died the last and worst Wazír of the Punjab empire established by Runjít Singh.* Raní Junda evinced some natural affection and remarkable courage on the occasion. She even effected the punishment of the ringleaders in the late tragedy, and, as if roused by her brother's death and her son's danger, assumed the Government, sat openly in Durbar, and "laid aside her debaucheries with her veil." ("Papers," p. 10). But the time for prudence had gone by. The vessel of the state, too long unwatched, had drifted to the rapid's edge; and all that skill and courage now could do, was, to seize the helm, put the bark's head straight, and plunge boldly into the foaming gulf. Finding that it was hopeless to oppose the Army, the Raní wisely yielded; encouraged its excesses; called its madness reason; and urged it on in the hope of guiding it to destruction. History scarcely records a conception more bold and able; and, while reprobating its unprincipled execution, we cannot withhold our admiration at the design. Runjít Singh, in the zenith of his power, thought all sacrifices light to preserve the friendship of the British; Raní Junda, in the depth of her despair, when the Sikh nation was at its weakest, sought safety in a war with British India.

And how was British India prepared to meet it? What was

* No one had the courage to fill Jowahír Singh's vacant place at Lahore till the breaking out of the war; and the cession of the Jullundhar Doab, broke up the kingdom of "The *five* Waters."

the condition and attitude of the North-West Frontier? These are questions of deep interest; for on the answer given to them depends the stamp which history shall set on the character of the Governor to whom that Empire and frontier were entrusted. The time for writing a complete history of the "War with the Sikhs" has not yet arrived: and in this present hasty *sketch* we neither presume to attempt the sacred task of instructing posterity with "the truth, the *whole truth*, and nothing but the truth," of the late great events; nor do we pretend to the information necessary to enable us to do so if we wished. We do not even promise or intend to tell the reader all we know; he must be content with the assurance that we will tell him nothing that we know to be false. He has a right, however, to expect that we discuss this *threshold question* of the war with him; and we do it the more willingly that the Indian Press seems for once to have left it, in some measure, to the Press of England to perceive what was going on in India. The state of the North-West Frontier, previous to the Sikh invasion, has been criticised in our Eastern papers by many writers possessed of great military talent, and by many more possessed of none: but it was reserved for the author of a Paper called, "The war on the Sutlej," in the *North British Review* (see the heading of this article), to rise superior to Military, or any other merely conventional criticism, and scan the question in its length and its breadth with the eye of a statesman and a philanthropist. The following passage we conceive to be a fairer statement of the point at issue than any which has yet appeared in print:—

"The question is, not whether, presuming a war with the Sikhs to have been an inevitable occurrence, the Governor General had so disposed his troops as to enter upon it with the greatest possible advantage on his side, and to prosecute it, to its termination, with the greatest success. *Had it been merely a war-question—a question as to the best means of prosecuting an inevitable war, we have little doubt that the main body of the British troops would, at the commencement of last December, have been posted on the very banks of the Sutlej.* But this was *not* the question. Sir Henry Hardinge had not to decide between two forms of war, but, *as far as human sagacity could penetrate the future, between peace and a war.* He believed, that it was desirable to preserve peace, and he adopted measures, best calculated to ensure its preservation. He believed that by keeping the main body of his army at Umballa, he would have been able to preserve *peace*, whilst, on the other hand, he was of opinion that a forward movement would have had an inevitable tendency to precipitate the very collision which he was so anxious to avoid. To have advanced the head quarters of the army to Ferozepore, or the immediate neighbourhood of Ferozepore, would have had all the appearance of an offensive movement; and as the Governor General had wisely determined not to provoke a war, he abstained from the adoption of a measure which would have surely resulted in the frustration of those

pacific intentions which have so honourably distinguished his entire policy towards the Punjab."

And again :—

"The whole case, as between the Governor General and his assailants, may be thus briefly stated. It was desirable above all things to preserve *peace*. There was nothing to warrant the supposition that peace could *not* be preserved. To have posted a large army, sufficient to prevent the Sikhs from crossing the river at any point, on the immediate banks of the Sutlej, would have provoked the collision which it was so desirable to avoid. *Therefore, Sir Henry Hardinge did not move up the main body of his disposable Troops to the immediate banks of the Sutlej.* In other words, he did not, to avert an evil which there was no just cause to anticipate, bring down upon himself another of far greater magnitude, as certain and as present as the other was conjectural and remote."

Even this writer, however, does not do full justice to the policy of the Governor General. In his eagerness to shew the folly of posting an army on the banks of the Sutlej, he overlooks the wisdom of taking such Military precautions as the circumstances *would* allow; of strengthening the frontier as much as it was possible to do without losing sight of the grand object, the preservation of peace. He takes it for granted, as most other writers seem to have done, that, because the Governor General did not *assemble* an army in the North-West, therefore, he did not provide the means of doing so if required; that in short he allowed the North-West Frontier to remain in the disgracefully unprotected state in which Lord Ellenborough left it. This is a grievous error; and the sooner it is corrected the better. We are no defenders of folly in high places. Our pages have ere now pointedly shewn that the great defect of our military system is its want of preparation.* Trusting overweeningly, like true Englishmen, in our intrinsic strength; confiding with more than Mahommedan infatuation in our "*ikbal*;" we leave much, sometimes all, to fortune. Such was long, very long, our practice on the North-West Frontier. For years and years the station of Lúdiana alone, unsupported by a man nearer than Kurnal, stood in the face of the Punjab. Two or three thousand men with six 6-Pounders daring the whole Sikh Army!—a lamb drinking at a rivulet with a wolf. It may be said, that the Punjab was then quiet; there was then no danger. Idle, most idle, will this answer prove to every man who has read Indian history, and learnt to see in the blue and cloudless sky of Eastern politics, no safety against the insidious storm. The hatred of the Sikh people was then as great; the ability to

* *Calcutta Review*, No. 3, Article,—Military Defence.

indulge it, greater. One life alone stood between the nation's One mind, and that directed not by love, not by fidelity, *but by a rare union of insatiable ambition with common sense*, turned the still flowing tide of Sikh conquest back from the Jumna towards the Indus. For nearly forty years has the station of Lúdiana been established; and for more than half of that time has Ferozepore been trumpeted as "a most desirable military position." In December, 1838, it became a station for British troops; and such a one as the British in India alone could have established; answering no one possible object for which it could have been intended,—too weak even to protect itself, much less the neighbouring town. The nominal strength of the post was four Regiments of Infantry, and one of Irregular Cavalry. Seldom, however, was half that force present; and sometimes only a single Regiment; while the six field pieces were made the butts of Dum-Dum experiment; one month horsed, the next bullocked, and, when the bullocks grew thin and "ill-favoured," horsed again: so that the Artillery of the advanced picket of British India was *hors du combat*, for nearly as many months of the year as there were guns. This was Lord Auckland's defence of the frontier, and, in common justice to His Lordship, it may be said it was only a continuation of the system that had obtained under Lords Wellesley, Minto, Hastings, Amherst and Bentinck. Lord Ellenborough somewhat improved matters. He established a large reserve station at Umballa, sixty miles nearer to the frontier than Kurnal; and he threw an apology for an intrenchment around the Magazines and stores at Ferozepore, hitherto exposed at random even to the midnight robber and incendiary. It will indeed claim some portion of our reader's credulity to believe, that, during the first year of the occupation of Ferozepore, the ammunition of the troops in the cantonment was kept three miles off, *in the bricked up gateways of the city*.

So much for the past, and the predecessors of the present Governor General. Let us now turn to Lord Hardinge. He found Punjab affairs much in the same condition they had been in for the last twelve months of Lord Ellenborough's administration. But did he allow the frontier to remain as that nobleman had left it? Far otherwise. Silently and unostentatiously he strengthened the force in the North-West. He gave no possible cause of offence by military movements, in season or out of season, indicative of distrust.

His acts never gave the lie to his words as we find them recorded in his letter to the Secret Committee; not so much as the rustling of a plume ever broke the peaceful silence of the

frontier. The abstract "principles of war," which a late writer in the *Friend of India* has well said "do not alter," required an old and experienced soldier to do one or other of two things; either to hurry up large reinforcements to Ferozepore; or to withdraw that post altogether. But Sir Henry Hardinge did neither; he was something more than an old and experienced soldier, snuffing like the war-horse the battle from afar, and preparing for it with exultation. He was the statesman, to whose calm and unimpassioned judgment it was given to preserve the *peace* of India; and he chose that middle course which the result has proved united the dignity of forbearance with the necessity of defence. Slowly, silently, and by degrees, he added to the Native Regiments at Ferozepore until they amounted to seven; he doubled the Cavalry; he quadrupled the Artillery; gave confidence to the whole by the addition of a British Regiment; and to crown the whole, instead of leaving a haphazard, bed-ridden, or dotard Brigadier at the head of this gallant force, he selected one of the best officers in the Indian Army, Major General Littler, to command it. In the same sure but silent manner was the entire frontier reinforced. Regiments, as if in ordinary relief, but without the issue of the customary published orders, were drawn away from the extremes of the Bengal Presidency. Cuttack, Chittagong, Barrackpore, Benares, Allahabad, and even the Madras stations, were weakened to strengthen Delhi, Meerut, Umballa, and Lúdiana. The excellence of the scheme, was, that it was effected without suspicion, and excited no alarm. All of ourselves, who could put two and two together; who took sufficient interest in the public acts of Government, and had time and will to consider why some Regiments were relieved early, others late; and why unusual numbers were crowded even to the Upper Doab;—could draw the inference that more than usual danger was expected in the North-West: but we repeat that the movement was effected without stir, excitement or alarm, either domestic or foreign. It is perhaps the best proof of the precautionary measures of the Governor General, that, when summed up, they seem almost to amount to the opposite and preposterous charge of *forcing on the war by the extent of his Military preparations on the frontier*;—a charge, contemptuously, and satisfactorily disposed of by Sir Henry himself in letter No. 9, pp. 12-13, of the "Papers," before quoted. So far, then, as our Government was concerned, the Sikhs were neither tempted by our weakness, nor driven by our threats to break the treaty, and commence hostilities. One objectionable act alone was committed; though we are not aware that it has

attracted notice, much less censure from the critics of the policy. We refer to the bringing up from Bombay of an armed bridge of boats. In our opinion such boats should *always* have formed a portion of the frontier military equipment. But *this* was not the time to make preparations that must bear the appearance at least of meditated war. Moreover, we are not prepared to say that all the Indian papers were perfectly judicious in their speculations on the prospect of a Punjab war; we cannot vindicate the seasonableness or the propriety of some of the after dinner speeches of Sir Charles Napier, Sir Jasper Nichols, and others, carefully reported at the Lahore Durbar; but whatever apprehensions, these, or any thing else said or done on this side of the water, created, we may safely say that they exerted no efficient agency in bringing about the war; and that the violence and intemperance of the Sikh soldiery, the weakness of their leaders, and the despair of their Government, alone impelled them to hostilities. But this is beside the question, which is "the state of the North-Western Frontier."

On the 11th of December, 1845, the enemy crossed the Sutlej and invaded British India. Twelve miles from the ford, in the cantonment of Ferozepore, was a compact and well appointed force of upwards of 10,000 men, with 21 field and ten heavy guns, ready and willing to dispute the passage of the river. Why it was *not* disputed has yet to be revealed. The General and most about him, believed their little army amply able either to oppose the enemy in his passage; or to defend themselves in possession of Ferozepore. We incline to a similar opinion. But this is a question which fate has left, perhaps for ever, undecided. Suffice it to say, that when, after years of empty boasting, the Sikhs at last came as enemies across the Sutlej, they found 15,000 *more soldiers between that river and Meerut than had been left there by the war-loving Lord Ellenborough or any of his predecessors.* Was *this*, we ask, a want of preparation? Is this the culpable negligence of which Sir Henry Hardinge is accused? We have already seen why this increased but scattered defensive force was not already "in hand" (to borrow a word from the dictionary of Aliwal); why it was not collected into an army on the frontier:—it was, because this would have rendered *inevitable* the collision which Sir Henry, his Council, and his Agent on the North-West Frontier, hoped and believed to be an improbable contingency.

We have now to see whether the troops, which a wise Governor had spread in peaceful attitude over the surface of the North-West Provinces, were yet within "bugle call," and

could be summoned to arms in time to repel an enemy. Hitherto Sir Henry Hardinge had been slow, cautious, forbearing almost to timidity; as if peace were a strange but imperative duty that had been imposed on him. The crossing of the Sikhs was like the magic word which woke the seven sleepers. It broke the spell upon his nature and disenchanted him. The cold snows of age and prudence melted and disappeared before the rekindled fire and energy of the hero of Albuera; the identity of the accomplished statesman passed away, and left a Military leader in its place presiding over the army of the Sutlej. "Telemachus suddenly beheld Minerva! She spread her ægis over him." The Meerut and Umballa divisions were hurried up; the two British Regiments were summoned from the Hills; the Lúdiana force concentrated at Bussean; and in half the time, we confidently assert, in which, under ordinary Indian Generals, the troops would have been *ready* to remove,* they had *formed an army on the line of march*, fought two victorious pitched battles at Múdkí and Ferozshah, and encamped at Nialkí with the enemy on the other side of the insulted frontier. Well was the ardour of the Governor General at this crisis seconded by the more than youthful energy and activity of the Commander-in-Chief, whose gallant figure dashing by the column was wont to provoke from many a young "sub" the hacknied lines—

> Nor slack'd the messenger his pace;
> He shew'd the sign, he named the place—
> And pressing forward like the wind
> Left clamour and surprise behind.
> * * * * * *
> He vanish'd; and o'er moor and moss
> Sped forward the fiery cross!

It is however but just to say that a Governor General only, and such a Governor General as Sir Henry Hardinge, happily combining the statesman with the soldier, could have brought the whole resources of the country, at a moment's notice, to bear upon the most imminent danger that has ever threatened British India.

There are more victories in a campaign than those which are gained amid the roar of cannon on the battle field, and recorded afterwards in golden lettered flags; and though the march—

* "When a small party was beaten at Kythul in the Sikh states within forty miles of Karnal (one of our army Division stations) it was three days before a small force could move; it was *then* found that there was no small arm ammunition in store; and ascertained that a European corps could not move under a fortnight from Subathú."—*Calcutta Review*, No. 3, Art: "Military Defence."

In December, 1845, the same European corps at Subathú, and H. M.'s 29th Foot *marched out of their Cantonments after* 12 *hours' notice*, to join the army of the Sutlej.

the *rush*—of the British Army from Umballa to the frontier seems now forgotten, or but little thought of, because it gave neither medal nor promotion; yet was it not the least of the achievements of the war of 1845-46. The Commander-in-Chief, writing from Múdkí on the 19th December, 1845, with a keen remembrance of its anxieties and fatigues, devotes a few generous lines of his despatch to its record.

"All this," he says, "is soon related; but most harassing have been the marches of the troops in completing this concentration. When their march had been further prolonged to this place they had moved over a distance of upwards of *one hundred and fifty miles in six* days, along roads of heavy sand; their perpetual labour allowing them scarcely time to cook their food, even when they received it, and hardly an hour for repose before they were called upon for renewed exertions.*"

A writer in the *Friend of India* has since called it "such a march as had not been attempted in India since the days of Lake." Let us look therefore a little closer at its incidents; let us not rejoice too much in the fireside reader's privilege, and, with imagination's seven leagued boots, skip at once over those "150 miles", which an Army of flesh and blood, with exceeding toil and labour, and to the wonder and admiration of its commanders, marched over "in seven days." On the night of the 15th June, 1818, the poet sings—

> There was a sound of revelry by night
> And Belgium's capital had gather'd then
> Her beauty and her chivalry; and bright
> The lamps shone o'er fair women and brave men.

On the 11th December, 1845, before the British Army marched to the Waterloo of India, every thing had been prepared for a similar festive scene in the Durbar tents of Sir Hugh Gough at Umballa. No need however for *secrecy* then; for carrying on the farce of gaiety; and Generals stealing away "as quietly as possible at 10 o'clock to join their divisions en route."† The ball was given up by common consent, and in that tearful night many a wife who is now a widow pressed her last kiss upon her husband's cheek. Next morning commenced the march on which the fate of two empires hung. The whole road from Umballa to Rajpúra, a distance of 16 miles, was covered with advancing troops and artillery; and the green crops in the fields on either side of the line of march were trodden under

* This is a mistake, the first march was on the 12th, and the last (into Múdkí) on the 18th; *seven* marches in all. The mistake would easily arise by subtracting 12 from 18, to get the number of marches; instead of including that of the 12th.

† See note to Stanza 21, Canto 3, Childe Harold, Murray's edition.

foot and scattered over by strings of baggage camels, and Camp followers, who, unable to find room upon the old high way, soon made a new one for themselves, and scrambled on in the dark through gardens and over ditches in a style more sporting than Military. What a motley and amusing scene is an Indian line of march! Here, Jack sepoy, bitterly cold, has tied up his head like a stage coach traveller, and then stuck his full dress *Chako* on the top of it,—much askew. Behind him, rejoicing in the privilege of his rank, jogs along on a miserable bare-ribbed *tattú* a grey haired Súbadar; his very oldest clothes are put on economically for the occasion; but round his throat glitters through the dust his gold-beaded necklace; and on his left breast perhaps dangles on a ribbon, twice too long, a medal or a star. Next, covering the whole column with dust, canters by a devil-may-care Subaltern; his forage cap cocked knowingly over his ear; a cheroot in his mouth puffing away like a chimney; and under him the best Bombay Arab that could be got for money, though it would not carry his bills. "Bless my soul, Sir," croaks a wheezy voice on the other side of the road, "how often *must* I tell you to keep that *beast* in the rear?" It is the fat Major; who has pulled up in his *buggy* to spit the Ensign's dust out of his mouth, and knuckle it out of his eyes. On one side of the road a hackery has fallen; in the dark, into a ditch; and on the other, a gun. The former will be there half the day; for the Gariwan is smoking his húkah and waiting till Providence sends somebody to help him. The other will be all right in ten minutes; for a dozen strapping Horse Artillery men have "put their shoulders to the wheel," and are hauling away to a jolly chorus. *Chaque pays, chaque mode!* Look at that half-clad knock-kneed wretch, shuffling along at one untiring pace, with a pliant bambú over his shoulder, and, at either end of it, a heavy green box slung by ropes. He is a *Banghy bearer;* and you may take an inventory of his load without opening the Pitarahs; *one* of them is *always* devoted to a *Guthri,** and the *other* to plates, dishes, and a teapot; for woe betide the Khidmutgar who has not breakfast ready the moment the Regiment comes upon its ground. But mind your head, or it will be knocked off by that half mad Camel who is overladen with tents and "tots,"† and is dancing about the road, furious at the clattering on his back. That red haired grenadier, with the yellow facings, is one of the gallant 9th

* The Indian vade mecum; a bundle containing a change of clothes, and something of every thing that "master" possesses.

† Tin pots out of which the European soldiers drink.

foot; and if what he is now swearing at the Camel was not *pure* Irish, there could not be a doubt about his country, for at the end of his bayonet he has slung his boots, and is walking barefoot to *warm himself.* Whose hackery is that with a *slipper bath* in it? There are no ladies in Camp;—it belongs to one of the Hospitals; and those three black heads poking out at the mouth of the bath are the Hospital Cook's children, who *live in it when it is not wanted.* Such are some of the queer incidents and characteristic scenes which cheat the soldier of a laugh on the India line of march.

But let us resume our knapsack and march on. On December 13th, the Commander-in-Chief's force marched to Sirhind;* eighteen miles of a sandy and distressing road for both men and horses. And now the dark curtain of the future began to rise. Aides-de-Camp went and came, "hot with haste," between the Governor General at Lushkuri-khan-ki-Surai, and the Commander-in-Chief at Sirhind. The news spread like wild fire through the Camp that 8,000 Sikhs had crossed the Sutlej eight miles above Ferozepore; and Sir Hugh Gough, with his Assistant Adjutant General, and Military Secretary, might be seen galloping through the sun to meet and consult with Sir Henry Hardinge at Kunha-ki-Surai, half way between their respective Camps.† All day those two Camps wait, with feverish anxiety, the result of their leaders' deliberations; and, at last, midnight brings the expected "After-Orders" for a forced march of 20 miles on Esrú. The publication of the celebrated Proclamation, of the 13th December, is now whispered about the Army; the very cook-boys discuss the annexation of the Cis-Sutlej states to British India. The Army too was this day (14th December) told off into Divisions and Brigades; appointments were delighting and disappointing the ambitious; and *business* for all was beginning in real earnest.

As an index of popular opinion, and a confirmation of that acknowledged by the Governor General in his letter to the

* This once populous and wealthy city is now nothing more than a miserable cluster of the habitations of the living amid the ruins of the habitations of the dead. For an account of the fearful destruction which overtook it, see "Malcolm's Sketch of the Sikhs."

† These two Peninsula veterans set an example of personal and equestrian activity during the campaign, which diffused itself through the whole General Staff; and won the hearts of the Arab Merchants in the Upper Provinces, who (*Ap ke* nam *sunke Khadawund!*) flocked up at the close of the war to replace the *screws* that had been *doing nothing but going express*, since they left Umbala. Sir Henry Hardinge's ride to Lúdiana is history; and we are told that Sir Hugh Gough thought nothing of riding from his camp at Nialkí into Ferozepore and back again in a morning,—more than 50 miles. A change for the better this from Generals who *on foot* or *in palki*, manœuvred Armies!

Secret Committee, dated 31st December,* it is not unworthy of remark here that the Army at this time was divided into two parties, those who disbelieved the crossing of the Sikhs altogether; and those who, more polite, condescended to believe it on the Governor General's authority, but were certain they would recross before our Army could come up to engage them. On December 15th, the Umballa force moved on to Luttala, nearer thirty than twenty miles, and orders were issued for a rigid reduction of baggage. On December 16th, the force marched thirty miles to Wudní, overtaking the Governor General and the Lúdiana Force at Bussean. Sir Robert Peel, in his speech to the House of Commons, on March 2nd, said: "From Umballa the troops marched to a place called Bussean, where, owing to the prudent precautions of the Governor General, they found an ample supply of food and stores." It was Major Broadfoot, who, acting under the orders of the Governor General, carried those wise precautions into effect: and not only *here* but on the whole march to Múdkí he may be said to have been the Commissary General of the Army of the Sutlej. Even after his death, his subordinate officers became and continued, till very late in the campaign, the real Commissariat of the Army. The people of the country were now all supposed to be hostile; and those who were with the advanced guard that day will not easily forget Major Broadfoot and his rough and ready troop of wild looking Affghans, galloping across the plain from village to village, summoning out the grey beards, and, with perfect mastery of their corrupt and broken dialect, acquired in a short residence of 15 months upon the frontier, explaining the terms of the Proclamation and extracting from the most refractory *Múfsidt* supplies for the advancing Army. At Wudní, however, matters were different: the village nestled under the wing of a strong brick fort, and the fort itself belonged immediately to the Khalsa Crown. Supplies were positively refused. The Political Agent's very crabbedest Punjabí could not wheedle the Buniyahs out of enough *Ata* to make a Chupatti. The Horse Artillery was therefore ordered up, and as the guns wheeled round into position, the men, ever ready for a joke, very happily exclaimed: "These be the Political Agents!" They were indeed. It was unnecessary for them even *to speak!* The very look of them brought out

* Papers respecting the late hostilities, No. 11.

"I concurred with the Commander-in-Chief and the Chief Secretary to Government as well as with my Political Agent, Major Broadfoot, that offensive operations on a large scale would not be resorted to."

† Malcontent.

the trembling villagers in crowds; and supplies followed without delay.*

The forced marches of the previous days were now telling fearfully on the troops, and camels, and a short march of only 10 miles to Churruk, was made upon the following day. A similar march of ten miles, to Lungiana, was ordered for the 18th December; but, though no man in that Army knew it then, a bloody battle was to be fought that day, and the Governor General, in his anxiety to relieve Forozepore, pushed on eleven miles further to the village of Múdkí. For the benefit of those who have a lingering faith in omens, we may as well here record, that, just before morning broke on the march to Múdkí, a brilliant star shot from its place in the firmament and fell over the Sutlej into the dark grave of the earth's horizon. The "Bright Star" is the highest order in the Punjab; and those who think that the everlasting laws of stellar motion are disturbed by the convulsions of this little orb, imperceptible in space, may confirm their superstition with the coincidence. It is "stranger still," and much more to the point, that on the 2d December died the venerable Faqír Uzíz-úd-dín, the able Minister of Runjít Singh, and faithful follower of his policy in all the counsels he was called upon to give to the weak successors of his Master. He knew our power thoroughly, and his voice was ever for friendship and peace. The last act of his life was a remonstrance against the approaching war: and without superstition, with him may be said to have perished the genius of the Punjab.

Three miles from Múdkí, the first indication of the proximity of an enemy reached "the Army of the Sutlej." A note from Major Broadfoot—ever in the front—informed the Commander-in-Chief, that Múdkí was occupied by the Sikhs; in what force it was uncertain. Upon receipt of this intelligence the column was halted; the Artillery ordered to the front; and the Cavalry to support it right and left. Thus "squaring up," in pugilistic phrase, the army resumed its march; with intense anxiety looking for the enemy. The Commander-in-Chief, attended by his own Staff and that of the Governor General (made over to him by Sir Henry who reluctantly remained behind) and supported by two Squadrons of the 5th Light Cavalry, then made a reconnoissance in front, and soon met Major Broadfoot and a party of Christie's horse coming back a little down cast,

* The same scene was repeated on the coming up of General Gilbert's Column the following day; and the place was not taken till the arrival of the Meerut troops on the 30th December. It gives no bad idea of native impudence when we relate that not a single gun was found in the fort, though from the quantity of Jinjal Balls accumulated, it is not improbable that some swivels had been hidden in the wells, or houses, of the village.

with the tidings that the village, now coming into view, had *merely* been occupied by the advanced picket of the Khalsa Army, who had fallen back hastily upon their own main body; not however without carrying off Captain E. Biddulph of the 45th Native Infantry, who had the evening before got so far on his way in a gallant but imprudent attempt to join Tait's Irregulars at Ferozepore. The momentary excitement over; the weary foot-sore troops dragged themselves on to Múdkí which they reached at noon;—and what a welcome sight there met their view! Beneath the walls of the fort spread a wide clear tank of water; and the reader, who has not the memory of that long march of 21 miles, with heavy sand under foot and the air thick with the dust disturbed by 15,000 men, cannot paint the eagerness with which men and horses rushed to the bank and tried to slake a thirst which seemed unquenchable. In ten minutes the lake was a mass of floating mud, yet fresh Regiments kept coming up, and fresh thirsty souls kept squeezing their way in, and thinking it was the sweetest draught they had tasted in their lives. Young ladies! languishing on your damask couches, you never sipped eau sucrée or lemonade out of a chrystal goblet that was to be compared to a greasy chako full of muddy Múdkí water. Between two and three o'clock the baggage of the troops was beginning to straggle in, and the men to cook their breakfasts; when Major Boardfoot again galloped into camp with the news—this time true enough—that the enemy was advancing in force in front.

Away with knives and forks, and out swords and pistols! Camels, Elephants, camp followers, and other lumber to the rear! Trumpets sound to horse; bugles, drums and fifes to arms; and the whole army, which, but two hours ago, had made a march of unusual severity, now turned out, as if fully recruited, to the battle.

Once more the Governor General, with a courteous bow that would have done honour to St. James's, waved his dashing staff over to the brave Chief of that brave army; and then fell back upon the infantry. The artillery was in the centre of the front line and the cavalry on either flank; the main body of the infantry in contiguous columns behind; and a reserve in rear of all. A mile and a half at least from their own camp did the British advance in this order before they came under the fire of the Sikh guns; but then the "long bowls" came bounding in among them with deadly aim and that peculiar *whirr* which makes the young soldier "*bob*" his head. Now tumbrils begin blowing up, and artillery men dropping from

their saddles; the mutual roar of cannon reverberates over the plain; and smoke obscures the vision. Closer and closer approach the hostile armies; and a staff officer, almost simultaneously from right and left, gallops up to Sir Hugh, with a report that the Sikh cavalry in clouds are turning both his flanks. Right and left he launches his own cavalry upon them; right and left their brilliant charge makes the enemy's horse give way. The British infantry deploy, and advance rapidly in line. A finer sight no man ever saw than that deployment and advance. The jaded men, worn out with forced marches and want of food, forgot all their troubles in their eagerness to close, and nearly the whole of an unusually large staff might at one time have been employed in galloping up and down the line to keep the Regiments from "doubling" into action. And now all hands are at it! Cavalry charging cavalry; artillery thundering on the flanks; and infantry exchanging a roar of musketry in the centre. The battle is at its height; it rages: but the British *still advance:* and it is a fact, which has not been noticed by any writer yet that we have seen, not even by his Excellency the Commander-in-Chief in his own despatch, that *the charge of the British Cavalry was the turning point of the battle of Múdkí.* Up to that moment every arm of the Sikh force, Cavalry, Artillery and Infantry had been *advancing;* and though the Artillery and Infantry still stood and struggled manfully after Lal Singh's Cavalry had fled, yet *they never gained another foot of ground;* and the last two hours of the battle was a series of dogged stands, and skirmishing retreats on the part of the Sikh troops; of sharp struggles, gun-captures, and pursuits, by the British,—over five miles of the worst ground that ever two armies fought for.—Night closed the contest, or rather the pursuit; and the British army was left in possession of the field and *nineteen* of the enemy's guns. The despatch says seventeen: but we have reason to believe that nineteen, if not twenty, were captured over night, and three or four taken off the field, by a Sikh detachment, in sight of our burying parties, the next morning. Brigadier Brooke, who commanded the Artillery, in his return of captured ordnance, only reports fifteen guns in our possession, but says, "Four more guns are reported to have been dismounted by the men of the horse artillery and left on the field from want of means to bring them away." These discrepancies are reconciled by the supposition that two more guns were afterwards brought in by the British; and two recovered by the Sikhs. We have heard that an intercepted despatch from Rajah Lal Singh to the Raní, after the battle of

Múdkí, modestly allowed "that owing to the bad state of the roads, and the horses being killed, *some few guns fell into the hands of the Ungrez.*" The grand total of killed and wounded on the British side was 872. Among the mournful list of the dead was the brave Sir Robert Sale, known among the soldiers of his old Regiment (H. M's 13th Light Infantry) by the faithful sobriquet of "Fighting Bob," and in the page of history as "the hero of Jullalabad."* The loss on the enemy's side is not known; indeed it has never been accurately ascertained how many men they brought into the field. The Commander-in-Chief's despatch says, "they were said to consist of from 14,000 to 20,000 infantry, about the same force of cavalry and 40 guns." Sir Robert Peel estimates the Sikh force at "treble the amount" of the British; which would make them upwards of 40,000. We have put the question to a Sikh soldier who was present in all the fights except Aliwal; and he stated that from each of the twelve Regiments of infantry in the entrenched camp of Ferozshah, there went out four Companies; between 20 and 30,000 horsemen under Rajah Lal Singh; and 22 guns; and this we are inclined to think nearly correct.

The victory of the 18th December, 1845, must be acknowledged therefore by every impartial person to have been no mean achievement. It is no easy matter at any time for 14,000 men to thrash between 30 and 40,000; unless, as was the case in our early Indian battles, the discipline is all on the side of the minority. Those days have long passed away. We have been now teaching the art of war to Asia for upwards of a century; and, though not exactly reduced to the sad pass of that celebrated grand-father who taught his grandson draughts,

"Until at last the old man was beaten by the boy;"—

Yet is there no longer that vast disparity between the discipline of the Native and British Indian armies that we can afford to give them, as of old, the odds which Clive thought very fair at Plassey. In the present instance, we think it only just to a very gallant though barbarous enemy, to acknowledge, that the Sikh soldiers are fully equal to our own sepoys in every respect but that of obedience to their officers; a radical deficiency indeed in cantonments, but, as the result proved, of no consequence whatever in the field, when the enemy in front was the hated British, and every common soldier was animated by the same

* A Greek or Roman General would have been more fortunate though less brave; for he would have accepted the augury with which Sir Robert entered on the campaign, and returned in the belief that the Gods were against the expedition. In coming down the Hill from Simla all the swords which had been presented to him for his former services were stolen from among his baggage and never recovered.

religious detestation of the cow-killing rivals of the Khalsa. Not only however did the Sikh army nearly treble ours in number, and nearly equal it in discipline, but it had the immense advantage of coming up fresh to the fight, after lying at their ease in camp from the day they crossed the Sutlej; while the British troops came off a march of 150 miles (twenty-one of which had been performed that morning,) and were exhausted before the battle was begun. The ground too was much in favour of the Sikhs; and they had had plenty of leisure to select it. It was at first, i. e. nearest to Múdkí, an undulating sandy plain, sprinkled, where the cannonade commenced, with trees; and deepening, where the hostile armies closed, into a tangled jungle. No one who has seen Sikhs fight will deny that as light infantry they are not to be excelled. The indispensable requisite of "a Light Bob" is to have self-reliance; to be independent of assistance; to have his wits about him and take advantage of every bush or stump that will give him time to load again, or unseen bring down his unsuspicious foe. In a word, he must be sufficient for himself, and able to act alone. Now these are just the attributes of a Sikh soldier. Independence, self-reliance, and fearless audacity, are the hereditary qualities of his nation; and have been fostered to the most mischievous perfection in the licentious revolutions which reduced the Government of his country to a military despotism. He is proud of being one of the "Surbut Khalsa Jí," and believes himself a match for two *Púrubias* at the least; he is proud also of his profession, which Runjit took care should be the most honored in the Punjab; and, instead of being glad to get rid of his accoutrements, he wears them with pleasure, and carries his musket jauntily over his shoulder even when he is out for a stroll. No troops in in the world, therefore, are more fitted by nature and habit for carrying on a desultory fight: and the same jungle, which separated and broke the British regiments at Múdkí, only threw the Sikhs into "extended order;" made every hollow an entrenchment, and every bush a battery. Two anecdotes of the field will illustrate these observations.

The fight was nearly over when a Khalsa soldier, who had been just passed by as dead by a British light field battery, rose cautiously from the ground, and taking deliberate aim with his musket at the officer commanding, shot him in the back. Waiting only long enough to see his victim fall, he then stole off, reloading as he went. A Sergeant, who had seen his Captain drop, turned to pursue the murderer, and met a similar fate. Several of his comrades then sprung forward upon the track, but had not gone into the jungle when they heard behind a

neighbouring bush the significant ring of a ramord with which the determined Khalsa was, a third time, driving home his unerring bullet. They prudently abandoned a pursuit which threatened, if continued long enough, to disable a nine-pounder! Another Sikh soldier, feigning to be dead, was kicked up by some men of H. M's. 50th in their advance, and brought a prisoner before Major General Sir Harry Smith, who told an officer of his Staff, that "spoke the Moors," to ask him, which way his friends had run? The Khalsa made no reply, but making a sudden grasp at the General's sword, drew it like lightning from the scabbard, and would have cut Sir Harry down had he not had a riding cane in his hand, and struck the blade aside. An army composed of men like these is not an enemy to be despised.

On the morning of the 19th of December, it was expected that the Sikhs, reinforced from their main body at Ferozshah, would again advance and attack the British; and Sir Hugh Gough had his men under arms drawn up outside the camp in battle array to meet them. Thus they remained many hours; but, though the dust of a hostile column was distinctly seen moving round the British flank, the battalions which raised it showed no desire to renew their intimacy of the previous day. Every disposition, however, was made to guard against a night attack. None occurred; and the spirits of the harassed troops were cheered by the arrival about 11 o'clock P. M. of H. M.'s 29th Foot, the H. E. I. Co.'s 1st European Light Infantry, the 41st and 11th Native Infantry, and a small detachment of heavy Guns; a most welcome reinforcement. The two former regiments had, as we have already noticed, marched out of their stations in the hills on 12 hours' notice; and their soldier-like exertions to come up, before an engagement with the enemy could take place, threw the rapid march even of the main army into the shade. They were one day too late; but the Governor General showed his high appreciation of their military spirit by sending out his own band to meet them, and welcome them to camp. This flattering and graceful compliment turned out unfortunately; for, in stepping out cheerily to the tune of "the British Grenadiers," they all lost their way in the dark; and kept on marching and playing, playing and marching, till they had exhausted all the popular airs in the language, circumambulated the camp, and been challenged by every astonished sentinel on duty.

We had nearly forgotten to record one of the incidents of the 19th December strongly characteristic of oriental warfare. A Mahommedan Chief, one of the leaders in the fight of Múdkí,

came over on an embassy from the enemy, and, expressing their regret that two nations who had so long been friends should now be enemies, proposed terms of accommodation for the Governor General's acceptance! He was put under a guard, and escorted beyond the pickets.

The 20th of December was a halt to refresh the troops, and complete the sad duty of burying the dead. But it was not an idle day among the British Generals and Captains, who, assembled in the tent of the Commander-in-Chief, listened to the plan of the next day's operations. The Governor General himself volunteered his service as second in command; a step, the prudence and propriety of which has been much canvassed both in India and at home. It has been censured rather flippantly by some as *derogatory*, and *rash*. We have every respect for the abstract dignity and high-mightiness of a Governor General of India; embodying as it does the irresponsibility of the Great Mogul with the infallibility of the Pope; but we are among those who think that to lead on a wing of a British army against the enemies of his country can derogate from the dignity of no man. Princes of the blood of Plantagenet condescended to such service; and within our own days an heir apparent to the English throne has coveted the still more humiliating command of a single Regiment. And as for rashness; the proverb says, "there is a time for all things." Certainly, there are times, when cautious prudence becomes the extremity of rashness, and rashness incontrovertible prudence. As a general rule, doubtless, the head of the Government should not expose himself, and never unnecessarily, to danger; nor the State, to the confusion which his death might cause. Lord Ellenborough, for instance, had no business to be under fire at Maharajpore; where his presence served no earthly object. But the battle of Múdkí demonstrated to the conviction of every man in the army that the Sikhs had been greatly undervalued as soldiers; that they were no common enemy; and that British India, as an Empire, was involved in no ordinary crisis. As yet only a fragment of the Khalsa army, detached in scorn, had been, with difficulty, overcome; the main body, varying from 48,000 to 60,000 men with 108 pieces of cannon of heavy calibre, in fixed batteries,* and in an entrenched camp, had yet to to be encountered; *and the junction with Sir John Littler's force was not yet effected.* This was no time to stand upon the forms of office, or even to regard the restraints of the constitution. It was

* See Governor General's letter to Secret Committee, Camp Ferozepore, 31st December, 1845. Paper, p. 24.

one of those moments in the existence of a State which can be compared only to a sudden squall at sea which takes the good ship aback, and forces every man on board, though he were the Lord High Admiral himself, *to put his hand to a rope*, if he would avoid a general wreck. The Governor General had sufficiently displayed at Múdkí his wish to be prudent, so long as prudence was practicable; he now showed himself equal to the responsibility of his office, and judging that his country would gain more by his Generalship in the battle, than it would lose by his death, he acted like a true patriot, laid pride aside, and volunteered to serve where he had been accustomed to command. "I need hardly say," writes the Commander-in-Chief in his despatch, "with how much pleasure this offer was accepted."

Some few pages back, in speaking of the Sikhs, we called them "a very gallant though *barbarous* enemy;" and certainly they gained the latter epithet by acts of wanton cruelty which were only fitted to the wars of the Red Indians and the Sioux. During the night of the 18th, and morning of the 19th December, they not only carried off the majority of their own wounded, but the heads of all the Europeans they could find upon the field of battle. And at the sanguinary fight of Ferozshah, whenever a scattered party of Sikh soldiers came across a *dúli** going to the rear, they would shout their war cry "Wah Gúrú Jí!" with as much savage eagerness as if the poor bleeding inmate, was still in arms against them; and, dragging him out with curses, hack and hew him with their keen *tulwars*, long after consciousness and life had left their victim. At Sobraon too, when that famous charge was made by Gilbert's division upon the centre batteries, and more than once the British line was driven back, the Khalsa and the Akalí, drunk with fanaticism and *bhang*,† rushed out from behind their entrenchments into the plain, and mutilated the fallen within sight of their rallying comrades. Such barbarous acts of warfare make the blood boil to see, and run cold to read of; and stain the page on which we should otherwise record the gallantry of the Sikh Soldiers. But, amidst all this, there were to be met among them occa-

* *Dúli*, a litter carried by four men. Several are attached to every Regiment for the use of the sick and wounded. As we hope for many European readers we think it prudent to give this explanation; as it is not long since a member of the British legislature, recounting the incidents of one of our Indian fights, informed his countrymen, that "the ferocious *Dúli* rushed from the hills and carried off the wounded soldiers!"

† An intoxicating extract of hemp; used by the Sikhs in excess, to make up for their abstinence from tobacco. So true is Hudibras's saying, that all the world—

"Compound for sins they are inclined to,
By damning those they have no mind to."

sional acts of chivalric liberality which ought to be remembered. Such an one was the restoration of Capt. Biddulph. It has before been mentioned that this officer was captured and carried off by the advanced Sikh picket, at the village of Múdkí, on the morning of the 18th. He has since published a short but graphic account of his captivity, from which we cannot do better than extract the following passage:—

"I was hurried out of the place, put on a horse behind a Sikh trooper, and with a stronger escort, galloped off some nine or ten miles. Judge my horror when I saw before me the whole Sikh camp and army! I was taken up and down their position amidst excited crowds, who abused and poked me right and left; my gallant horsemen, however, protected my life, but I saw with alarm, a huge beam on two posts bearing a most unpleasant resemblance to a gallows; multitudes were around it, and I prepared for death, praying that I might not be tortured, and die calmly. We passed this, however, and at last reached Rajah Lal Singh's tents; Akalís, going in and out, shook their swords at me, and crowds thronged me; Lal Singh came out, and I addressed him, but he would not hear me, ordering me to be put in irons and made over to the Commandant of Artillery; thither I was taken; the General spoke angrily and sent me away to his men; I was then chained under a gun, and a guard placed over me. Thus I lay for three days and nights; bitter cold it was; chuppattis my food, water my drink; and many anxious thoughts prolonged my days into weeks, my nights into months. Daily I was thronged, abused and threatened; hundreds of questions were put to me, and tempting offers of service made, all of which I steadily refused. *The artillerymen became my fast friends, defended my life, and, as far as possible, drove back the crowds, and tried to shame those who threatened me.* Even in such a precarious situation, life has its pleasures and enjoyment; the calm of night, cessation from teasing multitudes, a chat with the artillerymen, smoking through my *hands* from a *chillum* without any pipe; the thousands of reports, strange sights and scenes, the pity of some, the wonder of *all*!—was not this happiness? Indeed I began almost to be happy; at any rate, I could laugh. But the scene was now to change.

The battle of Múdkí roused my hopes; I sat on a board behind a gun, and the Artillerymen with lighted matches stood around: it seemed the fight drew near and more near; fancy almost rang the clangour of a charge in my anxious senses; and then the thought whether victory to us would not be death to me came to calm my too buoyant hopes. I remembered Loveday, he was my ship companion! At 11 at night the guns ceased, the file firing died away, and I heard the bustle of the Sikh troops retiring into camp; who shall describe then the prisoner's feelings? I cannot.

Morning at last came, and I soon perceived that the boastful pride of our enemy had greatly abated, their tone was altered and my condition seemed better. Another day, another night succeeded, the third I was suddenly summoned to the chief, Bebauis Ally Khan, and on my way to him a smith appeared and my irons were taken off! On entering the Chief's tent he spoke kindly, gave me water to wash, and said he would get me released. Some conversation ensued, and an Affghan Sirdar, who had visited me the day before, evidently interested himself in my behalf: we started for Lal Singh's quarters, but on the way there I was sent back to my gun; some anxious hours passed, and when the unruly multitude heard I was likely to be realeased a row commenced; *my friends of the Artillery stood to their guns and declared they would fire if I were touched*; by degrees matters smoothed down and the crowd

dispersed; suddenly I was told I might go! I desired the messenger to make my grateful acknowledgements to the Chiefs and took leave of my Bhais, the Artillerymen, but I said, "I shall be cut down directly I leave your lines;" *two of them offered to accompany me*, and though their authority was not much to protect me, the risk must be run; off we set, and the sun never seemed to me to shine so cheerfully before. *Then a brother of the Artillery Chief's ran after us, and said he would get me through their outposts*; he sent the two Artillerymen back and on we went; many were the stoppages and much demur at the last outpost five miles from their camp, but my friend satisfied them all. Merrily we trudged the ten miles to Múdkí, and the reception I met from all was grateful indeed, and ever to be forgotten. My companion received from the Governor General 1,000 Rs., and offers of service if he chose to stay with us; he returned, however, after the battle to his own people or home. The 21st and 22d saw the Sikhs routed after a desperate resistance, but the G. G. would not allow me to mingle in the fray, as he said I owed *that* at least to the enemy who released me, although I refused to give any pledge not to fight."

Several European soldiers who had been taken prisoners at Múdkí were similarly restored; and had a rupee each given to them when delivered up at the pickets.

On the morning of the 21st December the army of the Sutlej marched in pursuit of the Sikh invaders; leaving the sick, wounded, baggage, camp-followers, and captured guns, at the fort of Múdkí under guard of two Regiments of Native Infantry.

"A communication," says the Governor General, "had been made during the preceding night with Sir John Littler, informing him of the intended line of march, and desiring him to move out with such a part of his force as would not compromise the safety of his troops and the post.

"At half past one o'clock the Umballa force, having marched across the country, disencumbered of every description of baggage, except the reserve ammunition, formed its junction with Sir John Littler's force, who had moved out of Ferozepore with 5,000 men, two Regiments of Cavalry, and 21 field guns."

Thus was one of the two objects of the army of the Sutleje gained. Ferozepore, reprieved only by the battle of Múdkí, was now relieved. The other, and the great object, the expulsion of the Sikh invader from Hindustan, remained to be accomplished.

It is necessary to explain here that the Sikh army was at this time divided into two unequal forces: the smaller one threatening Ferozepore, and the main body encamped within a very formidable entrenchment at the village of Ferozshah,*

* We might well protest against calling it *Ferozshah*. The proper native name is Ferozeshuhur *or* Ferozeshahar, with short *u* or short *a*, according to the system of Romanizing which may happen to be adopted. It is often spelt Pheroshuhr by bad clerks; but scarcely ever, even by the *worst*, *Ferozshah*. Still, since in the first despatch of the Governor-General as well as in other official documents, the orthography of *Ferozshah* was adopted; since, in consequence, this orthography had obtained the widest currency; and since it can only be regarded as a popular and somewhat abbreviated form of the native term, more suited to the English ear, we have, for the sake of uniformity, adopted it throughout. Were a rigid philological test to be applied, it would soon appear that the ordinary orthography of most of our Indian proper names would but ill abide the scrutiny. Here, in passing, we may as well remark, once for all, that, with the view of conforming as nearly as possible with the approved standard of the Asiatic and other literary Societies, as well as learned orientalists generally, we have used the accented *ú* for long *u*, as in the English word *rule*, which is equivalent to the sound of double *oo* in *room*, *food*, &c.; and accented *í* for long *i*, as in the English world *Police*, which is eqivalent to double *ee* in *feel*, *reel*, &c. The unaccented *u* and *i* denote the short sounds of these letters respectively. Agreeably to the same simple system the accented *á* would represent long *a*, as in *father*, and unaccented *a*, short *a* as in *America*. But, as the sounds of long and short *a* are less liable to be confounded than those of *u* and *i*, it has not been thought necessary always to note the difference, more especially in words that are common and familiar, and whose pronunciation, therefore, cannot well be mistaken. Thus, in the word *Rani*, queen, both the *a* and *i* are long; consequently, rigid accuracy would require it to be written *Rání*. But, without the accent at all, no one would now think of pronouncing the *a*, in this word, otherwise than broad and long. It has, therefore, been deemed superfluous to add it. The letters *o* and *e* are always long, and of course do not need the distinguishing mark of the long sound.

nine miles from Múdkí. Sir Henry Hardinge in his letter to the Secret Committee says, "the Sikh forces varied from 48,000 to 60,000 men, with 108 pieces of cannon of heavy calibre in fixed batteries."—*Papers*, *p.* 27.

After comparison of several accounts, we do not think the whole invading force of the Sikhs much exceeded 60,000 men, or that they brought across the Sutlej more than 190 guns. Seventeen of these guns were already in our possession; when Sirdar Tej Singh renewed the combat on the 22d, he is allowed by all to have brought up not only a strong force of Infantry and Cavalry but of *Artillery* also; 72 guns were captured by the British during the battle; and if the enemy, in their disorderly retreat, or during the night, carried off 20 guns, it is as much they as could have done. We do not believe they got away 10. It is probable therefore that the estimate of the enemy's force in Ferozshah by both the Governor General and the Commander-in-Chief has been too high; that there were not more than about 35,000 Sikhs in occupation of the entenched Camp (of whom nearly 18,000 were Irregular Cavalry, 3,000 Regular Cavalry and 1,000 Gunners), with between 80 and 90 guns and 250 camel swivels; while 20,000 Sikh Infantry, 5,000 Cavalry and about 1,000 Gunners lay before Ferozepore, with from 70 to 80 guns and 50 Camel swivels.

This being premised, it will occur at once to the reader, whether he be military or not, that however desirable it might be to the British to take their enemies in detail, yet, as a junction with Sir John Littler was indispensable, it was extremely problematical whether that measure could be effected without alarming the enemy's force before Ferozepore, and forcing them either to engage Sir John upon the march; to make a *counter-junction* with their own main body; or, which was most pro-

the 62d Regiment was really struck with a panic, Sir John Littler had no business to say so. On asking, *why?* we were told that it *had a bad effect* to tell the public, and foreign nations, that any portion of the English army had behaved, or could, by any possible combination of the horrors of war, be *induced* to behave, otherwise than with supernatural courage. Granting for a moment, *pro argumento*, such to be the case, and that, to be a great patriot, it is necessary at times to be a great liar, we deny that it has any reference to the point at issue. For Sir John Littler, so far from desiring to tell the public and foreign nations that the 62d were panic-stricken at Ferozshah, intended the despatch, as all other subordinate Generals intend their despatches, for the *private* information of the Commander-in-Chief; who, not being endowed with ubiquity, or the power of being in two or more places at once, is thus alone enabled to compile a true account of the battle, and describe, to his Government, events which it is impossible he could have witnessed. His Excellency the Commander-in-Chief has himself informed the 62d and through them the public,—who seem nevertheless to have forgoten it—that the despatch was never intended to be published, but got mixed up by mistake with the papers for the Press; as is sufficiently proved by the non-publication, at the same time, of Sir Harry Smith's and General Gilbert's despatches. The question therefore is not, whether General Littler was right in telling *the public* that the 62d were struck with a panic; but, whether he was right in telling the *Commander-in-Chief.* And this we think cannot admit of a doubt. A Subaltern "officer of the day" would probably be brought to a Court Martial, if, in his morning "report," he concealed from his Commanding Officer, that all the non-commissioned Officers of the Regiment had been drunk the day he was on duty.* And what is a subordinate General Officer in the field, but a Subaltern Officer with a finer name? And what is his despatch after a battle but a "report" of what occurred when he was "*on duty?*" Its *intention* is, that it should be *a plain statement of facts;* and the General, who, to gratify his own vanity or serve his own selfish ends, either exaggerates the achievements, or conceals the misconduct of the troops under his command, is guilty of a gross departure, not only from military duty, but from *truth,* "the peerless beauty" whose smiles should guide every knight along the path of modern chivalry. Respect, and that gratitude which every Englishman owes to "the hero

* It is not very long ago since a certain Lieutenant Colonel was brought to a Court Martial, and *smasked*, for, among other grave offences, concealing a mutiny that had taken place in his Regiment on the march.

of Waterloo," protect the speech made upon this subject by the lawgiver of the House of Lords. It rests in the grave of public forbearance, and is shrouded from criticism by the veil of patriotic regret. One remark, however, we may trust ourselves to make; viz: that the Duke of Wellington is the last man living who should condemn a General "for applying the word *panic* to his troops:" seeing that in his own early days of Generalship, he wrote the following passage to the Military Secretary of Government, and in his later days revised it for publication; "If we had had day-light an hour more, not a man would have escaped. We should have had that time, if *my Native Infantry had not been panic-struck* and got into confusion when the cannonade commenced."*

But perhaps there is no objection to the application of the word *panic* to *Native Infantry!* And here we shall close these few words in defence of a soldier, whose character for integrity and honour, stands so high among his contemporaries, that the unmerited and even insulting condemnation of "the highest living military authority" has evaporated like breath upon a polished mirror.

Sir John Littler got so much sooner into action than the rest of the line, that, after his repulse, a part of the 14th Regiment Native Infantry, which was one of his regiments, was in time to join the advance of the Queen's 9th Foot, and the 26th Light Infantry under Brigadier Wallace. These gallant regiments, which had before been brigaded together in the last Affghan campaign, have become associated together in India military annals, by their mutual friendship in cantonments, and their generous rivalry on the field. We have already said that to their lot fell a corner of each of the two faces of the entrenchment on which the strongest force of Sikh Artillery was posted. They now advanced to carry it: and did so at the point of the bayonet, in the face of a fire whose severity is best proved by its effects. The 26th Light Infantry had 73 men killed and wounded; and the 9th Foot 273—being 13 more than were lost by the 62nd.; thus proving that the heaviness of the fire, to which the latter were exposed, was not more than the men would have endured had they been let alone. Brigadier Wallace, and Lieut. Colonel Abraham Taylor, two tried and excellent officers, fell in this successful storm.

On the right of Wallace's brigade advanced the division of Major General Gilbert to attack the South and South East

* Despatches, Battle of Argaum.

faces of the entrenchment. This division was the strongest in the field, and it fell to its glorious lot to storm *two* of the Sikh batteries. They were both carried—one by H. M.'s 29th Foot, and the other by the Honourable Company's 1st European Light Infantry,—the former corps losing 188, and the latter, 204 men, in the assault and next day's fight. It was on the South face, and between the entrenchment and the village of Ferozshah that the chief portion of the Sikh Camp was pitched. The batteries, therefore, were no sooner carried than Gilbert's division found their work, as it were, beginning. A dense mass of infantry and tents were in rear of the captured artillery, and from among them a galling fire of musketry opened in the faces of the captors. To complete the horrors of the struggle, at this moment one of the enemy's magazines exploded under the feet of the 1st Europeans, blowing up many men and officers, and rending the Regiment into two. Thrown into confusion, however, this noble division still followed up the enemy,—each man, being content, if he could not find his own corps, to join another; nor ever stopping till they had trampled down the tents, and driven the savage Khalsa from their Camp into the village, at the bayonet's point.

The Reserve under Sir Harry Smith was now brought up to put the last finishing stroke to victory yet trembling in the balance: and H. M.'s 3d Dragoons were launched upon a battery which still kept up its deadly shower. This corps had already so handled the Sikhs at Múdkí, that, on the other side of the Sutlej, they still retain the distinctive title of "*Múdkíwallahs:*" and they now performed a feat which, rightly considered, was the most remarkable of the war. They charged, and carried the battery they were opposed to,—the leaders filling up the yawning trench with their own numbers, and those who followed crossing on a living bridge of their comrades. One officer, Captain Codd, jammed his horse, in the darkness and impetuousity of the charge, between a gun and the wheel, and unable to extricate either himself or his charger, was cut down in his saddle by the desperate gunners. But this was not all. Having put the artillery men to death and silenced the battery, this gallant band faced the whole Khalsa army within the entrenchment, swept through their Camp with loud huzzas over tents, ropes, pegs, guns, fires, and magazines, cutting down all that opposed their passage; and, having traversed the enemy's position from side to side, emerged among their friends with numbers thinned indeed, but "covered with imperishable glory."*

* "Friend of India."

A young officer, whose horse was killed under him in this charge, made a dash at the tail of a troop horse, wound it round his wrist, and was dragged in safety, though somewhat bruised and buffeted, out of the Mêlée.

Night had now settled darkly down upon the field of battle; and what a scene did the fitful gleams of a burning Camp reveal! Driven from the batteries and entrenchments they had so hardly won, by the harassing musketry of an unseen foe, and the momentary explosion of mines and magazines which threw their ranks into confusion, General Gilbert's division had sulkily withdrawn and bivouacked within three 300 yards directly South of the Sikh entrenchment. They were joined by H. M.'s 9th Foot and the inseparable 26th Light Infantry and stragglers from every quarter of the field: but the other two divisions of the British Army were no where to be found. Sir John Littler, repulsed, had fallen back on a small village directly West of the Sikh entrenchments; and Sir Harry Smith, who had penetrated into and beyond the village of Ferozshah, had taken up a position in the very heart of the great "parallelogram," and remained there, till between two and three in the morning, with his whole division under arms, ready to resist attack. The enemy, who had been practising on him all night, at last got *the bearings* so accurately, that Sir Harry, to save his men, was compelled to withdraw from the entrenchment, and, attracted by a large fire which he conceived to be the bivouac of the army, retired upon the small village of Misríwala, about two miles S. E. of Ferozshah. It thus happened that General Gilbert's division, swelled as we have before noticed by stragglers from broken Regiments, was the only one left upon the field of battle. Fortunately the two leaders, the Governor General and the Commander-in-Chief, were both with it; and, by their indefatigable personal exertions, aided by General Gilbert, this handful of British and Native soldiers, was reduced from confusion into order, and lay down to snatch an hour or two of fitful rest, in the face of an enemy who as far out-numbered them, as the Persian host out-numbered the 300 at Thermopylæ. The Governor General, in a private letter to a distinguished friend, has called this night "the most extraordinary of his life."* Had he been writing a public document he would probably have added, that it was the most extraordinary in the history of India. The whole force of the North-West Frontier, that was available to repel invasion, had met and grappled with the invader.

* See Sir Robert Peel's speech.

Prodigies of valour and devotion had not sufficed to purchase for the British a decisive victory. In some respects it might even seem as if the Sikhs had the advantage; yet the existence of the Anglo-Indian Empire depended upon their being not only beaten, but utterly overthrown and routed. The battle was to be renewed in the morning; *and one exhausted division was left to accomplish what had baffled the whole army of the Sutlej.* Surely never was an empire in greater jeopardy; and never did a result prove more clearly that "it is God who giveth the victory."

"In this state of things the long night wore away. Near the middle of it one of their heavy guns was advanced, and played with deadly effect upon our troops."—(C. C.'s despatch). Sir Henry Hardinge called upon the two Regiments nearest him, to "*see if they could not stop that gun.*" The 80th foot, and 1st European Light Infantry, sprung with alacrity from the ground; advanced once more into the entrenchments; charged; spiked the monster; and returned again to their cold bivouac upon the frosty field. Still, however, if a gleam of moonlight betrayed the little band, the grape and round shot of the Sikh Artillery came thundering among them; and not the least wonder of that night was, that a few thousand men should maintain their ground within three hundred yards of a great army and not be annihilated. Subsequent information has revealed to us, that, within the dreaded Sikh entrenchment, there were that night stormy counsels, bitter words, dissension, mutiny, plunder, and desertion. The gaudy tents, and well filled treasure bags of Rajah Lal Singh himself were sacked by his own mad Akalis. And when, *at last*,—how *very* long such hours seem!—the dark winter night drew to a close, and the first red streak of day bade the remnant of the British Army arise and regain what had been torn from their grasp the evening before, they no longer found an enemy secure in superior numbers, but one weakened by defection, and just waking from the national dream of *invincibility* which Runjit Singh's successful ambition, French discipline,—with one of its essential constituent elements, blustering braggadocio,—and, above all, the real superiority of the sinewy Sikh over the effeminate tribes of India in warlike courage and corporeal strength,—had unitedly instilled into the Khalsa army. "Our line advanced, and unchecked by the enemy's fire, drove them rapidly out of the village of *Ferozshah*. Then, changing front to its left, on its centre, our force continued to sweep the camp, bearing down all opposition, and dislodged the enemy from their whole position."—(C. C.'s despatch.)

The fact is, that the "opposition," thus "borne down," was little more than the passive resistance of the wreck of a great army;—guns overthrown, tents and baggage-waggons strewed confusedly about, gun bullocks and camels straying loose or rushing mad with wounds over the field, with here and there a magazine exploding, or a mortally hit Sikh raising himself to strike a last blow at the passing "*Gora*,"* then falling back and mingling with the death-rattle in his throat a curse upon the humblers of his tribe. Previous to, and during the advance of the British line, the Sikh artillery kept up a heavy fire; but the retreat had already commenced among the Cavalry and Infantry, and when the line entered the entrenchments they certainly "drove the enemy rapidly out of the village," for the Sikhs were in full run before them! Triumphantly therefore did the 2d Division "continue to sweep the camp," marching round two sides of the parallelogram, with the village on their left, and emerging on the N. E. of the plain which lay before them covered with flying bodies of the enemy they had "dislodged." "The line then halted, as if on a day of manœuvre, receiving its two leaders as they rode along its front with a gratifying cheer, and displaying the captured standards of the Khalsa army." Every man then thought his work was over; and assuredly every man had "done his duty." But Ferozshah was not yet won. The greatest danger, and the most miraculous escape, the enemy most to be feared, and the victory most easily won, had yet to add their wonders to the records of the Indian *Waterloo*.† We left Sirdar Tej Singh, the Commander-in-Chief of the invading army, unconsciously encamped before Ferozepore while Sir John Littler was marching out. In the course of the day he discovered that he had been outwitted; and but for the cannonade at Ferozshah might have marched that evening upon Ferozepore. We firmly believe that the small garrison, there left shut up in the entrenchment, would have held their own against all Tej Singh's force until assistance could arrive; for, though the Sikh soldiers are very brave *behind* walls, storming them from the outside is not so much to their fancy. Runjit Singh's whole army would have been repulsed from Múltan, had not Phula Singh, a mad Akali, borrowed from Bacilius the courage to lead a storming party against the breach. Still, the Ferozepore garrison must be owned to have been in great jeopardy at this moment; and when we reflect that many English ladies were among the

* *European*; literally *fair*.

† Nothing daunted we venture to make that comparison at the very moment when we are going to *bring up the Prussians on the other side!*

number of the beleaguered, we are tempted, even at the risk of being thought ungallant, to quote a quaint passage from Rabelais, for the guidance of our rulers. It relates to the impious attack of the Titans on Olympus:—

"Adonques tint Jupiter chapitre general. Là fut conclu de 'tous les Dieux, qu'ils se mettroient vertueusement en defense. 'Et pource qu'ils avoient plusieurs fois veu les batailles perdues 'par l'empeschement des femmes, qui estoyent parmi les armées, fut 'decreté que pour l'heure on chasseroit des Cieux en Egypte, et 'vers les confins du Nil, toute cette vessaille de Déesses, desguisées, en Beletes, Fouines, Ratepenades, Museraignes, et autres 'metamorphoses. *Seule Minerve* fut deretenue pour foudroyer 'avec Jupiter; comme Déesse des lettres et de guerre, de conseil et execution."—(Pantagruel Livre III. Chap. XII.)

The furious cannonade at Ferozshah effectually diverted Tej Singh from any other enterprise than that of assisting his friends; and early on the morning of the 22d December he broke up his Camp, and marched with all his force upon Ferozshah. We have before estimated that force at 20,000 Infantry, 5,000 Cavalry and about 1,000 Gunners; with from 70 to 80 field pieces, and 50 Camel swivels; and we leave our readers to judge, whether, when this fresh army appeared before our utterly exhausted though victorious troops who were in possession of the deserted entrenchment at Ferozshah, the danger was not infinitely greater, and the enemy unmeasurably more terrible, than any that the army of the Sutlej had yet encountered. Sir John Littler and Sir Harry Smith did fortunately rejoin the Commander-in-Chief about this crisis; but, at the beginning of the destructive battle on the previous day, the whole British force amounted only to "16,700 men, and 69 Guns;" and now that number was by death and wounds fearfully reduced, while the remainder had no time to recover from the debilitating effects of fatigue and want after the performance of acts of the most daring heroism; and, to aggravate the cheerlessness of the prospect, the Guns had exhausted their ammunition! On came the Sirdar;—a dense cloud of dust, which slowly rose above the horizon, at once heralding and covering his host. Miles yet separated the two main bodies from each other when their advanced Guards—those *antennæ* of armies—came in contact. The weak British pickets were driven in; and the advantage was rapidly followed up by an attempt "to regain the position of Ferozshah;" again as rapidly abandoned at sight of the compact and determined line of the British Infantry. The Sikh advanced Guard contented themselves with their *reconnoissance*, and fell back upon Tej

Singh's main body. The Sirdar then apparently halted and formed in order of battle, and, throwing forward his artillery, opened a heavy fire upon the left flank of the British. Where was the answering thunder of the British artillery at that moment? Why do not those Guns, whose blackened mouths and blood-stained wheels bear witness that they are not made to play with on parade;—why, as they are wont, do they not gallop to the front and throw back the iron hail into the enemy's teeth? Sir Hugh Gough has recorded the answer; that "our artillery ammunition being completely expended in these protracted combats, we were unable to answer him with a single shot." We believe the complement of ammunition for a horse artillery Gun on service is 300 rounds; and we think it was Napoleon who said, that 300 rounds would take a Gun through *three pitched battles*. Either then the fights of Múdkí and Ferózshah were warmer work than Leipsic and Marengo, or our horse artillery was *short of ammunition*. In all humility we leave the solution of the problem to those whom it concerns. It is sufficient for us here to be grateful that the Sikh Commander, with a weak enemy in his front, and a strong army at his back, had neither the pluck nor the ability to attack; and, after two clumsy demonstrations, first threatening the left flank, and next the village, withdrew like a false hawk whose *stoops* had missed their mark.

To what the army of the Sutlej are indebted for this *deliverance*;—whether to cowardice, or treachery, or ignorance, on the enemy's part, of the British numbers; or whether, after all, Tej Singh's whole object was a chivalrous wish to cover his friend's retreat;—remains to be guessed and wondered at, but we fear not to be satisfactorily decided. H. E. the Commander-in-Chief has a pardonable leaning to the belief, that, "having directed his almost exhausted cavalry to threaten both flanks at once, preparing the infantry to advance in support," this "caused him suddenly to cease his fire and to abandon the field." (See despatch.) The author of the article in Colburn's Magazine, for May 1846, holds another opinion, and one not uncommon among Indian Military Circles. "It appears that owing to some misapprehension of orders, or hallucination in a Staff Officer, the whole of the British cavalry and artillery was ordered off to Ferozepore—a measure which might have caused the ruin of the army,—and intelligence of this movement having got among the Sikhs they very naturally concluded its object was to interpose those troops between them and the river, and so cut off their retreat!" "Can the annals of war"—concludes this author, assuming a very doubtful conjecture to be a *fact*—

"produce anything more extraordinary, or could the most consummate generalship have been attended with such a result? *Vive*, say we, the chapter of accidents in warfare!"

Thus, a little after 4 P. M. on the 22d December, ended the battle of Ferozshah; a battle which will ever be memorable in history as the nearest approach which the army of any Native power has yet made to a victory over the English in India, in a fair, stand up fight. It was certainly high time that an army, which could so *very nearly* give us a thrashing, should cool its courage for ever in the waves of the Sutlej.

The British loss in this battle was 694 killed, and 1721 wounded; total 2415. But, in the emphatic words of Sir Hugh Gough, "How could a hope be formed that it should be otherwise? Within thirty hours this force stormed an entrenched camp, fought a general action, and sustained two considerable combats with the enemy. Within four days it has dislodged from their positions, on the left bank of the Sutlej, 60,000 Sikh soldiers, supported by upwards of 150 pieces of cannon; 108 of which the enemy acknowledge to have lost; and 91 of which are in our possession."

Foremost among the dead, as he was ever foremost among the living, let us weep over GEORGE BROADFOOT, with whose life there left this earth one of the noblest spirits that ever lit upon it. Alas that even the memory of such a man should not be sacred from slander, calumny and *lies*,—lies, as black as his name was *fair!* The Metempsychosis which Pythagoras taught;—or the kindred belief of the millions among whom we live, that men's new births take shape from their old deeds, and find in the wide range of brute creation bodies best suited to their souls;—seems only a fitting satire upon human nature, when, walking among us, bipeds, "heaven-regarders,"*—as an ancient Grecian might say—we meet with men already anticipating their posthumous degradation, and fulfilling the loathsome offices of the vulture, the jackall, and the worm. These men seem *not to belong* to men: they share not our sympathies with what is good and noble, nor our appetite for what is pure; but, brooding ordinarily apart among the stony places and caverns of the world, they come forth only—

> When decay's effacing fingers
> Have swept the lines where beauty lingers—

and corruption sends them a message, on "the wings of the wind," to come, and tear and mangle, and revel over *the dead!*

* ανθρωπος—a sursum aspiciendo, ανω, τρεπω, et ωψ—as learned Lexicographers delight to tell us.

A more honourable man than George Broadfoot never lived. He was a stranger among us; for he came from Madras; and of his early career little had reached us but that he had held with credit staff appointments in almost every department of the army. He was last employed by the Madras Government in the Commissariat at Moulmein; and it was an able report upon the Commissariat of that Province which first attracted the notice of the Supreme Government, and, when officers were wanted for the Kabul war, made them select him to raise a corps of sappers and miners for service in Affghanistan. It would lead us too far to trace him through those perilous passes which it was ever the lot of "Broadfoot's sappers" to crown; or follow him through the toils, privations, and distracted councils of beleaguered Jullalabad, which, though a weak and well nigh untenable position, he helped so successfully to defend, not more by the entrenchments which he threw around it, than by the brilliant sallies which he made from behind its walls. Suffice it to say, that, when he returned to India, among an "illustrious Garrison" no name was *more illustrious* than that of George Broadfoot. It was said of him in Affghanistan, that the offended *manes* of two brothers, killed in battle, hovered round his sword; adding the strength of grief to an arm naturally bold. Certainly in him were united the talents of the one, the various knowledge and sound judgment of the other; and Broadfoot's "occupation" was not "gone" when he received the medal of "*Pax Asiæ restituta*." Whatever may have been Lord Ellenborough's deficiencies, he was undoubtedly possessed of that keen insight into character, which is, to Statesmen and Governors, a *diviner's wand*. A civil reformer was wanted in Moulmein; Broadfoot was selected; and scarcely were the abuses of a corrupt administration in those provinces cleared away, than he was chosen to succeed Colonel Richmond in the important charge of the N. W. Frontier. A higher compliment could not have been paid by the Government than in thus calling him from one extremity of the empire to another. The nature of our relations with the Punjab at this crisis has been fully entered into at the commencement of this article; and the "Papers laid before Parliament" supply us with abundant evidence, and indeed the most repeated and solemn assurances, that the course which Sir Henry Hardinge wished to steer through that stormy sea was the one which promised most effectually to maintain *Peace*. The danger is throughout admitted to be great; fears even are anxiously confessed that war cannot be avoided; but *Peace* is declared to be the Governor General's *policy*; and for its preservation the Governor

General is ready to incur the reproach of infatuation and neglect, to sacrifice every thing except the national *honor*. When, therefore, this same Governor General, who has staked all on peace, finds himself plunged in *war*,—and that war threatening to embarrass his whole administration if not endanger the very stability of the empire,—it would have been only too consistent with weak human nature, and especially hard, ungrateful, *statesman-nature*, if he had at once thrown the whole blame of the frustration of his policy on the incapacity, or treachery of the agent who should have carried it out. That that agent was *dead*, would only have made the plan more feasible, and surprised us less; for it is astonishing how uncomplainingly the dead bear the burdens of the living! Sir Henry Hardinge, however, was too true a soldier to ask any man to fight his battles; and he pronounced over Broadfoot's tomb—or rather over his *grave*, for those were not the days of *tombs*—that remarkable eulogy, *that "he was second to none in this accomplished service."* No man can read that passage of Sir Henry Hardinge's despatch, wherein he laments the untimely death of his agent, and expresses his determination "at a season of more leisure to confer some special mark of honor, by which his great merits and glorious death may be perpetuated,"* without a full conviction that it came from the *heart*, and was written of one who had *done his duty ably and conscientiously to the Government*. Let those, therefore, who are not behind the scenes, and have no means of judging what Broadfoot either *did*, or did *not*;—who have no access to public documents; and who could possibly know nothing of the opinions of a man who had *no confidant* in state affairs;—reflect for a moment on what is implied in the charge of "forcing on the war,"† and pause e'er they vilify the memory which the Governor General of India and the Prime Minister of England have delighted to honour.‡

* See papers, p. 28.

† To every benevolent and right thinking mind, a similar charge of *forcing on the war* in Sindh, will appear by far the heaviest which Col. Outram has advanced against Sir Charles Napier; and for the honor of Indian diplomacy we wish we could add that it is the one he has been least successful in proving.

‡ From Major Broadfoot's eminent position, as the executive Agent, in carrying out the Governor-General's line of policy, we have deemed it proper to offer this tribute in vindication of his memory. But it is no part of our present plan to dwell on the individual merits and achievements of any of the heroes who fought and fell so nobly in the mighty conflicts on the Sutlej. Amongst these, the names of Sir Robert Sale, Sir John McCaskill, and Sir Robert Dick alone might furnish subjects for so many separate memoirs. From the long catalogue of other officers who bravely died in their country's service, the writer of the Article in the *May* Number of the *North British Review*, already referred to and quoted, selects a few for special notice. "There," (at Ferozshah), says he, "fell Captain Peter Nicolson, an officer of high courage and great ability, who had earned for himself a reputation, as a soldier and a diplomatist, by his services in both capacities, at the opening of the Afghan war—who had been selected to fill the delicate and responsible office of custodian to Dost Mahommed, and who, on the restoration of that potentate to his own dominions had been appointed to assist Major Broadfoot in the political duties of the North-western frontier. There, too, at the head of a troop of horse-artillery, fell Major D'Arcy Todd—an officer of rare merit, who

Of all who fell at Ferozshah, only two are mentioned by name in the hurried despatch of the Commander-in-Chief: and of those two, one was a foreigner who did not belong to the army; "Dr. Hoffmeister, the Medical attendant on Count Ravensburg." Posterity will be somewhat puzzled to make out this latter name; to guess who was that "illustrious nobleman, who with the officers of his suite, Counts Greuben and Oriola, did us the honour to accompany the force during our operations;" who "were present at Múdkí and in this great battle;" and of whom so brave a soldier as Sir Hugh Gough recorded his "testimony to their gallant conduct on these occasions, worthy of the high reputation in arms of their countrymen, and of the great ancestor of one of them." Who was Count Ravensburg? who are his countrymen?—are questions which the future readers of the despatches will perhaps ask in vain. And so seldom is it that "an illustrious nobleman" can bring himself to exchange the luxuries of a Court for the vicissitudes of travel, and search through foreign lands for something wise or good wherewith to enrich his own, that we are sorry etiquette should have prevented Sir Hugh Gough from disturbing the *incognito* of *Prince Waldemar of Prussia*. These distinguished strangers, after travelling through Hindustan and penetrating to the snows of the Himalaya, joined the army of the Sutlej, shared, with the gallant men who composed it, all the fatigues and privations of the campaign, all the danger and glory, of Múdkí, Ferozshah, and Sobraon. And we hope that in the rough soldiers' welcome of the camp, the stirring scenes he took so brave a part in, on the banks of the Sutlej, and the never to be forgotten spectacle of a prostrate Empire which he witnessed at Lahore, His Royal Highness was repaid for his enterprise, and laid up as many pleasing recollections as his soldierly bearing and unaffected manners left behind him in the minds of his sometime *Camarades*.

Two anecdotes of the battle of Ferozshah are worthy of record, as they serve to illustrate two of the strongest passions, of the Sikh soldier; *Cupidity* and *Bigotry*. Lieut. Sievewright of H. M.'s 9th Foot had his leg broken by a ball, and fell help-

having spent the earlier years of his life attached to the Persian army, and in intercourse with the British mission at Teheran, was selected, on the first formation of the army of the Indus, to accompany the Envoy and Minister as Secretary to Kabul; but was subsequently appointed to the difficult and responsible office of political agent at Herat, where he was condemned to play one of the most harassing games of diplomacy, against the most crafty and most unscrupulous politician in Asia, Yar Mahommed, ever played by a British functionary—a game in which it was necessary that the more honorable player should be worsted. Here too fell Major Somerset, who, on the hard-fought battle-field of Maharajpore, after distinguishing himself by many acts of personal heroism in hand-to-hand combat with the Mahratta swordsmen, narrowly escaped the soldier's death, which was reserved for him on another field and beside another Governor-General; and who here, at Ferozshah, 'with the hereditary courage of his race', fought with the most signal gallantry, and fell covered with honourable wounds."

less on the field. A Sikh soldier rushed upon him from the entrenchments and was preparing to give him the *Coup de grace*; when love of life suggested perhaps the only word in all the eastern tongues which at that moment would have had power to arrest the descending sword. "Bukhshish! Bukhshish!"* faintly cried the Lieutenant; and at once, as if he had uttered all the wisdom of Lokman with all the eloquence of Sádi, the Sikh comprehended his argument, and agreed to his proposition. In another minute the Khalsa Sepoy might be seen carefully but rapidly making for Ferozepore *with the wounded British officer on his back*; nor did he cease to attend upon him in the hospital of that station till death put an end to his sufferings. During the night of the 21st December, when the British troops, with the Governor General and Commander-in-Chief, were bivouacked outside the Sikh entrenchments, our thirsty soldiers, both Native and European, stole into the burning camp of the enemy in search of water;—a desperate quest from which many never returned. Among others, two Sepoys of the 14th N. I. fell into the enemy's hands, and were *tried for their lives* as follows:—

Q. Who are you?
A. Sepoys of the Company.
Q. What Caste do you belong to?
A. *(One)* I am a *Puthan, (The other)* I am a *Brahman.*

The Puthan was immediately tied up, and deliberately cut into small pieces; the Brahman was stripped of his clothes, but released in safety.

The Governor General (despatch "Papers," p. 27) concludes his account of the battle of Ferozshah, by telling us, that "the Sikh Army retreated on the fords of the Sutlej, disheartened by the capture of its artillery, and the severe loss it had sustained in killed and wounded; and has since crossed over to the other side of the river." The Commander-in-Chief adds, "Thus has apparently terminated this unprovoked, and criminal invasion of the peaceful provinces under British protection." (Papers, p. 38.) It was only *apparently*! On the 1st of January the Governor General reports that the enemy was "preparing a bridge of boats about 30 miles to the eastward of Ferozepore; and giving out that they would recross the river, and try another battle." On the 19th January he farther adds, that "the bridge has been constructed, and a tete-de-pont has been thrown up in front of it, with much Military skill, in a position very favourable to defence,"—and, still more decisive, that "advan-

* "Reward! Reward!"

tage has been taken by the Durbar and the Sikh army, of the paucity of troops at Lúdiana, to effect a passage for a force of about 10,000 men of all arms to this side of the Sutlej, in the neighbourhood of that place." (Papers, p. 51.) Thus, within ten days of their disastrous defeat at Ferozshah, the Sikhs had recovered their spirit, and were preparing to renew hostilities,—to recross the Sutlej in the very face of the army that had worsted them. In less than a month they *had done so* in *two* places; fortifying themselves in one, and beleaguering a British cantonment in the other. This must bring home to the reader a just idea of the obstinate hatred, and enduring bravery, of the enemy which invaded British India in 1845-46.

The inquiry here naturally occurs—what was the army of the Sutlej doing all this time? While the Sikhs were so busy, why were the British idle? The answer is the best commentary on the Governor General's policy. That policy was, from the first, decidedly peaceful; and, though it provided for self-defence, it contemplated neither aggression nor offensive war. The force upon the frontier proved at Múdki and Ferozshah that it was equal to the object for which alone it was intended, to resist attack; to *return* that attack, and transfer the evils of war from our own provinces into those of a treacherous neighbour, was a far greater undertaking; and required all the Military means at the disposal of the Government. Sir Hugh Gough, therefore, was obliged to rest content with driving the Sikh army across the Sutlej, and waiting with patience till his own could be reinforced with troops from Meerut, artillery and ammunition from Delhi. The delay was not unnaturally misinterpreted by the enemy, who, mistaking for fear what was only the course dictated by prudence in making the requisite preparations, recrossed the river, and advanced unsuspectingly to meet his fate.

Early in January 1846, Sirdar Runjúr Singh Mujithia left the Hills and crossed over into the British territory a few miles from Lúdiana. His force has never been accurately estimated, but we believe consisted of about ten Regiments of infantry (chiefly contingents furnished by Kohistani and other petty chiefs) 8,000 Irregular Cavalry and nearly 70 Guns, the greater part of which were new and of exquisite fabric. The Governor General is of opinion that "the object of the Sirdar was to pass Lúdiana, and intercept our siege train, ammunition, and treasure, on their way from Delhi to Ferozepore." (Papers p. 53.) The Commander-in-chief, (p. 57) coincides with him; and Sir Robert Peel, in his speech to the House of Commons, gave the same account of Sirdar Runjúr Singh's intention. One of the greatest boobies

in the Punjab ought to be deeply indebted to those high authorities for handing him down to posterity as an able General! Diligent inquiry has confirmed us in the belief that he never harboured any such designs against our siege train; simply because he had no authentic intelligence of its movements. Popular rumour in the Sikh camp said that the English were getting up guns so big that they would *eat up* the Khalsa; but of all idea of cutting those guns off we acquit the whole staff of the Sikh army. At one time the siege train was really within reach of a *Chuppao* from Runjúr Singh's Camp; and it is not probable, that, had he been on the look out for it, he would not have had early intimation of its proximity. Their own knowledge of the artillery being on the road and the feasibility of intercepting it, together with a natural anxiety for its safety, alone led the Chiefs of the British army to give their enemy credit for as much knowledge and Military enterprise as they possessed themselves. So school boys blush beneath the accidental gaze of the usher; and are already prepared to give up the apple which they fancy he has detected in their breeches pocket! But, whether Sirdar Runjúr Singh's object was to intercept the train, or, as we believe, merely to effect a diversion and divide the British force,—the uncertain determination of this point made no difference in the actual necessity of bringing him to battle; for "the rich and populous town of Lúdiana" lay entirely at his mercy. The withdrawal of the troops from Lúdiana at the opening of the campaign has been violently censured; particularly by the proprietors of bungalows in the cantonment, who say it was a most unmilitary proceeding. But persons who have no house at Lúdiana, and are therefore in a situation to exercise a cool and unprejudiced judgment, see, in this early concentration of the force, the foresight of a good General, and the result of a just balancing of conflicting evils and benefits. In proof of this it is sufficient to adduce the fact, that, even after the junction of the Lúdiana troops, Múdki and Ferozshah were won with difficulty; and might have been lost without them. Now, however, there was nothing to prevent a *reciprocity* of good offices; and Sir Harry Smith with an ample force was despatched to the relief of Lúdiana.

When within a long day's march of that place, tidings reached Sir Harry Smith that Runjúr Singh had suddenly broken up his Camp on the river and marched to Buddowal, a village which rested on the Lúdiana road, and lay directly between that city and the force approaching to relieve it. This intelligence was received by the Major General late at night on the 20th January,

and he appears to have distrusted its correctness, for he made no alteration in his plans for the morrow, and would have marched directly into the *trap* at Buddowal, had not letters from Lúdiana reached him on the road when within a few miles of the enemy's position. A halt was immediately called; and information of three different routes to Lúdiana procured from a neighbouring village. One passed within two, one within three, and one within five miles of Buddowal. If the latter had been pursued, a collision would probably have been avoided; but the march, as it was, extended to 25 miles; the ground was heavy and the men were fagged. Moreover, the small force at Lúdiana was coming out to meet that of Sir Harry Smith; and the General was naturally reluctant to take a road quite out of sight of the one on which his friends were advancing. His own safety would have been secured at their expense. Under these circumstances—and who will venture to say that they were not of a nature peculiarly difficult and trying?—Sir Harry Smith chose that *middle course*, which, however prudent in the small affairs of life, rarely succeeds in great undertakings. Sir Robert Peel enables us to let Sir Harry be his own historian, for he quotes a letter from the Major General "to Sir Hugh Gough, on the 21st, just after he had succeeded in relieving Ludiana"—a document of which, to all appearance, posterity would otherwise have been deprived:—

"When within a mile and a half, to my left, of Buddowal, moving parallel with my column (which was right in front ready to wheel into line), and evidently for the purpose of interrupting my advance, I saw the enemy. Nothing could be stronger for the enemy than the continued line of villages which were in his front.

"He was moving by roads, while I was moving over very heavy sandbeds. He was in advance far beyond, on my right flank; so far did he extend, and so numerous did he shew his infantry and guns, and so well chosen for him was the line of villages, that with my force he was not to be assailed; and he opened a furious cannonade of from thirty-five to forty guns of very large calibre, and, as usual, right well served. My object being to unite myself with the force from Lúdiana, which, every moment, I expected to appear in sight—for it was nine o'clock—I moved parallel with the enemy, resolving to attack the moment the Lúdiana Troops reached me. He, however, so pressed upon me, that I opened in one body my eleven guns upon him with considerable effect, and moved up the 31st, and was preparing to form line upon this regiment, when the enemy most rapidly formed a line of seven regiments, with their guns between, at right angles with the line I was about to attack, while a considerable force was moving round my right and front. Thus enveloped and overwhelmed by numbers, and such a superiority of guns, I had nothing for it but to throw back my line on its right, which represented a small line on the hypothenuse of a triangle."

"The enemy thus out flanked me and my whole force. I therefore gradually withdrew my infantry in echellon of battalions, the cavalry in echellon of squadrons, in the direction of Lúdiana, momentarily expecting to see

the approach of that force—viz., one regiment of cavalry, five guns, and four regiments of infantry; when I would have made a vigorous attack. The ground was very deep and sandy, and therefore very difficult to move on. The enemy continued to move on as described for upwards of an hour, and until I knew the Lúdiana force was moving, not a musket was fired. Nothing could exceed the steadiness of the troops. The line was thrown back, under this cannonade, as if on parade; and the movements of the cavalry, Native as well as British, under Brigadier Cureton, were, without any exception, the most perfect thing I ever saw, and which I cannot describe."

This admirable handling of the Cavalry by Brigadier Cureton, which saved Sir Harry's force from destruction, by covering its retreat, seems to be not the only part of these "delicate combinations," which *cannot be described;* and it is much to be regretted, for the sake of Sir Harry Smith's reputation, that this veil of imperfect secrecy, this *green curtain full of large holes*, which the authorities have so carefully drawn before the affair of Buddowal, had not been dispensed with altogether. Nothing can in reality be so bad but that there will be a difference of opinion about it; and some people even think it perfection. But try to conceal a thing, and every body is unanimous in declaring that you have good reason to be ashamed. Sir Robert Peel quotes one despatch of Sir Harry's, dated the 21st January; and Sir Harry, in his *published* despatch, dated January 30th, alludes to another, dated the 23d January, which, by a foot note, (see papers, p. 58,) we learn was "*not received by the Secret Committee;*" so that the *suppressio veri* does not rest with the Major General himself. The public therefore are at liberty to believe, either that "the narrative of his extrication from his difficulties only adds to the proofs of his skill and valour, and illustrates his high character as a Commander," (see Sir Robert Peel's, p. 23,) or that the Governor General and Commander-in-Chief, in keeping that narrative from the world, exercised a very sound discretion. We must content ourselves, in either case, with a very meagre history of events, which nevertheless occupied the Major General for a whole week.

"Reinforced by Brigadier Godby," the Commander-in-Chief tells us, Sir Harry "felt himself to be strong; but his *manœuvre* had thrown him out of communication with Brigadier Wheeler, and a portion of his baggage had fallen into the hands of the enemy."*

The Sikh Sirdar took up an entrenched position at Buddowal, supporting himself on its fort; but, threatened on either flank by General Smith and Brigadier Wheeler, finally de-

* Only *a portion* of Sir Harry's baggage may have fallen into the enemy's hands; but we have heard that scarcely an officer with him ever saw again the *fellows* of the shirt on their backs!

camped and moved down to the Sutlej. The British troops made good their junction, and occupied the abandoned position of Buddowal. The Shekhawati Brigade and Her Majesty's 53d Regiment also added to the strength of the Major General; and he prepared to attack the Sikh Sirdar on his new ground.

But on the 26th Runjúr Singh was reinforced, from the right bank, with 4,000 regular troops, 12 pieces of artillery, and a large force of cavalry. Emboldened by this accession of strength, he ventured on the measure of advancing towards Jugraon, apparently with the view of intercepting our communications by that route." Here, again, His Excellency gives the booby brother of Lehna Singh credit for a plan which never entered his head; and a just idea of his incapacity and levity will be conveyed to the reader when we inform him, that, in the prosecution of a private pique, he was marching the army with which he ought to have harrassed Sir Harry Smith, to perpetrate a massacre at Jugraon. How Sir Harry was himself reinforced on the same day, and how he halted on the 27th to refresh his men; how he marched against the enemy on the 28th, and how he gave him a handsome thrashing at Aliwal;—* are not all these acts, which he did, written in his own despatch,—that ample and luminous document, which Fame hath long ere now caught up, and, conveying it to her temple, hath there enshrined, amid songs of triumph and the glare of gorgeous emblazonry. To it we must refer our readers; for our narrative is already rivalling it in *amplitude* if not in *luminosity*. As an *abstract*, it is sufficient to mention that Sir Harry payed off the old scores of Buddowal, captured or destroyed 67 guns, and effectually and brilliantly accomplished the purpose for which he had been detached, by driving the enemy with great loss back across the Sutlej. Among the prisoners was a European of the name of Brown, alias Potter, who had deserted from the Company's Artillery at the same time as Mr. Masson of Affghanistan celebrity. An enormous beard, sun-burnt face, and accent corrupted by long association with French officers and Sikhs, had banished all traces of the Englishman from his appearance. He was employed in the Sikh Artillery; and was with difficulty rescued from the vengeance of the British Soldiers.

Let us now return to the main army of the Sutlej, which, since the end of December, had been watching the enemy on the banks of the river near Hurríki. It will be seen, by reference

* The Sikhs call "Aliwal" the battle of *Bhúndrí*; and "Sobraon" the battle of *Hurriki Puttun*.

to a map, that the Sikhs here took up one of the falsest positions possible; viz. with their rear resting on a large river; yet, by dint of much labour, some foreign science, and the ingenuity natural to a Military people, they contrived to convert it into one of the strongest fortifications against which troops were ever led; —being nothing less than a series of vast semi-circular entrenchments, the outer one of which was two miles and a half from end to end, and three quarters of a mile in depth; the whole surrounded by a deep ditch and "bristling" with sixty-seven pieces of artillery. A bridge of boats united this formidable camp to another on the opposite bank of the Sutlej; where also were planted some heavy guns whose range swept easily across the river. The British troops beheld the erection and daily strengthening of this position, at first, with indignation and impatience; next, with disappointment at not being able to attack it; and lastly, with as much indifference and apathy as if they were *not* the men who would have to storm it,—as if every day, nay every hour, added not fresh height to the walls and fresh depth to the deadly trench. January had passed away in waiting for the heavy train. February had begun; events came slowly down on "Time's dull stream;" and a universal feeling of *ennui* and listlessness oppressed the British camp. In-lying or out-lying picket, a tour of duty at Rhodawala, or a canter to that outpost with a telescope to take a look at the Sikh Regiments on their afternoon parade, or the Sikh horse artillery wheeling about the plain in defiance, were the sole varieties which disturbed or relieved the monotony of life. It was a good key to the inveteracy of any habit whose effect is excitement, such as gambling, drinking, &c., to note the temper of the army at this time. The thick-coming and soul-stirring events which opened the campaign, following as they did on a period of perfect peace, were at first a shock to the nerves, keeping them constantly at the full stretch to encounter exigencies and meet the harrassing calls of duty, by counteracting physical weakness and fatigue. In a very short time this very excitement became a *necessity of being*; and in the early part of February, the whole army was sickening for want of a battle. A malignant fever, or *epidemic "horrors"* at the least, must infallibly have broken out among the troops, if "Sobraon" had been delayed another week.

"The first portion of the siege train, with the reserve ammunition for 100 field Guns, reached the Commander-in-Chief's Camp on the 7th and 8th February. On the latter day the brigades, which had been detached from the main army for the operations in the neighbourhood of Lúdiana, rejoined the Commander-in-Chief." (Papers, p. 68.) On the 9th, the plan of

operations was decided on; and, on the 10th, was fought the battle of "Sobraon."

From the description that has been given of the Sikh entrenchment, the most unmilitary reader will understand at once, that, if an entrance could be forced where either end of the semi-circle rested on the river,* the whole of the Guns along the outward face would be rendered useless, and taken *in reverse*. We believe the Engineer Officers, when called upon to give their professional opinion, approved of the *theory* of the attack, but, with *one exception*, considered it *impracticable*. It was all very well, *if* it *could* be done, but, in their judgment, it *could not*. Happily the Commander-in-Chief and Governor General thought otherwise; resolved upon the attack being made; and chose the western corner of the entrenchment for the attempt. It was yet dark, on the morning of the 10th February, 1846, when the Army of the Sutlej moved out at last from their lines at Nialki, and advanced to a final contest with the invading Khalsa. Half way between the British outpost at Rhodawala and the Sikh Camp stood three trees,—the only ones upon the plain. In the upper branches of these trees, the Sikhs had erected *Muchans* or platforms, for sentries to sit in, and watch the movements of our troops at Rhodawala. A deep ditch and bank was thrown around the spot, and it was easy to see, from the British outpost, that the place was strongly occupied during the day. About half a mile to the right of "the Muchans," was the village of *Little Sobraon*, and here also the enemy had posted a strong picket within an entrenchment. It was necessary to drive in both these pickets, before Sir Hugh Gough could push forward his heavy Guns within range of the great Sikh entrenchment; and, when detachments of Her Majesty's 62nd Foot stole cautiously down upon them in the darkness and mist of the morning, they were both found unoccupied and were taken possession of without firing. It was afterwards ascertained that these posts were held during the day, and abandoned after dark in the evening; and this circumstance, added to a thick fog which deferred the dawn, was very favorable to the British; enabling the Commander-in-Chief to bring up his several divisions in order of battle, and post his Artillery, without any alarm to the enemy, in whose Camp might plainly be heard the light song and rolling note of the *nukaruh*,* which told of deep and false security.

Sir Hugh Gough's plan of attack was as follows:—The heavy Guns were to commence operations by a cannonade upon the

* A kettle drum.

entrenchment, into which, crowded as it was with upwards of 30,000 men, their fire was expected to carry confusion and dismay. Sir Robert Dick's division, on the extreme left of the British line, was then to advance and storm the right, or western corner of the Sikh position; General Gilbert's division on the centre, and Sir H. Smith's division on the right, were simultaneously to make false attacks, with the view of diverting the enemy's attention from the real attack of Sir Robert Dick. Brigadier Cureton, with a brigade of Cavalry and a troop of Horse Artillery, was directed to threaten the ford of Hurriki Puttun, about a mile distant from the Eastern corner of the entrenchment, on the opposite bank of which the enemy's cavalry were posted.

Agreeably to this plan, at about 7 o'clock A.M. the artillery opened; the fog rolled off as it were a curtain, and the surprised Khalsa at once heard and saw that the avenger had come upon them. In an instant, the Sikh drums beat to arms; and many rounds had not been fired from the British guns, before an answering thunder from the entrenchment told that the works were manned and the struggle had begun. At 9 o'clock, the Artillery officers reported that the ammunition of the heavy Guns was *well nigh expended*; and it is a fact, that, when Sir Robert Dick was hastily ordered to advance, he moved up in the face of a furious cannonade from the enemy, and under *cover* of a *slackened fire from his own side.**

The attack was led by Brigadier Stacy with Her Majesty's 10th and 53d Regiments, and the 43d and 59th Native Infantry, supported on the flanks by Captains Horsefórd and Fordyce's batteries, and Lieut. Colonel Lane's troop of Horse Artillery. Beyond all comparison this was the finest attack of the campaign. The Artillery galloped up and delivered their fire within 300 yards of the enemy's batteries; and the infantry charged home with the bayonet and carried the outworks without firing a single round;—"a forbearance," says the Governor General, "much to be commended, and most worthy of constant imitation." As it was the finest attack, so also did it meet with the most determined, hand to hand resistance, which the Khalsa soldiers had yet opposed to the British. Like lightning, the real plan of the attack, seemed to flash on the minds of all the desperate men in that entrenchment; and, disregarding the distant feints of Gilbert's and Smith's divisions on their left and centre, they rushed to the right to repel the real danger that was upon them. In vain, Stacy's brigade tries to withstand

* This was not the fault of the Artillery officers, who had prepared as many rounds as the shortness of the time, between the arrival of the guns and the battle, would permit.

the mass which every moment is growing denser; in vain, Wilkinson's brigade comes up to the support; in vain, Ashburnham's reserve swells the furious side of the assault. It was like the meeting of two mighty rivers, one swifter and one deeper than the other;—and as the swifter for a moment penetrates its duller neighbour's stream, then, yielding to the overpowering waters, is rolled back and swept away; so, would the conquered trenches of the Sikhs have been wrested again from the brave division of the British, had not Sir Hugh, with the intuitive quickness of a General's eye, marked the crisis and the struggle foreseen its issue, and ordered up Gilbert's and Smith's* divisions to the rescue.† They advanced; the enemy beheld it, and, returning tumultuously to the posts they had abandoned, poured upon these new enemies, from every foot of the entrenchment, a destructive fire of grape, round shot, and musketry. In spite, however, of a loss, unprecedented in so short a time,—Sir H. Smith's division losing 489, and General Gilbert's 685 men, in about half an hour,‡—these two indomitable divisions persevered in storming what proved to be the strongest part of the enemy's position; and the entrenchment being thus carried by the British at three different points, the gunners, who drew their swords when they could no longer fire, were bayoneted beside the guns they had so murderously served,—while the Cavalry and Infantry, driven from three sides into a confused and disordered mass, but fighting to the last, were inch by inch forced to retreat where alone retreat was possible. Preferring death to surrender they recklessly plunged into the river. The bridge, of which they were so proud, and to which they had so confidently trusted, broke down under the first party of flying horsemen, and became impassable; while the Sutlej, having risen seven inches in the night, had flooded the ford! "In their efforts to reach the right bank," says the graphic narrative of the Commander-in-Chief, "through

* Sir Harry Smith has seen more service than most men living, even of his own Peninsula School; and we have ourselves heard him say that whenever he was told his post was in reserve, he prepared himself for a hard day's fighting. "Sobraon" must have confirmed him in this theory of tactics.

† As we have heard many officers of those divisions express their belief that their advance was a *mistake*, and *not intended*: it may not be out of place here to chronicle a curious fact viz. that *both* the Chiefs, present in the field, though in different parts of it, *simultaneously* perceived the necessity of the manœuvre, and *simultaneously* ordered it. Both the Governor General and the Commander-in-Chief sent two or three Staff officers each, to carry the order in question, so that the advance which saved the day, though it lost many men, *was* ordered and *no mistake*.

‡ The following return of one of General Gilbert's brigades speaks for itself:

	Killed and wounded rank and file.
1st European Light Infantry	143
16th Grenadiers	123
Sirmúr Battalion	133

We know of no instance in which "the butcher's bill" shews that the Native Regiments *fought so well up* to their European comrades as this.

the deepened water, they suffered from our Horse Artillery a terrible carnage.* Hundreds fell under this cannonade; hundreds upon hundreds were drowned in attempting the perilous passage. Their awful slaughter, confusion, and dismay, were such as would have excited compassion in the hearts of their generous conquerors, if the Khalsa troops had not, in the earlier part of the action, sullied their gallantry by slaughtering and barbarously mangling every wounded soldier, whom, in the vicissitudes of attack, the fortune of war left at their mercy." "Sixty-seven pieces of cannon, upwards of 200 camel swivels, numerous standards, and vast munitions of war" were left in possession of the victors.—(Papers, page 77.)

At ½ past 10 o'clock A. M. not a Sikh soldier was left alive upon the British bank of the Sutlej; and thus, in little more than four hours was fought the bloodiest battle, with the worthiest foe, and gained the *completest* victory, recorded in our Eastern Annals. *Thus ended also, in awful and disastrous tragedy, the Sikh invasion of British India!*

On the side of the British there were killed 320, and wounded 2063. The very *lowest* estimate of the Sikh loss is 8,000; we have heard survivors of that routed host lament the death of *twice* that number. And those, who, in cooler mood, when the unsparing passions of war were still, revisited next day the silent battle field, and looked into those trenches where their dead defenders lay, in heaps; or saw the Sutlej fords choked with human bodies, and its swelling waters still covered with bloody garments and the wreck of a great army—recalling in awful vividness the mind's picture of God's last judgment upon Pharoah—will remember the spectacle of destruction to the last day they have to live.

The invaders having been repelled, our task of narrating "the invasion" should now be done; but the "gentle reader," who has been dragged through all these scenes of blood and thunder, will not object to accompany us a little further in a bloodless trip across the river. *There*, we will leave him, until the next Blue Book reveals to us clearly, what is now only dimly perceptible in the Past, Present, and to Come, of the Punjab.

* For the severe punishment inflicted on the Sikhs during their retreat across the river we are indebted to the singular forethought and cool calculating judgment of the Governor General. Owing to the paucity of Artillerymen, men had been taken from the Horse Artillery to serve the heavy guns in the field; and the troops—three if not four—to which they belonged, were *left behind in Camp*. The services of these troops would have been lost to the Army on the 10th February, had not Sir Henry Hardinge, while the battle was yet raging, ascertained that the ammunition of the heavy guns was nearly expended, and deduced, from this misfortune, the more than *fortunate* conclusion, that the Horse Artillerymen would soon be again available for their proper duties. He, accordingly, sent back orders to the troops, left in camp, to move down without delay to *Rhodewala*; and they were brought down *by their drivers alone*, to that post, where they found their own Artillerymen waiting for them, and were galloped into action. The *anecdote* is not generally known, but is worthy of record as highly characteristic of a mind peculiarly happy in the arrangement of *details*, whose *judicious combination alone produces military success.*

Ere the heavy train had yet arrived, which was to enable the Commander-in-Chief to fight the battle of Sobraon, Major Abbott, an excellent Engineer, was preparing with indefatigable zeal to throw a bridge over a river, which,—as Samson is said to be "the strongest man," and Solomon "the wisest man,"—might well be chronicled in school Geographies, as *the most unbridgeable* in the world. He said, at starting, he should be ready on the 10th. On that day the battle was fought; and within an hour and a half of its successful termination, Colonel Wood, the Military Secretary, was at Ferozepore, 26 miles from the field, —having given orders, half way, to General Grey's force at Utarí to move down at once to the Ferozepore Ghat. The Governor General, though suffering from a severe fall, and after riding all day about the field, "returned to Ferozepore, on the afternoon of the 10th, within a few hours after the action had ceased, to superintend the passage of the Sutlej by our troops." (Papers, page 68.) Six regiments of Native Infantry crossed the Sutlej that very evening. (Papers, page 72.) The Commander-in-Chief broke up his camp next day, and marched to Utarí: and on the 14th, the *whole* Army of the Sutlej was encamped at Kussúr* in the Punjab, within thirty miles of the capital. That evening there arrived from *Lahore* a strange triumphal procession of three Elephants and a Buggy, loaded with European prisoners who had been taken by the Sikhs in the affair of Buddowal, and now sent in by Golab Singh as a peace offering to the victors at whose feet his country was prostrate. Deputies from Lahore had arrived at Ferozepore, and peaceably demanded an audience of the Governor General two days before the battle of Sobraon. They were told, with becoming dignity, that *they would be received after the battle.* On the 11th they had the audience they desired, posted back to Lahore, and returned again to the British Camp at Kussúr. They were followed, on the 15th, by Rajah Golab Singh, Dewan Dínanath and Faqír Núr-úd-dín, with "full credentials from the Maharajah, and empowered to agree in the name of the Maharajah and the Government to such terms as the Governor General might dictate." (Papers, page 68.)

"I received the Rajah in Durbar," writes the Governor General himself, "as the representative of an offending Government, omitting the forms and ceremonies usually observed on the

* Kussúr was a Jagír of Sirdar Sham Singh Utariwallah, one of the few remaining of the contemporaries of Runjit Singh. He joined the invading army and devoted himself to death at Sobraon, neither giving nor asking quarter. His body was brought into Kussúr from the battle field, by his mourning relatives and retainers, while the army of the Sutlej was encamped on his "broad acres."

occasion of friendly meetings, and refusing to receive at that time, the proffered nuzzurs and complimentary offerings." (Papers, page 68.) Thus humbled, the Chiefs were handed over to the Chief Secretary and Governor General's Agent, Mr. Currie and Major Lawrence, to learn their fate. Closetted with these "they remained the greater part of the night in conference; but, before they separated, a paper was signed by them to the effect that all that had been demanded would be conceded." (Papers, page 69). On the 17th, the Maharajah himself came in to make his submission; but the Governor General had appointed the meeting to be at Lulleani, ten miles farther on, and *Alexander* was in no haste to see *Darius* humbled. An account of the interview is given in the Papers so often quoted (Page 70), and all that it is essential to note here, is, that the offending sovereign came in disgrace, and went away in honor. Negociations stopped not the advance of the British army, which, unopposed, pushed on to the capital. The Sikh army indeed was broken in every sense, body and soul. Some eight or ten thousand—doubled, quadrupled by report—still held together about 20 miles from Lahore; but herding rather like frightened deer, than Khalsa warriors. *The invaders were invaded;* and those, who, in the intoxication of their pride, talked so lately of carrying their baby King to Delhi, had now not a sword to draw in defence of their Native land.

On the 20th of February the army of the Sutlej encamped on the plain of Mean Mír, in the suburbs of Lahore, the scene of Jowahir Singh's murder; and it is impossible not to contrast *our* conduct in victory with what would have been *theirs*, had they reached the Capital of Hindustan. We had just cause, most assuredly, to feel resentment against a people who had invaded our territories, and endangered even the safety of British India; yet, *there*, might be seen our Generals forbearingly encamped, three miles from the rich city which the fortune of war had placed at their mercy, and punishing with dismissal, or flogging, any soldier or camp follower who dared to enter it for the gratification even of his curiosity.* And is there any one who doubts, that, if the Sikh army had been successful at Múdkí, or Ferozshah, and penetrated as far as Delhi before another army could be brought to oppose them, the streets of the imperial city, though no longer offering the same gorgeous temptation to a lawless and greedy soldiery, would have run with the blood of the inhabitants and been as completely and brutally sacked as ever it was by the army of

* See G. O. Army of the Sutlej, of date 20th February, 1846.

Nadir Shah? The lofty, dignified, and magnanimous attitude of the British Army before Lahore did honour to the European character; and the forbearance of the troops, to British virtue and discipline.

Proclamations were issued to calm the terrified people of the Punjab; and as, one by one, the Chiefs and Officers came in, they were received by all in the British camp with the kindness and consideration their gallantry deserved. Dark looks there were among them bespeaking broken hopes and smothered longings for revenge; but, oftener, there was a subdued yet manly bearing, as free from boasting as from bending, which none could behold without admiration. In later days, this was more especially remarkable among the Sikh Sepoys, who, coming to their pay tables, through, or near, our ranks, bore themselves with a soldierly resignation which could scarcely have been expected from the vaunting, conceited Khalsa.

The Durbars and the Treaties therein ratified; the stately restoration of the young Maharajah to his throne; and the leaving of a British Force at Lahore, at the earnest solicitation of a timid ministry;—is it not all put before the reader with graphic vividness in the Minutes of Mr. Currie, and the despatches of the Governor General? One point alone is therein touched on, which needed some farther explanation; and even the little that *is* told, seems to have escaped the notice of those who have criticised the treaties. Let us endeavour to clear it up for the benefit of the future Historian.

It is often asked, why was Rajah Golab Singh so highly honoured and so lavishly rewarded for his *double* treachery; to *us*, in sending food and ammunition to the Sikhs; to *his countrymen*, in betraying the cause he volunteered to advocate? The *premises* assumed being incorrect, it is only logical that the conclusion should be false. The *Delhi Gazette*—to which the public both of India and England is indebted for a great deal of correct information on Punjab affairs—is the foundation of the error; but its pages, if carefully read, would have furnished also its correction. *Rajah Golab Singh sent* NO *supplies to the Sikh Army;* he only promised to do so;—in itself almost a warrant that they never went, even if we knew not from other sources that he sent not a man, nor a grain of corn, nor a pound of powder. He only came to Lahore after repeated and pressing calls; and, when there, he told the Durbar, the chiefs and the soldiers, that "they were asses! that, if they wanted *peace*, he *who had taken no part in hostilities*, would plead for them; and, if they wanted *war*, they might go to ruin their own way." He was

taken at his word, and yet not trusted. Nominally *plenipotentiary*, he was associated with the most astute servants of the Durbar; and the fault, therefore, is not his, if the terms they jointly made were such as the Maharnjah found himself unable to fulfil, except by the cession of more territory. And when the British Government had become possessors of Kashmír and Jummú, Golab Singh had as undoubted a right to purchase, as they to sell it. In exchange for a crore of Rupees they took it; and in exchange for a crore of Rupees they parted with it again. A small portion of the press has twitted the Governor General with breach of faith in lending himself to a Vizier in a nefarious trick upon his Master. But the accusation was made in ignorance of the facts, which have since been published, and it ought in fairness to be retracted. The following extract bears date so far back as *February 3d*, and shews how early the Governor General contemplated, as the best policy of England, what Golab Singh is said to have, *at a later date*, suggested for his own selfish purposes:—"It may be politic and proper, in the course of the discussions which may arise, to weaken the territorial power of the Government of Lahore, *rendering the Rajpúts of the Hills independent of the Sikhs*, and by other means involving a loss of a portion of their territory: * * These are points which can be better discussed, *when the Lahore Government may seek to approach the Government for the restoration of peace.*" (Papers, page 54.) And when the Lahore Government *did* approach the Governor General, what was there to prevent such a scheme of appropriation, from being carried out, and the Hill territory being given to Golab Singh, as a piece of policy, without reference to any treaties? Surely nothing but unmerited *forbearance*; and the objections of the critics, therefore, amount to this, that only as a last resource did a generous conqueror consent to a partition of territory which yet policy had told him would be wise at first!

Two things are at all events certain. 1st. That the Durbar, though publicly poor, was privately rich: as ministers they had an exhausted treasury: as individuals they had stores of wealth. Any two or three of its members could have advanced the sum for which Kashmír and Kohistan were given up, and so far preserved—if they had cared about it—the integrity of their country. With these examples before us, to talk about the want of patriotism or treachery of *Golab Singh*—the last of a Sikh-murdered family!—is worse than idle;—or, indeed, as absurd as to accuse Sir Henry Hardinge of fraudulently scheming for a *part* of a country which conquest had made his own, in its length and

breadth. 2ndly. It was infinitely better, not only for *us*, but for the people of all ranks in the Punjab, that Golab Singh should be *out* of it. He could only have wished to be Wazír, that he might realise at last the schemes of aggrandisement, which his ambitious heart had for years been scarce able to contain. It is indeed difficult to conjecture whether wisdom would have prompted him to aim only at the independent sovereignty of the Hills, which as a subject he had so long monopolised; or avarice, his ruling vice, have tempted him to sit upon the throne before which he was once proud to bow. But his road to either object would have been the same. The impoverishment of the Punjab would have prepared the way for its division or its conquest; and the hearts of all classes of the people, from the Sirdár to the ryot, would have been gradually broken by fines, confiscations, and extortion.

If then, we, of the *exoteric* school, have not before us all the steps which led to it, we can at least see the *wisdom* of the final arrangement; and they, of the *esoteric* school, the negotiators of the treaties, have a right to expect, that, amid all the arguments brought to bear upon their diplomacy, the *argumentum ad hominem* should not be forgotten by the world. The names of Mr. Currie and Major Lawrence are a sufficient guarantee for the *honesty* of any document to which they are attached.

We need not prolong our narrative. The troops, left at Lahore, have been comfortable, healthy, and kindly treated; though something far otherwise was prophesied by dabblers in politics of high and low degree. Many, indeed, at parting with the friends whom they left behind in occupation of "the devoted city," cheered their spirits with a shake of the head and a hope—for which there was just room!—that another *Kabul catastrophe* might not be their fate. But, with all our perspicacity acuminated to the highest possible degree, we could never see the similarity between the two cases—the position, on the one hand, of 8,000 men with thirty guns of their own, and a hundred others belonging to the Sikhs, well supplied with provisions and only 40 miles from their own frontier, occupying a capital at the urgent entreaty of the Sovereign and the Sirdars—and the position, on the other hand, of *scarcely more than half that number, without provision, without materiel, forcibly occupying two unconnected posts, in the heart of a disaffected country, 500 miles from support of any kind!* But, we leave these questions to the decision of history;—history, which we, being neither Whig nor Tory, neither Government scribes, nor radical opponents, but plain lovers of *truth*, have no wish to lead astray. Whenever the time for writing that history shall arrive, and an historian be

found among us, or *our children*, who shall bring *impartiality* to the consideration of *facts*, it will, we think, be sufficiently apparent that though errors of detail may have crept into all departments—for, so long as Governors are *men*, how can it be otherwise?—it would yet be hard to shew, how, circumstanced as Lord Hardinge found the N. W. Frontier in 1844, he could have acted better with the view of preserving *peace*; or how, when in 1845 *war* was forced upon him, he could more effectually have carried it on, or brought it to a more successful conclusion. Rapidly, yet quietly, he doubled the frontier posts; he had 10,500 men at Ferozepore; 7,200 at Lúdiana, and 13,000 at Umballa: in other words, out of an army of scarce 100,000 men, he brought up more than 30,000 within 70 miles of a contingent—nay, judging from past experience, an improbable—danger. Ferozshah was fought within ten days of the invasion, with 16,700 men; and *six weeks after*, when the strength of the empire had been brought to bear on a single point, and all possible re-inforcements had been pressed into the field, Sobraon was fought with only 18,000! thus *proving*, that, after the necessary precautions had been taken to watch the frontier and keep open the communication with the rear, under *no* circumstances, and by no measures however warlike, could many more men have been brought into action than *were brought* by the pacific, but energetic policy which the Governor General pursued. And as for the war's conclusion, which has been called "lame and impotent," let it be compared with the wars of his predecessors, which have been mere drains upon the Treasury: The Burmah war entailed a cost of several crores of Rupees; the Affghan war saddled the country with a debt the interest of which occasions a present large deficiency of Revenue: and the war in Sindh;—in truth, Sir Charles Napier has found it so impossible to keep the books, that we cannot tell *how* high to estimate the price of that war; but this we do know, that it bids fair to prove a perennial curse. The Sikh war, on the contrary, has added to our possessions territory, worth 40 lakhs per annum; has strengthened our frontier by throwing our right flank forward so as to cover Simla, Lúdiana and Umballa; and exacted an indemnity of 1½ millions from the enemy for the expenses it involved. It is said that those expenses amounted to 1½ millions—12 months' Batta, Commissariat, &c., being included—so that, making a liberal allowance of 20 lakhs per annum for the interest of the extra 25 lakhs expended in the war, and on the Government of the new country, we have still an equal sum to carry annually to the credit of British India.

It would have been more, could we have avoided taking the Hill country north of the Byas. We suppose it was *necessary* in order to square off the frontier; but it was a dear bargain: and, if politic, we should gladly have seen it left in the hands of either of our neighbours. This is an opinion which will not perhaps meet with general favour: for there is always something alluring in *annexation*; and in the present instance, we know that many advocated the appropriation of the Hill country, and blamed the sale of Kashmir to Golab Singh. We suspect, however, that the advocates of such a policy have not much studied the question on which they so dogmatically enlarge; that they have never very closely calculated the number of men requisite to hold the Huzaras, Peshawar, or Kashmir; much less compared that calculation with the probable revenues of the countries they covet,—or rather, with the *balance* of revenue, which would be left after the usual confirmation of Jagirs which follows a British Indian conquest.

The Punjab is the popular *el Dorado* of our army; and even those, who have neither medals nor honours to gain by its annexation, consider it a rich and fertile land. Taken as a whole it is far otherwise. In its palmy days, the fertilizing dew of prosperity may indeed have fallen over its whole surface; but it ever evaporated from the few chosen spots where the lakes and fountains were. The superabundance of the Jullundur supplied the rest of the Punjab with competence: a part paid for the Government of the whole. That part is in our possession: and if the exquisite flavour of the sunny side of the melon tempts us to pick up the green side which we threw away, we shall find it sour, unwholesome, and unripe. Each Doab is a Kingdom in itself: for it is cut off for half the year by rapid and difficult rivers. Each, therefore, in our hands would require a separate army to ensure its tranquillity. Not many months have passed since it took 10,000 men to put down insurrection in a territory less by half than the smallest of the Punjab Doabs; a territory which had been for nearly half a century accustomed to our supremacy; and was close to the Bombay Presidency. The country west of the Jhelum is wilder than that of Kolapore and Sawuntwarri; the features of the country are on a larger scale; the people more savage and independent; more impatient of restraint; less satisfied to pay revenue; and accustomed for generations to a fast and loose Government, that, one day, is content to take what it can get, and, the next, comes down upon the people with frightful executions, mutilations, and massacres. Few people, when they come to consi-

der these details, will deny that the Governor General was wise to refrain from annexing the Punjab. To us, his forbearance seems more than *wise;* it is eminently magnanimous, merciful, and patriotic. In the Punjab itself, none could have blamed; in India, all would have approved, the conquest. Sir Henry would have gathered a large harvest of what is called *fame*, and run no risk in the reaping: for *by him* not another shot would have been fired. The country was at his feet; and chronologies would only have recorded, that *he*, Sir Henry Hardinge, had added it to British India. The difficulties of a widely extended frontier and the embarrassments of a sterile province would have awaited *his successor!* To England's mission in the East, we trust we are as much alive as those, who, at the point of the sword, wish to carry Philanthropy and Liberty through the world; but we can see as little humanity as wisdom in commencing an enterprise which seems to have no end. *Peace is the great want of British India:* and how can we hope for peace in the Punjab? One insurrection, a single outbreak, runs like a shudder through an Empire—unsettles long settled provinces, diverts revenue from its proper channels, and puts back the course of civilisation. Instead, therefore, of cheating ourselves into new conquests, by calling them *new fields of usefulness*, let us be honest, and cultivate the fields we have already gained; let us improve our present possessions, before we venture to enclose more; *let us educate the millions of Hindustan, before we pretend to "emancipate the Sikhs."*

THE

CALCUTTA REVIEW.

ART. I.—1. *Principles of Public Revenue, with a short abstract of the Revenue Laws in the Bengal Presidency*, 8vo. *By F. Boutros, Serampore* 1844.

2. *Answers to the questions respecting the condition of the Agricultural Community of Lower Bengal, circulated by the Bengal British India Society. (Partly published in the Bengal Harkaru, partly unpublished.)*

In the fertile districts of Lower Bengal, so bountifully intersected by noble rivers—fed by tributary streams and rivulets, which spread perennial verdure and luxuriance over fields and plains, and, constituting links of communication, stimulate and promote the alacrity and bustle of traffic,—there is to be found a community leading a life such as to call forth sympathy and commiseration. The community we allude to, is that of the Bengal Ryot. The name is familiar here as one expressive of an ignorant, degraded, and oppressed race.

The wealth of this country consists mainly in its agricultural resources. In proportion as the rights of its cultivating classes are protected, their grievances redressed, and condition elevated, the agricultural and commercial state of the country will be improved—the progress of crime checked—intelligence promoted—and happiness diffused. If such be the importance attached to the well-being of the rural population, how incumbent and imperative is it on the legislator and philanthropist to inquire into their condition! How necessary to ascertain the *amount of security* which they enjoy, and the causes operating against their advancement! It should be the duty of the ruling authority to protect equally all classes of its subjects, but the opulent and powerful do not require so much of its constant care and anxiety as the poor and helpless. The rich are able to protect themselves; the poor require to be protected. The rich, instead of needing protection, often take the law into their own hands: the poor, far from exercising such a stretch of authority, do not always enjoy even the benefits of the law. The Bengal ryot belongs to a laborious class. He lives by the "sweat of his brow." His pursuits are

primeval, and come to the "business and bosom" of every one. It is he who clears and fertilizes the land. The vernal exuberance in which it is clothed, and the landscape views which it wears, arise from his exertions. It is he who supplies the necessaries of life—infuses activity and vigor into commerce, and keeps up the vitality of the whole country. True, there is nothing in his externals to command notice—he has no influence—no power. But ought this not to entitle him to greater consideration and protection? His welfare, and the welfare of the country, are so much linked with each other, that it behoves every one to interest himself in his cause.

The information which we have been able to collect, and intend presenting to our readers on this important subject, is limited; but its accuracy may be safely relied upon. We do not profess to expose every evil and point out its remedy. We confine ourselves to the exposure of those evils which are of a crying nature. And if we meet with no other reward than the awakening of increased attention to the subject, we shall be fully satisfied.

In commencing our inquiry, we are naturally led to examine the state of the rural population under the Hindu administration. In the absence of historic records it is difficult to obtain authentic information on the subject. If we resort to other sources, however, we are not presented with a dark void. Scintillations break around and gather into a form by no means inadequate to throw some elucidation on the point. There are distinguished epochs in the annals of Indian history. We shall not discuss where and from what country the Hindus came and settled here—what was then their religion—whether Buddhism or Brahmanism—or what particular part of India they first inhabited. These are questions which come within the province of the literati, the antiquarians and the *savans*. The Hindus have always been reputed a learned and contemplative race. Their writings, even those which are meretricious, bear the stamp of a subtile intellect and high imaginative powers. Their first age was, if we are to believe the Hindu traditions, the age of saints and patriarchs. In the recesses of the Himalaya, the Nílgíri and the Vindgíri, or on the umbrageous banks of the Nerbudda, the Jumna, the Ganges, the Godaveri and the Caveri, asceticism held a solemn sway. The stream of felicity was ceaselessly flowing, and men knew not then what care and anxiety were! It was the *Satya Yug*. In the next, or *Treta Yug*, the illustrious Ráma swayed the sceptre of Ayadhya.* His reign is full of memorable exploits,

* The modern *Oude*.

sung by Valmíki, the first child of Poesy in this land. The interest which Ráma felt in the agriculture of the country was great. The first subject on which he is said to have interrogated his brother Bhárata, when he met him after years of separation, was the agricultural state of Ayadhya. Next to Ráma, the most powerful Maharajahs, to whom all professed loyalty, were the Pandús of Indraprostha and the Kúrús of Hastina. The age in which they flourished was the *Dwapara Yug*, celebrated for the great war of Kúrúkshettra and the cultivation of literature and philosophy by Vyása, Súka and a host of other sages. It was in this age that Krishna roamed in the fields of Mathúra, and loved and caressed hundreds of blooming milk-maids in the embowering shades of Brindabon. The Rajahs who were subsequently of historic reputation were Chandragúpta or Sandrocottus of Maghada or Behar, the grand father of Asoka (our knowledge of whom is in a great measure ascribable to recent numismatic explorations) and Vikramaditya who reigned at Ougein in Malwa. It is the residence of Megasthenes, the ambassador of Seleucus Nicator at the court of Chandragúpta which renders his epoch memorable in history. Vikramaditya was one of the most distinguished encouragers of letters. His court was the seat of the *Navaratna*, or nine gems, and the focus of learning. Now in inquiring into the state of the agricultural community at each of these epochs, we do not discover that there was any variation in the law respecting their protection. The law of Manu was the predominant law of the land. The fiat of this legislator is still looked upon with profound respect, and there can be no doubt that what he inculcates was to a great extent followed during the whole of the long period in question.

The right in the cultivated land did not exist *in the sovereign, but in him "who cut away the wood, or who cleared and tilled it."* This is not only evident from the code of Manu but also from other works, and the accounts of early travellers, numismatic proofs, and existing practices in some parts of the country. The rights of the agricultural class were in no way feudal; and what they paid was not *rent*, but a *tax* "as the price of protection." This tax was a portion of the produce; viz. an eighth, sixth, or twelfth, according to the difference of soil and expense of cultivation. In case of a war or other great emergency, this tax was increased to one-fourth, which was the maximum limit. Mr. Wynch, the supposed author of the "Memoir on Land Tenure," says, with reference to this point, that "the Hindu system of taxation under which one-fourth of the produce

was declared the maximum of the demand of the State in any case against the cultivator, had its origin in the soundest principles of statistical science."

It is evident from the Ramayan and Mahabharat, that, in the time of Rama and Yudisthir, one-sixth of the crop was the amount of land-tax. We also find from Raghu and Sakantala that the same proportion obtained in the time of Delípa and Dusmanta. And when we perceive that in Kashmir, Northern Circars, Vignyagur, Túlúva or Canara, &c. the demand was confined to one-sixth, we believe it was more general than any other proportion—especially as it is stated to be "the medium" in Manu; and testified in the Ayín Akbári. During the invasion of this country by Alexander, the tax raised by Porus and other Indian princes, who had to oppose the Macedonian hero, was the full war-tax inculcated by their venerable legislator—one-fourth of the crop. The description which the Greek writers give of the civilization and happiness of this country is indeed gratifying, if it may be trusted. It was studded with a rich cluster of cities, abounding in the hum of a thick and increasing population, and the activity of commerce both internal and external. "The produce of the field, the work of the artisan, the city without walls and the defenceless village" were "sacred and inviolable;" the fierceness of the battle in one field and the peaceful pursuits of the husbandman in the other were by no means an extraordinary scene. There was no fear of the repetition of foreign invasion; and the intestine commotions did not interrupt the avocations of the cultivator. Each kingdom consisted of a number of principalities under the protection of military chiefs, who like barons, professed allegiance to the sovereign, and were themselves looked upon as sovereigns, by their vassals. In this respect the ancient Hindu system of revenue bore resemblance to the feudal customs of Europe. There were however other features which rendered the resemblance closer. The chiefs lived in castellated mansions, built on rocky summits, or in the recesses of jungles, exercising a power more despotic than could be exercised by the king. They were liable to escuage, and subject to all feudal incidents. They held land on military tenure. But the difference between the feudal system of Europe, and the one which prevailed and still prevails in some parts of India, is great. In Europe the conquerors not only claimed a proprietary right in the land, but its inhabitants as their serfs. In India the right of the cultivator in the soil was, and is, recognized. The burden imposed upon him by a feudal lord was an additional tax for

the maintenance of the military establishment. The King, in creating military lords, assigned to them his share of the revenue. The land of course belonged to him *who tilled and cultivated it.* The tenacity for patrimony has always been great in India. The emphatic though often quoted saying of the Rajpúts expresses the intensity of feeling on the subject.—"The tax belongs to the King, the land belongs to me." In several parts of India the existence of feudalities has been found. It remains to be seen whether the system was universal.

The machinery employed for the collection of the tax had the mark of simplicity and calculation of purpose. We know not how far the very ancient fiscal arrangement was universally carried out and continued. We mean the creation of lords of ten, a hundred, and a thousand towns. Traces of this division are however not altogether wanting, especially in the Dekhan. But the ordinary and more general system—at least in subsequent ages, was the management of the fiscal affairs of every village by its head called *Grámadhikar*, subject to the control of the *Deshadhikar* or chief of the district. These officers had their respective registers called *Grám* and *Desh Lekhuks.* The *Grám Lekhuk* kept a minute and detailed register of all accounts and transactions appertaining to the village. These registers were open to public inspection, and of great use in the adjudication of matters in dispute. The accounts kept by them were forwarded to the *Desh Lekhuk* and by him to Government. The *Grámadhikar* was the representative of the people and Government. It is supposed that he was originally elected by the villagers. He acted as the collector, judge and magistrate with the aid of a Punchayat; and the system was of great benefit to the people, because there was no delay—no expense in the way to justice. The remuneration which the village and district officers received from Government was the remission of the tax of the lands held by them, or assignments of rent-free lands, and from the villagers certain contributions in money or lands. Their offices became in process of time hereditary. In each village there was a corporation, and it resembled a "petty republic." The Grámadhikar was a sort of mayor. Resistance to innovation is a striking characteristic of the Indians. Institutions once established are looked upon with superstitious veneration. They descend from generation to generation and seem to be immutable. The Patriarchal system, cradled and rocked, nourished and invigorated by such a propitious circumstance, continued to live and flourish for many ages. It no doubt unalterably fixed the destiny of the villagers. Occupation and

profession were hereditary,—aspirations after higher objects were extinct, and patriotism, instead of expanding, contracted itself into a narrow sphere. The village exhibited no checkered aspect, but a dull continued monotony. But in spite of these disadvantages, the people might be physically happy. There was enjoyment of security and liberty. The love for the village was strong—unextinguishable. There was nothing which could destroy its "petty republic." Calamities might suspend its operation, but its elements were such as were never to suffer annihilation. Sir John Macpherson says, rather flatteringly, in his minute of the 4th July 1786, "It is much to discover with certainty *that we have yet a great deal to learn in the revenue line*, and we are fortunate if we can collect and take up the links of ancient forms. One thing is certain, nothing was more complete, more simple, correct and systematic, than the ancient revenue system of this country. It was formed so as to protect the people who paid it from oppression, and secure to the sovereign his full and legal rights."

The Mahommedans, in taking possession of the country, introduced no innovations on village municipalities. They were bigoted, intolerant, and looked upon those who did not embrace their creed as *Kafirs*. But they respected (at least in theory) private property. "Whosoever cultivates waste lands does thereby acquire the property of them"—is the maxim inculcated in the Hedaya. The institutes of Timúr enjoin the annexation of *deserted* lands to the fisc, if *there be no owners*, who in the event of being found, and not in circumstances to cultivate them, should have "the necessary supplies" from the government. The way in which land-tax was collected under the Mahommedan administrator was by assessing whole districts at a certain sum, and directing district officers to levy and realize it. We are not certain what proportion of produce this amounted to. The Hedaya and other works limit the land tax to one-half or one-third the gross produce "or a supposed equivalent in money." With reference to non-mussalman or infidel ryots, there was no such rule. We do not however find that before the reign of Alla-úd-Dín (1294) one-half the value of the produce was demanded. The kings whose names became subsequently associated with the revenue administration of the country, were Sikunder Lody and Shír Shah Súr. The former caused some parts of Delhi to be surveyed, and was instrumental in the establishment of one standard land measure called after him *Sikundari Guz*. The latter is said to have devoted himself for a time to the survey business, and limited the demand of the state to one-fourth of the produce in kind or specie. The next

King who directed his attention to the subject of revenue reform is the illustrious Akbar. He reigned for 49 years from 1559. He ordered the lands of the empire to be measured and divided into bigahs of 3,600 Illahi square guz (24 inches) and classified under certain denominations. This was followed by statistical inquiries as to the produce of different articles in cultivated lands at the Spring and Autumn harvests, and the establishment of the rates of revenue at one-third of the medium produce. It was left to the option of the cultivator to pay in kind or specie, and with a view to regulate the payment in money, a table containing "a specification of the rates of revenue in each year of the period on fifty different articles of produce, distinguished as before into spring and autumn crops, was formed. This arrangement did not however answer. Abul Fazl says it was "productive of much inconvenience, oppression and complaint." The establishment of *Tummar Jumma* was then determined upon, and the two great financial masters of the age—Rajah Todar Mal and Mofezzer Khan—were employed in the execution of this task with ten Kanongós or village registers placed at their disposal. After some inquiry they formed a new Jumma for ten years, based upon an average of the collections made during the preceding ten years. This arrangement was not enforced in Bengál, and it is doubtful whether it was ever carried into effect any where. These are not the only measures taken by Akbar with a view to ameliorate the revenue system of the country. Before his time there were a number of vexatious taxes "which used to equal the quit rent of Hindustan;" and they were in a great measure remitted by him.

We have already said that under the Hindu government, the fiscal divisions of the country were villages and districts. The names of the village and district chiefs—*Grámadhikars* and *Deshadhikars* underwent a change under the Mahommedan administration. The former were called *Mokuddums*, or foremost men, and the latter *Zemindars*, or landholders. The word zemindar, although an indefinite term, has no reference, like other Persian words of similar termination, to ownership of land. This innovation in name, was followed by another of a more radical nature. And it arose from a love of exaction. Several districts were incorporated into one great fiscal division, and committed to the charge of individuals who were designated Talúkdars or Zemindar Talúkdars. This Talúkdarí or farming system on an extensive scale—was vigorously carried on in Bengal by Jaffier Khan, alias Múrshed Kúly Khan, in consequence of his having found the ancient Zemindars

reluctant to submit to his extortions. The Zemindar Talúkdars were neither the actual collectors, nor did they in any way bring themselves in contact with the people. They were averse to this trouble, and they farmed the revenue to others, between whom and the Government they stood as middlemen.

Although there was an *assul* or original assessment, and it was subjected to no variation, yet the additions which were successively made to it in the shape of imposts, from the administration of Sultan Sujah to Kossim Ali Khan, were so enormous as to have doubled the amount. The revenue was collected under fourteen different heads, two of which constituted the standard assessment, and the rest were *abwabs* or viceregal imposts. These *abwabs* were levied by the Nazims on the Talúkdar Zemindars, and no oppression—no cruelty was left unpractised for their realization. Thus pressed by the Nazims, the Talúkdar Zemindars pressed the village contractors, and the village contractors preyed upon the ryots. Abwabs after abwabs were imposed. Such of the village contractors as came forward to protest or oppose, were incarcerated and ousted, and in the room of hundreds, one, more tractable and willing to submit, was appointed. To this circumstance is to be ascribed the origin of the Burdwan, Rajshahi, Nudiya and other extensive Zemindaris. The object of this institution was to realize the utmost revenue, without the least regard to the means of the people, or the productive powers of the land. The cesses levied by the farmers were extortionate and oppressive. The abwabs of the farmer of Dinajpúr exceeded 200 in number. Exaction and extortion were the order of the day. One class of officers plundered the other, and the whole onus at last fell upon the ryot. The settlement of Kossim Ali was "a mere pillage and rack rent." It was so enormous that it was unrealizable. In 1763-64, the amount of collection was reduced by Mír Jaffier under the administration of Nund Kúmar; and in the following year—the first of the Company's possession—it was further reduced by Mahommed Reza Khan on their behalf. But the severity of exactions had been so great that there was *practically* an annihilation of private rights.

In 1765 Shah Alum conferred on the East India Company the Dawani of Bengal, Behar and Orissa, and confirmed the cession of Burdwan, Midnápúr, Chittagong, and the 24-Pergunahs. The royal grant was in the same year recognized by Nudjum-ul-Dowla, the Súbadar of Bengal, who retired, receiving a certain sum as a stipend. The Company, having thus "become the sovereigns of a rich and potent kingdom" made no innovations on the fiscal system. The plan of farming lands was continued, but on assessments grounded on "conjectural estimates." There was no standard rate of rent, and the strong took advantage of the weak. The subject however attracted the attention of the Company in 1769, when supervisors were appointed to control native officers and inquire into the state of the country. The result of this investigation was the discovery that the "Nazims exacted what they could from the zemindars and great farmers of the revenue, whom they left at liberty to plunder all below; reserving to themselves the prerogative of plundering them in their turn, when they (the farmers) were supposed to have enriched themselves with the spoils of the country." In 1772, a Board of Revenue was formed, under the administration of Warren Hastings. The supervisors were called collectors, and lands were let on quinquennial leases to the highest bidders. This settlement was made at a time when the country was recovering from a famine which had swept away three millions of human beings. The contractors who had bid very high, unmindful of this calamity, proved *bakedars* (defaulters). This was ascribed to the inefficiency of the European collectors, who suffered depreciation and ultimately supercession by native amils. The non-realization of a large *bakáya* had elicited some observations on the system of farming, which, notwithstanding, was continued under annual settlements; and the only change worthy of notice, is a regulation that if the Zemindars came forward to enter into engagements, they should be preferred.

Such was the financial system until the arrival of Cornwallis in 1785. He found great disorder in the revenue department, arising in a great measure from the want of accurate knowledge of the country. The annual farming system was continued; but he felt anxious to ameliorate the fiscal administration. How the state of the country could be improved was the "labor of his thoughts." His mind had been saturated with the ideas arising from the institutions of his father-land. His imagination depicted in glowing colors the felicitous effects of the feudal system, and he was led to think that its application to this country would promote the cause of civilization and happiness.

With a mind full of such thoughts, and a stock of information, and data as limited as possible, he at once determined upon a *permanent settlement*. He felt eager and anxious for its speedy introduction. In 1789 he fathered the well known Zemindari settlement, and it was introduced in Behar and

Orissa; and in the following year in Bengal, comprising 149,732 square miles. It was originally decennial. By order of the Court of Directors it was made permanent. Mr. Pitt, Lord Grenville and others who then constituted the cabinet, approved of the measure. The letter communicating the confirmation of the settlement, and penned under the immediate direction of Lord Melville, met with their entire concurrence, and the order was proclaimed here, in 1793, with due *éclat*.

It declared Zemindars, independent Talúkdars or Chaudris, with whom the settlement was made, "actual proprietors of the soil." It was concluded without proper knowledge of the resources of the country, and due ascertainment of the rights of the different classes of land-owners and occupants. The Zemindars were the hereditary collectors and farmers of revenue, and not the proprietors of the land. It has already been said that their original designation was *Deshadhikars* or district-chiefs. From their official connection with the land, the inference was, that they had in it a proprietary right. This was a sad mistake. This conversion of tax-gatherers into proprietors was fatal to the rights of the real proprietary body, who existed in Bengal under the names of village zemindars, cultivating zemindars, village proprietors, &c. The injustice caused by such a measure was of a serious nature. The maliks of Shahabad made strenuous remonstrances against the settlement being made with the Zemindars, but in vain. When Lord Hastings, then Lord Moira, was on a tour of inspection in the province of Bengal, the complaints of village Zemindars were numberless. He says, "the existing system established by the legislature left me without the means of pointing out to the complainants any remedy by which they might hope to obtain redress;" and that, from all he could observe, "the class of village proprietors appeared to be in a train of annihilation."

The sacrifice of the rights of the agricultural community was not the only evil. The dependent Talúkdars, who paid revenue through the Zemindar, were also affected by their being likewise handed over to the newly created body of landed proprietors. The existence of village communities, possessing peculiar rights, was not known or even suspected in the days of Cornwallis. What their fate was, owing to the Zemindari settlement, can be easily conceived.

The question as to the supposed proprietary rights of the Zemindars, had long engaged public attention, and the ablest men of the day had taken part in the discussion. Francis was a warm champion on behalf of the Zemindars; the views of Hastings were different. The conclusion arrived at by a committee appointed by him to report on the subject was in no way favorable to the opinion of Francis. The other individuals who subsequently took part in the debate were Sir John Shore, Mr. Thomas Law—the concocter of the plan of the permanent settlement,—Mr. Grant—a Revenue officer—and an intelligent writer under the name of Agricola. The letters of the anonymous combatant dwell on the errors and disadvantages of the permanent settlement. Although there are many sensible observations in these letters as to Zemindars being declared "proprietors of the soil"—as to this measure proving "an almost insurmountable obstacle to secure the Ryots from oppression" and "its aggrandizing a *few* at the expense of *hundreds of thousands*"—interfering with the rise of "a numerous class of yeomanry" and blasting "the prospect of exciting emulation and industry,"—yet they seem to support the doctrine that the proprietary right of the land exists in the sovereign. Such continued discussion led to the discovery of some of the errors of the permanent settlement, and they were acknowledged by Sir John Shore. When it was introduced in Bengal, it received only this modification—that it should not be made with Mokarorí Talúkdars paying revenue through Zemindars, but with the Zemindars, declaring such Talúkdars "actual proprietors of the soil composing their talúks." The permanent settlement, introduced no doubt from benevolent motives, was productive of serious evils. The basis on which it was formed was radically defective. Although it had been ordered that the jumma should be determined with reference to the average of former years' collections, yet the amount was so fixed as to be equivalent to the sum then required for civil and military disbursements. It was considerably greater than the collections of Akbar's reign, and equal to the amount "drawn from the country during the period of disorder and exaction." It considerably exceeded the estimate of the Court of Directors, and the settlement of 1786-7. It was "more than fifty or sixty per cent. of the gross *produce* by a million of rupees or thereabouts;" and yet it was considered "a moderate jumma." It was extremely unequal, owing to "partial and fraudulent assessment." A few escaped the rigor at the expense of the many; and the subject of settlement was a rich mine of lucre to the Dewans and Sheristadars of the day, whose descendents constitute principally the existing aristocracy of Bengal.

Although the question of *meum* and *tuum* had been raised; and there was a good display of talent in the field of discussion, yet nothing of a satisfactory nature appears to have resulted. Whether we assume that the Ryot possessed *the*

property of the land or *a property in the land*, that is, a right of occupancy and cultivation subject to the demand of the State, it is obvious that the claim of the Government ought not to have been fixed at half the produce—the remaining proportion being allowed as expense of collection. Sir John Shore was of opinion that "the Ryots paid in the proportion of one-half of the gross produce of their lands." The fixation of such a proportion was pregnant with serious objections. It virtually established a doctrine inculcated neither by the Hindus nor by the Mahommedans—We mean the proprietary right of the sovereign in the land. Such a tenet, subversive as it was of the existence of private rights, was an exotic in this country; and in itself an unnatural and unjust one. Whatever diversity of opinion there may be on the origin of Government —whether it was traceable to contract, heavenly ordination, or the natural course of events, there can be no question as to political institutions having been subsequent to the existence of private property. The idea of property, as being the product of labor, is *natural* with man. Land unreclaimed from sterility is common property. It is the first tillage and cultivation which constitute private property. In proportion as agricultural pursuits are thus carried on, the curtailment of the natural liberty and the want of mutual protection are felt; and it is private property which gives rise to Government, and not Government to private property.

But granting that Government was the proprietor, its demand ought to have been limited to the full share of the RENT, and should not have encroached upon the other constituents of produce—LABOR and CAPITAL. The force of this observation will be particularly felt, when we take into account the different qualities of the land, and the circumstance that there are some lands which pay only the expense of cultivation. How the pressure of taxation operated upon such lands can be easily imagined. That the assessment of half the gross produce as Government claim was productive of injury to the ryot, needs no demonstration. It has been statistically shown by Mr. Colebrooke, in his "Remarks on the husbandry of Bengal," that cultivators at half the produce are worse off than a laborer in the same field at two annas per diem. Lord Brougham, in speaking of the Permanent Settlement, says that it "gave eighteen shillings out of every twenty shillings to the Government, by way of rent!" Sir Thomas Munro observes that "if more than one-third is demanded as Government rent, there can be no private landed property."

We know of no country, European or Asiatic, where the

cultivators are taxed at one half the gross produce. Under the Hindus the land tax was a twelfth, an eighth, a sixth, or in peculiar and urgent cases, a fourth of the produce. The ordinary proportion was however one-sixth, or seventeen per cent. Under Akbar it was fixed at one-third of the *average produce*. But under the British, it has, in many cases, been settled at one-half.

The creation of the "landed aristocracy," which it had been supposed would give "wealth and happiness to the intelligent and industrious parts of the country," did in no way produce the expected effect. The reason why the ryot could bear its pressure so long, was, that he had more land than mentioned in the pottahs, and this is what he was able "to secure by evasion and concealment." The land-tax was exorbitant. The machinery employed for the realization of the revenue was ill adapted for the purpose. While the Government collected the revenue in a *summary* way, the Zemindars had to institute against the ryots regular proceedings for the recovery of their rents. This was not the only impediment to punctual and expeditious collections. The revenue payable by the Zemindars had been fixed, but that demandable from the ryots was left in a state of great uncertainty,—although it was known that the "Zemindars continually impose new taxes on the ryots, and having subverted the fundamental rules of collection, measure their exactions by the abilities of the ryots." These circumstances combined, disabled the Zemindars from meeting the demand of the Government. The price of land came down considerably, and in some instances it did not fetch even one year's jumma. There was a large defalcation in the revenue, and the estates of the defaulters were brought to the hammer. The sales were so numerous that they are said to have amounted to "probably one-third, or rather one-half, of the landed property of Bengal." This sadly interfered with the creation of a "landed aristocracy," and led to the investiture of the Zemindars with summary powers (Reg. VII. of 1799) for collecting rent from the ryots. But the quantum of rent payable by the ryots was, to quote the words of the Court of Directors, "regulated neither by specific engagements, nor by the established rates of the Pergunahs, or other local divisions in which they reside, but by the arbitrary will of the Zemindars," who sadly abused the powers with which they had been armed by the *kuftum* regulation. The evils arising from the law of distraint were serious. Imposition and oppression were at their zenith. The courts of law were appealed to, but they could render no aid. "In the cases which did come before them," says Rickards, "there was neither rule, nor precedent, nor usage, to guide their decisions; for the

rights of ryots had never been defined; and judgments consequently were often given on principles diametrically opposite."

The miserable condition of the ryots having roused the sympathy of the ruling authorities, they enacted that pottahs or leases should be granted specifying the amount of the demandable rent. But this enactment was soon found inoperative. The Zemindars were desirous of extracting from the ryots every farthing they could get, and the ryots were afraid of giving them any written engagements, lest they might suffer worse conveyance. The Zemindars were prohibited from increasing the *nerik* or local rates of rent. But the *nerik* had not been determined, and its amount was unknown. Every imposer of enhanced rates could say that his claim was in perfect consonance with the *nerik*. There was so much diversity—so much mutation and fluctuation in the *nerik*, that it opened "a new, extensive, and fertile field of litigation" between the Zemindars and ryots. The judicial files swelled to huge magnitude; and in one single district—Burdwan,—the number of suits instituted was thirty thousand! The courts of justice saw before them nothing but Cimmerian darkness, and were unable to pass correct decisions.

In 1812 the Punjam or Regulation 5th was passed. It was an improvement on the rules regarding pottahs, the duration of which was to be settled by the parties granting and receiving them. In other respects it was calculated to do no good to the peasantry, but on the contrary armed the Zemindars with greater powers to harass and oppress them.

The Permanent Settlement abstractedly considered is a great incentive to agricultural improvement, by reason of the security it affords against the increase of rent. The absence of fear in the enjoyment of the fruits of labor operates as a powerful stimulus to exertion, and the increased employment of capital. Such a settlement would have proved a boon if it had been made on just and liberal principles—recognizing the rights of the different classes of land owners and occupants, establishing an equitable assessment, and determining the rates of rent payable by the ryots to the Zemindars. But the manner in which it was introduced renders it a failure. The Court of Directors, seeing the effects which it had produced, could not but "lament that the objects of the Permanent Settlement, in so far as regards the security and happiness of the most numerous and industrious class of the community, have hitherto been so imperfectly attained, that instead of maintaining their rights, we have not ascertained what they are." The Finance Committee, in their report, dated 12th July 1830, say, "in the permanently

settled districts in Bengal, nothing is settled, and little is known but the Government assessment." The Select Committee, after a patient and searching examination of the great mass of evidence taken on the subject, report, in 1832, that "it (the permanent settlement) does not appear to have answered the purposes for which it was benevolently intended by its author, Lord Cornwallis, in 1792-3." In the celerated Fifth Report it is stated, that the permanent settlement "has produced more distress and beggary, and a greater change in the landed property of Bengal, than has perhaps happened in the same space of time in any age or country by the mere effect of internal regulations."

We can quote the opinions of Lord Hastings, Holt Mackenzie, and others, to show the pernicious consequence of the permanent settlement. But we deem the task superfluous. We shall however conclude by quoting only the words of Sir E. Colebrooke—"The errors of the settlement were twofold; first in the sacrifice of what may be denominated the yeomanry, by merging all tillage rights, whether of property or of occupancy, in the all devouring recognition of the Zemindar's permanent property in the soil, and then leaving the Zemindar to make his settlement with the peasantry as he might choose to require."

The remedial measures ordered by the Court of Directors are, that the Zemindaris, sold for arrears of revenue, should be purchased on account of Government, and settled on the Ryotwar plan. But this order has not had much effect in Bengal, where *Khas management* has not been found advantageous to the *Sirkar*, (the Supreme Government).

Having endeavoured to point out the radical defects of the existing system of Land Revenue in Bengal, we shall now proceed to treat of the additional causes of the degradation of the rural population.

The land tenures in Lower Bengal are of so many descriptions, that a detailed account of them would fill a number of pages. They are however divisible into three classes—1. Zemindari. 2. Talúkdari. 3. Ryotti. We have already given an account of the Zemindari Tenure. The word Zemindari is somewhat indefinite, and conveys no exact idea of the average extent of territory which it comprises. Some Zemindaris pay lakhs; some, thousands; some, hundreds; and some, only a few rupees. They pay *malgúzari* direct to the Collectorate; and in default of payment, their Zemindaris are liable to forfeiture and absolute sale. The Talúkdari Tenure is somewhat comprehensive and applicable to several classes of tenure holders. During the latter part of the Mahommedan adminis-

tration, extensive contractors of revenues were called Talúkdars or rather Zemindar Talúkdars. Purchasers of waste lands outright from Government on the payment of an annual fee, and holders of Enam or jagír lands at a quit rent had also the same designation. A Talúk is however a subordinate tenure in a Zemindari and the Talúkdars are of two classes, viz. Independent or Húzúri, and Dependent. The former have a proprietary right in their Talúks, and pay revenue direct to Government. The latter have no such right. They hold land at mokarori or fixed rates, in perpetuity or for a limited period, from Zemindars, and pay rent to them. They have however the power of transferring their tenure by sale, gift, and other modes of conveyance. That this power has been largely exercised is evident from the subtenancy prevailing throughout the country. The names of the Dependent Talúkdars and their under farmers vary in different districts. They are called Putnidars, Durputnidars, Kotkinadars, Durkotkinadars, Mostajars, &c.

The Putni tenure was created by the Rajah of Burdwan, the greatest Zemindar of Lower Bengal, paying an annual sudar jumma of thirty lakhs of Rupees. The object of creating this tenure was evidently to avoid the trouble of looking into the details of management, and to realize the collections with greater ease and certainty. The Putnidars, actuated by the same desire, sublet their tenure to Durputnidars, who in like manner farmed their durputnas to Saputnidars at a higher jumma. The whole system was, to quote the words of Mr. William Blunt, "profit upon profits." The gradation however did not end here. Mr. Butterworth Bailey, when magistrate of Burdwan, says "I have met with more than one instance of a village being held in portions by six or eight individuals as a Dur-dur-dur putni Talúk." And the consequence was that the ryots were several degrees removed from the Zemindar, to whose care they had been committed by the permanent settlement. There was a regular ferreting and squeezing out of their earnings, and they had to feel the whole onus of imposition in consequence of the different grades of farmers making the most of each other. The inconvenience, insecurity, and oppression caused by this system of sub-letting were serious. They reached the ears of Government, and Mr. H. T. Prinsep was sent to Burdwan to inquire and report on the subject. In the course of six weeks that gentleman concluded his labors, and in 1819 a regulation (No. VIII.) was passed, confirming the tenure. The system of letting and under-letting had been found to

press heavily upon the ryot. It is one of the principal causes of his impoverishment; agriculture can never prosper while the peasantry are so much harassed and crushed down. "Even a bad sovereign," says Dr. Smith, "feels more compassion for his people, than can be expected from the farmers of his revenue." But the want of improvement and the oppression of the people are not the only evils. Depopulation and the increase of crime are and must be inseparable from the cruelties practised upon the ryots, by the farmers and under farmers. That such has been the case can be shewn by historic proofs. A ryot can never think of prosecuting his agricultural pursuits when his rights are trampled upon—when he himself is deprived of the last *cowrie* he possesses; and the hand of oppression raised against him. In such circumstances he is constrained to emigrate or live upon thefts and dakoities.

The difference between a Putnidar and Kotkinadar or Ijardar, is, that the tenure of the one is perpetual and liable to sale in default of the payment of rent; and that of the other is for a limited period. All these classes of farmers and under farmers are actuated by motives of speculation, and fail not to make the best of their bargain. The Kotkinadars are known to have been particularly unmerciful. Knowing that their leases will expire on a certain day, they rob the ryot right and left, unmindful of any consequences. In one of the papers under review, it is stated by a well-informed and intelligent native gentleman, that "by the majority however of the most respectable and opulent landholders the abwabs or *bajaddayas* (as they are sometimes called) are never systematically levied, as they make the payment of them optional with the ryots. But unfortunately it is not so with the *Khorda Talúkdars* such as Durputnidars, Saputnidars, farmers and others, who make them a matter of extortion, and will not cease till they are paid up." It is also known, that, when there was a partial failure of crops in Zillah Kishnaghur in 1809, and the ryots were in consequence badly off, they received no indulgence from the Kotkinadars and Durkotkinadars. On the contrary they were so much oppressed that they were forced to desert their villages. "All these under-landholders have," says Mr. A. Fraser Tytler (who held the office of assistant Judge in the 24-Pergunnahs) "independent of the high rent demanded, various means of oppressing the *ryots* and making the best of their lands. Perhaps some respectable man has given away, at a marriage or otherwise, a small portion of land to a needy dependent, but has not thought it necessary to give him a regular *sunnud* (or grant). The

Kotkinadar taking the law into his hands, demands a sight of the title deeds, and not receiving them, disposes of the land to his own friend. Another poor ryot, having scraped together a small sum of money (which, as it is at the present day a miracle, ought the more to be encouraged) has planted a few trees; the new Kotkinadar must have a rent or jumma for these. A third has had a piece of land for many years, calling it ten *biggahs;* the new Kotkinadar tells him, he must either pay so much or have his lands measured. The poor wretch well knows what he has to expect from the measurement of a *Kotkinadar*, and he will rather pay than have his little piece of ground limited, as it may probably contain a few divisions more than was stated, and from the cultivation of which alone, he can afford to pay the enormous rent of the landholder. In short their devices for making money are innumerable." Again the same author says "it is to Kotkinadars and Durkotkinadars that we may chiefly ascribe the harbouring of *Dakoits* and other notoriously bad characters; for I think it may be easily seen that it is not the interest of any respectable *Zemindar*, to nourish, as it were, vipers in his bosom, to support the very men who ruin the villages and cause the ryots to fly from his lands." The opinions which Mr. W. Dampier, the Superintendent of Police, expresses in his Reports, fully bear out our view of the prejudicial effects of the subletting system. In the second half-yearly report for 1842, he says, speaking of Burdwan; "In this district, as well as in others where there is much underletting, holders of land and others apparently engaged in trade and of some respectability are engaged as protectors of Dakoits and receivers of the property." Again, in the Report for 1843, "the subletting system, which relieves the Zemindars from all connection with their estates or ryots, and places these in the hands of middlemen and speculators, is striking its roots all over the country, and is grinding the poorer classes to nothing but a bare subsistence, if it leaves them that. The Tíkadar, Zurpeskidar, Putnidar, Izardar, and all that class, including their innumerable sub-dependents, are spreading over these provinces and breaking down all feeling between landlord and tenant—Regulation VIII. of 1819 is of advantage to absentee landlords; but it is the bane and ruin of the cultivators of the soil, leading to more crime and misery than can be explained here." In another part of the Report Mr. Dampier refers "to the subletting system, which, leaving the ryots very little subsistence (the rents being higher and the price of labor lower than in other districts) exposes them to the temptation of robbing, when they are in penury, and also the minor Talúkdars and

sub-holders who receive themselves but little from the soil, countenancing and protecting the gangs."

Need we multiply quotations to show the pernicious effects of the sub-letting system? They are so palpable, and have so often been the themes of reprobation, that any further demonstration is unnecessary.

Next to the Talúkdari, comes the Ryotti tenure. The word ryot does not necessarily mean a cultivator; for a man may be a ryot without being himself a cultivator. It has particular reference to *jot*. Persons who have lands in their own *jot*, or in the *jot* of others, or who are residents in any Zemindari or Talúk, are called ryots,—of whom there are two classes, viz. Khodkhasts and Paíkhasts. The former are resident ryots; that is, they live and may or may not cultivate lands in the same Zemindari. The latter only hold lands, having dwelling houses in other Zemindaris. Although there are *Mokarori* and *Istamorari Khodkhasts* and *Paikhasts*, yet Mokarori and Istamorari refer more to the former than to the latter. They mean holdings at a *fixed* jumma in perpetuity. The fulcrum of the Mokaroridar is ancient title under the guarantee of a pottah; and that of the Istamorardar is prescription. There are other words which are applied to lands held at a fixed jumma, viz. *Kodimi*, or holding from generation to generation, and *Mourosi*, or what descends as a patrimony. But they all purport one and the same thing—an indefeasible and acknowledged right against the increase of jumma. The holder of any of these tenures may or may not possess *proprietary right* in the land, which is invariably annexed to the Putitdar or him "whose ancestor first broke up the soil;"—a class almost annihilated by the permanent settlement. These tenures no doubt afford great security to the peasantry, but the number of persons holding them is very limited in every district. The mutations caused by the existing system of land revenue, have been so great, that the large proportion of good tenures held before by the Ryots, are now almost engrossed by the Zemindars, Talúkdars, Putnidars, Kotkinadars, and their numerous sub-holders, to whom they have been conveyed in satisfaction of the arrears of rent or other demands. That the Ryots are often under the necessity of selling their lands and tenures to the Zemindar, his subtenants or agents, is well known. The passion for creating such property is so strong, that Gomastas appointed to a Zemindari often make it a subject of their study to form some such Alaka, either in their own name, or in the name of any of their relatives for fear of the Zemindar. That there should have been such a great change in Ryotti

tenures is not therefore to be wondered at. According to the law, *Mokarori* and *Istamorari* tenures held for more than twelve years before the permanent settlement, are not liable to an increase of jumma, except when the Zemindari is made Khas, in which case they are assessable according to the general rates of the district. Such tenures, if existing, must have been difficult to substantiate, by reason of the liability of documents to decay, and the paucity of proofs of such old events. Those Ryots however who hold *Jumabundi* from the *Sirkar*, or registered pottahs, are the only class whose safety against the increase of jumma can be calculated upon. The Khodkhasts generally take *Bamiadi pottahs*, or leases for an unlimited period; which are not invariably granted to the Paikhasts, who are, in many instances, tenants at will. With respect to the Khodkhasts, Rammohun Roy says "By Art. 2. S. 60. of Reg. VIII. 1793, Government declared, that no one should cancel the pottahs (i. e. the title deeds) fixing the rates of payment for the lands of the Khodkhast Ryots" (peasants cultivating the lands of their own village) "except upon proof that they had been obtained by collusion," or "that the rents paid by them within the last three years had been below the *nirkh bundi* (general rate) of the *Purgunnah*," (particular part of the district where the land is situated) or "that they had collusive deductions," or upon a general measurement of the Purgunnah for the purpose of equalizing and correcting the assessment." In practice, however, under one or other of the preceding four conditions, the land-holders (Zemindars) through their influence and intrigues, easily succeeded in completely setting aside the rights, even of the Khodkhast cultivators, and increasing the rents."

The Khodkhasts and Paikhasts, whose tenures are always transferable, are susceptible of sub-division, but the tenures falling under such sub-division are not uniformly denominated in all districts. We shall touch on those which are of a prominent nature.

Tikadar is the holder of land for a limited period. In the 24-Pergunnahs the parties who purchase proprietary rights in lands situated in any Talúk or Zemindari are called *Tikadars.*

Bhagkar is the cultivator of land on the condition of obtaining from the proprietor half the produce. *Sajot* is a species of *Bhag* in which a fixed quantity of produce is taken as rent. This tenure is prevalent in many districts, and resembles the Metayer system in Europe. Although it is better than the system of slave cultivation, it is said to have proved injurious

both in Europe and India. In cases where the crops are not uncertain, the truth of this observation is evident. "The tenant," says Dr. Buchanan, "is not pushed for his rent, and his great object, in place of cultivating well, is to diminish the expense of cultivation. From this a very great loss arises to the landlord, and still more to the public."

Pathar is the cultivator of land of which the rent is fixed when the crop is in the field. On the removal of the produce, all his right in the land ceases.

A cultivator of *Khamar* land means one who cultivates waste lands, as well as those lands, which are held of Zemindars, who let them from time to time.

Junglbáridar is the holder of jungly lands, who are generally exempted from the payment of rent for a certain period. They are in the first instance *rosuddi* and eventually assessed at a full jumma. This tenure is transferable when the jumma is fixed, and the pottah given without any limitation as to time. It is also Mokarori when stipulated in the pottah.

The enumeration of Ryotti tenures does not end here. The above is merely a brief sketch of the leading ones. In many of the districts there are special and peculiar tenures.

The under tenants, though variously designated, Patoy, Kurfa, Tika, Shikmi, &c. are of one description. The pottahs granted to them are sometimes *bamiadi.* They have generally no fixed rights, and hold lands at the will of the *Sha ryot.*

There are two classes of people who compose the agricultural community, viz. *Grihasthas* and *Chasis.* The former let their lands to husbandmen, and receive a certain rent or a portion of the produce, or hire laborers to cultivate them, confining themselves to mere direction and supervision. This class consists of Brahmans, Baidas, Kayasthas, Kazís, Maulavis, Khonkars, &c., who however humble in circumstances, consider it derogatory to their honor to handle agricultural implements. The latter, or the *Chasi* class, are in all cases the real agriculturists. They either cultivate for themselves or for others or superintend their own cultivation. Men of low castes, such as Pods, Tiurs, Sudgopas, Kaibartas, Goahlas, Jolahs, &c. constitute the *Chasi* class. And their proportion is generally greater and varies in different districts.

Although land in Bengal is noted for its fertility and yielding remunerating crops, the high rents, abwabs, and other expenses, prevent the ryots from creating a capital. To this circumstance is to be attributed the growth and fructification of the mahajani system. The mahajans or money-lenders are sometimes the resident cultivators, and sometimes Talúkdars of the same or

of the neighbouring villages. The rate of interest at which the ryots borrow money from mahajans varies in different districts. At Burdwan it is 12 to 25 per cent. per annum,—25 per cent. on the hypothecation of crops is the ordinary rate in the 24-Pergunnahs. At Nudiya, Zemindars lend money at 12, but mahajans charge 37½ per cent. per annum. The mahajani interest at Jessore is at least 3⅛ per cent. over and above the usual rate. It is stated in another part of the answer from Jessore that the professional mahajans lend money "at an enormous interest, taking care to deduct a certain sum as *Dharati* from the amount of the loan," and the milkman, oilman, &c. "are obliged to supply their creditors daily with the articles they trade in, for their diurnal consumption." The pressure of drainage falls so heavily upon the ryots that they are obliged in many instances to borrow paddy from their landlords, and the repayment is generally made in double the quantity; if it is not repaid in due time, an additional sum in the shape of interest is charged; and the system is known under the name of "Bari daya." Mr. Alexander Frazer Tytler, whom we have already quoted, says, "the mahajan lives by the ryot, receiving almost cent per cent from them, and as surely the ryot lives by the mahajan, for you must change his nature, before he will live in any other way." The ryot, although unknown to the mahajan, is assisted with money, and with the means for the prosecution of agricultural pursuits: and the connection between them becomes most intimate. Mr. Tytler, who had many opportunities of knowing the particulars of the mahajani system, gives the following account—"The mahajans are frequently a most oppressive class of men, and ruin the *ryots* by the exorbitant interest they charge, by their cunning in keeping accounts, thus leaving them in complete ignorance of the state of their affairs, and by many other iniquitous practices. These practices ought to be checked; and a thorough investigation of this system would develope numberless scenes of knavery and imposition, would save the families of many thousands from distress, and prevent the occurrence of many crimes." In the answer from Burdwan, it is stated that "the ryots are entirely, or almost entirely, in the hands of the mahájans; and are made the instruments, as well as victims, of every description of villany practised by them." From the day that a ryot falls into the hands of a mahajan, he becomes a degraded being. There is an awful potency in the word of the mahajan, and it must be listened to, and acted upon, without any consideration of the consequences. When the Talúkdar is the mahajan, the ryot is entirely at his mercy. If the case be otherwise, the ryot must be under the influence of the party most oppressive and tyrannical—be he the Talúkdar or Mahajan. The connection between the ryots and mahajans being more intimate, they are generally more under the influence of them than of the Talúkdars. But the effects of the system are extremely prejudicial, and it is of great importance to think of means calculated to hasten its destruction. We fully concur in the view taken by Jeremy Bentham of the question of usury, and are no advocates for money being differently regulated from any other commodity. Legislative restrictions may be imposed upon the loan of money at more than a fixed rate of interest; but they prove weak and impotent in their operation. The rate of interest is in reality dependent upon the necessity and respectability of the borrower, and the state of the money market. The root of the Mahajani system, is the living of the ryots from hand to mouth. Whatever they earn is drawn upon in so many ways, that instant absorption is generally the inevitable result. True, the exertions of Mr. John Elliot, magistrate of Zillah Tipperah, in inducing the ryots to live independently of the mahajans, were crowned with success. True, that similar strenuous efforts might be attended in some cases with similar results. But we do not see how we can hope for a total cure, unless the causes which force the ryots to resort to the mahajan's aid are removed. It is our impression that if the ryot be sufficiently protected, and enabled to create capital, the Mahajani system will necessarily die away. The great thing to be aimed at for the extirpation of this evil is the gradual liberation of the ryot from the imposition and oppression to which he is now subject, and which almost drain him of the fruits of his labor. We are however in no way unfriendly to the adoption of auxiliary means. The mal-practices of the mahajans ought to be watched with great attention; condign punishment inflicted on the convicted; and ryots discouraged in every way from being made cyphers in their hands.

The rates of rent are scarcely equal in two districts. They not only vary in different districts, pergunnahs and villages, but in different parts of the same village. They are generally determined with reference to the fertilizing qualities of the soil, the number of crops they bear, and the facilities which exist for the advantageous cultivation and sale of the produce. There are various descriptions of soil, viz. Shali, Shúna, Dwa, Kurpa, Iksú, Tamak, Tút, &c. Shali produces one ámun crop (Rice). Shúna produces one áwús crop (Rice) and sometimes other crops such as hemp, peas, flax, &c. The crops

raised on Dwa, are cotton, sugar cane, tobacco, rice, vegetables, &c. and it is by far the richest land. The other lands Kurpa (cotton) Iksú (sugar cane) Tamak (tobacco) Tút (mulberry) &c. are all subdivisions of the Dwa.

The variation of rent in different parts of Bengal is striking. But its maximum and minimum could, notwithstanding, be determined, and so settled as to promote agricultural interests. When the permanent settlement was made, the revenue payable by the Zemindars was settled. But what should be paid by the owners and holders of different descriptions of land in the different parts of the country, was left in a state of uncertainty. "Government," to quote the words of Mr. Mill, "has not interfered with the payment or the mode of payment to the Zemindars; and the decision of the courts has been, that under terms of the permanent settlement, they have no right to interfere, either in respect to the mode, or in respect to the degree. This has been productive of positive mischief to the rural population and to the cause of agriculture."

That the Zemindars frequently increase their demand against the ryots, and are not guided by any fixed principle, but by their "arbitrary will," is a well known fact. Mr. H. G. Christian, in his evidence before the Select Committee in 1830, stated, "I think the rent is frequently increased on them—(ryots): one case in particular came before me as a member of the Board of Revenue for the Lower Provinces; it originated I believe in the district of Jessore." Mr. Holt Mackenzie, in his evidence before the same Committee in 1832, said, "Generally they (Zemindars) take what they can get without any very distinct understanding of the grounds of their demand." Mr. T. Fortescue, Commissioner for the Civil affairs of Delhi, expressed his opinion to the following effect on the same occasion—"Had the rates by which the ryots were formerly liable to be assessed been recorded at the permanent settlement, and fixed; the value of the rights of the ryots would ere this day have been very considerable, and rendered them secure and comfortable." The evidence given by Mr. Mill before the Select Committee is also much to the point. He says, "they (Zemindars) take from them (Ryots) all that they can get; in short they exact whatever they please. According to what is now the common understanding, and apparently the decision of the courts, they have no defence whatever but that of removal; they must decline to pay what is exacted and quit the land."

The report made on the subject in 1814, by Mr. Cornish,

the 4th Judge of the Patna Court of Circuit, is very relevant and pertinent. He declares:—

"The assertion may appear extraordinary, but it is nevertheless certain, that the rights of the Ryots remain to this day unexplained and undefended. It is true that there is something like a provision for preventing the rents of the lands of the Chapperbund or Khodkhasta Ryots from being raised, unless the Zemindar can prove that they have paid less for them, for the last three years, than the nerik of the Pergunnah. But what is this nerik or how to be ascertained? It is a mere name, and of no kind of use in securing the rights of the Ryots. The Paikhast Ryots are altogether left to the mercy of the Zemindars. Was this intended? If so, what can possibly be the objection to its being declared by a Regulation, that the Ryot is a mere cultivator and tenant at will, and that, if he refuse to take a pottah, he may be ousted by summary process, and that, further, on the expiration of his engagement, the Zemindar may demand whatever rent he thinks proper to ask.

The consequence of the confusion and doubts which at present exist on this subject, is, that the Ryots conceive that they have a right to hold their lands so long as they pay the rent which they and their forefathers have always done; and the Zemindars, although afraid openly to avow, as being contrary to immemorial custom, that they have a right to demand any rent they choose to exact, yet go on compelling them to give an increase; and the power of distraint, vested in them by the regulations, soon causes the utter ruin of the resisting ryot.

These disputes, in general, end by the ryots appealing to the courts of justice, suits of this nature are exceedingly intricate and difficult of decision, and the judgments of the courts are frequently given on principles diametrically opposite, and this must, and ever will be the case, until the subject is taken into the consideration of Government, and the rights of the Ryots, if they have any, clearly defined; or if they have none, that their minds be set at rest by being told so; in this case, instead of resisting the attempts of the Zemindars to raise their rents on them, which is sure ultimately to end in their destruction, they would patiently submit to the orders of Government, and secure for themselves the best terms in their power."

We have already introduced a goodly array of witnesses, and the sentiments expressed by them show in what an uncertain and insecure state the Ryot is. Indeed this defect in the enactments of 1793, is so great, that they have been pronounced by the Home Government to authorize the Zemindar "to oust even the hereditary Ryots from the possession of their lands, when the latter refuse to accede to any terms of rent, which may be demanded of them, however exorbitant." The subject has not escaped the attention of the authorities here and in England. Although the allodial rights of the Ryots have been virtually annihilated by the Permanent Settlement, yet it provides for the adoption by Government of such measures as may be "necessary for the protection and welfare of the dependent Talúkdars, Ryots and other cultivators of the soil." This reservation, although not distinctly adverted to in the correspondence be-

tween the Bengal Government and the Court of Directors, will be found substantially recognized. The revenue letter dated 1st August 1822, from the Bengal Government, states "that there is nothing in the laws when duly considered calculated in the slightest degree to bar the Government from the adoption of such measures as it may see fit to adopt with the view of securing the Ryots." It also states that it "was unquestionably competent to the Government in fixing its own demand, to fix also the rates at which the Malgúzar was to make his collections," and with regard to the remedial measures it opines that "it is not so easy to come to any determination, for the evil exhibits itself in a vast variety of forms and in a countless number of individual cases. Much good, however, will result from the distinct declaration of the principle, and means being now taken regularly to record the result of judicial decisions with reference to the mehals and villages to which they apply; we trust much information calculated to fix the Mofussil jummabundi will thus accumulate, to which will be added the more detailed, though we fear less authentic, information of the Kanongos and Patwaris." The reply of the Court of Directors dated 10th November 1824, expresses their fullest concurrence in the views of the Bengal Government, and recommends that its design should be carried into effect. The evils flowing from the non-adjustment of the Ryotti jumma are known, seen, and acknowledged. The propriety of legislative interference is likewise admitted, though we do not see that any definite measure has as yet been proposed on the subject. The late Mr. Harrington, when a member of the Supreme Council, proposed a Regulation for the protection of the Ryots. It was drafted and circulated for consideration. On perusing the document, a number of able judicial functionaries were pleased to express apprehensions as to its inconsistency with the terms of the permanent settlement. It failed therefore to receive the impress of authority, and was quietly shelved. We are not aware of any further attention having been since directed to the subject. Among those who differed from Mr. Harrington was Mr. Alexander Ross. Though a Benthamite in his views, and a "Friend of India"—anxious at all times to do what was just and right, he maintained a doctrine to which we can never subscribe. It was "that the Ryots in Bengal have no rights, and never had any!" We need not recapitulate what we have already said on this point. Suffice it to say that if the ancient laws, history, and practice be consulted, such a dogma can never be maintained. The result of the non-ascertainment of the Ryotti jumma, is that any

Zemindar, Talúkdar, Putnidar, or Kotkinadar, can raise the rent of the Ryots, if they do not hold Pottahs, or if the Pottahs be *miadi*. When the Ryots do not submit to the enhanced jumma, the course left to the imposer of it is simple. He institutes a suit for the increase of jumma; and the evidence of two or three witnesses, who can be easily purchased, will substantiate that the rate paid by the defendant is under the *mathar* (local rate) and secure a verdict against him. No argumentation—no contention on the part of the Ryot, that the land, if it ought to be assessed at a higher jumma, owes its improvement to his labor and capital, or that he has been holding it at that rate for many years, will alter the aspect of the question. What a serious drawback this is against the improvement of land and the security of property! It is well known that Pottahs and Kobúleats are not in every case exchanged, although stringent regulations have been enacted for the purpose. And there is therefore no difficulty in the imposition of higher jummas, in the absence of Pottahs, or after the expiration of the period stipulated by them. This observation is applicable to estates which do not change hands. The Ryots of those which are sold for arrears of revenue, suffer greater hardship, owing to the idea of *property* being associated with *purchase*. The auction purchaser of an estate is considered as its *de facto* and *de jure* proprietor, and he, in consequence, not only imposes new rates upon his Ryots, but arbitrarily ousts them whenever he likes. He claims this as his right, and it has been recognised by courts of justice. The Ryots, to quote the evidence of Mr. Mill given before the Select Committee in 1830, "are mere tenants at will of the Zemindars in the permanently settled Provinces." Their rights, as affected by the sale of the estates to which they belonged, had been inquired into. The reports obtained from the Judges and Collectors, were marked by diversity of sentiment. But it was found and admitted by the Bengal Government, "that the rights of the Ryots in Bengal under the operation of the Permanent Settlement, had passed away *sub silentio*." There has been no modification in the powers exercised by auction purchasers. They now receive estates free from all incumbrances, and the engagements of former proprietors are not entirely binding on them. The tenures excepted from the increase of jumma are such as are not held by the majority of the Ryots, and they do not therefore benefit by the exception.* Even those which are excepted, cannot always be safe; as the conditions annexed

* Vide Acts XII. of 1841 and I. of 1845.

to them may at any time be shown otherwise than what they ought to be. The Nilamdars are also known to cause new surveys to be made of the Zemindaris. Although there are Ryots who hold *toufir* lands for which no rent is paid, and to whom a survey is a subject of dread, yet the manner in which it is carried on, cannot but be hurtful to the rights of many. The fraud practised in this respect has been so great, that "Ryots have been known to consent to the doubling of their rates upon a stipulation for a fair measurement." The consequence from such a state of insecurity is that the embarkation of capital in the improvement of land is prevented, agriculture discouraged, Ryots oppressed, and their degraded condition perpetuated.

The father of the Permanent Settlement never intended that the Zemindars should increase their rents; for in his minute, dated 3rd February 1790, he says, "Whoever cultivates the land, the Zemindar *can receive no more than the established rent.* To permit him to dispossess one cultivator for the sole purpose of giving the land to another, would be vesting him with a power to commit a wanton act of oppression:" and in the very face of this minute—in defiance of the opinions strongly expressed by officers who spent years in this country—in utter violation of the principles of justice, the purchasers of Zemindaris are allowed to exercise an authority which they cannot claim upon any ground of right, and which is productive of most mischievous consequences to the rural community. To those who are familiar with Mofussil scenes, this remark will recall many of them to their remembrance. The Ryot who lives to day in the enjoyment of his home and hearth—busied in thoughts of his harvest and granary, his cattle and ploughs, his wife and children, may be in the very same week, deprived of all. He rises next morning to attend to the economy of his *Khet,* and is thunder-struck with the notice of the *Nilamdar* demanding an increase of rent with the alternative of ejection. No plea, however grounded upon prescriptive right, will extricate him from the difficulty. He is dragged before the Nilamdar, who harangues on the justness of his claim as the lord of the whole estate, and on the impropriety of hesitation to comply with his demand. The companions of the Nilamdar, sitting around to fawn and flatter his vanity, of course nod assent. The Naibs and Gomastas exhaust threats and abuses, in which they are often joined by the Nilamdar. If the Ryot submit to the demand, he is required to execute a Kobúleat, and here the curtain drops. In the event of his hesitating to do so, he has to suffer the rigor and abuse of Regulation V.

of 1812. The notice of distress is often not stuck at his house and the *Forosh Amin* is bred to make the sale a *sudden affair:* on the appointed day, the Paiks, Munduls, Gomastas, headed by the Forosh Amín, surround the Ryots' house with *dhols* beating at intervals. The villagers congregate, muttering among themselves, "this is the fate of friend ————for non-compliance with the Nilamdar's demand; we must not incur his displeasure by following such a course. He is rich, we are poor, what can we do?" The Forosh Amín, who in nine cases out of ten is a creature of the Nilamdar, commences the proceedings of the day. The goods and chattels are sold, and the proceeds handed over to the Nilamdar. If the sum realized by the sale, falls short of the claim, and the Ryot be a proprietor or Mokaroridar, his land or tenure is eventually sold; and he is thus reduced to a state of beggary.

It is now high time that measures should be adopted for limiting the rates of rent paid by the Ryots. This is what justice and humanity require. The welfare of a vast population, who form the very sinews of a country, is its direct and positive welfare. Promote their well-being, and the well-being of the country is promoted. In urging this point, we need scarcely have recourse to any demonstration. It is self-evident, and possesses axiomatic cogency. Now the question is, what measures ought to be taken for the attainment of this end. The establishment of a *nerik bundi,* or the correct ascertainment of the maximum and minimum rates of rent of every description of land, according to its qualities, in every village, is a great desideratum. But the institution of such a statistical inquiry is attended with great delay and expense. And it is to be doubted whether the object will be fully attained by such a course. Detailed and minute surveys have, in several parts of India, proved failures. They "tend rather to increase than diminish the irregularities of assessment," and the "safest guide in fixing the assessment, is the actual produce and collection of former years." The procedure therefore is simple. The existing rates of rent of every field, unless complained of as being high by the Ryot, or low by the Zemindar, should be declared fixed for 20 or 30 years. In cases where such complaints are preferred, they should be adjudicated on the spot, and the correct rate ascertained. Although the rent now paid is generally high; yet it is better that it should be permanently limited, than left undefined and open to arbitrary increase. In some places it is really exorbitant, and ought to be reduced. Rammohun Roy says "I regret

to say that in some parts of these provinces, the rent is already raised so high, that even an interdict against further increase cannot afford the Ryots (cultivators) any relief or comfort; consequently the Government might endeavour to raise part of its revenue by taxes on luxuries, and such articles of use and consumption as are not necessaries of life, and make a proportionate deduction in the rents of the cultivators and in the revenues of the *Zamindars* to whom the lands belong." The adjustment of the *nerik* ought to be effected by a respectable class of officers, such as Deputy Collectors. The imposition of such a task upon uneducated and unprincipled functionaries, as Amíns, will be a regular "pound-foolish and penny-wise" measure, and they by their proceedings, in which they will be mainly guided by motives of self-interest, will make bad worse. The instruction which ought to be impressed upon the settlement officers is, that in cases where sufficient data are wanting, it will be better "to err on the side of lenity." Over-assessment is a great *incubus* and bane to improvement. In the directions for settlement officers promulgated under the authority of the Lieutenant Governor, it is very justly inculcated that "over-assessment discourages the people and demoralizes them, by driving them to unworthy shifts and expedients; and it also prevents the accumulation of capital, and dries up the resources of the country. Viewing the question simply in a financial light, an assessment which presses hard upon the people, is most injurious. It checks the population, affects the Police, and is felt in the excise, in the stamps and in the customs. It is evident that the prosperity of the people, and the best interests of the Government, are inseparably bound up together."

The unsettlement of the rent paid by the Ryot is not the only grievance under which he labors. This no doubt materially detracts from his security in the enjoyment of property, and necessarily prevents that undivided and hearty application to the improvement of the land which would otherwise be given. But there is another evil in the Zemindari system of an equally, if not of a more, serious nature, operating prejudicially on rural interests. The evil we allude to, is the imposition of cesses or abwabs by the Zemindars upon the Ryots. This practice, if it at all existed under the Hindu administration, was carried on to so small an extent that its operation appears to have met with no notice. But after the sovereign power was grasped by the followers of Mahommed, the practice of exacting cesses gradually grew and strengthened with the growth and strength of modern oppression. The emperor imposed abwabs upon the

Subadars, the Subadars upon the Zemindar Talúkdars, the Zemindar Talúkdars upon the district Zemindars, the district Zemindars upon the village Zemindars, and the village Zemindars upon the Ryots. And it is the Ryots, and the Ryots alone, who suffer most from the hydraulic press of exaction. What Governor Verelst said in 1769, regarding the Bengal Ryot, is fully applicable to his present state, "The truth," says he, "cannot be doubted, that the poor and industrious is taxed by the Zemindar or collector for every extravagance that avarice, ambition, pride, vanity or other intemperance may lead him to, over and above what is generally deemed the establishmd rate of his rent. If he is to be married, a child born, honors conferred, luxury indulged; Nuzzuranas (presents) or fines are exacted; even for his own misconduct, all must be paid by the Ryot: and what heightens the distressful scene, the more opulent, who can better obtain redress for imposition, escape, while the weaker are obliged to submit." After the conclusion of the Permanent Settlement it was enacted that all cesses should be revised and consolidated in the engagements to be entered into by the Ryots, and no additional abwabs* imposed, under a penalty of three times the amount. But the enactment has been a dead letter. The Zemindars impose any abwabs they please. The practice of making exactions from the Ryot by the Zemindar and his Amlas, had become so great that the Judges and Magistrates were called on in 1809 to report on the state of their respective districts. The account given by them clearly demonstrated that the Ryot was in an unprotected and helpless condition. The instances were numerous, and the imposition of cesses had established and enlarged itself as a *system*—indestructible and strong, and impregnable as an "adamantine rock." The abwabs are imposed in very many forms, all depending upon the will of the Zemindar. In some places, they are paid in kind. On the occasions of certain festivals and ceremonies, calls are made upon the whole industrial community. The milkman gives his milk; the oilman his oil; the weaver his clothes; the confectioner his sweetmeats; the fisherman his fish; and in fact every craft has to bear the pressure more or less. Those who are respectable escape. They often cannot be taxed, but not so the poorer class. They must pay in kind or specie whenever they are ordered. Dr. Buchanan, in his Eastern India, says that in Púrnya these illegal charges "raise the rents three-tenths

* We believe the sewai collections such as Julkar, Boneka, Julkar, &c. are excepted.

GOVERNMENT MADRAS No. C. 579 LIBRARY

more than the engagement," and that the Hakimi price (paid by Zemindars, &c.) for almost every thing, is much less than the amount paid by the Grihasta. Mr. Piddington, in his reply to the queries circulated by the Sudar Board of Revenue says, "I fear to be discredited when I state that from 20 to 40 per cent. on the actual jummabundi (Regal Lent) is yearly extorted from the poor Ryot." The abwabs are not in all places collected with reference to the rental. In some places they amount to one-sixteenth, in some places one-eighth, in some places one-fourth, in some places half, in some places they come up fully to, and in some exceed the jumma! In some places they may be less than one-sixteenth. The leading abwabs are (1) *Talubsúd* or interest on the rents over due, (2) *Salami* or fine paid for every Pottah, and on the occasion of *Púnjaha* or the first day of collection, (3) *Mangun* or contribution for defraying expense of a festival, sradha, marriage, &c., (4) *Mathút* for meeting the expense of embankments and bribing Darogahs, &c. (5) *Chout*, one-fourth of the consideration money of the land for effecting the transfer of name in the Zemindari records, (6) *Maracha* tax upon every marriage, (7) *Bhatti* paid by the parents, &c. of the bridegroom, (8) *Baja Adya* for committing improper acts, such as affrays, carrying on criminal intercourse, causing abortions, &c. (9) *Ghorsi Mangun* or contribution from the under tenants, (10) *Dhúlut* paid by parties who make purchases in the Zemindari. The Zemindars take cognizance of civil and criminal cases in their Zemindaris, although prohibited by law, and exercise the powers of judges and magistrates. The Ryots submit to their decision in consequence of the inefficacy of the judiciary institutions, and the great expense and trouble in resorting to them. The Zemindars are said to be more lenient in the impositions of the abwabs, then the Putnidars and the Kotkinadars or their respective successive grades who show no leniency. Whether the Ryots are well off or not, is no object with them. They must screw what they can. They feel no interest in the improvement of the Zemindari.

In Bengal the purchase of a Zemindari is a sort of speculation, and looked upon as the goose giving golden eggs every day. It must either be farmed at a good profit, or placed in the charge of a collector who becomes the de facto Zemindar. Few, very few Zemindars, reside in their Zemindaris. Some of them spend their days and nights in their closets, doing actually nothing in the world. Some live in this city in the capacity of banians to mercantile adventurers, to whom they advance thousands and lakhs of rupees. These gentlemen cease not to

heap upon their *Saheb* adulatory expressions. They do not attentively observe how the Saheb spends their money—how much he makes—how much he consumes,—how much he accumulates. Extravagance and luxury, are daily practised at their cost—their claim swells out at last to a large sum, but only upon paper; and they have then the misfortune to see their names in the schedule. They then go to an attorney, who hears the often told tale. The narration is closed. He sinks into his easy chair to cogitate. He opens his eyes and says "I do not see any remedy—you must prove fraud if you oppose." The parties seeking this advice find themselves *lachar* and "homeward plod their weary way," while the Saheb goes through certain forms, and is "discharged." He again wants a banian and performs scene second of his first act. There are some Zemindars who are fond of connecting themselves with civilians, and lend them any sums of money they require. They study to please them. They hesitate not to take off their shoes, to bend and attitudinize themselves, to fold their hands and clothe their address in a flourish of *orientalisms*. They aim at serving the civilians, so as to render them instrumental in the promotion of their interests. Such is the way in which the Zemindars make themselves aliens to the internal economy of their Zemindaries. Ask them questions as to the agricultural, manufacturing, or fiscal statistics of their estates, and the answer is sure to be that their naibs know every thing about the matter: It is to be questioned whether they even minutely look into the accounts rendered by their collectors. They are fond of ease, and are not at all times accessible to their Ryots. If petitions complaining of, or praying for, any thing be presented with *nuzzuranas*, they are not seldom referred to the Dewan, the head officer of the house, who participates in the gains of the naib, and disposes of the matter as he feels influenced.

In every Zemindari there is a naib or head-collector, generally in the receipt of 6 to 16 Rs. a month. In large Zemindaris the emolument allowed is greater. The naib is generally a man of narrow and limited ideas. His proficiency consists in a thorough knowledge of revenue accounts, and in rustic eloquence, so necessary for the purposes of collection. He exacts a *hisabana* or perquisite for adjusting accounts annually at so much on every rupee he collects—say six pie to one anna. He also takes a share of the abwabs levied for settling disputes, licencing marriages, shradhs, hushing up abortions, making kharaj dakhil, &c. A Zemindari is generally divided into *chucks*. Those which are far from the *Kachárbari*, where the naib resides, are in the charge of gomastas who are subor-

dinate to him. They receive from three to six Rupees per month, and take similar perquisites and abwabs from the Ryots of the *chuks* forming their jurisdiction. They pay a certain sum annually to the naib and sometimes share with him in *bajaadya*. The Paiks, or the collecting peons sent to summon defaulting Ryots, charge them three or four annas per day. In some Zemindaris the Paiks are remunerated by such *Tulubana*, amounting to 2 or 3 Rs. a month, and get nothing from the Zemindar. In addition to these abwabs, the Naibs, Gomastas, and Paiks often take from the Ryots any articles they can get hold of, whether growing in the Khet, or on the thatch,—whether prepared at home or caught from the pond. There is a degree of awe in the demand of a Zemindari Amla. If it is once made, compliance must follow almost with the rapidity of lightning, or it will prove "a direful spring of woes unnumbered." The practice of taking abwabs, pervades the whole frame of the Zemindari system. In giving sunuds, or orders of appointment, the Zemindars take a salami from the Naib, and the Naib from the Gomastas. On the occasion of the Dúrga Púja, the Naib and Gomastas pay a certain *parbani* to the Zemindar and to the officers and servants of his house. These are known practises, but they tell sadly on the comfort and well being of the Ryots. It was stated in 1830 in parliamentary evidence, that one-third of Bengal was in a cultivated, one-third in an uncultivated, and one-third in an intermediate state. Cultivation may have since increased, but it is to be attributed more to the exertions of the Ryots than those of the Zemindars. If the Ryots had not been oppressed, wrung and ground down, many a jungle now teeming with ferocious beasts would have been converted into a scene of smiling plenty, and the country would have gained in prosperity and happiness.

The grievances under which the Ryot labors do not solely and wholly arise from the Zemindari institutions. He is often harassed and oppressed by Indigo Planters and always by Police men. We have before us a vast mass of materials as to the relations that subsist between the Indigo Planters and the Ryots. These we had intended to include in this article; but the whole subject is so large, and withal so important, that we reserve it for full and separate treatment, which we intend ere long to give it. As for the oppression endured by the Ryots in consequence of the imperfect system of police, the subject has been so fully treated of in previous numbers, that we have only to refer the reader to the article on "the Rural population of Bengal" in No. I., and that on the "Administration of Criminal Justice" in No. XI., in which he will find enough to awaken or deepen his sympathy on behalf of the suffering ryot.

In respect to the administration of civil justice, there has been some improvement. The comprehensive mind of Bentinck distinctly saw that the interests of the country would be promoted by the employment of efficient native agency. In coming to this determination, he had not only the welfare of the people at his heart, but perceived clearly by the force of rational evidence that the natives, in point of local knowledge and that of their own languages, must be superior to any foreigners. He hesitated not to give effect to his determination: for in 1831, he created the offices of Munsiffs, Sudar Amíns, and Principal Sudar Amíns. And the result of the experiment, if not very brilliant, yet sufficed to demonstrate the justness of Lord William's views, and the sound principles on which they are founded. That the natives are capable of becoming efficient in the discharge of their judicial functions, is now an universally admitted fact. They are, in some respects, specially useful. The people feel no hesitation in approaching them, and making their representations with that freedom of speech which can scarcely be allowed in the court of a covenanted civilian. The native judges require no aid to penetrate into the state of things, or to understand the language of the parties. The poorer classes tremble to appear before covenanted officers, who, in consequence of their being foreigners, must be more or less guided by the amlas, whose miserably poor allowance tempts them almost always to support the party who bribes them most, while their half smothered consciences make no effectual resistance. In the list of those who advocated the employment of native agency, the names of Metcalfe, Munro, Malcolm, Elphinstone, Rickards, Strachey, Shore, Ross, and a host of illustrious persons will be found. The reports of the highest appellate courts here and at Allahabad bear concurrent testimony. The Sudar Dewani Adálat and the Bengal Government have gone so far as to pronounce Principal Sudar Amíns superior, for ordinary purposes, to district judges. And in the face of such powerful evidence, and in apparent defiance of a clause of the last charter, it is to be deeply regretted that there should still be a restriction on the farther promotion of native judges. If the interests of the country are to be served, the line of demarcation which now exists between the covenanted and the uncovenanted, must be *gradually* broken down, as properly qualified candidates increase in number. The people of India cannot form a high opinion of the *sincerity* of their enlightened rulers, with respect to their determination and decision

in carrying out what they profess, if there be not a steady onward progression. The question of giving effect to the 87th section of the last charter has been more than once mooted by Mr. Sullivan at the Court of Proprietors of the East India Stock; and his arguments were invincible—equity, economy and the good of India. But nothing decisive has been done. While we hope the intelligent community of this country will not lose sight of the subject, and continue to urge on the authorities in England the propriety of giving full ultimate effect to the above section,—we hope, at the same time, that the respectable natives of this land will not forget, that a rapid increase in the number of those who prove themselves qualified alike by intelligence, integrity, and moral character, will be one of the surest means of accelerating the period of the desired consummation.

The appointment and multiplication of native judges and collectors at liberal salaries, and the gradual increase of their original and appellate jurisdiction, are calculated to further the cause of justice. But this is not the only means of making the way to the recovery of right and redress of wrong unclogged and smooth. The emoluments of the ministerial officers should be raised, and the procedure so revised and simplified as not to allow the opprobrium of "law's delay" being attached to any court. The stamp duty on judicial proceedings should be entirely abolished. The mischievousness of such taxes is no longer disputed. When the powerful "Protest" of Jeremy Bentham appeared, it overwhelmed the mind of Pitt with the conviction that law-taxes were detrimental to the dispensation of justice; and the consequence was that they were abolished. That the stamp duty on law papers is more prejudicial in its effects to the good and poor than to the wicked and rich, or to quote the words of a political economist, "a tax upon justice and therefore a premium upon injustice," can be easily understood. Litigation, or in other words, frivolous and vexatious suits, instead of being checked, are promoted by such taxes; and the poorer classes are shut out from the door of justice. We are glad to find that law taxes have already met with the attention of the high authorities here. And we now hope that they will be done away with—more especially as this advantage has been given to native officers and soldiers by Act 15. of 1845. The law commissioners in their letter to the Board of Customs, Salt and Opium, dated 22nd April 1836, say "the Commissioners entertain great objections to the imposition of stamp duties upon legal proceedings." Mr. A. Ross, in his minute, dated 14th September 1837, speaking of a draft act relative to stamp duty, expresses himself as follows:—"This section continues the stamp duties on law papers and on judicial proceedings. I have already, on more than one occasion, recorded my opinion against such duties; and I repeat that I think them objectionable, as being calculated to prevent the due administration of justice—and consequently to retard the improvement of the country by discouraging the outlay of capital." The opinion expressed by Earl Auckland is also deserving of notice. "These stamps," (meaning judicial stamps) says his Lordship, "appear to me to be wrong, as every thing must be which impedes the operation of the law, and makes the redress of injury and the attainment of right costly and difficult."

The net revenue arising from stamp duties in 1839-40 is 1,988,807 Rs. Perhaps half of this amount arises from the imposition of the tax upon legal proceedings. If asking for the abolition of this tax, the question naturally put is, how is the loss to be compensated? Our answer is, that, as in the ancient Hindu judicial practice, a certian fine should be imposed upon the party cast, and that it should be realized in a summary way. The only objection is, that in certain cases Government may not be able to realize this fine; but this is equally applicable to suitors in whose favor decrees are given. The non-realization of costs is to them a greater hardship, because it is superadded to the trouble and the injury they have already suffered. It there be any loss, which under efficient management can rarely occur, it is better that it should be borne by Government than by private individuals.

The object of enacting Regulations 7 of 1799, and 5 of 1812, commonly called Huftam and Punjam Regulations, is to enable the Zemindar to realize his rents from the defaulting Ryots in a summary way, that he may sustain no inconvenience in the payment of his malguzari to Government. But, like every thing else, they have their abuses; and have been rendered instruments of great oppression to the peasantry. The abuses arise in great measure from the character of the Zemindars and the Indigo Planters who take putnis and ijarahs, and the machinery employed for enforcing the regulations in question. It appears to us that these abuses will in a great measure be checked, if the collectors be strict and vigilant in the performance of their duties, and the *Forosh* Amins employed in selling distrained goods be a better class of men. On the institution of a huftam suit no order ought to be passed for the apprehension of the defendant, unless the claim is supported by sufficient *prima facie* evidence.

A mere *ipse dixit* of a Zemindar or Planter, unaccompanied with a kobúleat, or other proof of the defendant's not having paid his rent, ought not to be the ground for ordering his apprehension. The *forosh* Amíns receive one anna in every rupee. They are generally men of low character and collude with the Zemindars in harassing the Ryots. A better class of men will put an end to such mal-practices.

The difficulties and drawbacks against the amelioration of the condition of the Ryot are really great. The radically wrong basis of the permanent settlement—the grinding consequence of the sub-letting system, and uncertainty of the tenure arising from the unadjustment of the *nerik*—the pernicious effect of the *mahajani* system—the imposition of the Zemindari and Náibi abwabs—the oppression of the Zemindar or his agent—the extortions of the executive Police—the too general inefficiency and apathy of the administrative authorities—the venality of the ministerial officers—the defectiveness of the adjective law—the bad influence of taxes upon legal proceedings,—the abuses of the Huftam and Panjam Regulations, and the tyranny of many Indigo Planters* are calculated to perpetuate the degraded condition of the rural population. To whatever part of Bengal we may go, the Ryot will be found, to use the language of the Court of Directors, "to live all his days on rice, and to go covered with a slight cotton cloth." The profits which he makes are consumed in some way or other. The demands upon him are almost endless, and he must meet them one by one. This prevents the creation of capital, and prolongs the longevity of the Mahajani system. The districts of Bengal are noted for fertility and exuberance of crops; and if the Ryots could enjoy freedom and security, the country would exhibit a cheering spectacle. But their present condition is miserable, and appears to rouse no fellow feeling, no sympathy, in those by whom they are surrounded. The monthly expense of a Ryot is 1-8 to 3 rupees; and if he has a family, it must be proportionately higher. We do not believe that there are in all the districts five in every hundred, whose *whole* annual profits exceed one hundred rupees! The majority constitute the *nataican* class.

In many instances the earnings of a Ryot are not sufficient for his family; and his wife and sons are obliged to betake themselves to some pursuit, and assist him with all they can get. He lives generally upon coarse rice and dholl; vegetables and fish would be luxuries. His dress consists of a bit

* As this subject has been alluded to, it has been included in this summary.

of rag and a slender chudder; his bed is composed of a coarse mat and a pillow; his habitation, a thatched roof, and his property, a plough, two bullocks, one or two lotahs and some *bijdhan*. He toils "from morn to noon, from noon to dewy eve;" and despite this he is a haggard, poverty-smitten, wretched creature. This is no exaggeration; even in ordinary seasons, and under ordinary circumstances, the Ryots may often be seen "fasting for days and nights for want of food."

The inability of the Ryot to better his degraded condition, in which he has been placed by the causes we have named, is increased by his mental debasement. Unprotected, harassed and oppressed, he has been precluded from the genial rays of intellectuality. His mind is veiled in a thick gloom of ignorance. Few—very few, possess a *written* smattering of the Bengalí or Persian, and the knowledge which the larger proportion may boast of, consists in the ability to read *Kobojes*. It is lamentable to behold this long reign of ignorance in Pergunnahs inhabited by thousands and hundreds of thousands of human beings; it is painful to reflect that the causes contributing to their brutalization have been allowed to exist; it is humiliating to think that the community whose land and labor replenish the exechequer of the State, have been so neglected. When we recal to our mind the state of the agricultural community—when we portray to ourselves the causes and effects of their condition—when we consider that one of the principal causes of their misery is *ignorance*,—when we reflect on these, and then on the recent educational order of Lord Hardinge—we allude to the establishment of one hundred and one vernacular schools,—how grateful we feel for this harbinger of brighter days! How pleasing it is to think that the noble lord now at the helm of the Government is anxious to promote education in the interior, with the avowed object of bettering the condition of the rural population.* The glory acquired by military exploits sheds on the achiever no ordinary renown; the lofty magnanimity of the soldier excites applause and admiration. He marches and fights at the cannon's mouth. The valor and intrepidity which he displays, and the trophies and victories which he wins, bring laurels to his brows, and

* In a letter from the Bengal Government, No. 107, dated 5th February 1845, to the Bengal British India Society, it is stated "His excellency fully concurs in the view which the Society have taken as to the main causes of the present depressed state of the agricultural population; and will be mainly guided by the result of the experiment, now in progress, in determining upon the propriety of soliciting the Supreme Government for further aid, in prosecution of a plan calculated, his excellency believes, effectually to promote the object which the Society has in view."

brighten his name with the halo of heroism. But the glory achieved by those who advance the *moral dominion of God*, dazzles and eclipses all earthly honors. It is imperishable and everlasting. With the qualities, which Lord Hardinge possesses, of a soldier, he appears to combine the virtues of the promoter of peace and happiness. The stress which he places on education is great. And we shall rejoice to see his views and intentions carried out in a more liberal and enlightened manner than they have hitherto been.

It is our belief that in districts far from this city, the Ryots possess greater simplicity and good nature than those in its neighborhood. In places contiguous to the city they appear to have acquired many vices. The complaints made against them are that they forge Kobojes, break their agreements with Indigo planters, evade payment of Khajana, and make *Dharma Ghut* or combine *en masse* not to pay rent to the Zemindar, who in consequence is necessitated to institute against every one of them *huftam* or *panjam* suits, which entails on him delay and expense, and obliges him to raise money from other sources for the payment of his malgùzari to Government. This leads to continued wrangling and fighting between them and the Zemindar, who, in such cases, often brings false suits against the leading members of the *Dharma Ghut*, and is incited to make an example of them by any means he can think of. Some of the Zemindars have forgers at their command, and on such occasions the services of those skilful men are sure to be at a high premium. As for witnesses, they are "multitudinous as the leaves of Vallambrosa," so that one rupee a head is almost a fixed price. The court Amlas receive parvanis or annual presents from the Zemindar; and special fees in such cases are and must be the sure means of ensuing triumph over the opposite party. And, with such an amount of armory and ammunition, the Zemindar will, in nine cases out of ten, obtain the verdict, despite the sagacity of the judges, who must form opinions from what is *judicially* before them. When the cases are tried on appeal by European Judges, the Amlas are of course not put to much trouble on account of the Zemindar. A few words, and the decree is affirmed,—the party cast or his Vakíl buckles on his armour, and exclaiming *Dohaye Saheb—Dohaye Saheb*, endeavours to address again with folded hands. *Bus,—bus—ho choka*, says the Saheb. The chorus of Amlas cry out—"what have you to say?—the decision has been very just." And the Vakíl of the victorious party, thrilling with anticipations of *baksis*, plays his part by saying to the Saheb, "*may you be the Governor—you are distributing justice like Nowsharoah.*" There

are some Zemindars to whom a *Dharma Ghut* may be a source of ruin. They have neither the means of paying *mulyúzari* to Government, nor the power to make an example of their wicked Ryots in a *proper* way. The Ryots who make *Dharma Ghut*, or who are wickedly disposed, institute false criminal prosecutions against the Zemindars or their *Gomastas* to evade payment of *khajana* and put them to annoyance. Some of them appear as prosecutors, and some as witnesses, and thus they succeed in harassing the Zemindars. There are other ways in which the Zemindars are put to trouble and expense. A Ryot is summoned for the payment of his rent. If he do not pay the instalment due by him, he is generally detained at the Kacheri under the impression that he has with him the money, which he does not wish to part with easily, or that the money will be sent by his family. It is said that the Ryots, unless harshly treated, do not always pay their rent; and we believe this is sadly true in some instances. In the event of a Ryot being detained at the Kacheri, his relatives apply to the Darogah for his liberation. The Darogah, on the receipt of such an application, sends one of his underlings to the Kacheri and apprehends the Amlas; collection is thus suspended. Other wicked persons are emboldened to pursue the same line of conduct, to put off or evade payment of rent, and the Zemindar is put to some trouble. He must bribe the Darogah, or fight his battle in the Magistrate's Court. The practice of braving the Zemindars, and defrauding them of their just dues under the cloak of religion is wearing away, if indeed it ever existed to any considerable extent. At one time, it was said that some wicked and illiterate Ryots, thinking that their connection with the missionaries would raise their influence, and enable them to make it the means of their subsistence, flocked to be admitted into the *mandali*. Although the precepts which they heard, inculcated *love to God* and *love to man*, yet those whose intentions were not honest carried on practices of a diametrically opposite nature. They not only invaded and violated the rights of others, but plundered them in broad day light. These mal-practices of the *bhayi-lok*, if they ever existed, have been completely, or all but completely, checked. Of those who have embraced the Christian religion there are some who, although not enlightened or large minded, lead a good and peaceful life, and are well spoken of.

Such are the grievances under which the Zemindars are said to labor. The plea of some of them, is, that they are forced to pursue the line of conduct they now do, in consequence of the wickedness of their Ryots; whom nothing but coercion can

keep in order. This may be true in some instances. It cannot be expected that the Ryots, unlettered and unenlightened as they are, will in every part of the country maintain at all times a right and just behaviour. But this can be no justification for the exercise of oppression over them. If they are dishonest and wicked, why not have recourse to law for their punishment? If there is any dilatoriness in obtaining redress, why not petition for the simplification of the procedure? A continued warfare is the bane of all improvement. Litigation is the last step that ought to be resorted to. Rebellion, checked by lawful chastisement, cannot last long, if the causes of dissatisfaction be removed. The cultivation of amity is of the highest importance. To live in peace is to live in glory.

The lamentable state of things obtaining in the mofussil, detrimental as it is to the agricultural, intellectual and moral improvement of the country, is chiefly ascribable to the ignorance of their duties and interests on the part of the Zemindars and Ryots, the inefficiency of the Police and Judiciary institutions. The evils we have adverted to are of a crying nature, and imperatively need reform. The colossal fabric of wickedness, misery and degradation, has been rearing itself for years in this benighted land. Its hoary antiquity and gigantic dimensions ought not to be allowed to defy the application of measures calculated to effect its subversion. The force required for the purpose must not be expected from one source. It is not by a single agency that such a work can be effectuated; and the exertions should be strenuous—combined—simultaneous—unceasing. We require the aid of legislation—the panacea of education—and the steady, cordial and influential co-operation of a sympathising and generous community. Although the errors which were committed in the early part of the British administration, and which seriously affected the rights of the ryots, cannot now be remedied, yet means are not altogether wanting for the amelioration of their condition. We have reason to hope that we have in Lord Hardinge a warm friend of improvement; and sympathy for the sufferings of the Bengal peasantry is growing warm here and in England. We therefore venture to submit for the consideration of Government the following remedial measures.

The Putni and all systems of subdivision and rack-renting, which are so palpably and confessedly injurious to agricultural interests, ought to be done away with. The Government is in no way pledged to allow their continuance.

The *nerik* question ought no longer to be left unsettled. By the agency of educated natives as Deputy Collectors, let

the existing rates obtaining in different districts and pergunnahs be revised and settled in perpetuity. In all places where the rent is high, it ought to be rendered light; and this cannot be an infringement on the Permanent Settlement, the object of which is to limit the malgúzari paid by the Zemindars. The execution of this work is no doubt attended with great difficulty, but it cannot be unfeasible if honest and intelligent agency be employed. The litigation and mischief which have resulted from the unsettlement of the rate of rent payable by the Ryot to the Zemindar have been great. The settlement of it, even now, will prove a blessing. It will afford greater security to the Ryot, and enlarge the sphere of his exertions. The powers of auction-purchasers ought to be abridged. They ought not to be allowed to increase the rents and eject those who are not tenants at will. Ryots whether Khodkhasta or Paikhasta, holding lands for a certain number of years, ought to be protected. Many Ryots take pottahs for a limited period in the first instance, with the view to have them converted into *Mourosi* after they have acquired the means of cultivation. What security can they have in making any outlay, if they are liable to ejectment on the sale of the Zemindari? Many of the Zemindars become intentionally defaulters, and are *benami* purchasers of their Zemindaris with the view of increasing the jumma of their Ryots.

The rules prohibitory of the imposition of abwabs ought to be rigorously enforced. There are some Zemindars who collect them as *rent*.

Means should be taken for the establishment of village registry offices, and facilities afforded for the registration of pottahs and kobúleats in those offices. The exchange of those instruments should be made obligatory.

In large Indigo districts there ought to be several Deputy Magistrates. Their jurisdiction ought to be limited, that they may be able to exercise strict and efficient supervision over the thanadari and choukídari establishments. It should be their duty to make annual circuits in every village, and institute searching inquiries as to the state of watch and ward, the efficiency and conduct of policemen, and the character of the different classes of people. The result of this investigation ought to be embodied in annual Reports to the Superintendant of Police, with such suggestions as may be necessary for the removal of the evils that may be found.

The system of Punchayats might be resuscitated in every village. This is a useful institution; and the people should be encouraged to refer all petty complaints for arbitration

to that tribunal. It is a great object to allow the poor people to enjoy the blessings of justice at their door. Time to them is livelihood; and they alone can feel the *loss* they suffer from journeying miles after miles to dance attendance at the Adálat for the adjudication of complaints of every description. The more all matters in dispute are settled by the established Punchayat, or by private arbifration, the better. Judiciary institutions, however efficient, tell seriously on their time. It is to be regretted that the ancient municipal corporation has been swept away or fallen into disuse. The Zemindars and Talúkdars now stand in the room of village and district chiefs. But there are now no village or district registers. The municipality has been dissólved, and the bond of fraternization which existed before, has been torn asunder. The system of land revenue has undergone so great a change, and exaction constitutes so prominent a feature of it, that it is questionable whether the revival of their institution, if practicable, will be attended with any good. The Munduls, instead of being the representatives of the people, will be their oppressors. It is the Zemindars alone who can prevent this oppression, and introduce self government. But there is no prospect of their doing so immediately, and thus bringing about the ancient system of revenue administration—so congenial with the habits of the people, and so beneficial to them in many respects. It is evident therefore that we want a better class of Zemindars.

The procedure of the civil and criminal courts ought to be simplified, that justice may be accessible to the poor with the least possible delay and expense. One great anomaly in Mofussil courts, is, that the evidence is not taken by the judicial officers themselves. It is of the highest importance that all witnesses should be examined in the presence of these functionaries, as a great deal depends upon the *manner* in which evidence is given. The Judges and Magistrates have now to decide from the evidence taken by their *Amlas* in the presence of Vakíls of both parties. There can be no question that the ends of justice will be better promoted by following a different procedure. There is not only no regularity or method when depositions are taken, owing to the absence of a presiding officer, but a great deal must be left unelicited. The *Jubanbundi* Amla is bribed by one party or other; and it is his interest to favor him most, from whom he has received most. His dexterity in giving a *twist* and *turn* to statements is well known, and is brought into play, despite the vigilance or clamorous protestations of the Vakíl of the party against whom he is armed. In connection with this subject we must again say that the miserable pittance allowed to ministerial officers is in no way sufficient to remove the temptation of being dishonest. To ask men to do the duties of the registrar, sheriff, accountant and treasurer, at salaries allowed to common sirkars, is but holding out a premium upon corruption. The writers who served in the days of Clive and Hastings, and in subsequent years, are known to have taken "diverse sums of money" as perquisites and douceurs. Those who held highest appointments were not excepted. But what is it that has brought about a reformation? Adequate remuneration and better control. If we wish for the same end, we ought to apply the same means.

The Law taxes ought to be abolished, and the party cast should be adjudged to pay the costs—discretion being of course left to the Judges.

There ought to be some caution and strictness in the enforcement of the Huftum and Punjam Regulations—that the abuses to which they are now liable may be prevented.

We repeat that we view with favour the recent *vernacular* educational movement. As the multiplication of vernacular schools will in a great measure depend upon the success of those which are being established, we think the experiment will be fairly made if provision be made for ensuring proper *inspection* as well as tuition. The collectors have so much to do that they can hardly be expected to supervise the schools. It is therefore necessary that all the vernacular schools should be placed under the superintendance of one or more inspectors possessing a thorough knowledge of the native languages. The appointment of such officers is so necessary for the success of the vernacular schools, that the expense ought not to be grudged. Supervision over Educational Institutions ought never to be made a secondary duty. It ought to be primary and conjoined with no other.

Speaking of vernacular education, we are reminded of another desideratum—the want of books. The Bengali literature is comparatively poor and uncultivated; with the exception of the writings of Bhárat Chandra, the literary courtier of Rajah Krishnachandra, and of the illustrious Rammohun Roy, there are hardly any books which can be held up as models of elegant composition. Whether the language is primitive or derivative, is a question which we are not disposed at this moment to discuss. But it is evident that it owes its improvement principally to the Sanskrit language. Although the number of Bengalí books is now greater than

it was some years ago, yet we do not think there is any department which has been rendered complete. Indeed the student is at a stand for books after he has gone through the elementary course. We trust that every encouragement will be held out to the publication of good Bengalí books. Nothing can be more desirable than conveying to the people of this country all the ideas that have a tendency to elevate the mind. This will promote the cause of popular instruction. The education of the Ryot and of the Zemindar ought to go on hand in hand. The Vernacular schools are intended for the former, and the English ones and Colleges are for the latter. The habit of the Bengalis in practising extravagance in Púja and Srádhas, and stinginess in the education of their children still continues. But the advantages of an English education are however appreciated. It is therefore an easy task now to have the sons of every Zemindar in Bengal educated in an English School or College. Indeed this is an object of which no local committee ought to lose sight. In all educational establishments prizes ought to be awarded for good conduct. In all schools and colleges instruction should be given in agriculture; a knowledge of this science is of great importance to every future Zemindar. It will enlarge his ideas, and put him in possession of means to do good to the country. The moral and physical aspect of his Zemindari will undergo a thorough change. He will protect his Ryots, diffuse information for their enlightenment, and hold out encouragements for improved methods of culture. He will "drain marshes, clear jungles, open mines, establish fisheries, improve the old and introduce new objects of culture, new instruments, new breeds of cattle." He will not only derive profit but pleasure from his pursuits—the pleasure of study—the pleasure of doing good to his fellow men, and the pleasure of serving his country. With the ideas of moral obligation and the love of science which will be instilled into his mind, it cannot be expected that he will tread in the footsteps of his fore-fathers, and look upon oppressive taxation as the end and object of his ambition. No—he will follow a different course. His sentiments, his feelings, his views, will be different. He will know where his happiness and the happiness of his fellow men are—their close connection, and how they should be promoted. A good moral and agricultural education is among the means of elevating the landed aristocracy, and rendering them instrumental in the improvement of the country.

These are some of the means which can be adopted by the ruling authorities. We know that the anxiety for bettering the condition of the rural class is increasing, and we entertain strong

hopes of seeing at least a movement for their cause at no distance of time. To the present class of Zemindars we should say:—It is your duty to protect your Ryots. You are more powerful and influential, and as a duty to your fellow men—to those who are committed to your care—you should at all times extend to them your helping hands. You are intellectual and moral beings, and accountable to the Creator for all your acts. You must see by the very constitution of our nature—by the analysis of what is within us—by the objects of all the faculties and feelings, that the whole system of creation is designed to be based upon benevolence. The happiness of one man is so linked with that of another, that the reciprocation of good is the most distinct and positive intention of the Lord of the Universe. We are born and destined to help and to do good to each other. Viewed in reference to this consideration, how painful your past career will appear! When you sit and catechise yourselves as to what you have done for your Ryots, how few there are that will feel the pleasure arising from the consciousness of having done their duty! But improvement, however late, is desirable. If you have any love of God; if you profess to interpret his works of creation, so eloquently speaking out his intentions,—do the duty which you owe to your fellow men. The protection of your Ryots is not only imperative on you by considerations of your duty, but also by those of your interest. The relation between you and them is close and intimate. If they are not oppressed—if they enjoy security in the fruits of their labor, if they are not unjustly taxed, they will be independent of the *mahajani* aid, and create a capital for their agricultural pursuits. This will lead to the diminution of crime; for thefts and robberies are generally committed by those who are denuded of all resources and have nothing to live upon. In estates where the sub-letting system obtains, and where the amount of oppression is great, crime is sure to be found on the increase. The enjoyment of peace and tranquillity consequent on the absence of oppression is not however the only consideration. When the ryots are well protected, they find it easier to pay your claims, even in bad seasons when there is a failure of crops, and when no indulgence is to be obtained from Government, in consequence of the nature of the Permanent Settlement. They must feel encouraged to lay out capital in the cultivation of waste lands and to the carrying out of improved modes of culture. The fields, the gardens and the meadows, will wear a smiling and enlivening aspect, and the theatre of every peasant's aspirations and exertions will be enlarged. The effects arising from the protection of the

peasantry—direct, indirect and collateral,—are innumerable. But they all tell on your welfare—the welfare of a vast population, and the welfare of the whole country. And when such is the case, will you still persevere in your unhappy career—blind to your interest and duty? Open your eyes and judge for yourselves. No king—no emperor who ruled with the iron rod of despotism could ever make himself dear to his people. What safety could such an one enjoy, whether he lived in the heart of his citadel or in the bosom of a powerful army? The ramparts of the fort, the thickness of the force, the glitter of arms and even the thundering peals of cannon could not afford that security which is to be found only in the *loyalty* of the subject. A Zemindari is in miniature a kingdom. And your endeavour ought to be to secure the good will and affection of your Ryots.* There are innumerable ways in which this end can be furthered. Let them, in the first instance, obtain protection and justice at your hands; protection, not only against the wrongs of your Amlas but also against the atrocities of Police men and Indigo Planters. Do away with the abwabs, which produce only temporary good, but permanent harm. Assist them in the creation of capital, in making embankments, bringing out improved systems of culture, and introducing the cultivation of remunerating articles. A plentiful crop is not only productive of benefit to them, but to you, in regard to the facility of collection, cultivation of waste lands, and advantageous purchase of the article for the purposes of trade. The more intelligent your Ryots are, the better for the Zemindars. They know then how to direct their labours most advantageously; and they understand their rights, obligations and responsibilities as men. Their education, considered in an enlarged point of view, is a matter of great importance to you. In fact the more you think, the more strongly must you feel convinced that your happiness, and the happiness of your Ryots, are identified with each other; and that if you seek for the one, you musk seek for the other. The promotion of your mistaken gratification at their expense is fraught with mischief. It is a violation of your duty and a sacrifice of your interest.

In order to apply to the legislature for aid from time to time, to impress on the Zemindars the necessity and utility of rendering their Ryots happy, and to enlighten the Ryots on the subject

* We have heard of more instances than one of the Ryots having, of their own accord, raised subscriptions among themselves, to extricate their Zemindars from pecuniary difficulties. This may be quoted as a proof of one of the beneficial effects of cultivating amity with the Ryots.

of their duties and obligations, there ought to be a body constituted for the purpose. The feeling of sympathy for the people of this country is growing and strengthening, here and elsewhere. Many a native gentleman residing in the Mofussil, will be glad to assist in the exposure of the grievances under which the Ryots labor. There is at present in Calcutta "an association of intelligent Natives and Europeans,"* instituted for ameliorating the condition of Lower Bengal. What the society here is in great need of, is the cordial co-operation of a number of well informed and well disposed Europeans and Natives, and a Corresponding Society in England. The Society thus reinforced might be rendered instrumental in the promotion of the happiness of the rural population. Those who will gather and stand firm to advance their interest—to penetrate deeply into the nature and depth of their grievances—to trace every effect to its cause—to subject every evil to the best possible remedy—those who, thus informed of the *exoterics* and *esoterics* of the Zemindari system, will carry on the work of reform—uninfluenced and undaunted—will not only have the approbation of their own consciences, but have the heart-felt blessings—of millions on millions living, and millions on millions unborn, heaped upon them. Ignorance and iniquity may for a time darken the dominion of God, but they must give way to the effulgence of knowledge and truth. Improvement is destined to roll on; and the causes interrupting its bright career, will not, cannot be perpetual. Such has been and will be the course of events. In the application and devotion of our heart and zeal to what ennobles man and extends the moral kingdom of God, we may feel assured that in every movement we make, every step that we take, we act, as it were, under providential direction:—

"Heaven's banner is o'er us."

The God of Providence smiles upon such efforts—we meet with tokens of his goodness and favour; and success sooner or later is certain.

* This expression, made use of by the Bengal Government, refers to the Bengal British India Society.

ART. II.—*The Life and Services of General Lord Harris, G. C. B. during his campaigns in America, the West Indies, and India. By the Right Hon. S. R. Lushington, Private Secretary to Lord Harris, and late Governor of Madras.—Second Edition, revised. London,* 1845.

THIS is the life of an amiable man and a good soldier, written by his son-in-law and private secretary, who closed a distinguished career, in the Civil Service of the East India Company, by occupying, for some years, the chief seat in the Government of Madras. Without any skill in book-making, or much power of composition, Mr. Lushington has produced a very valuable and very interesting work. It is in no respect a finished specimen of Biography; but the very want of artifice, so apparent throughout the volume, does much to enhance the attractiveness of the work, by imparting to it a character of rugged simplicity and genuine earnestness, which stamp it with the undeniable impress of truth.

There are occasions, however, on which the reader of this Life of Lord Harris, will pause, perhaps, to express a wish that Mr. Lushington were a more accomplished artist. And assuredly he may be pardoned for such expressions, when he looks in vain at the beginning of the book for a record of the year in which Lord Harris was born; and at the end of it, for the year of his death. A tomb-stone biographer, who gives us the history of a man's life in a single line, supplies at least *that* amount of information. It is true that Mr. Lushington furnishes some data, from which the student may derive, by the aid of a not very complicated arithmetical process,—if not a very complete knowledge of these omitted facts,—at all events an approximation to it. Thus we are told that "early in 1759, a warrant of cadet in the Royal Artillery was issued to George Harris, then about fourteen years of age;"—and again, at the end of the book, the biographer informs us that Lord Harris's "death took place in the second year after I (Mr. Lushington) left England;" and the date of *that* event is accurately set down in the very first page of the biography. At page 1 we are informed that Mr. Lushington "went to India in 1827," and at page 344, that Lord Harris died two years afterwards. The problem is one of very easy solution;—but we submit that this is not the manner in which biography ought to be written. A man may tell his wife that George III. died two years after he took the

house in Baker Street, or that the Battle of Waterloo was fought in the same year that Willy was born; but we are not sure that the historian, in his communications to the public, is entitled to make such incidents in his personal career the pivots upon which the reader's knowledge of historical events is to turn. At all events, if this be legitimate biography, the book before us ought to be called a "memoir of Mr. Stephen Rumbold Lushington, Governor of Madras, interspersed with anecdotes of the late Lord Harris." It is right, however, to add that the work is not written throughout in the "*Ego et Rex meus*" style. These occasional touches of egotism may readily be forgiven in a book, which, in spite of the omissions of which we complain, contains so full an account of the subject of the memoir.

Both in the Preface and in the closing chapters of his work, Mr. Lushington has commented upon the numerous inaccuracies apparent in the seventh volume of Alison's history of Europe. It is not very long since we pointed out a few of this historian's errors. In the work now before us, the biographer has sufficiently shown that Mr. Alison's account of the operations of the Army under General Harris in the Mysore country, is utterly unworthy of the confidence of the reader. We are surprised, however, to find Mr. Lushington charging the historian with the offence of putting forth "imputations upon the honor of Lord Harris, *the Marquis Wellesley*, and the Duke of Wellington."—If Mr. Alison committed the offence with which he is charged, and really put forth "imputations upon the honor of Marquis Wellesley," it is somewhat remarkable that that nobleman should have sent a letter to the historian, "bearing full testimony to the accuracy of his history, and to the impartial and beautiful spirit in which it is conceived and written." These are either Lord Wellesley's words or his Secretary's. Mr. Alison, quoting them in the third edition of his history, says, "the imprimatur of such a man, is indeed a testimony in relation to his own transactions, of which an historian may justly feel proud;" and assuredly, if the noble Marquis himself had nothing but commendation to bestow on what Mr. Alison has said of him, the historian may consider himself fairly acquitted of the charge of having maligned the nobleman, who has borne so full a testimony to his "impartial and beautiful spirit." The prosecution would seem to break down altogether, since the party said to have been assaulted, comes into court and swears that no assault was committed. All this would appear to be plain enough; but a new difficulty here presents itself. The Mar-

quis has borne "full testimony" to the merits of Mr. Lushington's work. In a letter addressed to that gentleman, he says; "In the whole course of a long and arduous public life, I have 'never experienced so much heart-felt delight as I have received from your most excellent and most valuable work..... 'Your book, with a brevity and force combined in the most 'admirable manner, has in one view brought into full light 'all our actions, all our services; dispensing to each claimant 'of glory and honour his due share of each, refuting all 'calumnies, correcting all errors, and trying all characters by 'the same unerring test of historical fact and plain unadorned truth." The calumnies cleared up, and the errors refuted, are principally those of Mr. Alison;—and yet the Marquis has borne full testimony to the accuracy and impartiality of Mr. Alison's history. Here is a difficulty, which we must leave to the ingenuity of Mr. Alison, Mr. Lushington, and Mr. Montgomery Martin, on the part of the Marquis Wellesley, to solve. We confess that it is beyond our power.

It is plain, however, that Mr. Alison cuts a very bad figure in the work now before us. Mr. Lushington has dissected his statements with a sharp knife, and laid bare all the blunders they contain. Ignorance may be forgiven, but when ignorance refuses to be taught, no further clemency can be extended to it. Mr. Alison has not only committed a series of very gross errors, but he has persisted in these untruths by refusing to expunge them from his work. Since they were first brought to his notice, a new edition of the History of Europe has appeared, containing all the blemishes which disfigured its predecessors. Of some of these we shall come to speak presently, when, after following the biographer through the earlier stages of Lord Harris's career, we come to speak of that portion of it to which the controversy mainly refers. George Harris was born in the year 1746. He was the son of one clergyman and the grandson of another. His father was a country curate, who in that condition lived and died, the parent of a large family, of which the subject of this article was the eldest. An accident seems to have determined the nature of George's profession, and the whole tenor of his career. Mr. Harris took his degree at Cambridge. Whilst resident in that University, he had the good fortune to render an essential service to Lord George Sackville. He was then a young man of great personal activity and uncommon muscular strength, renowned at College for his adroitness in all athletic exercises, and endowed with spirit proportionate to his power. Lord George happened to fall into the hands of a noted bully, from

whose clutches Mr. Harris rescued him at a critical moment; and the service thus rendered was never forgotten.—Many years after this incident occurred, Mr. Harris was a country curate with a numerous family; and Lord George, Master General of the Ordnance. The promise of assistance made in former days was brought to his Lordship's remembrance; and the Master-General presented his old protector with a cadetship in the Royal Artillery, for his eldest son George, who was then at Westminster school with little prospect of any future provision. The warrant was issued in 1759. In that year Mr. Harris died. About the same time, the battle of Minden was fought, and Lord George Sackville disgraced. The Marquis of Granby was then appointed to the ordnance office; and fortunately for young Harris, both the Marquis and his brother, Lord Robert Manners, had been at College with his father. An application in behalf of the cadet was made to these influential noblemen; and soon afterwards the youth received a commission of Lieutenant Fire-worker of Artillery. But the battalion to which young Harris was appointed, was doomed, in consequence of the restoration of peace, to be speedily reduced;—and anticipating this event, the Marquis of Granby obtained for his *protegé* an ensigncy in the 5th Regiment of Foot.

In the spring of 1763, Mr. Harris joined his regiment at Bedford. The river Ouse runs through that pleasant town; and affords to all, who have leisure for such recreations, the diversion of angling and of boating. The young soldier joined a party, one day, intent upon the latter amusement. The excursion was rendered memorable by an event, which well nigh proved fatal to more than one of the party. A young officer, Ensign Bagot, was standing in the stern of the boat, when, losing his balance, he fell into the river. He had twice sunk beneath the surface of the water, when young Harris, seeing the danger which threatened his comrade, who was unable to swim, plunged into the stream, to the rescue of the drowning man. Endeavouring to save the life of another, he almost sacrificed his own. The drowning youth seized his preserver by the hair, and then clung to his arms. The movements of the swimmer being thus impeded, the two officers were in peril of sinking together; but the vigorous exertions of Ensign Harris brought the two safely to the margin of the river, where a new difficulty presented itself in the precipitous nature of the banks, which it now became necessary to ascend, with his companion in his arms. Here, probably, both would have sunk, had not

the boat, in which his comrades remained, been pulled to shore, and timely assistance rendered to the drowning pair.

This action secured for young Harris the affectionate regard of his brother officers, and the modesty with which he received the approbation bestowed upon him, did much to strengthen the kindly feelings of his companions. Nor was it long before the young soldier's courage was again put to the test—but by a trial of a different fashion. Soon after the occurrence of the accident, which we have thus briefly described, the regiment was ordered to Ireland. There was in the corps, a Captain Bell—an officer of violent feeling and eccentric habits, who from the first had exhibited in his conduct, what indeed he had felt in his heart, a strong attachment towards Ensign Harris. No sooner had the young officer, then scarcely seventeen years of age, joined the regiment, than Captain Bell "made himself the protector and adviser" of the youth. "I sate next to him at Mess," wrote Lord Harris more than half-a-century afterwards, "drank of his cup of wine and water—or, perhaps, 'oftener the pure element,—for he was the most temperate of 'men—walked with him, and in short was seldom an hour 'from him, through the day."

But such affection is often erratic. When once it begins to decline, nothing can stay the precipitate downfall. Captain Bell loved young Harris, as a father doats on an only son; he boasted of his attachment to the youth, and spoke of him as "the finest English boy" in existence. In 1765, he was appointed to command a detachment of three companies stationed at Cashel; and he made it a point that the company to which young Harris was attached, should form one of its components. Here the wayward temper of the Captain began to betray itself. His jealousy was excited. Other officers joined the detachments;—some of them were sportsmen, and Harris was naturally inclined to take pleasure in field sports. The Captain thought he was neglected; and his excitable temperament manifested itself in a manner most painful to his young friend. He became irritable—morose; seldom appeared at the mess-table, and when he did, scrupulously abstained from addressing a word to Harris. He was very wroth with his young friend:—

> And to be wroth with one we love
> Doth work like madness on the brain;—

The madness of Captain Bell soon began most unmistakeably to betray itself.

On Christmas Eve, Harris was partaking of the hospitality of an Irish neighbour, when a snow storm came on, so violent as to prevent him from returning that night to his quarters. But, before the hour of morning parade, he was at the threshold of his commanding officer. After knocking several times at the door, he obtained admittance. Captain Bell, who was still in bed, would not listen to a word that the young officer had to say; but at once ordered him to his room, adding that he should soon hear from him. Harris obeyed; and in the course of an hour Captain Bell came over to the young officer's quarters, and presented him with a challenge, couched in most violent and offensive language. It called upon Harris to meet the Captain at the Abbey, armed with swords and pistols, but without a second. The challenge was accepted; but not before his brother officers had endeavoured, in vain, to persuade him to allow one of them to accompany him to the field. The two old friends met. Bell declined all explanation, declaring that he had come there not to talk, but to fight. Taking off his coat and waistcoat, and depositing them on a tomb-stone, then laying his drawn sword on his clothes, the Captain prepared himself for the combat; and the brave youth followed his example. The word was given; they were to fire together; Captain Bell took aim and fired. Young Harris did neither. Captain Bell reproached him with not firing, was greatly irritated, and insisted that his antagonist should fire. They again took up their positions, and both fired together; but the ball from neither pistol took effect. This was repeated; a third shot was fired, but also without effect. Captain Bell then said "we shall go no further now, but you shall hear from me again." He then put on his clothes; and so ended this singular conflict, of which two of Harris's brother-officers had been unseen spectators.

But the strife in Captain Bell's bosom was not extinct. In the course of the evening Harris received another letter from his former friend and associate. It contained a challenge to meet him on the following morning, adding an exhortation to "bring a number of balls, as one of the two must fall." But here the young man's friends interfered, insisting that he should not again go out, without a second. Harris wrote to this effect, adding that if he had unintentionally given offence, he was ready to apologize for the error. Captain Bell then sent for him, and stated that the offence consisted in staying out of barracks all night without leave. For this he demanded an apology, and drew up a written one, which he called upon Harris to sign. The style in which it was written was not very

palatable to the young officer; but considerations of former friendship induced him to sign it; and the two then shook hands, Harris giving the best possible assurance of his disinclination to offend his old friend by asserting that he had not, on either occasion, fired any where near him;—and here, we should say, that the affair ended; but that it sent Captain Bell to a mad house, and Ensign Harris to the Peerage. The former ended his days "in confinement in London." To the latter the consequences of the duel were, to use the language of Lord Harris, at the close of his career, "the warm friend-'ship of Sir William Medows, which ultimately led me to 'fame and fortune—the giving me such a confidence in myself 'as to convince me no dangers or difficulties could ever make 'me act in an unbecoming manner—and lastly, the enabling 'me to preserve a command over my passions and temper 'in many after scenes of trial and annoyance."

In 1766,—Ensign Harris obtained his lieutenancy, and shortly afterwards, purchased, not without difficulty, the adjutancy of his regiment. Early in the following year, acting upon the advice of his commanding officer, he purposed to obtain leave of absence, "in order that he might make a tour on the continent and perfect himself in French, riding and fencing;" but the project was not carried out until the following year. A few of the letters written from France by Lieutenant Harris are given by his biographer. In these times it is difficult to find an Englishman who has not travelled from Boulogne to Paris. Eighty years ago, when Boulogne was reached "after tossing and tumbling for two days," the fact was one of comparatively rare performance. Harris took the route by Amiens, which though a devious one, we would recommend to all travellers, even though the Railway from that city to Paris were not open, and the Boulogne line in a fair way towards completion. In the course of a few months, the journey described in the following letter, which we give as a specimen of Harris's early epistolary style, will be performed in a few hours:—

"*Paris, September*, 1768.

"'Tis as well to be out of the world as out of the fashion. So as all here are in mourning for their queen, I mourn also in paper*; nought else. Now are you longing to know how I am settled, and so forth. But, with your leave, I'll first bring myself to Paris. We set out on horseback from Boulogne on Thursday morning, the coach not going till Monday. I wish you had seen us mount: you must have laughed very heartily. Conceive two great fellows astride on two beasts, not bigger than goats, with saddles and bridles that hid them; and then you see us, to appearance walking with

* It having a broad black edge.

a great saddle between our legs. But, I should not abuse them; they carried us very well; they are like their masters, all life. The first town we came to was Montreuil, eight leagues from Boulogne, between which places there is not anything worth notice but the number of crosses, erected almost on every eminence, and at the entrance of all the villages. The country is quite open, not a single hedge; and the prospect is not very pleasing, from the want of houses. There is scarce a gentleman's seat between that and Paris, though many convents, all pleasantly situated, but generally near great towns.

"*Montreuil* is fortified, and appears strong from the situation; but as we only staid to change horses, I can say nothing more of it. Our next stage was to Abbeville, ten leagues. We did not reach it till six, having very bad horses. Here we were obliged to open our baggage, but having nothing contraband, we sustained no other loss but that of time, which, to a tired traveller, is very precious. We here inquired for some means to convey our baggage to Paris, but found none farther than to Amiens; from thence a coach was to set out next day for Paris. This, you may be sure, pleased us very much, for two reasons—going on horseback was very expensive, and secondly, we were very much tired. In the morning we embarked our all, for you are to know we went by water—a method of travelling you are not acquainted with. It was a large covered boat, drawn by men on the banks of the river, a very tedious way, but to us very pleasant, as it rained very hard most part of the day. We had provided part of a shoulder of mutton for our stock, though here our politeness got the better of our stomachs. It being Friday, we thought eating meat might offend our fellow-travellers. Indeed, I was not in much want of it; the smell of near thirty people in so close a place is no great provocative to the appetite, but we made up for it when we came to our journey's end; for my companion, though a good Catholic, ate meat with full as much pleasure as I did. Here we found the coach, and put our portmanteaus into it, having had enough of confinement, so determined to set off on foot, which we did with the coach, but soon left it behind, which you will not be surprised at when I tell you our carriers' waggons are full as light machines, and travel as fast. We walked four leagues to breakfast, not on washy tea, but good milk, with a little of the cordial called eau-de-vie in it. We again set off for the place where the coach was to stop, to dine. Our great coats began to be very heavy, so we determined to wait for the coach, and put them in. We waited two hours; they seemed very short, for I slept almost the whole time. (Walking one and twenty miles is a great help to Morpheus.) We set off again to walk four leagues, where the coach stopped that night. It was a poor village, as were all those we passed through. We saw from the road some pleasant convents, but the country is all the same, quite open. I need not tell you we slept sound. At five we got up, and found the coach had been gone three hours, with the intent that the people might go to church, (it being Sunday,) about three leagues off. We now wished for our great coats, as it looked very like rain, but that would not recall 'em; so away we marched, and before we got five miles had not a dry thread about us. I have described the country, so you will readily conceive we were not within sight of shelter. The first we met with was an eau-de-vie shop; we got a sip, and went on. Here my companion began to tire, the road being paved, which is rather unpleasant when the feet are tender. We reached our stage, and after breakfast found ourselves so much refreshed, we went off again in good spirits; but before we got three leagues, he was worse, so we agreed to try and get a carriage, as the coach was quite full. By great good luck we got one, for it is not here as in England, where public chaises are plentiful; here

every-body travels in their own. Perhaps you think our's was a chaise; indeed, it was drawn by two horses, and we had a postilion, but it was what in England is called a higgler's cart. We took it, however, to go seven leagues. This was the pleasantest part of the journey; the country is better, and the pheasants and partridges were feeding by the road-side without fear of disturbance. We passed the Pretender's house, and a castle belonging to the Prince of Condé, but gone to ruins; it appears to have been very grand; it is quite in the Gothic taste, and at a distance still makes a good appearance. We slept Sunday night within six miles of St. Denis, and next morning walked there. It would have been very pleasant; but a great deal of rain had fallen in the night, and made the roads very bad. We went through vineyards almost the whole way, but as the grapes were sour, it did not make up for the bad road. St. Denis is a large place, the church a very noble one, and, they say, contains great riches, but I had not an opportunity of seeing them, eleven being the hour. Near St. Denis is a barrack for young recruits, which is a very good institution; here, after enlisting, they are made to learn their duty, and then sent to any regiment that may want them, which is a much better way than ours.

"From St. Denis we took a hackney-coach, which plied as a stage to Paris, where we very soon arrived, and here am I quietly writing to you, whilst all Paris are dancing, drinking, singing, or walking. This is their way of passing Sunday evening.

"You will be glad to hear I am in good health, and trust this will find you so, for it is a blessing far beyond the golden sands of Indus, or the mines of Golconda; moreover, I am as merry as any Frenchman, and that's saying a bold word. I have not time to tell you of my adventures, as the person who brings this sets off immediately. Now I think of it, be so good as to fold your letters smaller, for as the French judge of all things by the show they make, they thought your letters must be well worth double another, so they charged accordingly. Had they known my thoughts, they might have charged ten times the sum, as I should have paid it with pleasure; but as it is possible to have the same quantity for half the price, we may as well save it.

Ever yours,

GEORGE HARRIS."

"I go on tolerably well in learning the language, and to you alone shall own I do not think my time will be thrown away; as I know, should it prove the contrary, you will endeavour to comfort instead of laughing at me, as most people would do had I made such a declaration to them. I intend to expend three guineas in dancing, which will be about four months time, at the end of which I hope to show you, when I come back, the best polished step of the *minuet le bien*. Will you learn?—An excellent thought; it must be so. Remember me to our uncle when you write. Tell him I have a bag big enough to put him and you in, and turn out my toes *à merveille*."

Lieutenant Harris returned to England, at the commencement of 1769, rejoined his regiment in Ireland, and continued to do subaltern's duty until the middle of 1771, when he purchased his company—an important step, not unattended with difficulty. It appears that his mother—an excellent woman, who was revered by her son, and who in no small measure helped to make the character and shape the career of one of

the most distinguished officers in the British army—advanced the purchase-money out of her scanty store, and that from the savings of his regimental allowances Captain Harris repaid the debt. He was at this time in his 26th year, and his person and manners are thus described by Mrs. Dyer, his cousin—an amiable and intelligent woman, to whom he was warmly attached. "The vivacity of youth sparkled in his fine eyes; the 'glow of health adorned his cheeks; and to a most engaging 'exterior he joined a heart replete with every manly generous 'feeling. His manners, which he retained to the latest period, 'were as prepossessing as his person; cheerful, yet free from 'levity; polite, without affectation; attentive, without officious'ness; sincere, without roughness; and respectful, without 'servility."

Captain Harris on his promotion, left Ireland to take a tour through England, on recruiting duty; and at Derby had the misfortune to fall in love with a young lady of good fortune and great personal attractions. The lady, it appears, was not altogether "insensible to his merits;"—but Harris, thinking that it would be dishonorable to endeavor to fire the affections of one so far above him in worldly circumstances, determined, though the determination cost him many a pang, not to press his suit. "I really," he said in a letter to Mrs. Dyer, "from my soul can say that I love her too well to wish to marry her." In 1772, Captain Harris quitted the Provinces, and proceeded to London. Thence he moved, not unwillingly, —for the great Babel had no charms for him,—to the seat of his commanding officer, Lord Percy, in the North of England, from which, it would appear that he returned to do duty with his regiment at Kinsale. From this time nothing of any importance to the career of Captain Harris came to pass until the spring of 1774, when the 5th regiment was ordered on foreign service.

The state of affairs in America had rendered it necessary to despatch more troops to that country. It is not in our province to dwell upon the circumstances of that unhappy contest. When Harris's regiment crossed the Atlantic, there was not a man in it who anticipated the great events which were about to occur. It was fondly imagined that the colonists would not proceed to extremities, and that, if they did, the insurrectionary spirit would soon be put down. Every one believed that the insurgents would speedily be drilled into obedience;—and the reinforcements despatched to teach loyalty to King George, rested for some time, in dreamy inactivity, upon their arms. It was not before the spring of 1775, that Captain Harris's

regiment was employed against any more formidable enemy than a herd of Bostonian cows. On the 19th of April, a detachment was ordered out to attack the position of the enemy, who had "fortified a small mill near the British camp, and thus, in a great measure, prevented the passage of convoys." The attack was unsuccessful; the British troops were compelled to fall back; and Captain Harris, who commanded the Grenadier company of the 5th regiment, was ordered to cover their retreat. This was a service of danger; but although one-half of the company fell, killed or wounded, beneath the fire of the enemy, he escaped unhurt.* This was this first achievement, in actual warfare; his next was even more perilous.

In June, 1775, the British troops attacked the enemy in their entrenched position on Bunker's Hill. The affair is a memorable one in the history of the two nations. On the crest of a breach, which he had mounted, whilst gallantly cheering on his men, he was struck down by a ball, which glanced along the crown of his head and made an aperture in his skull. In a letter written soon after the engagement he thus describes his sufferings on this occasion:—

"We had made a breach in their fortifications, which I had twice mounted, encouraging the men to follow me, and was ascending a third time, when a ball grazed the top of my head, and I fell, deprived of sense and motion. My lieutenant, Lord Rawdon, caught me in his arms, and, believing me dead, endeavoured to remove me from the spot, to save my body from being trampled on. The motion, while it hurt me, restored my senses, and I articulated, 'For God's sake, let me die in peace.'

"The hope of preserving my life induced Lord Rawdon to order four soldiers to take me up, and carry me to a place of safety. Three of them were wounded while performing this office (one afterwards died of his wounds), but they succeeded in placing me under some trees out of the reach of the balls. A retreat having been sounded, poor Holmes† was running about, like a madman, in search of me, and luckily came to the place where I lay, just in time to prevent my being left behind; for when they brought me to the water's edge, the last boat was put off, the men calling out they 'would take no more.' On Holmes hallooing out, 'It is Captain Harris,' they put back, and took me in. I was very weak and faint, and seized with a severe shivering; our blankets had been flung away during the engagement; luckily there was one belonging to a man in the boat, in which wrapping me up, and laying me in the bottom, they conveyed me safely to my quarters.

"The surgeons did not at first apprehend danger from the contusion, notwithstanding the extreme pain I felt, which increased very much if I attempted to lie down. A worthy woman, seeing this, lent me an easy chair; but this being full of bugs, only added to my sufferings. My agonies increasing, and the surgeons observing symptoms of matter forming (which, had it fallen on the brain, must have produced instant death, or at least distraction), performed the operation of trepanning, from which time the pain abated, and I began to recover; but before the callous was formed, they indulged me with the gratification of a singular curiosity—fixing looking-glasses so as to give me a sight of my own brain. The heat of the weather, and the scarcity of fresh provisions, added greatly to the sufferings of the wounded. As patience was the only remedy for the former, I trusted to it for relief; and for the latter, the attention of the surgeon, and a truly benevolent family in Boston, who supplied me with mutton-broth, when no money could purchase it, was a blessing for which I can never be sufficiently thankful."

* Mr. Lushington says "The killed and wounded is sufficient evidence of the fire to which he was exposed; but it did not disturb his coolness or humanity, for in the retreat he filled his grenadier cap with water for the relief of the wounded, and when found by Lord Percy administering it to them would fain have had him partake of the precious beverage."

† The name of Captain Harris's servant.

In a subsequent letter he says jestingly, "They still every 'day peep at my brain, which, all things considered, is not an 'unlucky circumstance, as it may convince you and the rest 'of the world that I have such a thing; and I should not 'regret that you and the rest of my friends in old England, 'could in the same manner take a peep at my heart. I am 'convinced they would find a warmth of affection they may 'more imagine than I can describe."

Owing, it would appear, partly to the state of his health, and partly to considerations of a private nature, (for he had received the promise of a commission for his brother, and was anxious to make the necessary arrangements for the return with him to America of the recipient of Lord Howe's bounty) Captain Harris sailed for England; but his sojourn at home was one of very brief continuance. In the summer of 1776, he again set sail for the shores of America, accompanied by his brother. The voyage was tedious and uneventful; and there were circumstances which rendered "the blank and solitude" of a sea-life peculiarly irksome to him. His affections were engaged by a young lady, whom he had met in England, and the separation from whom was a severe trial. This young lady was Miss Dickson, who subsequently became his wife.

Active service in America soon raised his spirits again. He was never in better health, nor in a more cheerful mood of mind than when in full professional employment. It would swell our article to an inconvenient length, to follow Captain Harris through all the fluctuations of these eventful campaigns, in which the fortune of war was ever varying. In August, 1777, he sailed with Lord Howe from New York, "and 'landed with the reserve of the army under Sir W. Howe, at 'Head of Elk, in September, and was shot through the leg in 'the attack on Iron Hill, where he had been sent in advance 'by Lieutenant Colonel Medows, to cover the guns of the

' battalion with his company." A few days after this, the battle of Brandywine was fought. Harris, suffering greatly from his wound, was riding in a carriage, when orders arrived, to form the British columns for action. The impulses of the soldier were too strong for the wounded man. He quitted the vehicle in which he was riding, seized an unsaddled horse, mounted it, joined the army, and shared in the perils and the honors of that eventful day. This imprudence did not help to heal his wound; but so aggravated the evil that he was compelled to betake himself to sick quarters. It was not long, however, before he was sufficiently recovered to join the army; and soon afterwards he obtained his majority. In December, 1778, he served with the force sent for the reduction of St. Lucie. He was second in command, under his old friend Brigadier Medows. In the engagement which took place, when, in spite of the great numerical inferiority of our troops, and an unfortunate scarcity of ammunition, the British force triumphed over "5,000 picked troops of France, commanded by D'Estaing," Major Harris greatly distinguished himself. He was again wounded on this occasion,—and his brother so severely injured, that he soon afterwards died of his wounds. This was a severe blow to Harris, who was warmly attached to the young and gallant officer, thus cut short in the commencement of a career which promised to be a distinguished one: but in the love of the amiable woman destined to be his wife, he found much good consolation.

Anxious after so long an absence to visit his betrothed, and, in his improved circumstances, to make her his wife, Harris obtained leave of absence, and took his passage to Europe in a Dutch vessel, which had the misfortune to be captured by a French Privateer. Being, however, soon released on his parole, he made his way to England, and was married. His regiment being then at Barbadoes, he embarked with his young wife for that Island; but had scarcely arrived when he was ordered upon a secret expedition, which would have occasioned a long and painful separation, but that it was soon abandoned. But another cause of anxiety soon presented itself. Major Harris's regiment was ordered to England in the ensuing summer (1780); but the precise time of its departure being uncertain, and Mrs. Harris being in a situation, which rendered it necessary that she should be "settled in some comfortable place by a certain day," the lady preceded her husband to England, and Major Harris arrived just in time to be present at the birth of his first-born—a daughter.

In the December of this year, he obtained his Lieutenant-

colonelcy, and was soon afterwards ordered to Ireland. The passage was a dangerous one; for the Captain was incompetent, and through his incompetency the vessel was nearly lost. After spending some time at Kilkenny, he proceeded with his regiment to Limerick, where a son, the second Lord Harris, was born. In Ireland he remained some years, during which "the prospect of a numerous family, added to an innate love of retirement and country pursuits, prompted him to make several efforts to sell his commission." After repeated failures, he found a purchaser, and the negociation had proceeded almost to the point of completion, when, having proceeded to London, for the settlement of the business, he met his old friend, Sir William Medows, and a change came over the spirit of his resolution. He had come up to the metropolis to receive the money for his commission, and to make arrangements for the emigration of himself and his family to Canada. Sir William heard the story with evident impatience, and then asked whether the money had been paid down, and the new commission actually signed. Harris replied that there would be a day's delay, in consequence of the death of the Princess Amelia. "Then," said the General, "you shall not sell out. I am just appointed Governor of Bombay; and you shall go with me as Secretary and Aide-de-camp. I will go at once to the agent and stop the sale." He did stop the sale of the Commission; and this accidental meeting in St. James's Street was the first link in that great chain of events, which elevated Colonel Harris to a high position among the military commanders of Great Britain.

We must here pause in our narrative to bestow a few sentences upon that excellent man and distinguished officer, whose friendship made the fortune of Colonel Harris! The chivalrous bravery of this noble-hearted soldier was only to be equalled by the kindness of his heart and the generosity of his nature. Several characteristic anecdotes of this remarkable man are contained in Mr. Lushington's work. When he was ordered to America, having been appointed to a new regiment, he received permission to take as many men from his old corps, as might volunteer to accompany him. Accordingly he drew up the regiment in line, and after a few words of explanation, stepped on one side, and exclaimed, "Let all who choose to go with me, come on this side." The whole regiment to a man accepted the invitation; the corps went over bodily to the spot on which their beloved commander was standing—a proof of their attachment which affected so sensibly his warm heart that he burst into tears. On service, wherever danger was to be

found, Medows was sure to be in the thick of it. In the battle of Brandywine, when leading on his grenadiers to the charge, with orders to reserve their fire, he received in the sword-arm, just above the elbow, a shot which went out at his back; and, falling from his horse, he broke his collar bone on the other side. Harris found him in this situation almost insensible; but the well-known voice of his friend seemed to restore him; he tried to extend a hand, but neither was at his command. "It's hard, Harris;" he said;—but presently added, "it's lucky poor Fanny does not know this."—After the affair of St. Lucie, it was General Medows who communicated to Harris the sad tidings of the death of his brother. The General was so affected that he could scarcely speak, but he stammered out "Harris, be a man in this as in everything else; the struggle is past." "It is impossible," wrote Major Harris soon afterwards, "to convey to you the obligations I owe to General 'Medows, or the love I bear him. He is brave, good, and generous." Another anecdote, equally characteristic of the two friends, we give in Mr. Lushington's words. "The General, 'acting upon that principle which continually influenced his 'military career, and which taught him, that it made little 'difference in the chances of a soldier's life, whether he did 'his duty cautiously and shabbily, or promptly and handsomely, 'exposed himself to the hottest fire wherever he could. On 'one occasion he persevered so heedlessly in doing so, that 'Colonel Harris and the other officers with him, implored 'him to come down from the position where he stood as a 'mark to the enemy. He disregarded their remonstrance, 'when Colonel Harris jumped up and placed himself beside 'him, saying 'If you, Sir, think it right to remain here, it 'is my duty to stand by you.' This act of generous friendship, had an immediate effect upon the noble heart of 'General Medows, and he descended from his perilous station." On another occasion—at the storming of Nundydroog in 1791—a breach having been effected in the walls of the fort, the troops were ordered on to the assault, when some one cried out, that there was a mine near the breach. "If there is a mine," cried Medows, who was always to be found where danger threatened, "it is a mine of gold." These encouraging words, aided by the ever-animating example of the General, had the desired effect; the breach was stormed, and the place carried.*

Of the kindness and generosity of Sir William Medows no

* Macfarlane's "Indian Empire."—vol. II. page 13.

better example need be sought for, than that afforded by the volume now before us, wherein it is set down that, when Colonel Harris accepted the invitation to acompany the General to Bombay, "a heavy burthen of care was taken from his mind 'by a noble trait in the conduct of his kind friend General 'Medows, who with his brother, the late Earl Manvers, 'advanced £4,000, to insure Colonel Harris' life for the benefit of his wife and family." He was, indeed, habitually liberal and regardless of the acquisition of wealth. When Governor and Commander-in-chief at Madras, he placed all his financial affairs in the hands of Colonel Harris, who took such good care of them that, after providing in the most liberal manner for all the expenses of his station, he placed in the hands of the chief, before embarking for England, four lakhs of Rupees accumulated during the colonel's stewardship. "Harris knows how he scraped it together;" said the General, "I don't." We must not forget to add, though we do not find it in the volume before us, that he gave up to the troops engaged in the operations before Seringapatam, in 1792, all the large share of prize money obtained on that occasion, to which he was entitled as second in command.

Nor must we omit to pay due tribute to the humanity of the General, which was, on all occasions, as conspicuous as his gallantry and generosity. It was one of his favorite maxims—one which he never neglected an opportunity of enforcing upon the troops under his command, that "an enemy in our power, is an enemy no more; and the glorious characteristic of a British soldier is to conquer and to spare." Even when opposed to the most barbarous and remorseless enemy against whom we have ever taken up arms, he still preached the doctrine of "No Retaliation" to his followers. Some of his general orders, issued in America and in India, are models for all military edicts during seasons of active service. We cannot devote a page of our journal to anything much better than the following:—

"*Head Quarters, Camp, Trichinopoly Plain, May* 25, 1790.

"The Commander-in-Chief, Major-General Medows, is happy to find himself at the head of that army, whose appearance adorns the country he trusts their bravery and discipline will save. An army that is brave and obedient, that is patient of labour, and fearless of danger, that surmounts difficulties and is full of resources, but, above all, whose cause is just, has reason to hope to be invincible against a cruel and ambitious tyrant, whose savage treatment of his prisoners but too many present have experienced; however, should the fortune of war put him into our hands, uncontaminated by his base example, let him be treated with every act of humanity and generosity, and enlightened, if possible, by a treatment so

much the reverse of his own. To a generous mind, a fault acknowledged is a fault forgot; and an enemy in our power is an enemy no more.

"That the army and Commander-in-Chief may understand each other—and the sooner the better, as there is nothing on earth he idolizes more than a well-disciplined army, so there is nothing on earth he detests and despises more than the reverse—he is, therefore, determined to make the severest examples of the few that may dare to disgrace the army in general by a different conduct. No plunderers will be shown the smallest mercy: he is resolved to make examples severe, in the hope of making them rare, and would think it one of the greatest blessings he could enjoy to make none at all. Among the first wishes of his heart is the army's reputation and success; but it must be prepared for hardships, and to endure them—for difficulties, and to surmount them—for numerous enemies, and to beat them."

When opposed to enemies of a different description, no man was more anxious to acknowledge their merits, than General Medows. At St. Lucie, he issued an order commencing with the following words:—"As soon as our gallant and 'generous enemy are seen to advance in great numbers, the 'troops are to receive them with three huzzas, and then to be 'perfectly silent and obedient to their officers." These are characteristics of the "Happy Warrior."

——— This is he
Whom every man in arms should wish to be.

In the summer of 1788, Colonel Harris sailed for Bombay, leaving his wife and family in England. A somewhat curious arrangement appears to have been made to secure to the absent lady the advantage of frequent intelligence of her lord and master.—"Mrs. Harris, thinking that her husband would be too 'much occupied in his numerous duties to write often to her 'during his absence, had desired John Best to send an account 'of him, whenever he had an opportunity." A man must be very busy, if he cannot find time to write to his wife. John Best was Colonel Harris's servant, an excellent trustworthy man, although no clerk. The following is a sample of the vicarious correspondence which this conjugal arrangement produced—somewhat amended, be it said, in the spelling:—

"*Bombay, January* 9, 1789.

"Madam,—It gives me great pleasure to inform you, by the ship *Prince William Henry*, which is thought to be the first ship to London from this coast, and I am glad to inform you that my master is in perfect good health, and in a very comfortable healthy situation at present, and I hope you will receive this in good health and prosperity. And ever since we left London, Madam, there has been a great many pleasant affairs past, which did give me the greatest comfort in the world; for to see concerning my master on board the *Winterton*—we had not been long on board before they all see'd, from my master's good pleasant looks and civil behaviour, that he was the sensiblest man on board, and in a short time they all became so very much pleased with him, that they did ask his advice at all times, for he perfectly at last gained all their favors; and if he had wanted any favour, or asked the captain to forgive any man when he was angry, it was always granted. And when he landed at Bombay, in two days all was ready to entertain the gentlemen when they came to dine with the Governor, for every day there is twelve or twenty different men at least every day, and they do make very free and pass the time cheerfully, which is very pleasant to see for I have often thought in my breast, if you did see how my master makes all the gentlemen so happy, it wou'd in the first place, it would surprise any person for to see, it is so well carried on. And my master sits at the head of the table, and the General at the side, for he gives all the care to my master, and he gives the gentlemen many broad hints that it is all Col. Harris's, which makes it appear very pleasant to me for to see them at all times like two brothers. The Governor very often tells the gentlemen some good story concerning Col. Harris and they both agree in the same in such good nature, that it makes it very pleasant; and my master always drinks a glass of wine with every strange gentleman at table, and sometimes a great many, to the great pleasure of all the people at table; it looks so well, that when any strange gentleman comes to dine the first time, they seem quite surprised, and all the time keep their eyes fixed upon my master; so, I think the best comparison I can make is, they look as if they were all his own children. But I am sorry to see the gentlemen live so fast; but, to my great comfort, my master is as careful as ever he was at home, and in every particular careful of his self. And this wine, you must know, that he drinks is three parts water. If you will put two glasses of water and one of madeira and then a little claret, you will not perceive any difference, and the claret, one glass of water to one glass of claret. This I always mind myself, and give him, when he calls for madeira or claret. I hope Madam, you will forgive me for giving myself the great honour of writing to you.

I am, with respect, your most obedient Servant,

JOHN BEST."

Sir William Medows had not been very long at Bombay, before he was appointed Governor and Commander-in-Chief at Madras. To the latter Presidency he, therefore, proceeded with his staff; and assuming the command of the army, almost immediately took the field. That great and good man, Lord Cornwallis, was then at the head of the Indian Government; and at the head of the British army, engaged in operations against Tippoo Sultan, he soon appeared on the Theatre of War. The immense resources and unbounded ambition of this potentate had rendered him a formidable enemy;—but in March 1791, Cornwallis struck the first great blow at the Mysorean power, by capturing Bangalore. His intention was, in the next place, to push into the very heart of Tippoo's dominions, to invest the capital, and dictate terms of peace under the walls of Seringapatam. Before the middle of May, he was within ten miles of that city; and, although in an engagement with the enemy, which then took place, he was strong enough to disperse them, he felt that he was not equal to the investment of the

capital of Mysore. He accordingly determined to fall back upon Bangalore. We need not dwell upon all the disastrous circumstances of this retreat. In the following autumn, preparations were made for the renewal of offensive operations;—reinforcements had arrived from England; the treasury had been replenished from the same quarter; cattle in abundance had been received from Bengal; and a new battering train had been equipped. Before the close of the year, Cornwallis had opened all the lines of communication necessary to ensure the success of his final operations; in the following January, he was joined by the Nizam's forces, and the combined army marched forward on the capital of Mysore. On the 5th of February, Seringapatam was again in sight. The main body of the Mysorean army was encamped before its walls. On the night of the 6th, Cornwallis leading the centre divisions in person, attacked the enemy's position; and on the following morning, crossed the Cavery. Tippoo shut himself up within the Fortress; and began incontinently to think of terms. The British general now began to invest Seringapatam. By the 23d, the second parallel was completed; the heavy batteries were prepared for action, and in a few days, everything would have been ready for breaching. Sir William Medows, with characteristic contempt of danger, had undertaken to lead the storming party to the assault; his men were eager for the affray; and Seringapatam was at the mercy of the British Chief, when, Lord Cornwallis, whose humanity was as conspicuous as any of his other great qualities, was induced to listen to the overtures of the Sultan. Terms were dictated to Tippoo, which he was compelled to accept, and hostages, in the persons of his sons, given up, as a guarantee for the fulfilment of the treaty. In all these operations, Sir W. Medows and Colonel Harris took a prominent part. They were engaged in the capture of Bangalore, Savendroog, and Nundrydroog;—were distinguished in the engagement with Tippoo's army before Seringapatam, on the 15th of May; and on the renewal of hostilities, in the following cold weather, were amongst the most distinguished of the officers, concerned in the successful operations against Seringapatam. Medows was second in command;—and Harris on more than one occasion, selected for difficult aud hazardous duty.

On the restoration of peace, Sir William Medows determined to return to England and in the month of August Colonel Harris embarked with him at Madras. After spending a year in the bosom of his family at home, he again set sail with Mrs. Harris and his eldest daughter, to join his regiment then stationed at Calcutta. On arrival in October 1794, he was appointed to the command of Fort William, but soon afterwards, being promoted to the rank of Major General, his occupation was gone, and he was about to return home, when he was appointed Commander-in-Chief at Madras with the rank of Lieutenant-General and a seat in Council. He received intelligence of his appointment, at Calcutta, in January 1797, and proceeded, with all possible despatch to the Madras Presidency. And here, his biographer remarks "If the narrative were to close here, enough has been already written to prove that General Harris was a man of generous affection, high courage, and sound understanding; he had, moreover, shown from his earliest years, a calmness of temper, which enabled him to meet all temptations and dangers with unyielding firmness. These qualities, graced as they were in his intercourse with the world by much personal courtesy, were greatly enhanced to his family and friends by the constant exercise of an affectionate, grateful, and pious heart—from this period of his life, he is to be seen in a wider sphere of action, and to be estimated for his conduct whilst holding high command in the King's, and East India Company's Service."

On the 22d of May, 1798—"a day" says Mr. Lushington, "ever to be remembered in the annals of British India, because we date from it a new and splendid era in our history"—Lord Mornington arrived at Madras. General Harris was then acting Governor of that Presidency, as well as Commander-in-Chief. Upon him, therefore, it devolved to receive and to communicate with the new Governor-General; and the intimacy and cordiality thus commenced, continued uninterrupted until death divided these two distinguished men.

Mr. Macfarlane, in his history of "our Indian Empire" states that Lord Mornington "remained sometime at Madras, in order to acquaint himself with the real condition of that Presidency and of the Carnatic and to concert measures for defending those countries against any irruption of Tippoo and his Mysorean hosts"—but, as the new Governor-General arrived at Madras on the 22d of May, and on the 9th of June, was quietly settled in Fort William, writing letters to General Harris, his stay at Madras (although the voyage up the Bay of Bengal is not a very tedious one in the month of May) must have been of very short duration. Little can he have learnt during that stay; but Lord Mornington was ever prompt to act—his energy and activity were unbounded—and he had scarcely taken his seat as Governor-General, before he meditated an

immediate attack upon Tippoo Sultan and began to take measures for the execution of this most important design.

Lord Mornington's predecessors had been eminently men of peace. Lord Cornwallis, though a distinguished military commander, never struck a blow which could honorably be avoided; and Sir John Shore was on principle averse from military operations, not forced upon him by the pressure of events. The policy of both was in accordance with that inculcated by the authorities in Great Britian. The King's Government and the Court of Directors had steadfastly set their faces, not only against all warfare in India, but against any unnecessary interference with native courts; and in pursuance of instructions received from home, the British power in the East had, for some time, been inactive; anything like hostile preparations had been studiously avoided;—the army was not in a condition to take the field; it was weak in numbers and dispersed over the country; there was little money in the Treasury; there were neither commissariat nor ordnance stores in readiness for the supply of an army; there was no available carriage—every thing was on a peace-establishment; every thing indicated a season of profound tranquillity. But Lord Mornington soon startled the country from this state of dreamy repose. He took the oaths as Governor-General of India, and announced his intention of attacking Tippoo in the stronghold of Seringapatam.

It is no part of our intention to discuss, in the present place, the principles which guided Lord Cornwallis, Sir John Shore, and Lord Mornington. Our opinions have been stated on more than one occasion; and it is here only necessary to remark that, when the admirers and supporters of one statesman censure another, for doing, or omitting to do, what that statesman would, or would not have done, without reference to the peculiar circumstances in which both were placed, they betray the profoundest ignorance and stolidity. To contrast the conduct of Sir John Shore and Lord Mornington, without contrasting the circumstances, rising out of a variety of political events, which, doubtless regulated the conduct of both, would be an act of preposterous folly. It would be as unjust to accuse the former of apathy, indolence, and imbecility, because he did not adopt the energetic measures of his successor, as to accuse the latter of head-strong and reckless ambition—of feverish irritability and pugnacity—because he could not consent to walk in the peaceful footsteps of his predecessor. Both may have been right. It is certain that when Lord Mornington arrived in India, circumstances, unknown to Sir John Shore,

were immediately brought to his attention. It was reported to him that Tippoo was largely intriguing with the French. Not only were there a considerable number of French adventurers in Mysore; but the Governor-General had now obtained authentic information to the effect that Tippoo had sent ambassadors to the Mauritius, with overtures for an offensive alliance with the French against the British Government in India—calling for the assistance of French troops, and offering to pay the whole expenses of the war. A proclamation had been issued, throughout the Island, inviting the inhabitants to enlist in the joint service of the Sultan and the Directory; and M. Malartic, the Governor of the settlement, had forwarded Tippoo's letters to the French Government at Paris. Upon this hint Lord Mornington acted. He had determined to strike the first blow; and accordingly he wrote to General Harris, directing him to spare no exertions for the collection of an army on the coast.

Lord Mornington was a young statesman;—and he was no soldier. Of the difficulties of the game of war he had no very clear perception; of the difficulties of the game of war *in India*, he had no perception at all. He seemed to think that it was the easiest thing in the world, for the British power, without preparation, to fling itself upon the capital of Mysore; to crush the dominion of the Sultan; and to establish the supremacy of the British throughout the whole of Southern India. The effect that the Governor-General's communication of his intentions had upon the Madras Council was like the bursting of a shell in the Council-chamber. Mr. Webbe, the Chief Secretary, whom the Duke of Wellington, many years afterwards, described as "one of the ablest and one of the honestest men he ever knew," exclaimed, in sorrow and dismay, upon perusing Lord Mornington's letter, "I can anticipate nothing but a return of shocking disasters from a premature attack upon Tippoo in our present disabled condition, and the impeachment of Lord Mornington for his temerity."—"Our 'unprepared state for war,' writes Mr. Lushington, "in the absence of a large number of our troops in the Eastern Islands, 'our empty Treasury, and bankrupt credit at Madras, all the 'horrors of Hyder's merciless invasion of the Carnatic, of 'Tippoo's sanguinary destruction of Colonel Baillie's detachment, Sir Hector Munro's disgraceful retreat to Madras, and 'the first failure of Lord Cornwallis against Seringapatam, rushed 'into Mr. Webbe's mind."—What wonder? Lord Mornington's letter contained an announcement of his "positive resolution to assemble the army upon the coast," "with a view of marching directly to Seringapatam;"—and there was nothing,

in the opinion of the oldest and ablest politicians in India, to save such an expedition at such a time from utter and ignominious failure.

General Harris, like an old soldier, prepared to obey orders: but he wrote an immediate protest to Lord Mornington, in a very deferential but a very convincing letter, setting forth, in plain practical statements, the difficulties to be encountered—difficulties which only old soldiers and statesmen, who have had the conduct of extensive Military operations, can fairly appreciate. The following extract from a letter, dated July 6th 1798, contains the substance of the objections which were to be urged against a precipitate attack on Tippoo's dominions:—

"Revolving the subject in my mind most part of the night, the magnitude of the difficulties to be encountered in an attempt to strike a sudden blow against Tippoo, before he can receive any foreign aid by the cessation of the monsoon on the other coast, occurred to me so forcibly, and has by subsequent reflection become so deeply impressed upon my mind, that I should think myself culpable, if I did not mention my thoughts on the subject, even though your Lordship had not requested information from me. Although the same points have unquestionably occurred to your Lordship, yet the practical experience of them may readily be supposed to have made stronger impressions on my mind than any that could have been conveyed by a different way. The dilatoriness, indecision, and cowardice of our allies, are beyond belief to those who have not been eye-witness to these qualities in them, and there is a moral assurance that not one of them will take the field, or be of the least use to us, even admitting that their own situation presented no obstacle to their joining us, until we have secured a position to cover their advance, or gained a decided advantage over Tippoo.

"Thus they acted with Lord Cornwallis, and as that conduct was governed by principles which have undergone no change, a repetition of it must be expected. From these data, it is to be argued that any sudden blow must proceed entirely from ourselves, and this cannot, I conceive, be attempted without a very large reinforcement from Bengal, aided by the Bombay army. When the reinforcement from your presidency could join us I need not speak of; but the Bombay army could not begin to assemble until the cessation of the monsoon on the other coast, the period at which I understand your Lordship had hoped the important object in view would be in an advanced state of accomplishment. The last is a difficulty that might, perhaps, be rendered of less importance by your Lordship's exertions in despatching a more ample force from Bengal; but the difficulties which press us here are, I fear, insuperable. Draft and carriage cattle, even for the defensive army, in Statement No. 1, cannot be collected to enable us to do more than merely to reach the Barrahmahal before the monsoon in October, or to repel the incursion of an enemy.

"No. 2, from Mr. Cockburn, the best-informed man, perhaps, in India on the subject, fixes nearly the same period even for the equipment of the defensive army; but such a force as shall be capable of undertaking the siege of Seringapatam, with a reasonable prospect of success, could not, in all probability, reach the place before the 1st of February.

"The last point I have to observe on, is certainly the most material,—the feeding of the army when it has arrived at the point we wish. This difficulty obliged Lord Cornwallis to relinquish the idea of besieging Seringapatam the first time he marched against it; and but for the almost despaired-of co-operation of the Mahrattas, it would have been doubtful whether he would have ever been able to return to it again.

"These considerations, the little dependence to be placed in our allies, and the facility of communication with the Bombay army by Palagatcherry, joined to the importance of possessing the Coimbatoor country, incline me at present to be of opinion that when we engage in this great undertaking, it will be advisable to do it to the southward, by attempting the Caverripooram Pass; but this point, and the season for the junction of the armies of the different coasts, and for the final enterprise;—how far the aid of the Nizam and Mahrattas, or one or other, may be essential to our success in the attack;—whether it may be practicable to subsist our army during the siege without the assistance of those native powers;—what posts should be secured for magazines, so as to have the shortest and most secure line of communication by which to receive supplies;—and the grand subject of brinjarries, whether the native powers assist us or not;—are considerations on which there is not now any time for me to enlarge further."

But, as in duty bound, General Harris continued to make every possible preparation for the assembling of the army and commencement of hostilities. It was a solace to him to think that the responsibility of the war did not rest upon his shoulders. "Amidst the trouble of my present situation," he wrote to Lord Mornington, "it is indeed a great consolation to me 'that the momentous duty of determining whether we must 'endure the calamity of war, or remain peaceful, as we now 'are, does not belong to me, but is entrusted to a person so 'well qualified to decide it." Lord Mornington continued to write from Calcutta that the war was to be commenced with the utmost promptitude; whilst General Harris continued to set forth, with deference but firmness, that to prosecute the war without money was impossible, and that he absolutely had no money at Madras. Still he exerted himself strenuously, and in spite of the importunities and remonstrances of the other members of Council, (who saw, with equal clearness, the insanity of the contemplated movement, and had not the same soldierly motives to implicit obedience to superior authority,) set to work, with such hearty good will, that not even the want of money could stay it, for he declared his intention, when the Council opposed a vote of public money, to supply funds, or to be security for the repayment of them to the treasury, out of his own finances. "Objections were, as I expected, started," wrote General Harris to the Governor-General, "but as I declared my resolution to take the measure upon myself, and execute it with my own funds, if no public money could be obtained, the opposition was silenced, and the measures necessary for putting the troops in motion were instantaneously adopted." The letter in which this passage occurs, was written on the 1st of August;—but, some weeks

before Lord Mornington received it, that nobleman, having been convinced of the folly of attacking, with insufficient resources at his command, so formidable an enemy as Tippoo Sultan, wrote a long and able letter to General Harris, confessing that, although he had meditated an immediate hostile advance upon Seringapatam, he now perceived the impracticability of such a measure; and had, therefore, determined to postpone offensive operations, until such time as the army was in a fit state to encounter, with every prospect of success, the Mysorean army under the walls of the capital. "My 'decided opinion was and is," wrote the Governor-General to General Harris, "that every practicable reduction of the power 'of Tippoo was and is warranted by the principles of justice, 'and demanded by those of policy; and I therefore determined 'in the first instance to endeavour to anticipate the execution 'of his projects of vengeance, by attacking him on all sides 'without delay, and thus intercepting his means of availing 'himself of the solicited aid of France, or of any other assis-'tance which might be presented to him by the variable 'course of Indian politics. But I never proposed to under-'take any attack upon him, of which the success could be 'doubtful in the judgment of those whose opinions must 'always govern my discretion on every question of military 'detail; and although my judgment remains unaltered, with 'respect to the justice, policy, and even indispensable necessi-'ty of an effectual reduction of Tippoo's power, I have not 'undervalued the practical difficulties of such an attempt at the 'present moment..... Your letter, together with the 'opinions of Colonel Close, confirmed the decision which 'I had already taken, and proved that any effectual blow 'against the power of Tippoo must be deemed utterly im-'practicable under the present circumstances of the army 'at your Presidency." This was equally sensible and candid; and altogether worthy of the man.

In the same remarkable letter, the new Governor-General expresses his astonishment—and more than astonishment—at the tardiness with which an Indian army is set in motion. "If," he said in effect, "the coast army cannot be got ready for 'service within a certain time, all I can say is, that the fact, 'which of course I cannot question, as you assert it, is a very 'discreditable one." And then he added an expression of a settled determination to remedy at once an evil of such magnitude. "This," he said, "is a most serious consideration to me, 'who am charged with the arduous responsibility of preserving 'from injury every part of the British empire in India. I am

'determined not only to apply an immediate remedy to this 'evil, but to encounter the expense which I know must be 'incurred, in providing a permanent security against the 'future return of the peril of our present situation. With 'this view, I mean to record my sentiments in the Secret 'Department upon the difficulties which obstruct the move-'ment of your army. This step will be followed by a direction 'to your Government to report to me in Council the most 'eligible plan for enabling the army on the coast to be in 'constant readiness to take the field expeditiously upon any 'sudden emergency. On your report, combined with such 'information as I shall receive from the Commander-in-chief 'and from the authorities here, I purpose to ground a perma-'nent system for the necessary purpose already stated."—There is a touch of the *griffin* in all this. Half a century has passed away since the above sentences were written, and yet India has seen nothing of the "permanent system," which is here so confidently promised. An Indian army never is "in readiness to take the field on any sudden emergency." A sudden emergency, like the great outbreak in Affghanistan, arises, and months pass away before even a single brigade, and that imperfectly equipped, can be got ready for active service. We wonder what the Marquis of Wellesley thought of his "permanent system" in the winter of 1841-42.

On the 21st of August, Lord Clive, having been appointed to the Governorship of Madras, arrived at that Presidency; and General Harris was relieved of the responsibilities of the civil Government. Lord Clive saw at once that the representations of the inefficiency of the Madras army for immediate service, which had been made to the Governor-General, were founded upon a correct estimate of the actual state of affairs; but, like his predecessor, he declared his intentions to do all that possibly could be done, to manifest "the most cordial co-operation, and the most zealous and scrupulous attention to the wishes of the Supreme Government;" and soon the condition of affairs began to assume a more promising aspect.

Soon after the arrival of Lord Mornington, General Harris, acting under instructions received from the Governor-General, had despatched a brigade to Hyderabad, the object of which movement was the suppression of French influence in the Dekhan. The Hyderabad Court was so much under the dominion of French ascendancy, that the British Government could hope for little assistance, in the coming war, from such an ally. The movement was crowned with success. The Nizam, on the appearance of the British troops at Hyderabad, was not long

in coming to a determination to dismiss the French officers in his service; he had the sagacity to side with the stronger party;—and to render himself, at least in appearance, a willing and effective ally. This was the beginning of our successes—from this time the progress of our political measures advanced steadily towards a brilliant consummation. There was no want of energy apparent in any quarter. In Lord Clive the Governor-General found an able and zealous coadjutor; and when, at the close of the year, Lord Mornington arrived at Madras, he "had the satisfaction of seeing all hearts and hands united for the furtherance of his wise and vigorous counsels." The command of the great expedition against Mysore was entrusted to General Harris, who, with rare modesty, mistrusting his own powers, suggested the expediency of conferring the chief command on Sir Alured Clarke, then Commander-in-Chief of the army in India, and at that time in Calcutta. The Governor-General recommended Harris not hastily to decline a command, which might lead him to fame and fortune; but to take a night to consider the great offer that had been made to him, and to give in his reply on the morrow. "Happily 'for the general," writes Mr. Lushington, "and for all connect-'ed with him, his confidence was re-established by the Governor-'General's kind reception of his modest doubts of his own 'sufficiency, and by earnest prayer to the Giver of all victory, 'that he might be endowed with the powers necessary for this 'great undertaking. His fine cheerful countenance, when he 'returned to Lord Mornington in the morning, so plainly 'spoke the result of his night's reflections, that before he could 'give utterance to them, the noble Earl, by anticipation, con-'gratulated him upon his decision, in that frank and generous 'spirit, which won the hearts of all who approached him, and 'made them serve in all his counsels in India, as fervently as if 'they had been of their own suggestion."

"From this moment," adds Mr. Lushington, "every arrangement prospered." The want of money had been a grievous stumbling-block; but what the public treasury could not supply, private patriotism and liberality readily advanced. The Governor-General set the example by subscribing a lakh and twenty thousand rupees towards a new loan;—an example which was nobly followed by a large number of European and native money-holders; and thus, from private sources, within a short time, a considerable sum was raised, to defray the expenses of the war. Thus treasure was found. Stores of all kinds had been collected;—carriage had been drawn from every part of the country; and the scattered components of the coast army

gathered into one effective whole, well organised, well equipped,—and well commanded.

The Head-quarters of the Army were fixed at Vellore; and on the 29th of January, General Harris assumed command. The season was far advanced for the commencement of such an expedition, and Harris could not contemplate the work before him without some gloomy forebodings. The disastrous retreat of the army under Lord Cornwallis some eight years before—a calamity of which the General had been a witness and a partaker—recurred forcibly to his recollection;—the evil consequences of a scarcity of carriage and provisions in the enemy's country were ever present to his mind;—and he steadfastly resolved that nothing should draw him aside from the main object of his expedition—nothing induce him to waste his time and his resources on the march to Seringapatam. It was his fixed resolve to march straight upon the capital, never pausing, unless compelled by the positive opposition of Tippoo's army intercepting his line of march, to strike a single blow by the way. To this resolution he steadily adhered. The army commenced its march. It was a splendid force. "The army of the Carnatic," wrote Lord Mornington to General Harris, "is unquestionably the best appointed, the most completely equipped, the most amply and liberally supplied, the most perfect in point of discipline, and the most fortunate in the acknowledged experience and abilities of its officers in every department, which ever took the field in India." On the 6th of March this fine army, accompanied by the Nizam's contingent, had crossed the frontier of Tippoo's dominions, and on the following morning it commenced its march upon Seringapatam.

On the 4th of April, the British army were encamped in sight of the celebrated strong-hold of Tippoo Sultan. The march had been a difficult and a distressing one. The cattle attached to the army of the Carnatic had died off by scores. The loss of carriage had necessarily been attended by a considerable loss of commissariat and ordnance stores; and there being no possibility, in the heart of the enemy's country, of obtaining fresh cattle to supply the place of those which had fallen dead by the way-side, it was at one time feared that the European soldiers would be necessitated to take the place of the draft bullocks, and drag the heavy ordnance along the remainder of the way to Seringapatam. Fortunately, however, Tippoo in the first instance had come to the determination of attacking the auxiliary force advancing from the Bombay side; and it was not until the 27th of March, that the grand

army under General Harris was engaged with the enemy. This engagement took place at Malavelly, whither Tippoo had despatched a force to intercept the progress of the British; and was the precursor of a career of victory. Tippoo's troops, after much hard fighting, and a fine display of British generalship, were dispersed;—but the British force was not in a condition to follow up the success, by a pursuit of the enemy, whose loss in the affair is, however, estimated at 2,000. On the following day, General Harris steadily continued his march towards the banks of the Cavery, and halted at Angarapooram. Here he came to the resolution of abandoning the direct road, and crossing the river near Soosilly, so as to attack the western front of Seringapatam, and at the same time facilitate the junction with the Bombay troops. This masterly project was put into execution, and crowned with complete success. Whilst Tippoo was looking for the advance of the British along the direct road to Seringapatam which had been taken by Lord Cornwallis, the British troops were crossing the Cavery and encamping near the fort of Soosilly. When the Sultan discovered that he had been so completely out-generaled, he was filled with alarm and despair. Summoning his principal officers, he exclaimed, "We have arrived at our last stage—what now are we to do?—What is your determination?" They all replied that they would die with him.

It would be difficult to over-estimate the delight and gratitude of General Harris, on finding himself, with his fine army and splendid battering train, under the walls of Seringapatam. The march had been long and hazardous; the *impedimenta* of the expedition far more cumbrous than any that had ever accompanied an Anglo-Indian army in the field. An untoward check might at any hour have baffled all the plans of the British Government, and sent back this immense army to the point from which it started, after enduring all the misery of a long, disastrous, and discreditable retreat. It was necessary that the force should reach Seringapatam within a certain time; an obstruction of a few weeks would have rendered it impossible for any human combination of energy and skill to bring the war to a succesful termination. Had the march of General Harris been lengthened out until the setting in of the monsoon, he must have retired, *re infectâ*, across the confines of the Company's dominions. But now the proud heights of that renowned fortress from which Tippoo had so long snorted defiance at the British Government, rose up before the eyes of the delighted commander. There was great work for him to do, and under Providence, he felt equal to its accomplishment.

It would occupy too much of our space were we to attempt to lay before our readers all the minute details of the assault and capture of Seringapatam. We must, therefore, content ourselves with a brief notice of some of the leading passages of this memorable chapter of Indian History. The first incident of the siege was the attack on the Sultan-pettah tope, which stood in front of a new and well-constructed line of entrenchments with which Tippoo, since the last war, had increased the strength of his position. On the night of the 4th of April, General Harris ordered out a detachment under General Baird to beat up this tope. On this occasion nothing was effected. General Baird found the tope unoccupied, and lost his way on returning to camp.* On the following day another attempt was made to obtain possession of the Sultan-pettah tope, by two parties under Colonel Shawe and Colonel Wellesley (the Duke of Wellington)—But the attempt was not crowned with success. This also was a night-attack; and, as General Harris wrote in his Private Journal, "night attacks so often fail." The two parties marched out of camp about eight o'clock;—and for some hours the Commander-in-chief was left in a distressing state of anxiety, as he had reason to suppose that the two detachments were firing on each other. The failure is thus briefly recorded in the General's Diary:—

"*6th April*, 1799. Remained under great anxiety till near twelve at night, from the fear our troops had fired on each other. Lieutenant-Colonel Shawe very soon reported himself in possession of the post, but a second firing commenced, and as he had previously sent to know what had become of the two Native battalions, I could not be satisfied but that, in the dark, they had mistaken each other. It proved that all the firing was from the enemy; his Majesty's 12th Regiment scarcely firing a shot the whole night. Near twelve, Colonel Wellesley came to my tent in a good deal of agitation, to say he had not carried the Tope. It proved that the 33rd, with which he attacked, got into confusion, and could not be formed, which was great pity, as it must be particularly unpleasant to him. Altogether, circumstances considered, we got off very well. General Baird's expedition of last night so far answered our expectations, as he fell in with a small party of the enemy's horse, and cut up eight or ten of them, which will tend to prevent their plaguing us with rockets, I trust. He missed his road coming back, although one would have thought it impossible; no wonder night attacks so often fail."

On the morning of the 6th, General Harris determined to risk no more night attacks, but to send a brigade, in open day, to occupy the tope. Colonel Shawe's detachment was still in

* It has been noticed, as an instance of one of the many *practical* uses of Astronomy even in its humblest form, that Baird was put in the right direction, by Lieutenant, afterwards Colonel Lambton of the great Trigonometrical Survey, who convinced the General by explaining to him the position of the Stars, that he was proceeding in the wrong direction.

possession of the ground, which he had taken on the preceding night, but it was obvious that the enemy were making preparations on a large scale to attack this post and to strengthen the party in possession of the tope. Accordingly the Scotch brigade, with two battalions of Sepoys, were ordered out for service, under the command of Colonel Wellesley; but when the troops were ready to march, Colonel Wellesley was not to be found. As there has been much misunderstanding of this matter—and not a little misrepresentation, we give Mr. Lushington's account of the incident, for its veracity cannot be questioned:—

"When all was ready, Colonel Wellesley was not present; and as General Harris had ordered that he should command, he could not comprehend why he was absent; especially when so much time had elapsed, whilst the additional forces were marching down to their allotted stations.

"After waiting a little longer, and inquiring from his staff what could be the reason of Colonel Wellesley's absence, General Harris became uneasy, and apprehensive that the favourable moment for the attack would be lost; and he directed General Baird, who was on the spot, to take the command and proceed to the attack. General Baird immediately drew his sword, and, turning his horse, rode towards the column for this purpose. He had not moved many paces, when General Harris called him back, and said, "On further consideration, I think that we must wait a little longer for Colonel Wellesley," in which General Baird expressed his hearty concurrence.

"Colonel Wellesley appeared in a few moments afterwards, having, by an omission in the Adjutant-General's office, been only just then warned for the duty. He instantly took the command of the troops, and proceeded to the attack."

To this we subjoin Sir David Baird's own account, as authenticated by Colonel Shawe:—

"The statement is very incorrect, although there is a mixture of truth in it, and it is especially very unjust to Lord Harris. The facts are these. The troops destined for this service were assembled early on the morning of the 6th April. General Harris was on the spot on horseback, and several officers of rank, as well as myself, were present as spectators. But Colonel Wellesley was absent, although it was generally understood that he was to command the attack. We afterwards learnt that, by some accident, Colonel Wellesley was not warned for that duty, and, of course, he did not attend, but waited in his tent for the usual order or summons.

"As the morning advanced, General Harris became impatient and apprehensive that the favourable moment for the attack would be lost by further delay; and he directed me to take the command, and proceed to the attack. I certainly was surprised and embarrassed by this unexpected order, which I felt would interfere with Colonel Wellesley. But I need not remark to you, or to any soldier, that it would have been impossible for me to show any hesitation, or to make any observation, upon receiving an order from the Commander-in-Chief to proceed forthwith and assume an arduous and honourable service.

"I made no reply, but drew my sword, and, turning my horse, I rode towards the column. I had not moved many paces, when General Harris called me back, and said, "I think, upon reflection, that we must wait a little longer for Colonel Wellesley."

"'I then expressed to General Harris, in the hearing of all around us, my great satisfaction at this determination, because I felt that it could not fail to be painful and mortifying to Colonel Wellesley, if any other person was employed to complete the operation which he had begun.

"'General Harris's mind was obviously influenced by the same reflections, when, of his own accord, he recalled me, and it is therefore unjust to ascribe to any one else, whatever merit may belong to it.

"'Colonel Wellesley (who I presume was sent for as soon as the mistake was discovered,) appeared in a few moments afterwards, and, taking the command of the troops, he led the attack, which, in a short time, was completely successful."

"In the hand-writing of MEYRICK SHAWE, Colonel."

The third attempt upon the tope was completely successful. The enemy were driven from their position; and the work, in the words of Colonel Close, the Adjutant General, "done in high style and without loss." The tope carried, Colonel Shawe let slip the 12th regiment, which had been kept in hand, and which now, eager for the affray, bayoneted large parties of the enemy, who were endeavoring to form themselves on the banks of an adjacent nullah. The success of the 7th of April was complete;—the gain to the British cause scarcely to be too highly appreciated. We had obtained an advanced position, calculated, in no ordinary measure, to advance the future operations of the siege. From this time every thing progressed favorably, towards a glorious consummation. Occasional fears of a scarcity of provision harrassed the mind of the commander—but these were but transient clouds.

On the 16th, General Harris received the chief engineer's plan for the attack on the western angle of the Fort. The active operations of the siege now commenced in good earnest. The out-posts of the enemy were attacked, and carried with very little loss. Tippoo soon began to manifest the alarm, which he had all along entertained, and to ask why the English had come to molest him. Terms were spoken of;—but the British having proceeded so far, and with such prospects of full and entire success, were not in a position to accede to any terms but those of their own dictation. The conditions proposed startled Tippoo. He would not accede to them; but sealed his fate by refusal. The operations of the siege were continued; and on the 30th of April a British battery was playing with good effect on the walls of Seringapatam. On the 2d of May, another breaching battery opened upon the Fort;—and on the 3rd the breach was reported practicable. The Commander-in-chief then issued orders for the assault, on the following day; the storming party was told off, and every preparation made for the capture of the stronghold of the once formidable Sultan.

The command of the storming party was, at his own request, entrusted to General Baird. It was told off into two columns, of which Colonel Sherbrook commanded the right, and Colonel Wellesley the left. What followed we cannot detail better than in the language of the book now before us:—

"Major-General Baird engaged with his wonted ardour in a duty so congenial to his gallant nature, and before the morning dawned, all the troops ordered for the assault were quietly lodged in the trenches.

A heavy fire had been kept up all night from our batteries, which prevented the enemy doing anything at the breach, and at daylight it was reported by the chief engineer to be practicable. Every preparation having been thus made, and no extraordinary movement on the part of the enemy having indicated their expectation of the assault, all were eager for the signal. The hour appointed by the Commander-in-Chief for the storm, one o'clock, had nearly arrived, when, a little before this time, while General Harris was sitting alone in his tent, anxiously reflecting upon the course he had resolved upon, if the Sultan should succeed in beating off the first assailants, Captain Malcolm (afterwards Sir John Malcolm) came into his tent, and seeing him full of thought, cheerily exclaimed, "Why, my Lord, so thoughtful?" "Malcolm," said the General sternly, "this is no time for compliments: we have serious work on hand; don't you see that the European sentry over my tent is so weak from want of food, and exhaustion, that a Sepoy could push him down?—we must take this fort, or perish in the attempt. I have ordered General Baird to persevere in his attack to the last extremity; if he is beat off, Wellesley is to proceed with the troops from the trenches: if he also should not succeed, I shall put myself at the head of the remainder of the army, for success is necessary to our existence."*

The important moment of assault had now arrived; at half-past one o'clock General Baird stepped out of the trenches, drew his sword, and gallantly exclaimed, "Now, my brave fellows, follow me, and prove yourselves worthy of the name of British soldiers."

The flank companies instantly rushed out of the trenches, followed by the supporting corps, and under the cover of a heavy fire from our batteries, entered and crossed the river, assailed by rockets and musquetry from the Fort. The forlorn hope of each attack consisted of a serjeant and twelve Europeans, who were followed by two subaltern's parties; that of the right Column was commanded by Lieutenant Hill, of the 74th Regiment, that of the left by Lieutenant Lawrence, of the 77th Regiment. The forlorn hope was accompanied also by John Best, (of whom I have before made mention,) who could not be restrained by his former master, the Commander-in-Chief, from joining in this perilous service. He was severely wounded in the bed of the river, but sat on a rock cheering the flank companies of the two attacks, as they passed, headed by Colonel Sherbrooke and Lieutenant-Colonel Dunlop. A brigade of engineers, under Captain Caldwell, now Sir James Lillyman Caldwell, an officer of distinguished science and gallantry, accompanied the storming party, but he also was wounded in crossing the river. Both the attacking parties ascended the glacis and the breaches in the fausse-braye together. Some opposition was made, but the enemy were soon repulsed or cut down. In six minutes the forlorn hope, closely followed by the front companies of the two divisions, reached the summit of the breach,

* This anecdote was told to me in 1813 by Sir J. Malcolm, and amongst the late Lord Harris's papers I found a letter of mine reminding him of it.

where the British colours were instantly displayed. This was, indeed, a glorious sight. Lieutenant-Colonel Dunlop was here wounded in the hand, and was obliged to remain behind from loss of blood. General Baird, having ascended with the flank companies of the right attack, was now on the ramparts, when the leading companies of the two divisions took their respective routs along the northern and southern ramparts, succeeded by the other troops who were yet under a heavy fire while crossing the river.

The right attack under Colonel Sheerbrooke marched rapidly forward on the southern rampart, according to the order prescribed by the Commander-in-Chief for the assault, and met with little opposition until they came to the Mysore gateway, when a large body of the enemy endeavoured to oppose their getting within the interior rampart, but they were driven out with great slaughter. Lieutenant Shawe fell here, and a number of Europeans were killed and wounded. Having forced the gateway, Colonel Sherbrooke continued his march, and gained possession of all the rest of the cavaliers with very inconsiderable loss, hoisting the British colours as he went along as signals of success and victory.

The flank companies of the European corps on the other attack meeting with more resistance, their progress was much slower; some of the traverses were obstinately defended, for Tippoo himself was here present, and led on that fire, by which their front was frequently brought to a stand. But a part of the 12th Regiment having got across the ditch, found its way within the parapet where the enemy were posted, and drove them out; their fire, and that of the companies in front of the left, soon cleared the rampart, and the fugitives who were not shot or drowned in the ditch crowded into a gateway. Before they had time to get off, they were met by part of the 12th Regiment, and between their fire and that of the troops on the main rampart, multitudes lost their lives. The two divisions, as they respectively passed along the north and south ramparts, overcame all opposition, destroying those within their reach. Neither officers nor men knew when they could with safety arrest the hand of victory, for both had been taught, by mournful experience, that there was no hope of mercy from Tippoo, or of peace with him, or those under his command, whilst his power and life remained. The path of the soldiers was therefore destructive and sanguinary. Thousands fell by their hands—indeed, the carnage did not cease, until the two divisions joined on the eastern rampart. All resistance was here at an end, for the whole works of the fortress were now in possession of our troops: nothing remained to be taken but the palace of Tippoo. Here the utmost confusion prevailed; for the family of the Sultan knew not what had befallen him since he left them in the morning. A report had, indeed, been brought to the killedar that he had been shot, and was lying dead under one of the gateways; but whilst uncertain of his destiny, they did not dare to open the gates of the palace without his permission. For themselves, too, they feared a dreadful retaliation from our soldiers, in consequence of the cold-blooded murder, by Tippoo's express orders, a few days before, of twelve of the grenadiers of the 33rd Regiment who had fallen into his hands; much address was therefore required to calm their apprehensions, and induce them to open the gates of the palace to the British troops, who were drawn up on the outside, prepared either to storm the walls, or to take peaceful possession.

Happily the person employed by General Baird upon this duty was pre-eminently fitted to perform it with success Major Allan (afterwards Sir Alexander Allan), of whom the Commander-in-Chief speaks, in his account of the battle of Mallavelly, as delighting him by his animation, was deputed on this service. Nature had given to Major Allan a heart, a form, and a

countenance admirably fitted for this humane duty. He had, besides, leaaned and practised his profession uuder the eyes of Medows aud Cornwallis. Medows had taught him that "an enemy conquered is an enemy no more," and the whole career of Lord Cornwallis in India was a beautiful illustration of that divine precept which teaches us—

> That earthly power does then shine likest God's,
> When mercy seasons justice.

Major Allan performed his duty in the manner thus simply and modestly described by himself:—"Having fastened a white cloth on a serjeant's pike, I proceeded to the palace, where I found Major Shee and part of the 33rd Regiment drawn up opposite the gate; several of Tippoo's people were in a balcony, apparently in great consternation. I informed them that I was deputed by the General, who commanded the troops in the Fort, to offer them their lives, provided they did not make resistance, of which I desired them to give immediate intimation to their Sultan. In a short time the killedar, another officer of consequence, and a confidential servant, came over the terrace of the front building, and descended by an unfinished part of the wall. They were greatly embarrassed, and appeared inclined to create delays, probably with a view of effecting their escape as soon as the darkness of the night should afford them an opportunity. I pointed out the danger of their situation, and the necessity of coming to an immediate determination, pledging myself for their protection, and proposing that they should allow me to go into the palace, that I might in person give these assurances to Tippoo. They were very averse to this proposal, but I positively insisted on returning with them. I desired Captain Schoey, who speaks the native languages with great fluency, to accompany me and Captain Hastings Fraser. We ascended by the broken wall, and lowered ourselves down on a terrace, where a large body of armed men were assembled. I explained to them that the flag which I held in my hand was a pledge of security, provided no resistance was made; and the stronger to impress them with this belief, I took off my sword, which I insisted on their receiving. The killedar and many others affirmed that the princes and the family of Tippoo were in the palace, but not the Sultan. They appeared greatly alarmed, and averse to coming to any decision. I told them that delay might be attended with fatal consequences, and that I could not answer for the conduct of our troops by whom they were surrounded, and whose fury was with difficulty restrained. They then left me, and shortly after I observed people moving hastily backwards and forwards in the interior of the palace: I began to think our situation rather critical. I was advised to take back my sword, but such an act on my part might, by exciting their distrust, have kindled a flame which, in the present temper of the troops, might have been attended with the most dreadful consequences—probably the massacre of every soul within the palace walls. The people on the terrace begged me to hold the flag in a conspicuous position, in order to give confidence to those in the palace, and prevent our troops from forcing the gates. Growing impatient at these delays, I sent another message to the princes, warning them of their critical situation, and that my time was limited. They answered, they would receive me as soon as a carpet could be spread for the purpose; and soon after the killedar came to conduct me.

"I found two of the princes on the carpet, surrounded by a great many attendants. They desired me to sit down, which I did, in front of them. The recollection of Moize U'Deen, who, on a former occasion, I had seen delivered up, with his brother, hostages to Marquis Cornwallis, the sad

reverse of their fortunes, their fear, which, notwithstanding their struggles to conceal, was but too evident, excited the strongest emotions of compassion in my mind. I took Moize U'Deen (to whom the killedar, &c., principally directed their attention) by the hand, and endeavoured, by every mode in my power, to remove his fears, and to persuade him that no violence should be offered to him or his brother, nor to any person in the palace. I then entreated him, as the only means to preserve his father's life, whose escape was impracticable, to inform me of the spot where he was concealed. Moize U'Deen, after some conversation apart with his attendants, assured me that the Padshah was not in the palace. I requested him to allow the gates to be opened. All were alarmed at this proposal, and the princes were reluctant to take such a step, but by the authority of their father, to whom they desired to send. At length, however, having promised that I would post a guard of their own Sepoys within, and a party of Europeans on the outside, and having given them the strongest assurances that no person should enter the palace but by my authority, and that I would return and remain with them until General Baird arrived, I convinced them of the necessity of compliance, and I was happy to observe that the princes, as well as their attendants, appeared to rely with confidence on the assurances I had given them.

"On opening the gate, I found General Baird and several officers, with a large body of troops assembled. I returned with Lieutenant-Colonel Close into the palace for the purpose of bringing the princes to the General. We had some difficulty in conquering the alarm and objections which they raised to quitting the palace; but they at length permitted us to conduct them to the gate. The indignation of General Baird was justly excited by a report which had reached him soon after he had sent me to the palace, that Tippoo had inhumanly murdered all the Europeans who had fallen into his hands during the siege; this was heightened, probably, by a momentary recollection of his own sufferings during more than three years' imprisonment in that very place: he was, nevertheless, sensibly affected by the sight of the princes, and his gallantry on the assault was not more conspicuous, than the moderation and humanity which he displayed on this occasion. He received the princes with every mark of regard, repeatedly assured them that no violence or insult should be offered to them, and he gave them in charge to Lieutenant-Colonel Agnew and Captain Marriott, by whom they were conducted to head-quarters in camp, escorted by the light company of the 33rd Regiment; as they passed, the troops were ordered to pay them the compliment of presenting arms.

"General Baird now determined to search the most retired parts of the palace, in the hope of finding Tippoo. He ordered the light company of the 74th Regiment, followed by others, to enter the palace-yard. Tippoo's troops were immediately disarmed, and we proceeded to make the search through many of the apartments. Having entreated the killedar, if he had any regard for his own life, or that of his Sultan, to inform us where he was concealed, he put his hands upon the hilt of my sword, and in the most solemn manner protested that the Sultan was not in the palace, but that he had been wounded during the storm, and lay in a gateway on the north face of the Fort, whither he offered to conduct us, and if it was found that he had deceived us, said the General might inflict on him what punishment he pleased. General Baird, on hearing the report of the killedar, proceeded to the gateway, which was covered with many hundreds of the slain. The number of the dead, and the darkness of the place, made it difficult to distinguish one person from another, and the scene was altogether shocking; but aware of the great political importance of ascertaining, beyond the possibility of doubt, the death of Tippoo, the bodies were ordered to be drag-

ged out, and the killedar and the other two persons were desired to examine them one after another. This, however, appeared endless, and as it was now becoming dark, a light was procured, and I accompanied the killedar into the gate-way. During the search, we discovered a wounded person lying under the Sultan's palanquin; this man was afterwards ascertained to be Raja Cawn, one of Tippoo's confidential servants; he had attended his master during the whole of the day, and on being made acquainted with the object of our search, he pointed out the spot where the Sultan had fallen. By a faint glimmering light it was difficult for the killedar to recognise the features, but the body being brought out, and satisfactorily proved to be that of the Sultan, was conveyed in a palanquin to the palace, where it was again recognised by the eunuchs and other servants of the family.

"When Tippoo was brought from under the gateway, his eyes were open, and the body was so warm, that for a few moments, Colonel Wellesley and myself were doubtful whether he was not alive. On feeling his pulse and heart, that doubt was removed. He had four wounds, three in the body, and one in the temple, the ball having entered a little above the right ear, and lodged in the cheek. His dress consisted of a jacket of fine white linen, loose drawers of flowered chintz, with a crimson cloth of silk and cotton round his waist; a handsome pouch, with a red and green silk belt, hung across his shoulder, his head was uncovered, his turban being lost in the confusion of his fall; he had an amulet on his arm, but no ornament whatever.

"Tippoo was of low stature, corpulent, with high shoulders, and a short thick neck, but his feet and hands were remarkably small, his complexion was rather dark, his eyes large and prominent, with small arched eye-brows, and his nose aquiline: he had an appearance of dignity, or perhaps of sternness, in his countenance, which distinguished him above the common order of people."

The fact of the Sultan's death having been thus established beyond all doubt, Major-General Baird immediately directed Major Beatson to communicate to the Commander-in-Chief his request, that himself and the storming party might be relieved that night, as they were much fatigued with the labours of that important day. Major Beatson, accordingly, hastened to convey the Major-General's request to head-quarters, and General Harris at once directed the Deputy Adjutant-General, Major Turing, who was sitting in his tent, to put the officer next for duty in orders, to relieve Major-General Baird; and Colonel Wellesley being that officer, proceded into the Fort for this purpose early the next morning."

It was this appointment of Colonel Wellesley to the command of Seringapatam, after the capture of the place,* which has led to so much controversy. The facts are simply these. On the evening of the 4th of May, on which day Seringapatam

* In the second part of Colonel Outram's "Commentary" (just published) on Napier's *intense* Romance, entitled the "Conquest of Scinde," the author, referring to the indignities which were heaped on the Ameers and their families, when Hyderabad fell into our hands, exclaims, "How different was the treatment experienced by the family of *our hereditary and implacable foe*, Tippoo Sultan, after the *capture* of Seringapatam;" and he quotes a document, bearing Lord Mornington's name, in which the writer says "It has afforded me peculiar satisfaction on this important occasion to learn that every possible attention has been shown to the families of Tippoo Sultan, and those of his chiefs."

was carried by assault, General Baird, who commanded the storming party, applied to be relieved, on the ground that the party which had captured the place, were so fatigued as to be unfit for garrison duty. In accordance with this requisition, General Harris inquired, from the Deputy-Adjutant-General, what officer was next for duty. He was told that the name of Colonel Roberts stood next on the roster; but, presently correcting himself, the D. A. G. said, that Colonel Wellesley's name stood before that of Colonel Roberts. General Harris, who had on the mention of that officer's name commanded him (Colonel R.) to be sent to the relief of General Baird, now ordered Colonel Wellesley to be sent, as the officer next for duty. Colonel Wellesley, accordingly, went, expecting in his turn to be relieved; but finding that this constant relief of the troops in Seringapatam would retard the settlement of affairs in the fortress, he suggested to General Harris that it would be expedient to appoint a permanent garrison and a permanent Commandant. Upon this Colonel Wellesley was appointed Commandant of the garrison of Seringapatam. General Baird, thinking himself aggrieved by this appointment, addressed a letter of remonstrance to the Commander-in-Chief; and was, for this act, severely reprimanded by General Harris. The reprimand was well merited, for the tone of the letter cannot be defended by any one acquainted with the nature of that military loyalty, without which the discipline of no army can be preserved. General Baird, unquestionably, committed himself;—but we are not equally sure that he ought not to have been appointed Commandant of the garrison of Seringapatam.

That Colonel Wellesley was appointed to relieve General Baird, because his name stood next on the roster, is a fact not to be questioned:—but General Harris has no where declared that the Colonel was appointed to the *permanent* command of the garrison, because he happened to be temporarily holding it at the time, when it was first determined to appoint a permanent Commandant. On the contrary, the Commander-in-Chief distinctly declared in a letter to the Governor-General, dated June 28, 1799, "He (Col. Wellesley) was afterwards permanently appointed by me, from my thinking him more equal to the particular kind of duty than any other officer of the army;" Colonel Wellesley was, therefore, selected for command; the command did not fall to him, in his tour of duty. It is useless, therefore, to show that his name was next on the roster to that of General Baird, for the fact only proves that when an officer was to be sent into the Fort, on temporary command, there was no selection; whilst, on the other hand, as soon as a permanent

appointment was determined upon, (and that appointment was suggested by Col. Wellesley himself) the command, no longer one of mere routine, but an office of high honor, was bestowed on one especially selected by the Commander-in-Chief. Colonel Wellesley was, as General Harris declared, "permanently appointed" to the command of Seringapatam, as the officer presumed to be best qualified to hold it;—and as a special command, and one, indeed, under the circumstances of the case not of a purely military nature, General Harris was justified in making a selection. But the friends of General Baird may allege, and not without some show of truth, that he was, in every respect, qualified for the performance of the duty which was entrusted to Colonel Wellesley; and that his claims were superior to those of the latter officer is not to be denied. The letter, which General Baird addressed to the Commander-in-Chief, proved him to be somewhat deficient in the "discretion, judgement, and temper," which, according to the Governor-General, constituted his brother's peculiar fitness;* but that unfortunate letter had not been written when he was passed over, but was the consequence of his supercession. If General Baird was equal to the performance of the peculiar duty involved in the commandantship of Seringapatam, his claims were of such a nature that they ought not to have been disregarded. We do not estimate those claims so highly as Mr. Hook and others; but we think that Mr. Lushington has somewhat under-valued the General's services. The Governor-General, speaking of these services, declared with reference to the storming of Seringapatam that "a more judicious operation, conducted with more heroic gallantry and spirit, never was achieved."

That the officer selected by General Harris shone forth, in his appointed time, as the foremost man of all the world, is nothing to the purpose of the argument; we have only to regard him as he was on the 4th of May, 1799; and there was nothing at that time to render his claims to preferment, above all the other officers of the grand army, apparent to his comrades, whatever they may have been to his brother and his chief. That he was appointed to the command of Seringapatam, simply because he was the brother of the Governor-General, we do not assert, because we do not believe:—but we cannot say we are surprised that this should have been whispered through the army; nor are we surprised that General Baird should have considered himself unjustly superseded by

* Lord Mornington wrote to General Harris, "My opinion, or rather knowledge and experience, of his discretion, judgment, temper, and integrity, are such, that if you had not placed him in Seringapatam, I *would* have done so."

an officer considerably his junior, who had taken no prominent part in the assault and capture of Seringapatam.

Having made himself master of several smaller forts, belonging to the Mysore Government, and established tranquillity throughout the country, General Harris, after appointing Colonel Wellesley to command in the conquered country, returned to the Presidency, where he had the gratification of meeting the Governor-General before embarking for Calcutta. Soon after the departure of Lord Mornington, but not before he had received the thanks of Parliament and the Court of Directors, General Harris returned to England.

Nothing can be more inexplicable to the present age, of which one of the most notable characteristics is the cheerful alacrity with which both the Court of Directors and Her Majesty's Government bestow their rewards upon the men who fight their battles, than the neglect which General Harris and his officers were for some time doomed to experience. The Governor-General had written to the Home authorities, with generous urgency, in behalf of the claims of Generals Harris, Baird, Floyd, &c.—but years passed away and still these officers were unrewarded. "There must be something very disqualifying," wrote General Floyd to Harris, in 1804, "in the conquest of Tippoo and his empire in a single campaign, which renders you and me, and all of us, unworthy of notice." We do not affirm that the India House authorities took no notice of General Harris on his return to England. They did take notice of him. They attempted to deprive him of half his prize-money, by reducing his share from an *eighth* to a *sixteenth*; and this, after the Governor-General had expressly stated to the authorities that he did not recommend General Harris for any pecuniary grant, on the score of his distinguished services, because his share of prize-money would place him above the need of any such assistance. "And what," indignantly asks Mr. Lushington, "was the return 'made by the Government at home? Neither the British 'peerage nor the riband of the Bath was conferred upon him. 'They seem to have determined to verify the truth of that 'maxim, which proceeded from one who knew the human 'heart well, when he left as his warning voice to posterity 'the well-known adage, *Proprium humani ingenii est odisse 'quem læseris*; in this spirit they endeavoured to deprive 'him, whom they had unjustly neglected, of the prize-money 'he had honorably obtained. They supported a suit in the 'Court of Chancery against his property, and no one knows

'better than myself all the anxieties which he suffered during 'those years of persecution. Though half his fortune 'was in peril, his spirit was too noble to listen to any compro- 'mise of those principles, which had governed his conduct 'at the head of the army in Mysore. This was the price at 'which the honours he had so well earned, together with fu- 'ture peace, were tendered to him; but he spurned the 'offer, and firmly resolved to maintain his principles and his 'property. The authority and the learning of the King's 'and the Company's Law officers, with the ample means of the 'East India Company, were all arrayed against his interests 'and his reputation. But General Harris determined never 'tamely to surrender either. He addressed to the Indian 'authorities a remonstrance . . . . but this remonstrance pro- 'duced no effect upon minds already prejudiced and predeter- 'mined. It was not until General Harris had suffered six 'years of litigation and slander, that the dawn of better days 'first shone from the upright mind of Mr. Perceval. Having 'been misled by the grossest misrepresentations, he cheerfully 'corrected his opinion, and did justice to the unspotted charac- 'ter of General Harris, when he saw what falschood and 'calumny had been heaped upon him. But this merited 'rebuke did not stay the march of his persecutors. They pro- 'ceeded with their appeal in the Court of Chancery, and when 'it was dismissed from that Court, they intruded it upon the 'Privy Council; where, after a solemn hearing, the General's 'honorable character was vindicated, and his property con- 'firmed."

It is possible that there are some of our readers who do not sympathise with General Harris, quite so warmly as Mr. Lushington. That the General was fairly entitled to an eighth of the Prize-money we believe; but it is not to be forgotten that he served under Lord Cornwallis and General Medows, who had surrendered to the army all their share of the profits derived from the first siege of Seringapatam—an act of generosity by which Harris himself must have been greatly the gainer. The precedent was not one, by which all future commanders were, in any way, bound to shape their conduct;—but some, regarding the contest as one between General Harris and the army, may think that Mr. Lushington's virtuous indignation is a little misplaced. For our own parts, we find it impossible, in times like these, when the Indian services of our officers are so liberally rewarded with Bath honors, Peerages, and pensions, not to sigh over the fate of the distinguished officer, who crushed

the most formidable enemy ever opposed to our Indian army in the field, and, throughout the fifteen years which succeeded this memorable conquest, gained nothing from his country but—*a Chancery Suit.*

In 1815, General Harris was raised to the Peerage. The honors, some fifteen years over-due, for which he had more than once vainly importuned the Government of the day, were at length, through the intercessions of the Duke of York and Lord Liverpool, bestowed upon the conqueror of Mysore. He was created "Lord Harris of Belmont in Kent, and of Seringapatam and Mysore in the East Indies." Subsequently the honors of the Bath were added to those of the British peerage; he was created a Grand Cross; and the Government of Dunbarton Castle was conferred upon him. His merits were now fully recognised; his claims fully satisfied; and the remainder of his days were spent in ease and tranquillity of mind. He lived to see more than one of his sons distinguished in the same honorable field of ambition, as that in which he had himself risen to fame and fortune; and in the enjoyment of the condescending friendship of the King, the Duke of York, and other magnates of the land, he attained an honored old age, and surviving most of them, descended peacefully to the grave. "By his neighbours and tenantry, rich and poor, he was beloved and respected for his kind heart, clear understanding, and simple manners. That frankness of intercourse, which was the result of these qualities, was quite in the spirit of Addison's portrait of the old English country gentleman, in the person of Sir Roger de Coverley and produced the same effects. 'The 'young women professed to love him, and the young men were 'glad of his company. When he came into a house, he called 'the servants by their names, and talked all the way upstairs 'to a visit.' Nor did the resemblance to the good old knight stop here. 'His easy manners put all pomp and pageantry 'out of countenance in his presence; and though a high- 'hearted nobleman doing honour to the peerage and to his 'country by his personal virtues and public services, he was as 'unaffected as the simplest peasant.'

On the 19th of May, 1829, Lord Harris was gathered to his fathers. He appears to have died in the full possession of his faculties, serenely and hopefully—to have resigned his spirit into his maker's hands, in humble reliance on God's infinite mercy. "He received the Sacrament with all of his children who were present, under circumstances of the deepest inter- 'est, affectionately bade them farewell, and resigned his spirit

'into the hands of his maker in full confidence of the atoning 'merits of His Saviour."

We need not attempt, in this place, an elaborate mental portrait of the first Lord Harris. The son of a country curate, he rose to eminence by the force of his own personal character; and yet that character was not distinguished by any extraordinary qualities of mind. His career, indeed, may be regarded as a striking illustration of what may be done by a man of no very brilliant intellectual endowments, who steadily follows his profession, turning neither to the right nor to the left, but consistently "doing his duty in that state of life, to which it has pleased God to call him." He had all that is necessary to make a good soldier—much that is necessary to make a great commander;—he had courage, integrity, a fine sense of honor; he was cheerful, generous, and humane. As a military chief, he had been little skilled in the handling of armies, when he was called upon to take command of the most extensive expedition, which had ever been equipped for service in India; but when we estimate the importance of that service, the magnitude of the difficulties to be encountered, the cumbrous nature of the *impedimenta* of the army of the Carnatic, the season of the year at which he commenced his march, the character of the country he traversed, and the immense resources of the enemy, we are compelled to acknowledge that many an officer of much greater experience might have conducted the campaign to a less glorious termination. No man, perhaps, had less confidence in General Harris's abilities than the General himself. He was diffident of his own powers; in no way ambitious of responsible command; and, when at length he achieved one of the most memorable acts recorded in history, the capture of Tippoo's stronghold and the subjugation of Mysore, he bowed himself humbly before the Almighty, and to his aid attributed all that had been done. "The Almighty only can judge hearts," he wrote on the evening of the 4th of May, "and I hope mine is found humble in his sight." Humility was, indeed, one of his characteristics; but in his dealings with his fellows, he was never wanting in firmness—never destitute of those qualities which support the dignity of human nature and command the respect of mankind. In private life, he was peculiarly gentle and amiable; with strong, but well-regulated affections, much courtesy of manner and kindness of disposition; he elicited from the domestic circle, by which he was surrounded, the strongest feelings of reverence and love. He was a good husband, a good father, a kind master, and warm friend.

We had intended to have closed this review of Mr. Lushington's book with some remarks upon his dissection of the misstatements contained in Mr. Alison's history of Europe; but our article has already extended beyond the limits which we originally assigned to it. We need scarcely say that Mr. Lushington remains master of the field. The historian must submit to the exposure. In these days it is no longer safe to write crudely and recklessly about India; ignorance is sure of detection, and it is as necessary to consult and collate authorities, when a narrative of an Indian battle is to be written, as when an European campaign is the subject of the historian's discourse.

We part from Mr. Lushington with a word of thanks. He has done good service by the publication of this *Life of Lord Harris*. The second edition, which we have used, is, however, in some respects defective, for many of the documents referred to in the text and said to be in the *Appendix*, are no-where to be found. We presume that they are contained in the first edition, but have been omitted from the second.

In conclusion, we avail ourselves of the present opportunity for again reiterating our expression of regret that so few of the talented and accomplished men, who, after serving their time in India, have returned to their native land in the enjoyment of health and fortune, should deem it their duty, their privilege, or their pleasure, to turn their valuable Indian experience and accumulated information to profitable account, in the way of interesting and enlightening the minds of their countrymen, by separate publications of their own, or through any of the more influential channels of the current periodical Literature. Let us indulge the fond hope that, henceforward, this source of regret may be gradually diminishing, until it is eventually dried up. Lushington, Elphinstone, Galloway, Briggs, Tod, Kennedy, Wilson and others, have already so far set a good example; may that example stimulate to more frequent and successful imitation.

ART. III.—1. *Rennel's Atlas*, 1779.

2. *Tassins' Bengal Atlas*, 1841.

THE question of Statistics is one that has engaged of late years the attention of some of the most scientific minds in England, France, and Germany; in England a Statistical Society is in active operation and publishes a Journal since 1837. Statistics are now classed as a science and as such occupy a place in the list of subjects that come before the British Association; in France the Archives of Government are thrown open to the researches of the members of La Société de Geographie, a body which has contributed more to the advancement of the science of Geographical Statistics than any other throughout the world. But in India how different is the case; it would, at times at least, almost seem to be as easy to get access to the records of the Inquisition as to many of the Statistical documents of the Bengal Government, which are often permitted to become the food of white ants, or perhaps to be *sold in the Calcutta Bazars as waste paper*, while they are virtually *sealed* to the investigation of the learned! Yet, in spite of every such discouragement, much light has been thrown on the History of India by individuals.

We feel strongly that the *present* is the time for collecting information on the condition of India—Hindu Society is in a transition state—the old pandits and natives, whose heads are stored with traditionary lore, are passing away, and their successors feel little interest in the past local events of India:—unless therefore, "these fragments from the wreck of time" be preserved in print, we shall lose one means of noting the progress of the natives of India. Todd's Rajasthan, Malcolm's Central India, and the Mackenzie Mss., compiled at a period when Central India was in a transition state, have snatched from oblivion a number of valuable facts, which will serve hereafter as landmarks to indicate the march of improvement among the Rajpút and South India tribes.

In former numbers of this Review two papers appeared, "Notes on the banks of the Húgly," which gave an account of the places between Calcutta and Chinsura; we propose continuing the "Notes" as far as Súti near the mouth of the Bhágirathi, with the exception of Chinsura, Húgly and Bandel. Chinsura with its Dutch associations and Húgly with its stirring events in days of yore, afford ample materials for a distinct article: Bandel we have noticed in "The Portuguese in North India." The Banks of the river between Tribeni on the South and Gaur on the North teem with local associations of various

kinds—*Tribeni*, famous as a place of pilgrimage since the days of Pliny—*Sátgan*, a grand emporium of trade in the time of the Romans—*Ghospárá*, the cradle of the Kartá Bhojás—*Dumurda*, notorious in the annals of dakoity—*Sukhsagar* and the river encroachments—*Chagdá*, once infamous for human sacrifices and dakoity—*Sibpúr*, formerly a residence of the illustrious Raja Krishna Chandra Ray—*Guptapárá*, famous for its monkeys and Brahmans—*Santipúr*, the strong-hold of ghosains—*Kalna*, with its trade and temples—*Dhobá*, and its sugar manufactory—*Nudiya*, in old times the capital of Bengal and still a Brahmanical metropolis—*Agradip*, the scene of a famous mela—*Katwá*, the port of Birbhum, well known in the days of the Mahratta—*Palási*, the Indian Marathon—*Rangamati*, with its spur of the Birbhum hills—*Berhampúr*, 80 years ago the frontier cantonment of the East India Company—*Kasim Bazár*, the former seat of the English, French, and Dutch trade—*Múrshidabad*, and all its recollections connected with the Musalmán dynasty—*Jangipúr*, famous for its silk trade—*Súti*, where Mír Kasim met his defeat and his visions of independence vanished—and *Gaur*, the metropolis of Bengal, long before the days of Alexander.

To the mere stranger the banks of the Bhágirathi present little calculated to afford interest;—so would the plain of Troy to the person ignorant of Grecian history: but for those who love to dwell on the past, there are few parts of India, except Rajpútaná, which are crowded with a series of more interesting associations. The trade carried on by the Romans—the Hindu dynasty of the Lakhmans—the scenes where British ascendancy was established in this country—the influence of Mahommedan sway—the development of the resources of this country by Indigo, Silk and Sugar factories—the former prevalence of gang robbery;—ideas connected with these and kindred subjects crowd on the mind of the intelligent traveller in passing various places on the banks of the Bhágirathi. In consequence of the local associations he has called up, Sir W. Scott has given "a charm to Scottish scenes and barren heaths." Dr. Johnson has made the often quoted remark, in which he condemns the man whose patriotism would not glow on the plains of Marathon, or piety grow warm amid the ruins of Iona. In India where Europeans generally feel so little interest in the country, know so little of its past history, and sympathise so little with the natives, it is specially important that the principle of *local association* should as far as possible be called forth. We must know something of the *past* history of a people in order to understand their *present* condition—what

a stimulus did the recollections of Grecian History afford some years ago to the exertions of philanthropists in the cause of the modern Greeks, who were crushed under the yoke of Turkish tyranny. We trust that the progress of English education and Christian Missions along the banks of the Bhágirathi during the next fifty years, will afford a brilliant contrast to the gloomy recollections of past times—to the profligate rule of Kúlinism—to Satis—Infanticide—Musalmán despotism and Hindu stagnation of thought.

The banks of the Bhágirathi are likely to afford scenes of the noblest triumphs to missionary and educational operations, because the principle of concentration and mutual co-operation will be carried out, by a *chain* of missionary and educational posts at,—Húgly connected with the London Missionary Society; Ghospárá with the Established Presbyterian Church; Kalná with the Free Church of Scotland; Nudiya and Kishnaghur with the Church Missionary Society; Katwá with the Baptist; and Berhampúr with the London Missionary Society.

Besides Heber's Journal and "Robert's Scenes" there are scarcely any journals of travellers worth notice on Bengal; in a recent work, "Bacon's First Impressions," it is stated, that after leaving Barrakpúr "a few *hours* tracking brought us to Serampore"! the author gives a drawing of a fakír's serai on the banks of the river near Húgly with a *hill* in the vicinity! this resembles Carne's description of Kiernander, the *first* Protestant Missionary to Bengal, visiting his *mountain* villages *near* Calcutta! No Sanskrit works give any topographical information respecting those localities, except the Sri Bhagavat and some other Puranas which notice Tribeni, and the course of the Ganges. Arrian, Pliny and Strabo write incidentally of a few places. As for authorities on these subjects little information can be given, since in the Bengali language no book of any description was compiled before A. D. 1500. The poem of Kobi Kankan was written in Bengali 300 years ago, (the author lived in Burdwan; and is said to have been born at Damini near Tárikeswar in Burdwan; Kirti Bás is also said to have been born in Burdwan). It describes the journey of a merchant from his own residence 150 miles from the sea, down the Bhágirathi to the port in which he embarked for Ceylon, he enumerates the places at which he *lagoed* on the banks of the river. The *Sandesábalí* and *Timir-Násak* notice a few towns; but the written or printed materials are very scanty: "the Musalman invaders of Bengal thought Hindu writings to be full of mantras or charms, and they deemed them *haram* or sinful, and not worthy to be seen; hence on entering a town in Bengal

they burnt every ancient Mss. as well as image: the Hindus also were in the practice, when invaded, to destroy every thing which was of value to the invaders and particularly all "Mss. that would give information of the country;" hence no Mss. exist which give any information of Gaur or Pálibathrá. The Hindu writings were of an anti-historical character. The remarks of Taylor in his "Historical Manuscripts" are applicable here,—"Generally speaking, Indian princes, purely such, as distinguished from foreign invaders, have been less addicted to warring with each other, than those of almost any other ancient nation. Hence, in a great degree, arises the paucity of materials for Indian history; but, happily periods most barren of historical incident, have always been most prosperous for the people." We must therefore have recourse, occasionally to oral testimony and current traditions, which are the only sources in the absence of written testimony, and which have been resorted to with so much success by Tod in his Rajasthan; the discoveries however of Ventura in the [illegible] of the Panjab, of Prinsep in Pali Medals; of Hodgson in Nepal, and of Remusat in Chinese Mss. give hope that future researches may throw a flood of light on the Ante-Mahomedan history of Bengal; a translation of some Persian Mss. mentioned in Stewart's Catalogue would afford information on Bengal History: even legends are of value, for as Wilson remarks, "Hindu tales are *faithful* records of the state of popular *belief* many ages ago." Legendary lore is compared by Troyer to a chronometer, which, though it gives not the true time, yet presents errors which we know how to correct. Dr. Buchanan, though he undertook at the command of the Marquess of Wellesley a survey of Eastern India, which occupied him seven years and cost the Government 30,000 £, yet has not thought it beneath his notice to embody in the report he presented to Government the legends and local traditions of the districts he passed through.

We name this article the banks of the BHAGIRATHI, though some Europeans call the river as far as Nudiya the Húgly,—but Húgly is a modern name, given to it since the town of Húgly rose into importance: the natives, call it Bhagirathi, because they say it was the channel Bhagirath cut in bringing the Ganges from the Himalaya to Ganga Ságar. This name recalls what is believed to be a fact—that the Ganges itself formerly ran by Katwá, Tribeni, and not as it does now into the Padma; our reasons are,—the natives attribute no sanctity to the waters of the Padma, thinking the Bhagirathi to be the true bed of the river, hence the water flowing by Bishop's College is not esteemed holy, as they say that the site

of Tolly's Nalá was the ancient bed—there are no places of pilgrimage along the banks of the Padma, while on the Bhagirathi are Tribeni, Sagar, Nudiya and Agardíp. Dr. Buchanan states on this subject "I think it not unlikely that on the junction of the Kosi with the Ganges, the united mass of water opened the passage now called Padma, and the old channel of the Bhagirathi from Songti (Súti) to Nudiya was then left comparatively dry. In this way we may account for the natives considering that *insignificant* channel as the *proper* continuation of their sacred river, as they universally do, a manner of thinking that unless some such extraordinary change had taken place, would have been highly absurd"—the names of places near the Bhagirathi ending in *dwipa* island, *dángá* upland, *daha* abyss, *súgar* sea, seem to indicate that a large body of water formerly flowed near them.

We begin our notice with the SARASWATI Khal, which flows by Tribeni down to Sátgan, and which in former days was a mighty stream, when the Bhagirathi, instead of flowing as now past Húgly, rolled its mighty waters down by Sátgan. Rennel states, "In 1566 the Satgang river was capable of bearing small vessels and I suspect that its then course, after passing Satgang was by way of Adampur, Omptah and Tamluk: and that the river called the old Ganges was a part of its course, and received that name, while the circumstance of the change was fresh in the memory of the people. The appearance of the country between Satgang and Tamluk countenances such an opinion." The banks of the Saraswati at Tribeni formed the ancient boundary of the kingdom of Orissa, extending as far west as Bishenpur in the time of the Ganga Vansa princes from the 10th to the 14th Cent A. D. Akbar annexed Tribeni to the Bengal government and separated it from the powerful kingdom of Orissa or Kalinga, which flourished at the same period as the Ujayin and Malwa monarchies, and was next to Magadh in greatness, stretching from the Godavery towards the Ganges; the King of Kalinga in Pliny's time could bring into the field 100,000 foot; at the beginning of the Christian era Salivahan ruled the country between the Godavery and the Nermada. "By progress of emigration and conquest the Orissa nation carried their name and language over the vast space of territory, including, besides Orissa Proper, part of Bengal, and Telingana." In 1243 the rajah of Jagipur, 35 miles N. E. of Katak, besieged Gaur the Capital of Bengal. The Orissan monarchy sunk into decay about the same time that the Saraswati river, owing to a silting process, dried up; in 1845 an inundation tore up the soil in the bed of the river near Sátgan and exposed to view the masts of a ship. In Rennel's Maps, drawn over 70 years ago, the Saraswati joins a river which flows by Duma, Nisipur and Chanditala into the Húgly at Sankral near Bishop's College: this probably was the old bed of the Bhagirathi, which passed from Sankral up to the site of Tolly's Nalá, then *via* Gurea, Barripur and Rajganj to Diamond Harbour, and so on to Ganga Sagar; the ground west of Haura and from thence on to Húgly is low and marshy, indicating the course of a former river. Ptolemy however states that the Saraswati flowed into the mouth of the Jellasore river: this view corresponds with that of Rennel's, and may be reconciled with our's by supposing a *branch* from the Saraswati, *i. e. Ganges* to have joined the Damuda or Rupnarayan.

SATGAN, the royal emporium of Bengal from the time of Pliny down to the arrival of the Portuguese in this country, has now scarcely a memorial of its ancient greatness left; it has furnished a native proverb indicative of its fall, "Compare not yourself to a man of Satgan." Wilford thus describes it, "Ganges Regia, now Satgan, near Húgly. It is a famous place of worship, and was formerly the residence of the kings of the country, and said to have been a city of an immense size, so as to have swallowed up one hundred villages, as the name imports: however, though they write its name Satgan, I believe it should be Satgram or the seven villages, because there were so many consecrated to the seven Rishis and each of them had one appropriated to his own use." Sátgan is said to have been one of the resting places of Bhagirathi. One of the Puranas states that Pryabasta, king of Kanauj, had 7 sons, who lived in Satgan, i. e. Saptagram, and whose names were given to seven villages, viz. Agnidra, Romanaka, Bhopisanta, Saurabanan, Barra, Sabana, and Dutimanta, they were *múnis*. Kusa-grass is said not to grow in Satgan, as it was cursed by the seven *rishis*. Di Barros writes "that Satgaw is a great and noble city, though less frequented than Chittagong, on account of the port not being so convenient for the entrance and departure of ships." Purchas states it to be "a fair citie for a citie of the Moores, and very plentiful, but sometimes subject to Patnaw." Fredericke, who travelled in Bengal, 1570, and visited Satgan mentions that in it "the merchants gather themselves together for their trade:" he describes a place called Buttor, "a good tide's rowing before you come to Satgaw, from hence upwards the ships do not go, because that upwards the river is very shallow and little water, the small ships go to Satgaw and there they lade:" he writes that "Buttor has an infinite number of ships and bazars; while the ships stay

in the season, they erect a village of straw houses, which they burn when the ships leave and build again the next season; in the port of Satgaw every year they lade 30 or 35 ships great and small with rice, cloth of bombast of divers sorts, lacca, great abundance of sugar, paper, oil of zerzeline and other sorts of merchandize." The Shah Jehan Namah, part of which is translated in Stewart's Oriental Catalogue, mentions that, "while Bengal was governed by its own princes, a number of merchants resorted to this place (Húgly) and having rendered this agreeable, obtained a piece of ground, and permission to build houses, in order to carry on their commerce to advantage; in the course of time owing to the stupidity and want of attention of the Governors of Bengal, a great number of Portuguese assembled here, who erected lofty and solid factories which they fortified with cannon, muskets, and other implements of war:" he then states the Portuguese settled at Húgly, "which drew in a short time all the trade from Satgan, which in consequence fell into decay." In 1632, Húgly being made a royal port, all the public officers were withdrawn from Satgan, which soon sunk into ruin. The Mogul governor of Húgly brought a charge against the Portuguese before Shah Jehan of "having drawn away the trade from the ancient port of Satgan." The silting up of the river there, was another cause of its decay: similarly we find that Kambay, which was a famous port when the Portuguese came to India, is now choked up owing to the sea having retired several leagues: it is said the Moguls deepened the present channel which flows in front of Húgly, and this would serve to draw off the current which before flowed down by Satgan.

Warwick, a Dutch Admiral, notices that Satgan in 1667 was a place of great trade for the Portuguese. The foundations of a fort built by the Musalmans remain near Satgan bridge; the fort was pulled down to build houses in the town. The old Dutch residents at Húgly had their country seats at Satgan, and were in the habit of *walking* from Chinsura in the middle of the day to it and returning after dinner. Near Satgan bridge stands an old temple in which is interred one of the officers of Shah Sufi. The people of Satgan were famed for wit and often contended for the palm of wit with the inhabitants of Mahmud Shah, in the neighbourhood.

Opposite Tribeni at the mouth of the Saraswati Khal, stands a famous MOSQUE, containing the tomb of Jaffir Khan; it was once a Hindu temple. Jaffir Khan was the uncle of Shah Sufi, he was a zealous Musalman and made a proselyte of Rajah Man Nriput, he was killed in a battle fought with Rajah

Bhudea. Jaffir's son conquered the Rajah of Húgly and married his daughter, who is buried within the precincts of the temple, and to this day Hindu votive offerings are presented at her tomb on Musalman festivals: Jaffir Khan himself, though a Musalman, worshipped the Ganges. This temple must be at least 500 years old, as Shah Sufi came to Bengal A. D. 1340 (he fought a battle near Pandua, which rendered the country entirely subject to the Musalmans); the stones in it are very large: the temple was probably erected when the kingdom of Orissa was in its glory and stretched its sceptre as far as Tribeni, and when ships floated on the waters of the Saraswati—across which a child can now leap. A civil servant at Húgly is said some years ago to have pulled down part of this temple to make a ghat!!

South of this temple is the village of BANSBARIA or Bansbati, i. e. the place of bambus, famous for the temple of the goddess Hansheshari, with its 13 pinnacles and 13 images of Shiva, erected 50 years ago by Rani Sankari Dási, the wife of Nrisinga Deva Ray, a Zemindar: it cost a lakh of rupees, and had a house there surrounded with a trench and four pieces of cannon mounted on it; when the Mahrattas came near Tribeni the people fled to this house for protection. On the festival of Hansheshari the Rani used to invite pandits from all the neighbouring country, Calcutta, Nudiya.* This temple occupies 15 acres. At Bansbaria there were formally 12 or 14 tolas, where Nyaya or logic was read, but Sanskrit studies are on the decline there. The Tatwabodhini Sabhá had formerly a flourishing English School of 200 boys at Bansbaria, established 1843, but some of the boys embracing Vedantism, their parents became alarmed lest they should forsake Puranism

* The following is a list of a few among the many eminent pandits Nudiya, has produced during the last 300 years—Raghu Nandan composed about 200 years ago "the Essence of the Hindu ritual," he established a new ritual in the investiture of the paita, he wrote a work on Law called *Tithi tatwa* in twenty-eight books; it is extensively studied, and is highly valued by Colebroke—*Nudiya* is most famous for the study of Nyaya or Logic: among the pandits who have written commentaries here on the subject occur the names of:—Godadar Sriromani, Maturanath Tarkabagish, Roganath Sriromani, Bas Deb Sarbabaumi,—on *Smriti or law*, Ji Matta Bákan—Sri Krista Tarkalankar, Chandrasekar Bashishpati; and on the *Mugda Bodh* or *Grammar*, Durgadas Bideabagis, Ram Tarka Bagis, Bharat Malik; Amar Sing, the author of the Amera Kosha, lived in Naya where he kept a tola and wrote his book. There is a tradition that the celebrated Kalidas came from the Court of Vikramaditya to test the knowledge of the Nudiya pandits, and also that Sankar Acharya visited it for the same reason; Krishnanda, a Brahman of Nudiya in the middle of the 16th century, propagated a doctrine called *pasu bhab*; it is believed in by numbers of Brahmans in Bengal. Sir W. Jones, 1787, congratulated himself in "spending three months every year near an ancient university of Brahmans (Nudiya) with whom he began to converse fluently in Sanskrit." Those anxious to know more on the learning of Nudiya, we would refer to Adam's Reports on Education in Bengal and Bahar.

and they withdrew many of them; the members of the Sabhá thought that Bansbaria being an eminent seat of Hindu learning presented a more favorable opening for schools than Calcutta; but Puranism and Vedantism being antagonistic, the success of the school has been retarded. A tiger was seen near it in 1830; he killed four ryots; old persons still remember the time when the Satgan district was infested with tigers and when rewards used to be offered from the Collector's office at Húgly for killing them. Tarachand, a native Christian, resided at Bansbaria; he was led to inquire respecting Christianity from simply reading a New Testament. The first native Church under a native minister was formed at Bansbaria under Tarachand, who was a well informed man, and spoke English, French, and Portuguese with fluency.

On the opposite side of the river facing Bansbaria is MALIKBAG, of which Ramkomul Sen gives the following account in his able preface to his Bengali dictionary. "The Musalman invaders of the west of Hindústan, who afterwards established themselves on the throne of Delhi, considered this country (Bengal) to be *Dojakh*, or an infernal region, and whenever any of the Amirs or Courtiers were found guilty of capital crimes, and the rank of the individuals did not permit their being beheaded, while policy at the same time rendered their removal necessary, they were *banished to Bengal*. Of those individuals banished to Bengal, one, named Mullik Kássim, had his residence immediately west of Húgly, where there is a *Haut* or market, still held, which goes by his name. Ahmid Beg was another person of that description; his estate is still in existence, opposite to Bansbaria; and there are a *Haut, Gunge*, or mart, and a *khal* or creek, still called after his name; Meer Beg also had a fort, with a mansion opposite to Húgly, which is called *Mir Beg ká Gur*." These lands were given on a kind of military tenure; as the Government of the Afghans in Bengal, bore a close resemblance to the feudal system of the Goths. The air and water of that part of Bengal were then considered so bad as to lead almost to the certain death of the criminal. The whole of *Malikbág* was formerly a large garden, but the trees have been cut down for fuel. In the time of Malik the site of Serampore was a jungle. The site of the city of Jessore, which is considerably to the north of Malikbag, was, when founded 300 years ago by Sivananda Majúmdar, the uncle of Rajah Pratapaditya, "a forest on the borders of the sea." A little to the south of Malikbág is HALISHAR, famous for the Smriti Colleges, established there by Rajah K. Ray of Nudiya; he assigned

to them endowments of land, the Rajah is said to have come here to visit Balarám Tarkábushan, a very learned pandit, who would not enter a Sudrá's house, nor even take money from his hand, nor receive a present on the banks of the Ganges; the Rajah saw a Kumbhakar or potter at the place and asked him in Sanskrit, *Kastam* (who are you), the man replied, *Kumbhakar Ahang* (I am a potter), the Rajah surprised that a low person knew Sanskrit, said, this is a fine place, and he made a bazar in it called Kumarhattá, i. e. the bazar of the potter. Great quantities of broken pottery are still dug up, the pandits still call Halishar by the name of Kumarhattá. Balaram Tarkaboshu, a pandit well skilled in Nyaya, lived here. There are still twelve Sanskrit Colleges in Hálishar and its neighbourhood; Law and Logic are the chief subjects taught. Hálishar is noted for its drunkards, and particularly for drunken women: one reason ascribed for it is, that many Brahmans from the East of Bengal reside here, and follow the Tantra system which encourages drunkenness. At Hálishar, Ram Komal Sen had his country seat; he was of low origin, his father was a native doctor; Professor Wilson patronised him and gave him employment in his printing office, afterwards in the mint, where he studied English and Sanskrit, and subsequently became Assistant Secretary to the Sanskrit College. *Hálishar* formed a Zillah last century; it has a population of about 30,000, 4000 of whom are of the *bhadrá lok* or Hindu gentry.

To the North of Malikbag flows the JAMNA river, called by Ptolemy, the Diamuni, "the blue daughter of the sun," by Jaydeva it is named the Kal Yamani, because Kanya destroyed the hydra *Kalya* which infested it: the villages along the Jamná are scattered and thinly populated. Corpses are thrown into it in order to float into the Bhagirathi, which they sometimes do after the lapse of a year. In 1813 the Government survey fixed the Jamná as the Northern boundary of the Sunderbands. The Jamná joins the Ishamati (so called from its being noted for its *ikshu* sugar canes.) The Jamná, though now a Khal, was a large river at the period when the whole stream of the Ganges flowed down by Tribeni and along with the Saraswati formed the Dakhin Prayág; the ghát manjis on the route from Orissa to Tribeni are guilty of great oppression. To the North of the Jamná is GHOSPARA, famous for being the birth place of the Kartá Bhoja sect.*

* Few respectable Hindus have joined the Karta Bhojas, yet they are spreading, but chiefly among the *lower orders*: one of their pretences is, to substitute an actual vision of the goddess of every individual instead of a material image, each one is

We now come to the far famed TRIBENI, the MUKTABENI of Bengal, as the Tribeni at Prayag is the Yukta Beni. Tribeni is said in the Padma Purana to give virtue and salvation to all those residing near it; a famous mela is held here in January: in 1838 over 100,000 persons attended it; of these 24,000 were from Orissa. The Shiva Purana states that the place where the Ganges unites with the Jamna is capable of destroying the sin of murdering a Brahman, particularly in the month of Magha. Stavorinus, an old Dutch traveller of the middle of last century, described the mela as attended by an immense concourse, who carried home Ganga water for the use of their relatives. Tribeni is one of the four *Samájis* or places famous for Hindu learning; the others are Nudiya, Santipur, and Guptapárá. Tribeni was formerly noted for its trade: Pliny mentions that the ships assembling near the Godavery sailed from thence to Cape Palinurus, then to Tentigalé, opposite Fulta, then to Tribeni, and lastly to Patna. Ptolemy also notices Tribeni. The Portuguese, Ptolemy, and the natives now call it Tripina, but incorrectly. There were over 30 tolas in Tribeni; Jaganath Pandit lived here in the time of Lord Cornwallis; he took an active part in the publication of the Hindu Laws. Some years ago a Saniyasi who lived for 50 years near the bazar, was attacked by dakoits; 2000 Rupees were stolen from him, and his ears were cut off. A bridge was built over the Saraswatí by Prankissen of Chinsura, but it was nearly destroyed in the great storm of 1242 B. S. by an over-flow of the Damuda. Jagannath presided 50 years ago over a large college in Tribeni: he was considered the most learned man in Bengal, and died at the age of 109 years. Several persons have become rich here from selling the clothes

allowed to retain the deity he has been most accustomed to honor; a secret and darkened apartment is chosen and the initiated are made to see their own god, i. e. they are turned first to a strong light and then to a dark recess where fancy conjures up the image. Their chief principle is "that by devotion God will give them eyes, and then they will obtain a sight of Him, and through that sight salvation." The *Friend of India* states, "it is a certain fact that a considerable number of those who first received the Gospel in Jessore, were in a measure prepared to do so by an acquaintance with the religionists of Ghospara." The same remark applies to many of the 4,000 natives who became Christians a few years ago in the Kishnaghur district. The Karta Bhojas have given no written account of their doctrines, they think pen and ink too material; their tenets are handed down by tradition which is communicated to the initiated. Ishwar Chandra Pal, "the present head of the sect, lives in the style of a rajah, his grandfather was a guala or keeper of cows. Drs. Marshman and Carey visited Ram Dulal his father, in 1802, they found a *rath* near his house! which was handsome, stately, exceeding that of many rajahs;" he was "no less plump than Bacchus and about 20 years of age," he argued with them, defending the doctrine of Pantheism; some of their secret rites are of the most disgustingly licentious description. They are spreading in the districts of Burdwan and Kishnaghur, and particularly along the road from Burdwan to Húgly and Calcutta.

of the dead. Stavorinus writes in 1763, that about 3 miles north of Tribeni near the river, he came to a wood, in which was "an ancient building of large square stones as hard as iron, 30 feet long and 20 broad, the walls 13 or 14 feet high, no roof, 3 tombs of black stone on which were Persian characters." The Bengalis believe it was built by a magician in one night without the assistance of any mortal! In June 1837 an alligator 12 feet long, with the arm of an adult female in his belly, was caught here at the ghat.

NYA SERAI or the New Serai, is situated on a branch of the Damuda river, called the Kanah Nadi; its mouth is so choked up with sand at Salimpúr, that it is unable to receive much of the Damuda, and is therefore called the Kanah Nadi; attempts have been unsuccessfully made to cut through the sand, but it has filled up again; it has been proposed to cut a canal to draw the water from Bundipúr to Bali Khal or to make a canal from Gopalnagar to Bydabáti. A bridge was built here by a Zemindar; but a few years ago it was washed away by the inundation in 1839, it was ordered to be rebuilt, by the Court of Directors. Through Nya Serai lies the line of traffic to Burdwan and the Jangal Mahals. Stavorinus in 1768 describes the country about Nya Serai thus, "We met with pleasant plains of arable and pasture lands, intermixed with groves of cocoanut, mango and other trees: the sugarcane was likewise cultivated in many places and flourished excellently." Stavorinus walked from Nya Serai to Tribeni,—"the way first led through a wood which was filled with the notes of birds and afterwards over a lovely plain mostly consisting of pasture grounds." The banks of the river between Nya Serai and Serampore are mostly elevated, which shows it was a remnant of the ancient elevation of the land, like that at Rangamati. There are a Munsif at Nya Serai and a chokey station for the Salt Department. The Nya Serai Khál is named in Rennel's Maps the old Damuda; on it is *Magrá*, so called from a goddess of that name; it is on the high road to Lahore, has 4 tolas, and furnishes quantities of sand fit for plastering.

North of Nya Serai is the village, DAMURDA; its affix *daha*, an abyss, indicates, like *Khal*, *Sagar*, *daha*—that it is alluvial land gained from the water. There is an English school here. A Zemindar Ishwar Babu is said to have lived here 40 years ago and to have been in the habit of inviting travellers to his house at night and then strangling them while they slept; a pilgrim discovered it at night and gave information to the thana at Bansbaria; the Zemindar was arrested and hung; men were found sunk in a tank near his house with stones tied round

their necks. Many natives still are afraid to go in Damurda boats. Dakoity reached its height in this neighbourhood and the Kishnaghur district, about 1807; the dakoits had the village watchmen under their influence and used to go with the greatest indifference to the gallows: their cruelties were most atrocious, slashing with sabres, scorching all the skin off with blazing grass, burning off the most tender parts of the body with oil and tow, violating girls, extorting confessions by rubbing hot irons over the body, &c.

On the opposite side of the river is SUKH SAGAR, placed in Rennel's Map at a considerable distance from the river, which has of late made fearful encroachments and has not left a vestige of the magnificent house of the Revenue Board that cost a lakh and a half originally. The Marquis of Cornwallis and suite, used often in the hot weather to retire to it, as it was the Government country seat before Barrakpúr. The house of Mr. Baretto and a Roman Catholic Chapel erected by him in 1789, at a cost of 9,000 Rs. have also been washed away. Mr. Barretto was suspected by the natives, from his being a rich man, to have known the art of turning metals into gold. These encroachments of the river, together with Pal Chaudri, a rich Zemindar, making a bazar in Chagdá, have led to the decay of Sukh Ságar, which owed much of its prosperity to Mr. Barretto, who made many roads there planted with *nim* trees on both sides, which remain to this day: he had a rum distillery in 1792, as also Sugar works; in his time the place was called Chotá Calcutta. On Clive passing Sukh Ságar, a small battery there gave him a salute; he, imagining it to be an enemy's entrenchment, ordered it to be dismantled. On the courts being removed from Múrshidabad to Calcutta in 1772, the Revenue Board was fixed there, as it was thought more suitable than Calcutta, from being in the country. Bissenpúr, Srinagar and Bhagdá near Sukh Ságar were noted formerly for dakoity. The Zemindary of Sukh Ságar belonged to Rajah R. C. Ray of Nudiya, who made a bazar in it: there are still remaining the ruins of several fine houses built in his time, he also erected a temple to Agru-Chandy in which human sacrifices were offered. Forster in 1782, gives the following description of Sukh Sagar:—"Sukh Sagar is a valuable and rising plantation, the property of Messrs. Crofts and Lennox; and these gentlemen have established at this place a fabric of white cloth, of which the Company provide an annual investment of two lakhs of rupees; they have also founded a raw silk manufactory, which as it bears the appearance of increase and improvement, will, I hope, reward the industrious, estimable labors of its proprietors." A pátsháld was established by Government in 1845; a Zemindar gave as a school room a *chaubári*, formerly built by Mr. Baretto to enable the Hindus to read the Puranas and Mahabharat. An English pay shool was founded in 1844 by the Munsif under the patronage of the Vedantists; in 1846, at the annual examination 150 respectable babus were present. *Pitambar Sing*, an eminent native Christian convert, and a Sanskrit scholar, was stationed as a catechist, in 1802, at Sukh Sagar, "a pretty large place and very populous neighbourhood;" he was a match in argument for the pandits; a tract was the instrument of his conversion. In 1804 he left the place, on account of sickness, as also because of "his house being out of town and surrounded with robbers." Bishop Heber writes in his Journal 1824, "I saw (near Sukh Sagar) a sign of a civilized country, a gibbet with two men in chains on it, who were executed two years ago for robbery and murder in this neighbourhood. The district bears a bad name;" he remarks that Mr. Corrie saw near it the prints of tigers' feet; at *Palpárá*, near Sukh Sagar, lived Nandakúmar Vidyalankar, who was deeply versed in Nyaya and the Tantras, he published a book called *Kularnuba:* the river has washed away twelve bigahs and a great part of Palpárá; near it, is *Monasápota*, respecting which Ram Komul Sen relates the following legend:—"Bengal was once governed or possessed by *Asurs*, Demons, one of whom called *Sambarásura*, was King of lower Bengal: he was killed by Pradyumna, the son of Krishná, and his corpse was thrown into pits near Sukh Sagar, in Monasápota, which was thence named *Pradyumnahrad* or Pradyumna's pit."

North of Sukh Sagar is CHAGDA (notorious for ghat murders) fabled to derive its name from Bhagirath, because when bringing the Ganges from the Himalaya to Ganga Sagar to water his forefather's bones, he left the traces of his chariot wheel *chakra* there. Chagda as well as Bansbaria and Ganga Sagar were formerly noted for human sacrifices by drowning; the aged and children were thrown into the river; 1801 in November some pilots saw 11 persons at Sagar throw themselves to sharks; and that month, 29 persons were devoured by them; it is still a famous place for burning the dead and for bathing; corpses are brought there from all parts of the country, often from great distances, when they become putrid ere they reach Chagda; the persons carrying the corpse are not allowed to enter a house, must pay double ferry-fare, and must take fire with them as none will give it. Tavernier mentions seeing corpses brought to Chagda, from a place twenty days distance, all rotten and smelling dreadfully. It is singular that in former times, and particularly near Calcutta, persons

were burnt on the Western bank of the river, because the true channel was considered to be there, as the river was said to have made a *new* channel on the Eastern side, this seems to favour an opinion held by some, that the Ganges is gradually tending to a more easterly direction. Chagda is the route taken by people North of Calcutta for Dhaka, and Assam *via* Jessore; as the road is better and higher than that *via* Baraset. A road has been made from Bangaon to Chagda 20 miles, planted with trees on both sides, by Kali Prasad Padar of Jessore. As this Babu stands out conspicuously from his countrymen by his public spirit, we give the following notice of him. ' He has indeed proved himself an example to many Roy and Chaudri Zemindars of greater opulence and higher respectability. Report of the Babu's liberality having been made by the Judge and Collector of the district, the Governor of Bengal has presented him with the title of Roy, and a Khelat consisting of a pair of rich shawls, a Kaba, and a crested turban embroidered with gold and pearls. On Monday, the 30th of March last, (1846) the Judge of the district invited the most respectable European and native Gentlemen of the station, including Vakils and Múktiars and presented him with the honorary dress and a suitable address. On which the Babu felt himself much affected at the kindness of the British Government, and after returning his heartfelt thanks, gave four hundred Rupees to the Jessore Government school, one hundred Rupees to the Jessore charitable hospital, and three hundred Rupees to the beggars that crowded on the occasion. Afterwards, Mr. Seton Karr delivered an eloquent speech in eulogy of the Babu. He was followed by Roy Lokenath Bose and Babu Nilmadhub Ghose, who all spoke to the same effect, after which the meeting dispersed. The following is a statement of the several liberal acts of the worthy Babu:

1st. A staircase to the hill of Chuddernath.

2nd. A stone built Dhuramshala or alms-house at the Ghat Attara nullah.

3rd. A brick built Naght Mundir in the temple of Dhakshuri.

4th. A brick built bridge over the Dytollah Khal.

5th. A brick built bridge over the Bhyrub Nadi at Nílgunge.

6th. A Dhuramshala and a house of charity at Nílgunge.

7th. A road from Bongah to Chukra Dha on the banks of the Ganges extending over nearly twenty miles, and planted on both sides with trees.

8th. A road from Chúra Maukati to Agradip extending over nearly 30 miles, and planted on both sides with trees.

9th. An iron bridge over the Kobotoka river at Jhikargucha with the joint assistance of Government.

10th. A brick built bridge over the Betna river at Jadubpúr.

11th. A brick built bridge at Kaintpúr.

12th. A brick built bridge at Naudanga Huridashpúr."

Chagdá has been notorious for Ghat murders: there are various persons now living there, who have been taken to the river to die, but have recovered and are *outcasts*. Great numbers of people bathe here at the Bároni festival in March; many persons come as far as from Orissa. The *barúari puja* is celebrated with great pomp here; this pujá was established in 1790 by a nunber of Brahmans of Guptapara, who formed an association to celebrate a puja not noticed in the Shástras; it is named *barúari*, because they chose 12 men *bára* as a committee; they collected subscriptions in the neighbouring villages, but this not being sufficient, they sent men into various parts of the country, and having obtained 7000 Rs. they celebrated the worship of Jaggadátri Durga with such pomp, as to attract the rich to it from a distance of 100 miles around; they procured the best singers in Bengal; and spent the week in festivity: in consequence of the success of the first *barúari*, they determined to celebrate it annually; which is done in various parts of Bengal, and particularly in Ulá, Guptapárá, Chagdá, Shripúr; one-fifth of the money is devoted to the idol, the rest to singing and feasting. In 1845 an English school was established here, under the patronage of the Brahma Sabhá. Stavorinus, 1786, writes; " the village of Chogdá, which gives its name to the channel, stands a little inland, and there is a great weekly market or bazar here; the channel terminates about three Dutch miles inland, and on its right has many woods in which are tigers and other wild beasts; on entering the woods a little way, we soon met with the traces of tigers in plenty, and therefore we did not think it prudent to venture farther; we met in the way the remains of a Bengali who had been torn in pieces by a beast of prey." Walking near Chagdá when it was dark, Stavorinus was warned by the natives that there were many tigers who had their haunts near, and who in the evening were wont to repair to the river-side. In 1809, Hanif and eight other dakoits were hung here. In 1808, at 9 o'clock in the evening 45 dakoits attacked the house of a man in Chagdá, took his brother and burned him with lighted torches and straw taken from the thatch of the house which was in the bázár; they then

rolled a bambu across his breast, he died the next day; they were torturing him during 4 gharis: it was as light as day in the bazar from the blaze of the dakoits' musalchis and torches; they plundered eight houses besides in Chagdá: one witness stated on the trial, "the country is in the hands of the dakoits, they do not scruple to plunder in broad day-light." In 1809, one Gangá Rám Sirdár deposed before the magistrate, to having been a dakoit since his twelfth year and to having committed dakoitis to the number of thirty-six, east of Chagdá, in the Jessore and Burdwan districts and particularly at Bagdá; in 1815 the dakoits in Burdwan used to go in great pomp to the villages under pretence of a wedding procession and then plundered them. In 1845 an English school was opened here by an Indigo Planter of the neighbourhood: it is conducted by two students of the Chinsura College, and has about 40 boys in daily attendance. Chagdá has two Sanskrit Colleges, containing 20 pupils, they study Hindu Law, under the tuition of two Professors of Law. There are 40 Brahman families in Chagdá, in the Bazar there are about 200 shops.

The MATABANGA river lies north of Chagdá; it was formerly much deeper and was the channel of trade between the East of Bengal and Calcutta; its banks 40 years ago were infested by thieves and tigers. A survey was made of it in 1795, by Colonel Colebrooke, as government wished to keep it open all the year round: it is sometimes dangerous to cross on account of the torrents which suddenly come down. The Matabanga has many interesting associations in connection with one of the greatest men in Bengal, Rajah Krishna Chandra Ray of Nudiya; an interesting life of him has been published at the Serampur Press, in very pure Bengali. At *Anunda Dam*, near the mouth of the Matabanga, the Rajah had a fine Garden, and used often to go there to bathe; it is now over a mile inland. *Shibnibás*, some distance up the river, was the favorite residence of the Rajah; it was a princely pile and fortified, but is now surrounded with jungle; the Rajah designed to make Shibnibás equal to Kásí, i. e. Benares, and as in Benares there is a great image of Shíva named Bisheshwar, so he put one in Sibnibás named Bhura Sib, hence those well known lines—

Sib Nibasi tulea Kasi
Dhaneoa nadi Kankaná
Dhaneoa Ragu Nandaná.

A very good account is given of Shibnibás in Heber's Journal, Vol. I. pp. 120; the Rajah built here 108 temples of Shiva and endowed them richly with land for the maintenance of the officiating priests. RANIGHAT, so called from the Ráni

of Krishna Chand, is the abode of many rich Zemindars and particularly of the Chaudris. Human sacrifices were offered here in the time of Krishna Chand: some of the Zemindars there have been very oppressive, and were in the habit of rubbing a hot iron over a man's body and making him then sign stamped papers. Chandi Bhattacharjya died here in 1841; he had 40 wives. Ragananda, the dewan of Krishna Chand, lived here, he was noted for his inhospitality, and the following lines were composed on him:—

Rájbari ghori baja tantaná
Dui prahare atit gele,
Muktu máre chatkaná.

Dakoits swarmed here when Tytler was Magistrate in 1809. Not far from Ranighat, is ULA, so called from Uli a goddess, whose festival is held here, when many presents are made to her by thousands of people who come from various parts: there are a thousand families of Brahmans, many temples, and rich men living in it. As Guptaparà is noted for its monkeys, Halishar for its drunkards, so is Ula for fools, as one man is said to become a fool every year at the mela. The Baruari Puja is celebrated with great pomp; the headmen of the town have passed a bye-law that any man who on this occasion refuses to entertain guests shall be considered infamous and shall be excluded from society. Saran Siddhanta of Ula had two daughters, who studied Sanskrit grammar and became very learned: in 1834, the babus of Ula raised a large subscription and gave it to the authorities to make a pakka road through the town.

On the opposite side of the river is GUPTAPARA; the people of which are famous for their activity and wit and the purity of their Bengali: there are 15 tolas and many pandits who study the *Nyaya Shastrá*; it is also notorious for thieves and Brahmans. In 1770, Cherinjib Bhattacharjya of Guptapara composed in Sanskrit, the Vidyanmodu Tarangini: it treats of Hindu philosophy, and is in high repute among the natives, it was translated into English in 1832 by Rajah Kalikissen of Calcutta. There is a temple of Radha Ballub; the sons of the founder have an endowment for supplying travellers with food and drink. Guptapara is noted for its monkeys, which are very large and very mischievous, they sometimes break the women's kalsis; it has become a native proverb that, to ask persons whether they come from Guptapara, is equivalent to inquiring—are they monkeys? Rajah Krishna Chandra Ray is said to have procured monkeys from Guptapara and to have married them at Kishnaghur, and on the occasion to have invited pandits from Nudiya, Guptapara, Ula and Santipúr: the expenses of the nuptials cost about

half a lakh: though there are many monkeys on the east side of the river, there are no *hanumans*, or apes among them. The Rajah of Bishenpúr was formerly so annoyed with monkeys who used to come into his palace and steal his provisions, that he at last requested a body of sipahis to destroy them. Stavorinus mentions seeing a great number of monkeys in a wood at Guptapara. There is a celebrated mela here; in 1845, in consequence of the boat swamping, 40 women were drowned as they were crossing over to the mela. At *Sumúru* village human sacrifices were offerred in 1770—*Ballaghur* is the abode of many kúlíns, in the temple of Radhagovinda 12 Brahmans and 50 beggars are daily fed; it has an English school:—*Jirát* is the residence of many Vaishnavas and Vaidyas; there are two tolas in which law and logic are read: there are 30 families of Ghosains, who have a hospice there for the entertainment of all castes: Sudam, Radakanth and Swarup, notorious dakoits, lived there. *Gokal Ganj* is so called from Gokal Ghose, who 30 years ago made a bazar there; in 1822 the government erected a bungalow for the occasional residence of their then superintendant of schools.

SANTIPUR has long been famous for its learning: it was the residence of Adwaitya, born 400 years ago, one of the friends of Chaitanya, a Hindu reformer. There are still over 30 tolas, though they are much fewer than in former times: one-third of the people are Vaishnavas, several of the descendants of Adwaitya live at Santipúr: there is a temple which cost two lakhs, erected by Chaudri Babu, it is called Shamachand. A Kúlín, Chandra Banerji, was killed here 30 years ago; he was married to 100 wives and was murdered by the brother of one of them on account of his profligate conduct towards his sister; eight of his wives performed *sati* on his funeral pyre. Satis were numerous here formerly: out of 56 Satis in 1816, in the district of Nudiya, 20 were performed at Santipúr. Human sacrifices were also frequent; even as late as 1832, a Hindu, at Kali Ghat, Calcutta, sent for a Musalman barber to shave him: he asked him afterwards to hold a goat while he cut off its head as an offering to Kali, the barber did so, but the Hindu cut off the barber's head and offered it to Kali; he was sentenced by the Nizamut to be hung. A few years ago a number of Brahmans assembled at Santipúr for puja and began to drink and carouse after it; one proposed a sacrifice to Kali, they assented, but having nothing to sacrifice one cried out, where is the goat, on which another more drunk than the rest exclaimed, I will be the goat, and at once placed himself on his knees; one of the company then cut off his head with the sacrificial knife, when they woke the next morning from their

drunken fit, they found the man with his head off, they had the corpse taken to the Ghat and burned and reported the man died of cholera. Suicides are on the increase, women think little of hanging themselves for any trifling domestic disturbance; Ghat murders are also of occasional occurrence: an old woman was found lately dead at the Ghat with her mouth stuffed with mud; a man came some time ago to the magistrate, he was 45 years old and requested leave to be burnt, as he said he was tired of life and burning would be a blessing; the magistrate offered him money which he refused, that night he was burned. The obscene rites of the Tantra Shastra are sometimes celebrated there; one of them is the worship of a shamefully exposed female. A Brahman of Santipúr in the time of Rajah Krishna Chand was accused of criminal intercourse with the daughter of a shoemaker; the rajah forbade the barber to shave him or the dhobi to wash for him, he applied to the rajah for pardon and afterwards to the Nawab, but in vain; subsequently the Rajah relented and allowed him to be shaved, but the family have not regained their caste to the present time. Bribery is very common; false witnesses charge two annas a day, for which they will swear to any thing. Santipúr has a great number of brick houses; it is noted for its ghosains, ("Gentoo bishops" as Holwell calls them,) tailors and weavers: fine clothes called *urini* are made; there is a Sugar Factory 2 miles from the town, 700 persons are employed in it, and 500 mds. of sugar refined daily. The river has made great changes: a century ago it flowed behind the Sugar Factory, 2 miles away from its present bed. Rennel's map marks Santipúr at a considerable distance from the river. In 1845 a grant of 20,000 Rs. was made by Government for the repair of the road leading to Kishnaghur.

The Commercial Residency of the East India Company was maintained here up to 1828; clothes to the value of 12 or 15 lakhs were purchased every year by the Company from the weavers: the commercial resident had a salary of 42,351 Rs. annually, and lived in a magnificent house with marble floors, built for him at the cost of a lakh; it was sold for 2,000 Rs. In 1822, the East India Company cloth manufactory gave employment to 5,000 persons: 1802, the Marquess of Wellesley spent two days at the Residency: and 1792, there were shipped for England from the Santipúr factory 14,000 mds. of sugar. Marjoribanks was the last resident and his plans failed. We have an account of Indigo Factories near it in 1790; in the vicinity of Santipúr are the Indigo Factories of Gangadarpúr, Kali Ghat, Nanda Ghat and Hurni Khal under the management of Europeans. Mr. May, the Superintendant of the Nudiya rivers, was

engaged in 1836 in surveying a line of a proposed still water canal from the Húgly near Santipúr to Mangra on the Nabaganga river, which, if cut, would have afforded a certain communication with the great river at all times of the year. No place on the river was so infested with dakoits as Santipúr until the appointment of a Deputy Magistrate who is *resident* there: even Zemindars and respectable babus were in league with the dakoits; no native would formerly venture to pass Santipúr at night; guard boats are now employed, which sail swiftly and put a great check on river dakoity. There is an English School at Santipúr: 1822, Messrs. Hill, Warden and Trawin, of the London Missionary Society, preached in Santipúr; they remark that "the people have much simplicity and received the truth more earnestly than Bengalis generally." They examined whether Santipúr would not make a suitable mission station: they reported that "Santipúr has 50,000 inhabitants at least and 20,000 houses, many of which were built of brick and exhibit evident marks of antiquity,"—that it had a vast population—was contiguous to other large and populous villages, being only 3½ miles from Guptapara, which contains 10,000 people, about 4 miles from Ambika and Kalna, two adjacent villages, the aggregate of whose population is 45,000—"the favorable disposition of the moral feelings of the people, which we conceive has been cherished materially by the general instruction which has been diffused by the Company's schools"—the opportunity of obtaining medical assistance from Kishnaghur, 12 miles distant—the situation of the place close to the river with every facility for intercourse with Calcutta—induced them to recommend it as a mission station. Here Holwell was landed as a prisoner on his way to Múrshidabad, after surviving the misery of the Black Hole: he was marched up to the Zemindar of Santipúr "in a scorching sun near noon, for more than a mile and a half, his legs running in a stream of blood from the irritation of the irons." From thence he was sent in an open fishing boat to Múrshidabad, "exposed to a succession of heavy rain or intense sunshine." He was lodged in an open stable; he experienced however every act of kindness from Messrs. Law and Vernet, the French and Dutch chiefs of Kasimbazar; as also from the Armenian merchants. He was led about the city in chains as a spectacle to the inhabitants, to show the condition the English were reduced to.

KALNA (Culna) lies on the opposite side and is noted for its great trade, being the port of the Burdwan district, the bazar has 1000 shops, the houses are chiefly of brick. Great quantities of rice bought from merchants of Rangpur, Dewanganj, Jaffirganj, are here stored up, grain, silk and cotton also form a large staple. Kalna must have been a place of some importance in Musalman times, as the ruins of a large fort are still to be seen near the Mission House, which commanded the river: great numbers of snakes are brought to it from various parts of the country, the village of Ambika is situated near it, so called from Ambika, the goddess Durga. Kalna is said to have 60,000 inhabitants, the chief part of whom come from different parts of the country to carry on trade here, "they have not the simplicity which villagers generally have, but are more deceitful." The Raja of Burdwan has a magnificent mansion here, in which is a Dhatrita or alms-house, where several hundred beggars are daily fed on flour, ghi, rice and dhal; there is an atitshala for travellers; close to it is a place called a Somaj Bati, where a bone of every deceased member of the Rajah's family is deposited, while a bone of the last Rajah is exposed wrapt up in cloth; the Rajah belongs to the Khetrya tribe, who bury the ashes of the dead: inside of the Rabjari are 108 temples of Shiva, ranged in two circles, one within the other, above 50 priests are employed to serve them: the buildings must have cost a large sum of money, but it is to be observed that the zemindary of Burdwan is the only great estate which has suffered no diminution since the English Government was established, while the estates of Kishnaghur, Rajsháhi, Dinajpúr, and Vishnupúr, formerly equal to the patrimony of princes, have been broken up and sold for arrears of revenue. In 1832 the old Rajah of Burdwan died at Ambika: the succession was afterwards disputed, and one Pratab Chand came forward to claim the property, stating that he was the real Rajah and had not been really burnt; the trial lasted a long time and was sent down to the Sadar, the decision filling 100 reams of foolscap,—as if the Sadar judges could have either leisure or inclination to wade through such a mass of documents,—in order to come at the truth! The editor of the *Darpan* remarked of the trial, "such a scene of villainy has been brought to the light by this trial, as has never, we believe, been exhibited in Bengal before. If the prisoner be the real Pratab Chand, the villainy by which the present Rajah has been seated on the gadi to the injury of the rightful heir is most surprising. If on the contrary, the real Pratab Chand did actually die and his body was burnt, the pretender will stand unrivalled for roguery." 10,000 persons assembled on the first day of his trial at Húgly: the popular feeling was in favor of Pratab Chand.

The river formerly flowed behind Kalna, where old Kalna

now is; it passed by Pyagachi, the remains of deep and large Jils are still to be met with there. Old Kalna is deserted as a place of trade, but is the residence of many respectable natives. Tieffenthaler states that at Kalna the Ganges forms a bay. At Baydapúr near Kalna about 1820 there were two Raths kept at a short distance from the town, near an unfrequented road; many persons were murdered by robbers who concealing themselves there, sprang out, killed the travellers and hid their bodies among the wheels of the Rath; the people suffered much, but could not find out the murderers, at length some said the Rath was the cause: they burned it to the ground and then *the murders ceased.* Some of Sleeman's approvers told him that *pungus* or river thugs lived near Kalna and also near Katwa. Many persons were formerly killed at Kamardanga Khal near Kalna, so that it was unsafe to pass through it even by day. West of Kalna is a tank occupying eight bigahs, where a mela is held: near it are two fine ruins of mosques, one of which has layers of stone running through the building, ornamented with tracery; it contains the tomb of the founder. A good road was made between Kalna and Burdwan in 1831, with bungalows, stables, and tanks every 8 miles, by the Rajah of Burdwan, chiefly with the design of enabling him to bathe in the Ganges. Kankar is found near this road; the country to the west of Kalna is high ground, richly wooded. In 1837 property to the value of a lakh was consumed in the bazar, the fire lasted three days. In 1822 Messrs. Hill, Warden and Trawin visited Kalna and found that numbers of the boys could read. Kalna now forms a station of the Free Church Mission, and has an English school there containing 120 boys. A mela called Gachemi is held in March, attended by numbers of Musalmans and Hindus. A Musalman Zemindar here holds a grant of 160 bigahs made to him by Sultan Suja 200 years ago, and continued by the Rajah of Burdwan; at the village of Chaga is an image of Shiva, which is fabled to produce images of itself and is immersed in water for ten months every year:—*Kulti* is said to produce roots which cure spleen, as *Mukutpúr* has roots which are said to cure the bites of dogs.—Holwell states that in his time (about 1760) there was at Amboah near Kalna a College of Brahmans supported by the people for the purpose also of maintaining the monkeys in the adjacent groves.

MIRZAPUR KHAL lies north of Kalna, and was designed to be the terminus of a canal to lead from the Húgly at Kalna to Rajmahal. The Military Board in 1844 reported that no permanent improvement can be made in the channels

of the Nudiya rivers owing to the shifting of the channels: they recommended a canal from Kalna to Rajmahal 130 miles long, 50 feet broad, and 5 deep, which would cost at the lowest 3,847,437 rupees; boats going to the Ganges from Calcutta would save a round of 326 miles by it, they calculated on a profit of 14½ per cent. by it: the Government had a surplus of 3,235,950 rupees from the tolls on the Bhagirathi, Circular and Tolly's canals and the Nadya rivers. The DHOBA factory owes its origin to the enterprising spirit of Mr. Blake, who risked his fortune in it; Colonel Sleeman very justly proposed that the Agricultural Society should give him a gold medal for advancing the Sugar manufacture in India, he established it under the most unfavorable circumstances, and on his arrival in England he was offered four lakhs for the concern, but he formed a joint Stock Company, which purchased the works from him for 4½ lakhs, and he retained 300 shares for himself; in 1836 they manufactured 800 tons of sugar. There are four Europeans and 250 natives employed. It has a number of factories as Tremoni in Jessore on the Kabbadak; Kissapúr, Jessore; Chandpur near Chaugachha; Rari Khali; Narikalbari; Sudpúr; Bonmari: Kanchanagar: Surui; Santipúr. We find that in 1801 a Mr. Carden lived at Santipúr as Superintendant of rum and sugar works belonging to the E. I. C. He then introduced the China cane which he describes as not liable to the ravages of white ants and jackals; the E. I. C. had a sugar plantation farm at Santipúr. Mirzapúr is described by a traveller of 1822 thus, "this village is situated on a beautiful arm of the river, and presents some of the most rural enchanting scenery which we have seen in India."

We next come to the far famed NUDIYA, Nabadwip; all its early history however, like that of Gaur, is buried in the wreck of time: we need not be surprized that we have few records of Nudiya, when we find that we have scarcely any of Gaur, though as late as 1556 Gaur was a flourishing city three leagues long: though the streets were wide, yet the people were so numerous that they were sometimes trodden to death: it was 20 miles in circumference and the rich people used to eat their food from golden plates. The earliest fact we know about Nudiya is that in 1203 it was the capital of Bengal and was surrounded with a wall, that Lakhman Sen, its last sovereign, was at dinner when news reached him that Bhaktiyar Khilji, the Musalman general, was marching into the city, on which he made his escape to Vikrampúr in a small boat; his nobility apprehending a Mahommedan invasion, had some time before deserted the city. Nudiya was plundered and sacked by Bhaktiyar and the seat of empire

was transferred to Gaur. In Lakhman's time Bengal became independent of the Magadh empire, to which it was subject before.* As to how long Nudiya was the capital, or what Kings lived in it, or why that place was selected, not a single ray of light is furnished either from tradition or Mss. "*sic transit gloria mundi*"—the condition of the people at that time was probably semi-barbarous, as they very likely used the Bengali language, which was then a very poor idiom, as it has had no grammar until within the last sixty years; the upper classes and priesthood spoke and wrote in Sanskrit. Even the Bengal Brahmans were so illiterate in the days of Adisur that he procured the services of certain Brahmans of Kanauj who had gone to Ganga Sagar to bathe. Bhaktiyar was the first Musalman invader of Bengal.† The caprices of the river have not left a fragment of any old buildings; in Lakhman's time it flowed at the west of the present town near Jebannagar; and old Nudiya, which was swept away by the river, lay to the north of the existing Nudiya. The old town was on the Kishnaghur side of the river, hence when Bengal was divided into zillahs, the district of Kishnaghur was called the district of Nudiya; Government lately intended to attach Nudiya to the Burdwan district on account of its being on the other side of the river; in 1840, a gentleman of Kishnaghur dug up the remains of fish 12 feet beneath the ground in Nudiya.

Nudiya derives much of its celebrity from its having been the birth place of Chaitanya, the great Hindu heresiarch; hence the Chaitanya Bhagavat writes, "No village is equal to Nudiya in even earth or hell, because Chaitanya was there incarnated, no one can tell the wealth of Nudiya, if people read in Nudyia they find the ras of learning, and the number of students is innumerable." Chaitanya was born at Nudiya A. D. 1346, his father was

* *Lakhman's* mother was of the royal family of the Sovereigns of India; his birth cost the life of his mother, who by unnatural means postponed her accouchement until after a particular hour specified by the astrologers. He was so attached to Nudiya, that, notwithstanding the warnings of Brahmans and astrologers, and tho' the nobles and chief inhabitants, apprehensive of the invasion, sent away their families and property to Jagannath or the countries North East of the Ganges —yet he would not quit it until he was surprised at dinner by the cries of his royal attendants, who were being slaughtered by Bhaktiyar and seventeen of his troops, (he had concealed the rest of his troops in a wood near the city and had passed the guards, disguised as an enemy). The Musalmans killed a great number of the Hindus. Bhaktiyar allowed the city to be sacked, reserving only the public stores and elephants for himself, the troops also plundered all the neighbouring villages. The old Rajah went to Jagannath and died in the vicinity of the temple soon after.

† He was an Affghan, of disgusting appearance, so that his deformity caused his rejection as a volunteer by Mahommed Ghory and Kutub-ud-din, yet in spite of his "vile body," the qualities of his mind shone out, and he was appointed to head the invasion of Bahar and Bengal: After sacking Nudiya, he took possession of Gaur, he died of grief at Deocote, in consequence of the total failure of his expedition to Assam and Tibet.

a Baidik Brahman: at 44 years of age he was persuaded by Adwaitya to become a mendicant, to forsake his wife and go to Benares; he then formed a sect, teaching them to renounce a secular life, to eat with all those who are Vaishnavas, he allowed widows to marry; the Ghosains are his successors; one-fifth of the population of Bengal are followers of Chaitanya: his disciples are on the increase. Todd thinks the worship of Krishna succeeded that of the simple form of Hindu worship, viz. of the Jains, who adore *jin* or spirit. Nityananda, a coadjutor of Chaitanya, resided in the midst of Nudiya; his image is there still and is worshipped. The era of Chaitanya, formed the commencement of Bengal literature.

The settlement of Chaitanya and his followers at Nudiya (Chaitanya died A. D. 1396,) together with the Court of Bengal having been held there, were probably the chief causes of its having become a seat of learning: tradition however states that a learned devotee settled there, when it was a dense jangal, who attracted a number of learned men to the place: probably Nudiya derived its original supply of Pandits from Tirhút. The Ayin Akbary mentions that in the time of Lakhman "Nudiya was the capital of Bengal and abounded with wisdom;" in 1819 there was a handsome temple of Krishna finely ornamented.

Human sacrifices used to be offered in the temple of Durga at Brahmanitala near Nudiya: in 1799 at Bagna Para 37 widows were burnt with their husbands, the fire was burning 3 days; on the first day, 3 were burnt, on the second, 15, and on the third day, 19; the deceased had over 100 wives:—in 1807, the *Tapta Mukti* or ordeal by hot clarified butter was tried before 7000 spectators on a young woman accused by her husband of adultery:—a meeting of Brahmans was held in 1760 at Kishnaghur before Clive and Verelst, who wished to have a Brahman restored to his caste, which he had lost by being compelled to swallow a drop of cow's soup; the Brahmans declared it was impossible to restore him (though Ragunandan has decided in the *Prayaschitta Tatwa* that an atonement can be made when one loses cast by violence) and the man died soon after of a broken heart. Nudiya was then the head quarters of Hindu orthodoxy, the place of Hindu retreat; Gunga Govind Singh, the dewan of Warren Hastings, after having acquired immense wealth, retired to Nudiya with two or three hundred Vairagis, leaving all his money to his grandson Lalla Babu, who withdrew to Brindaban, where he expended 6 lakhs on temples, tanks, &c.:—Gunga Govind Singh erected a temple over 60 feet high, which was washed away 25 years ago by the river; it was at

Ramchandrapúr and supplied food to many fakírs and pilgrims of the Vaishnavas: he himself was a Sudra. At Bullal Digy, north of Nudiya, the house of the famous Bullal Sen stood, there were formerly many temples, but the river has swept them also away: Lord Valentia writes in 1805, of "a very handsome Musalman College at Nudiya, which was for three hours in sight and bore from us at every point of the compass during this time." The bore came up to Nudiya in Sir W. Jones' time; beyond it cocoa trees do not flourish. In 1835 a Dharma Sabha was established, called that of the Ten Thakúrs, they punished offenders by excluding them from caste, by sending them, when they transgressed the Regulations, to the magistrate of Kishnaghur, or by prohibiting midwives attending their wives in confinement. An Almanac has been published in Nudiya long before the time of Rajah Krishna, it is superior to that of Bali or that of Maula near Murshidabad: this almanac regulates the principal festivals. In May 1817, the *cholera* began in Nudiya, in 1818 it spread through India, then in 1820 to China, 1821 to Arabia and Persia, 1823 to Russia, Prussia, and in 1832 to London. The neighbourhood of Nudiya until recently was in a wild state, 80 years ago people were obliged when travelling to sound instruments to scare the tigers away; about 1802 gentlemen used to go to Kishnaghur to hunt tigers, and in 1826 a tiger was killed at Dhogachea, 6 miles west of Nudiya. Dr. Leyden wrote in 1809 to Sir S. Raffles that he was for several month's magistrate in Nadya, where he was engaged "bush fighting in the *jungles*." Jahanagar (the same as Brahmanitala) west of Nudiya has a great mela in July, the tradition is that Jahna Muni there swallowed up the Ganges. A cow called Ramdenu is worshipped in Nudiya. Another Ramdenu is worshipped in Benares; it must be one of an age to give milk, which yet has never been capacitated to do so; when one dies another is selected: she is chiefly worshipped by the person in whose house she is. There are over 30 temples in Nudiya and about 100 tolas, it is a finishing school for those pandits who wish to know logic thoroughly as Rarhi or Burdwan is for Grammar students, and Kanakhya Kishnaghur for law students; there are students here 45 years old, many come to study from the distance of Assam, so that the remark of Dr. Carey, who visited Nudiya 1794, is perfectly just, "Several of the most learned pandits and Brahmans much wished us to settle there: and as this is the great place of Eastern learning we seemed inclined, especially as it is the bulwark of heathenism, which, if once carried, all the rest of the country must be laid open to us." Lord Minto wrote

a very able minute, recommending that two Sanskrit Colleges should be established, one at Tirhút, the other at Nudiya; he encouraged learning there, giving two chief pandits 100 Rs. monthly each, prizes were awarded to the best native scholars, in the first class 800 Rs., in the 2nd 400, 3rd 200, 4th 100, besides a *khelat* to the one most proficient. The C. M. S. have had an English school here during the last eight years. The Rev. Mr. Deer, of the C. M. S., founded schools 16 years ago in Nudiya.

AGRADIP is called by Wilford, Aganagara, and is famous for the Mela called baroni held in April, established for three centuries; these melas *also* answer commercial purposes like the fairs of Germany (*feriæ*;) at Ganga Sagar mela in 1838, goods to the value of 12 lakhs were sold. In 1823 Agradíp mela was attended by 100,000 persons; in 1813 two women cast their children into the river, but the fathers took them out again and paid a certain sum to the Brahmans for their ransom! People from Dacca and Jessore used to throw their children to the Ganges there. At Katwa two mothers did the same, one of the children was taken up, but the mother seized it again, broke its neck, and cast it into the river. The great attraction here is the image of Gopinath or Krishna; its history is the following—Ghosh Thakúr was sent as a disciple of Chaitanya and Nityananda to Agradíp, to take a certain stone and make out of it an image of Gopinath to set up there as an object of worship: Ghosh Thakúr did so, it became famous; after his death the image fell into the hands of the Rajah of Kishnaghur, who sent a Brahman to perform the ceremony before the image and receive the offerings: the offerings to the image yield an annual profit to the owner, the Rajah of Kishnaghur, of about 25,000 Rs.; Rajah Nabakissen seized it 30 years ago on account of a debt due to him, the lawful owner however regained it by a law suit, not however before a counterfeit one had been made exactly resembling it: the image is fabled to reveal many secrets; different castes eat together at this mela: Gopinath means Lord of the caves, as Krishna was worshipped formerly in caves chiefly at Gaya, and Jalindra near the Indus. The temple in which Gopinath is placed was endowed by Rajah Krishna Chand with lands to the annual value of 7,000 Rs; in 1828 the old temple was washed away by the river and the present temple is erected one mile from the river, built in the European style of architecture. Forty years ago there was a cloth manufactory here. In Rennel's time Agradíp was situated on the left bank of the river, it is now on the right; it was on the left bank when Henry

Martyn visited it in 1806; he saw there a wild boar of very large size walking on the side of the river: we find that in 1769 the Bengal Government paid 1,918 rs. to Bildars and Kulis for cutting down "the tiger jungle" at Pattehah in Agradíp; in 1771 the charge was 873 rs.—A storm occurred here in 1832 which sunk the boats of a regiment of soldiers.

Dewanganj Indigo factory established 53 years ago, lies north of Agradíp, it gives employment to a number of *buneas*, a class of aborigines like the Bagdi, Poda, Harin, Dhangas, who came from Gaur and retired to the hills. Pliny mentions Indigo being brought from India; it was formerly called in Germany "the Devil's dye" and the use of it was prohibited: the Elector of Saxony in Queen Elizabeth's time describes it as "a corrosive substance, not fit food for man or devil." In 1783 the attention of the East India Company was directed to the cultivation of it in Bengal. There are twenty-nine Indigo Factories between Nudiya and Múrshidabad. At one of these, Dr. A. Rogers tried experiments on the flax cultivation, having brought out a Belgian for that purpose. Chamberlain, a celebrated Missionary of Katwa, used often to visit this place, and placing himself beneath the shade of a large tamarind tree, "preach to successive congregations from sun-rise to sun-set."

KATWA (Cutwa,) called by Arrian Katadupa, raises up a host of associations connected with stirring scenes in Bengal history: here Clive arrived in 1756 on his route to Plasi, expecting to meet Mír Jaffir, but on his not arriving, he saw that the fate of the English hung on a hair—should he wait two or three days at Katwa, the French under Law would by that time arrive and join the Nawab's 50,000 troops;—should he fight, the river was only fordable in one place, and if defeated, "not one man would have returned alive to tell the tale:" in this crisis he called a Council of War, in which every member voted against coming to an immediate action, except two Captains; Clive afterwards remarked this was the *only* Council of War he ever held, and that if he had abided by that Council, it would have been the ruin of the East India Company; after twenty-four hours' consideration, Clive took on himself the responsibility of breaking the decision of the Council, and ordered the army to cross the river. Coote was in favour of immediate action, on the ground that delay discourages soldiers, and that the arrival of Monsieur Law, (to whom the Nawab allowed 10,000 Rs. monthly,) would give vigour to the counsels of the Nawab, that many French and English soldiers would desert to Law, besides "the distance from Calcutta was so great that all communication from thence would certainly be cut off." Katwa was formerly regarded as the military key of Múrshidabad, within six miles round it there is a population of 100,000. Pere Tieffenthaler describes it as a place where "they make much fine stuffs of cotton and silk," it is still the great port for the Birbhum district. In the Gola Ganj there are several hundred shops which sell sugar, cloth, iron; in 1836 the Rajah of Kewgang in Birbhum offered to make a pakka road from Súri to Katwa, a distance of forty miles, provided he should be allowed the service of convicts on the road; the Judge of Burdwan remarked in 1802, "commerce has been much extended by the opening of the three grand roads leading to Húgly, Kalna and Katwa, which have been lately put into a state of repair by the labour of the convicts, and nothing can more forward the commerce of this district which has not the advantage of inland navigation, or more conduce to the general convenience of the inhabitants than good roads." There is a temple of Maha Probhu frequented by numbers of bairagis and travellers, they are fed there at the cost of the shopkeepers who contribute one pice out of every 100 rs. to defray the expense. In 1812 a leper was burnt alive here, he threw himself into a pit 10 cubits deep, there being fire at the bottom; the leper rolled himself into it, but on feeling the fire, he begged to be taken out and struggled to get free; his mother however and sister thrust him in again and he was burnt to death; he believed by so doing he should be transmigrated into a finer body: in Calcutta a few years ago there were 531 lepers, of whom 118 were beggars: lepers have burnt themselves alive in Katwa as recent as 1825. About 1810 the headless corpse of a man was found in the temple of a certain goddess at the village of Serampur near Katwa, it had been offered as a human sacrifice. Múrshid Kúli Khan erected at Katwa guard-houses for the protection of travellers; one of his officers had charge of it, and whenever he caught a thief, used to have his body split in two and hung upon trees on the high road. Katwa was the scene of various battles between the Musalmans and Mahrattas, those hardy warriors, "who deserted the plough for the sword, and the goatherd made a lance of his crook:" various parts of Bengal verify the remark of Todd, "the Mahrattas were associations of vampires, who drained the very life blood wherever the scent of spoil carried them; where the Mahrattas encamped annihilation was ensured; twenty-four hours sufficed to give to the most flourishing spot the spectacle of a desert;" these very Mahrattas scrupled to kill the most noxious animals, while they eagerly employed their tulwars in the destruction of man! Ali

Verdy Khan retreated in 1742 before the Mahrattas from Midnapúr to Katwa during 7 days, through a miry country, and incessant showers of rain, with no bed for the soldiers but the bare earth and no food but grass and leaves of trees—one of the most enterprising achievements in history, exhibiting a power of endurance which somewhat reminds us of the celebrated retreat of the ten thousand Greeks. The Mahrattas invaded Burdwan as late as 1760. Chaitanya paid a visit to Katwa about 1370 to see Kesab, a sanniasi, who lived there.

The AJI river lies to the north of Katwa, it is said to have been formerly a deep stream, but to be now silted up; Wilford calls it the Ajamati or shining river, it is the Amystis of Megasthenes; Arrian mentions it; it is named the Ajaya in the *Galava Tantra*, which states that whoever bathes in it becomes unconquerable. Jaydeva, the great lyric poet of Bengal, was born on the banks of the Aji near Kenduli in the opinion of Lassen, and the Vishnuvites; though others assign his birth place to Tirhút or Orissa. The Gita Govinda was translated by Sir W. Jones into English, by Lassen into Latin, and by Ruckert into German. The great Akbar was an enthusiastic admirer of the mystic poetry of Jaydeva, so like the Sufiism of the Persians, his poetry is studied very much at Nathdwara near Udyapur: Jaydeva lived according to Todd 3000 years ago; according to Lassen A. D. 1150, his tomb is at Kenduli near Ilambazar, and there is an annual festival held there resorted to by numbers of Vaishnabs, as Jaydeva strongly recommended in his writings the worship of Krishna, particularly in his Gita Govinda, which he composed at Katamkhandi, a village 12 miles north of Ilambazar, the place is still called Jaydevpara. L. Sen, a poet, lived on the banks of the Aji, 12 miles from Katwa, people travelling are fond of singing his poems, there is an account of him in the Dharma Puran, as also a description of Katwa. The Dhoba Company have Coal stores at Katwa, they bring their coals down the Aji, which is a very dangerous stream, as the boats are often swamped by sudden rushes of mountain torrents. The Aji and Babla sometimes flow down with such violence from the Birbhum hills as to cause the Bhagirathi to roll back its waters. To the north of the Aji is the FORT OF KATWA, which was half a mile in circumference, taken by Coote in 1757; it had 14 guns mounted then: in 1763 Captain Long took it from Kasim Ali: the walls were of mud, it commanded the river; Major Coote, with 200 European and 500 Native troops and 2 guns, came to the banks of the Aji and called on the garrison to surrender, the Sipahis crossed the river and fired on

the garrison under shelter of the bank, when the garrison saw the Europeans cross the river, they set fire to a shed of mats which had been made to protect the walls from the sun and escaped to the north; within the fort and in several granaries in the neighbourhood the English found as much rice as would support ten thousand men for a year. At the close of the rains of 1742 Ali Verdy had 600 of his soldiers drowned on the breaking of a bridge of boats as he was crossing the Aji to attack Bhaskar Rao in Katwa: the Mahrattas had then possession of all the country west of Múrshidabad, so that the inhabitants of the city were obliged to remove their property across the Ganges, as the enemy in the dry season had plundered all the country about Plasi and Daudpúr.

Following the tedious and shifting windings of the river we come to the field of PLASI (Plassey) so called from Palasa, a tree counted very holy; Sir W. Jones states that there was a grove of those trees at Plasi formerly, they were to be seen at Kishnaghur in Jones's time. Of the famous mango grove called Lakha Bag, from there having been a lakh of trees in it, (this tope was about a mile to the east of Ramnagar Factory,) all the trees have died or been swept away by the river, excepting *one* under which one of the Nawab's generals, who fell in the battle, is buried; the place is called by the natives *Pírha Jágá*, and is held sacred by the Hindus and Musalmans, but particularly by the last. This grove was 800 yards long and 300 broad, it existed at the time of the battle, there is only one tree left; the river has so changed its course as to have swept away every thing which was on the surface at the time the battle was fought; as late as 1801 there were 3000 mango trees remaining and the place was notorious for dakoits who lurked in jungles there. An English traveller of 1801 thus writes about Plasi, "the river continually encroaching on its banks in this direction, has at length swept the battle field away, every trace is obliterated, and a few miserable huts literally overhanging the water, are the only remains of the celebrated Palasi," Murders and Dakoitis were formerly very common in the neighbourhood of Plasi, the jungly state of the country affording shelter to marauders of every description, it is now a cultivated plain. Important as the battle of Plasi was to the English interests, there was another equally so, the battle of Biderra near Chinsura, for as Holwell remarks, had the Dutch gained the victory they would have been joined by the Nawab, "and not an individual of the Colony would have escaped slaughter." Clive is said to have fallen asleep, amid the roar of the cannon in the battle, when he awoke he found the enemy retiring, but

he put Major Kirkpatrick under arrest for advancing without his orders—while he was asleep, one cause of the defeat of the Nawab's troops was that their matchlocks did not fire owing to the rain having wetted the powder. A life of Clive was published by an Italian in 4 vols. It was compiled by a deadly enemy of Clive, who wrote it with the intention of damaging his character. We mention the following few notices of him which are little known and are not recorded in Malcolm's Life of Clive—Clive was called by Pitt in the Senate "the heaven born general"—he learned dancing at Paris 1763, in order to please the French ladies—many of the French nobility, who despised all the mercantile class, contemned Clive for having been in a mercantile office—he forbade all the Company's servants in India the use of palankins, and the junior servants the use of even an umbrella—he rose early and then executed a good part of his business, afterwards breakfasted and then took exercise:—he was rather reserved in company—he was a great enemy to interlopers, when leaving India 1767 he issued orders that all free merchants should be recalled to Calcutta and should not quit it.

Clive knew nothing of the vernaculars—Clive the warrior of India and Orme his historian were appointed writers the same day—after the battle of Plasi he proposed to the authorities the conquest of China, in order to pay off the national debt!—Mír Jaffir (nicknamed Clive's ass) sent a message after the battle to offer Clive several hundred of Suraj-ud-daulah's women which were taken in the camp—an East India Director once asked Clive whether Sir Roger Dowler (Suraj-ud-daulah) was not a baronet—this is as good as Lord George Bentinck's stating that if the price of sugar be raised, the hundred million of Hindus will not be able to sweeten their tea—Clive's voyage from England to Calcutta 1765 cost the East India Company 73,489 Rs.—He used all his influence and power to get Benodoram, a native favorite of his restored to caste, but failed—when he went home he was exposed to various insults from civilians or military men whom he had offended in India, once he was obliged to disguise himself three times in one day to avoid the pursuit of some of his enemies. Clive suggested a plan to Pitt for establishing a mighty empire in India, extending from the Ganges to Kambay, he proposed in 10 years to pay off the national debt from the diamond mines, and to divide the country into ten provinces with deputy governors in each. The people of Múrshidabad expected to be plundered after the battle, and were therefore greatly surprised when no contribution was levied on them,—Clive remarked that when

he entered Múrshidabad at the head of 200 Europeans and 500 sipahis, the inhabitants, if inclined to destroy the Europeans, might have done it *with sticks and stones.* RAMNAGUR silk factory* is opposite the field of Plasi, the river formerly ran behind it. *Saktipur* near Ramnagar is noted for an annual mela of Shiva in March, when many visitors and shop-keepers repair to it from Calcutta and Múrshidabad, 30,000 people assemble: silk is produced chiefly on the west bank of the river, as the soil there is dark and more suitable for it. Near the village of *Munkirra* not far from Ramnagar, Ali Verdy treacherously assassinated Bhaskar Pandit with 19 of his officers. The troops of Suraj-ud-daula, when driven from Plasi, were pursued by the English to *Daudpúr* nine miles distant. The Nawabs of Múrshidabad then kept a stud of 300 of elephants there, they still keep them; it was a hunting seat, there is a large *bil* called Kalantar near it, where abundance of Chera called dal is procurable for elephants; from this place Mír Jaffir sent word to the English that he was come to join them, while the Nawab went to Múrshidabad and offered large sums of money to induce the soldiers to fight for him, but they would not; at night he escaped from the palace windows with two or three attendants. Mangan Para lies north of Plasi, and is famous for the Kacheri of the Berhampúr Rajah.

RANGAMATI next presents its bluff cliffs, forty feet high, the only elevated ground in that neighbourhood, it being either a spur of the Birbhum hills or else rock decomposed *in situ*, the remains of the original level of the country: the earth is red, *ranga mati*, and of the same kind with that found near Rampúr Baulea and Midnapúr, the intervening soil of a similar description being probably washed away by a process of denudation; Parasnath hill is 5,000 feet high, while all the surrounding country is a low table land; red clay, like that of Rangamati, encompasses the Delta of Bengal and is found in Dinajpúr, Rajshahi, Dhaka, Goalpara; Dr. McClelland observes, "this clay has long appeared to me like the remnant of the ancient continuous surface, through which the rivers have cut their channels for ages, so as nearly to have effaced it altogether." The legend respecting Rangamati is, that Bibisan, brother of Raban, being invited to a feast by a poor Brahman at Rangamati, as a token of gratitude rained gold on the ground, and hence the earth is red; by others it is ascribed to Bhu Deb,

* Belonging to Mr. W. Rose, an ingenious and enterprizing gentleman, to whom, for his producing the best samples of white and yellow silks, the Agricultural Society have awarded two gold medals.

who, through the power of his *tapasya*, rained gold. Wilford writes that Rangamati was formerly called Oresphonta, Hararpunt or Hararpana, i. e. ground *árpaná* consecrated to Hara or Shiva. "Here was formerly a place of worship dedicated to Mahadeva or Hara, with an extensive tract of ground appropriated to the worship of the God; but the Ganges having destroyed the place of worship, and the holy ground having been resumed during the invasions of the Musalmans, it is entirely neglected. It still exists however as a place of worship, only the image of the Phallus is removed to a great distance from the river," it is called by the poets Kusumapúri, an epithet applied to favorite towns of theirs as Patna, Burdwan, Rangamati. The remains of pottery, which have been dug up, show that there was a large population here once: in the Mogul times there was a Fauzdar; and in 1767 the Zemindar of Rangamati received a *Khelat* at the *puna* of Mutijil to the value of 7,278 Rs. Rangamati was one of the ten fauzdaris into which Bengal was divided; it is resorted to as a sanatarium, and is a favourite place for pic nic parties; the undulations of land and scenery remind one of England; it abounds with partridge and snipe, and shooting excursions are often made there. It was once selected, instead of Berhampúr, for the erection of barracks, as being a high and healthy spot. In 1835 the Company's silk factory here was sold for 21,000 Rs. it had 1,500 bigas of land attached to it; the high land is not so well adapted for the growth of the Mulberry as that of the low alluvial soil in the neighbourhood: in 1784 Warren Hastings spent a few days here with Sir John Doyley—Hastings' name suggests various points—he was the first Governor-General who patronised Oriental and Statistical studies, as the inquiries on Tibet, Cochin China, and the Red Sea show; he supported, at his own expense, pandits in Calcutta to translate from the Sanskrit, poems and mythological works, and yet Burke could say of him "he never dines without creating a famine in the land!" His trial lasted seven years; two hundred Lords marched in procession on the opening of it to Westminster Hall. Hastings was *accessible to all natives.*

BERHAMPUR, so called from a Musalman officer Brampúr, who was in one of the Nawab's armies, is noted for its fine barracks. Our military frontier is now at the *Sutlej*, 80 years ago *Berhampúr* was the northern frontier station. In 1763 one detachment of the English troops occupied Birbhum, another Kishnaghur, while the body of the army was between Ghyretty and Kasimbazar. The barracks cost in 1765-7 the sum of £302,270; articles for them cost three times as much as in Calcutta. In 1768 the Chief

in Council of Kasimbazar appointed a committee to investigate into the exorbitant charges made, they suspended three covenanted Government officers for overcharges, amounting to two lakhs, the difference between the cost and charges to the East India Company. It was proposed to surround the barracks with a ditch to prevent the soldiers going to Múrshidabad and getting drunk, but it was found it would have cost a lakh. The Seir Mutakherim in 1786 states, "the barracks of Berhampúr are the finest and healthiest any nation can boast of; there are two regiments of Europeans, seven or eight of sipahis and fifteen or sixteen cannon placed there, and yet I heard men say that the Musalmans were so numerous at Múrshidabad, that with *brick bats* in their hands they could knock the English down." In 1771 Berhampúr, Chittagang, Dinapúr and Allahabad were regarded as the four head-quarters in Bengal. The English in a letter to Suraj-ud-daula in 1768 stated they did not wish to have any troops beyond the Karamnassa. George Thomas, who came out to India from Ireland as a common sailor, and became afterwards a general in the service of the Begam Sumrú and master of the province of Hurriana, died here in 1802 on his way to Calcutta to embark for Europe, and is interred in the burial ground. Creighton of Gaur, one of the first who established native missionary schools in this country, is also buried here; he lived for twenty years with the late Charles Grant at Goamalty, "without a single instance of a painful difference:" he published a plan of the best mode of establishing native schools, and supported several at his own expense, *he connected schools with his factories and gave daily instruction to his factory servants.* He died at the age of forty-two, and his friend W. Grant, a kindred spirit, was buried the next month, in the same graveyard with him.

"Little Henry," the subject of Mrs. Sherwood's beautiful tale "Little Henry and his bearer," is also buried here. Mrs. Sherwood lived to the east of the burial ground. At the time of the great famine of 1771, travellers were found dead here with money bags in their hands, as they could not purchase corn with them. 1810, in consequence of an earthquake the water of the tank here turned a dark green colour, and an immense number of fish, many of them weighing from 10 to 18 seers, floated dead on the surface, they were taken away in carts by natives, some were buried and some used for manure. A gentleman lived at Berhampúr in 1813, who was very anxious to improve the country, and seeing the natives carrying the earth in baskets on their heads, he procured six wheel barrows instead, which the natives used constantly

before him, but one day congratulating himself on advancing their improvement, he saw them carrying the wheelbarrows *on* their heads. A theatre was established at Berhampúr in 1821. A Bible Association was established in 1830 and an Agricultural Society in 1837. To the south of Berhampúr is Gora Bazar inhabited by Musalmans or people from the North West, who speak Urdú: to the south east of Berhampúr two miles the *Cheltia Mela* is held in honor of Roganath, it is attended by about 20,000 people. Berhampúr was forty years ago the residence of General Stewart, who used to offer puja to idols and worship the Ganges—he lived to an advanced age, was well acquainted with the manners of the natives; his Museum in Chauringi was opened to the public; during the last years of his life he fed an hundred destitute beggars daily: he was called "Hindu Stewart." Like Job Charnock he married a Hindu, and she made a Hindu of him. At *Vishnupúr* human sacrifices were formerly offered.

KASIMBAZAR is so named from Kasim Khan who founded it: it gives its name to the island of Kasimbazar, included between the Bhagirathi from Nudiya up and the Jellingi; tigers and boars abounded in the neighbourhood thirty years ago, as also birds of beautiful plumage; Lord Valentia however states that there were no tigers there in 1802, owing to the increase of population and the rewards of ten rs. per head for every tiger, offered by Government. At different periods, Government spent a lakh and a half in Bengal in rewards for killing tigers; it was a regular charge at the Kacheri of Húgly. Kasimbazar is now three miles from the river. The Decennial Settlement brought much land into cultivation: an Indian traveller of 1811 writes;—"Kasimbazar is noted for its silk, hosiery, coras, and inimitable ivory work, but as to the greater part of its surface, it is a wilderness inhabited only by beasts of prey, at twelve or eleven miles from Berhampúr, an almost impervious jungle extends for a considerable space denying entrance to all but tigers." Bolts, a factor, at Kasimbazar, made nine lakhs by trade between 1760 and 1767. Bruton in 1632 writes of "the city of Kasimbazar where the Europeans have their factories, the country affords great quantities of silk and muslins." Kasimbazar was a great mart, in former days, for trade. Reynal remarks, "Kasimbazar is grown rich by the ruin of Malda and Rajmahal: it is the general market of Bengal silk, a great quantity of silk and cotton stuffs are manufactured here, they are circulated through part of Asia; of the unwrought silk 3 or 400,000 lbs. weight is consumed in the European manufactories." The cotton trade

is almost extinct there now, owing to the cheap importations from England, but 500,000 pieces of Kora are manufactured there at present, amounting in value to thirty lakhs. In 1677 Mr. Marshall employed in the factory here was the first European who learned Sanskrit, he made a translation of the Sri Bhagavat into English, which is preserved in the British Museum. A melancholy instance of Sati was witnessed here in 1742 by Holwell in the time of Sir F. Russel's chiefship, in the case of the widow of Ram Chand Pandit, a Mahratta; her friends, the merchants and Lady Russel, did all they could to dissuade her: but to show her contempt of pain, she put her finger in the fire and held it there a considerable time, she then with one hand put fire in the palm of the other, sprinkled incense on it and fumigated the Brahmans, and as soon as permission to burn arrived from Hoseyn Shah, Fauzdar of Múrshidabad, she mounted the pyre with a firm step. In 1681 out of 230,000£ sent by the East India Company for investment to Bengal, 140,000£ of it was sent to Kasimbazar, that year Job Charnock was chief there. In 1620 the English had commercial agents at Patna, and in 1658, they had them at Kasimbazar, Húgly and Balasore: 1767, one of the members of Council was appointed to be chief of the trade at Kasimbazar. In 1753 Warren Hastings was a commercial assistant here and devoted much of his time to Persian; in 1757, on the place being taken by Suraj-ud-daula, who encamped with his whole army opposite to it, he was made prisoner and sent to Múrshidabad: the English had a fort then here, which at the time of the battle of Plasi was more regular and tenable than that of Calcutta, it had four bastions; in that year Suraj-ud-daula came before the fort with his whole army, and Mr. Watts recommended that a fortification should be erected at Múrshidabad: the Court of Directors in reply stated, that in subordinate settlements they could not bury the Company's capital in stone walls, that their servants were so thoroughly possessed of military ideas, as to forget that their employers were *merchants* and trade their principal object. The Commercial Resident here had a salary of 50,160 Rs.; the filatures and machinery of the East India Company were worth twenty lakhs; in 1768 it was recommended that European troops should not be brought nearer to Calcutta, than Kasimbazar, on account of the climate of Calcutta being so unfavourable to European health.

The FRENCH had a factory at Kasimbazar, as also at Malda: the one at Kasimbazar is now marked only by ruined walls and an old flagstaff, it is called Farasdanga, the native population have deserted it for the more profitable settlement of Khagra

and Gora Bazar. The French *still* own Farasdanga, though they make no use of it; the site is occupied by native distilleries. They had a factory at Saidabad, where Dupleix lived a long time, he was the Louis Philippe of the French interests in Bengal, as his great aim was to raise French power through the influence of French commerce. Dupleix gained twenty lakhs in India and originated the French private trade therein: with all his attention to business he indulged in frivolity, he has been seen in the streets of Chandernagar with a fiddle in his hand and an umbrella over his head, running naked with some other young fellows and playing tricks at every door. SAIDABAD has an Armenian church built about 1757 and in Tieffenthaler's time, a great number of Armenian merchants lived in beautiful houses here and carried on trade.* From Saidabad Clive wrote the memorable letter to the Council the 6th of May 1766, apprising them of the conspiracy among the officers, and their determination to lay down their commissions since the Company had reduced their batta. From Saidabad embankments extend to Bhamenea ten miles distant, they used to cost annually for repairs over a lakh: 1767 Múrshidabad was near being washed away in consequence of the embankments breaking down. In 1838 a meeting of natives was held at the house of the Hon'ble W. Melville, Governor-General's Agent, to establish an English School, they subscribed 6000 Rs.; the school flourished for a year; English, Bengali, Persian, Arabic, and Sanskrit were taught; but when those Europeans who took an interest in it left the station, it dwindled away.

MURSHIDABAD is of earlier date than the time of Múrshid Kúli-Khan, its reputed founder, but rather embellisher; he made it the capital in 1714 as being a central place. Akbar, writes Tieffenthaler, founded Múrshidabad and sent a body of troops to a place East of it, called Akbarpúr. Every part of Múrshidabad suggests ideas connected with a fallen Musalman dynasty;

* "The Armenians gradually came from Gujarat and Surat, to Benares and Bahar: about one hundred and fifty years ago they formed a settlement at Saidábád in consequence of a Phirmaund from the Mogul. When the Dutch settled at Chinsura in 1625, they were followed by the Armenians." As opulent merchants, they exercised great influence over the Moguls. When Holwell landed in 1757 as prisoner at Murshidábád, having his body covered with boils and loaded with fetters, he was received kindly by the Armenian merchants. Tavernier in 1665 met four Armenian merchants, who traded with Butan and *supplied the people there with idols!* Yet in building their Church in 1695 at Chinsura, no Hindus or Musalmans were employed at it, but only Armenians. Akbar had an Armenian servant of whom he entertained a high opinion.—Coja Gregory, an Armenian, was the chief man at the court of Mír Kasim, he trained all the Nawab's infantry and cavalry in the English manner and commanded the artillery; in 1772 he presented a petition to the House of Commons, complaining of the treatment he and his nation received from the Company's servants both in person and property; they were *rival* traders.

in 1759 it was 5 miles long and 2½ broad. Since the removal of the revenue courts and capital from it to Calcutta in 1772, Múrshidabad has been in a state of rapid decline. The reason of the removal was—that appeals were thus made to Calcutta direct, and only one establishment kept up—the records and treasure were insecure in Múrshidabad, which "a few dakoits might enter and plunder with ease."—Hastings also assigned a reason that thereby Calcutta would be increased in wealth and inhabitants, which would cause an increase of English manufactures and give the natives a better knowledge of English customs. The palmy days of Múrshidabad have passed away—the times when the Koran was the only code, when the Nazim decided in all capital cases, and when a court held on Sunday was the only appeal from the provinces;—when the despotic principles of Moslem Governments rendered the courts rather instruments of power than of justice—when all eyes were turned to Múrshidabad as the centre of Government and source of favour. The splendor of a court has faded away and also the outlay of money connected with it; we find that on the marriage of Suraj-ud-daula, Ali Verdy kept a continued feasting for a month in his palace at Múrshidabad: all comers were welcome, every family in the city rich and poor partook of his hospitality, by receiving several times tables of dressed victuals called turahs, none of which cost less than 25 Rs. and thousands of them were distributed in Múrshidabad.

On the golden principle of "the greatest good of the *greatest number* for the greatest length of time," we think the English rule preferable to the Moslem in Bengal, though we do not attach so much value to the tranquillity, which is the result of English sway, for, as an author remarks, "We have given the Hindus tranquillity—but it is the tranquillity of *stagnation*, agitated by no living spring, ruffled by no salutary breeze." It cannot be questioned that even an imperfect native government may be much better for a country on the whole than a foreign one, though the latter be theoretically better constituted: we do not however apply this remark to India; the Hindus have by the English Government been delivered from the caprice of such monsters as Suraj-ud-daula, who did not scruple to bury one of his mistresses alive between walls at Múrshidabad, and was so profligate that no woman's virtue was safe. Golam Hussein gives a faithful and lively picture of the licentiousness and despotism that prevailed at Múrshidabad. Múrshid Kúli used to compel defaulting Zemindars to put on loose trowsers, into which were introduced live cats. Suraj-ud-daula murdered persons in open day in the streets of Múrshidabad.

There are however some bright features in this dark picture, and which it would be well were the English Government to imitate. The Musalman sway in Múrshidabad reminds us that among the results were—wealth was scattered over the country: the courts of the Rajahs formed the centre of influence within their respective domains: the Musalmans made India their *home*, they forgot the country whence they came, and made themselves *part of the people*; though they plundered the people, they did not send away the money to *foreign* lands; their wealth chiefly circulated in India, in which they invited their countrymen to settle and increase the population: the Nawabs mixed with the people and allowed them *access*. The Seir Mutakherim (written 1786) remarked—"of all the English that have carried away princely fortunes from this country, not one of them has ever thought of showing his *gratitude* to it, by sinking a well, digging a pond, planting a public grove, raising a caravanserai or building a bridge." The revenue collected from the people circulated among them: large jagírs were granted to nobles, on which they *settled*; armies of horse were maintained for show; the buildings in Bengal now are not equal to the old ones in magnificence, "the remains of stupendous causeways, ruins of bridges, and of magnificent stairs on the banks of rivers, not replaced by similar undertakings of modern date, suggest melancholy reflections on the decline of the country;" these observations are not so applicable *now* however. Numbers of learned Arabic scholars came from Persia and received endowments and patronage. Forster in his travels remarks on this subject, "the native princes and chiefs of various descriptions, the retainers of numerous dependants, offered constant employment to a vast number of ingenious manufactures, which supplied their masters with gold and silver stuffs curiously flowered, plain muslins, a diversity of beautiful silks and other articles of Asiatic luxury." In 1742 the court was removed from Rajmahal to Múrshidabad by Ali Verdy Khan, in order to watch the English better as also to be enabled to contend to more advantage with the Mahrattas.

The great FAMINE of 1770 caused dreadful havoc at Múrshidabad; in April 1770 desolation spread through the provinces: multitudes fled to Múrshidabad; 7000 people were fed there daily for several months; but the mortality increased so fast that it became necessary to keep a set of persons constantly employed in removing the dead from the streets and roads. At length those persons also died and for a time dogs, jackals and vultures were the only scavengers. The dead were placed on rafts and floated down the river, the bearers died from the

effluvia, whole villages expired, even children in some parts fed on their dead parents, the mother on her child. Government has been blamed by a certain existing Society as the cause of this famine: how could they prevent the effects of the rains of heaven and the overflowing of the rivers which caused a deficiency of crops? It is vividly described by Macaulay, "the whole valley of the Ganges was filled with misery and death. The Hoogly every day rolled thousands of corpse close to the porticos and gardens of their English conquerors;" Múrshidabad is memorable as the residence of the SEATS, the bankers of the Bengal Government; respecting whom Burke remarked in the House of Commons "that their transactions were as extensive as those of the Bank of England." The emperor of Delhi conferred on one of them the title of Jagat Seat, i. e. the banker of the world; Jagat Seat kept all the revenue of Bengal in his treasury at Múrshidabad; he was the Rothschild of India, and though plundered of two millions of money by the Mahrattas, when they *luted* Múrshidabad, the loss seemed scarcely to be felt by him; we find in 1680 the Seats were a great family and employed in supplying piece goods to the English Merchants. Jagat Seat helped Múrshid Kúli Khan to purchase the continuance of his office as Nawab of Bengal after the death of Arangzeb. Clive proposed Jagat Seat as arbiter of the dispute between him and the Nawab: he was one of the Council of three to the Nawab in Clive's time, and had charge of the receipts and disbursements of the Government. The Seats were great friends to the English, in whose integrity in commercial transactions they had the strictest confidence; there is a tradition that they in common with many other natives were so indignant with Suraj-ud-daula for his cruelties, ripping open pregnant women through curiosity and drowning persons in order to see their dying struggles—that they lent money to the English to enable them to carry on the war with the Nawab, and through their money and influence they contributed very much to the transfer of the supreme power from Suraj-ud-daula to Mir Jaffir. They used to lend Government a crore at a time. In 1717 there was a family of the Seats in Calcutta, who were very instrumental in bringing it into the form of a town: but the transfer of the seat of Government from Múrshidabad to Calcutta led to their decay; a descendant of Jagat Seat lives at Múrshidabad, he occupies the residence of his ancestors which is in a dilapidated state; for some time the members of the family subsisted by the sale of the family jewels, but lately Government has granted the representative of the family a pension of 1200 Rs. monthly; all the family

papers were destroyed some time ago by a fire. The Seats were Jains and built several Jain temples in Múrshidabad. Todd states, "more than half the mercantile wealth of India passes through the hands of the Jain laity; the majority of the bankers are the Jains from Lahore to the Ocean."

There are now few ancient edifices in Múrshidabad, though a tax of 8,000 Rs. annually was levied for permitting bricks to be brought from Gaur for buildings in Múrshidabad. These bricks were enamelled, and *the natives of Bengal now cannot make bricks* equal to those that were manufactured at Gaur. The greater part of the nobles have gone to Delhi or have returned to Persia, there is not a nobleman there now who is not connected by blood or marriage with the Nawab Nizam, excepting Mohamed Reza Khan, who is independent and possesses a respectable competency: he is a descendant of the famous Muzafir Jang, who lived in the time of Warren Hastings. There was a mint here, where silver was coined in the name of the Emperor; it yielded a revenue of three lakhs annually, and was erected by Múrshid Kúli Khan in 1704. "The East India Company in 1746 paid Múrshid Kúli 25,000 Rs. for permission to establish a factory at Kasimbazar, for the convenience of having the bullion, which they sent from Europe, coined into rupees at the mint," which reminds us of what Zelim Sing said to Colonel Todd, "the time will come when there will be but one sikka throughout India." On the right bank of the river in former times there were many houses, the Nawab's palace stood there. The Sadak Bag was famous in 1800 for the Nawab's garden and the College of Fakírs near it called Akara Munsaram. The palace of Mír Jaffir stood on the right bank of the river, and had accommodation enough for three European monarchs. That of Suraj-ud-daula was on the left; both were fortified with cannon. There are many Karta Bhojas to the east of Múrshidabad. Forster in 1807 remarks that at the entrance to the town was a large and magnificent gateway and a parapet pierced with embrasures for cannon, it was probably the remains of a fortification erected in 1742 against the Mahrattas, who in Ali Verdy's time plundered the suburbs of Múrshidabad. In 1839 when a meeting was held at Berhampúr in favour of steam communication between England and India, twenty members of the Nawab's family were present, and the first resolution passed was—that every Mahommedan was interested in its success, as shortening the period of going to, and returning from Mecca,—and yet when the first river steamer passed Múrshidabad the natives thought it was a *bhút* or goblin breathing out flames, that was come to devour their children.

MUTIJIL or the lake of pearl (a favorite name applied to a lake in Kashmír and another in Lahore), is a lovely spot south of Múrshidabad; there are only a few arches now left of the magnificent palace erected here of black marble brought from Gaur; it was built by Suraj-ud-daula at an enormous expense in order "to indulge his vicious pleasures beyond the reach of control;" he quitted this palace in order to fight the battle of Plasi; and from the same place 1766 Clive wrote a letter making over five lakhs bequeathed to him by Mír Jafir, to a fund since called Clive's fund. Hamilton states the Mutijil was "one of the windings of the former channel of the Kasimbazar river:" others however think it was commenced for the purpose of making bricks for the houses, which at one time covered the piece of land surrounded by the Mutijil: some years ago the Nawab was induced at the recommendation of the Hon. W. Melville, the resident, to establish an experimental agricultural garden there. Tieffenthaler writes, "The Governor of Bengal resides at Coleria and one mile from it is a great and magnificent palace, called Mutijil from the clearness of its waters." When the building was nearly ready, Suraj-ud-daula invited Ali Verdy to see it, he locked up Ali Verdy in a room and refused to release him unless the Zemindars there paid a fine from their lands; Ali Verdy was obliged to grant it as also to give Suraj-ud-daula the privilege of erecting a granary, which the inhabitants called Munsurganj or the granary of the victorious, i. e. of Suraj-ud-daula who outwitted his grand father. The piece of land, surrounded by the Mutijil in the form of a horse shoe, was formerly covered with houses. In its neighbourhood Lord Teinmouth once lived, he devoted his days there to civil business and his evenings to solitude, studying Urdú, Persian, Arabic and Bengali, after dinner when reposing, an intelligent native used to entertain him with stories in Urdú: he carried on an extensive intercourse with the natives and superintended a small farm: he writes of it, "here I enjoy cooing doves, whistling black birds and purling streams, I am quite solitary, and, except once a week, see no one of Christian complexion." He amused himself in improving the Nawab's grounds and enjoying the recreation of music during the years 1771,2,3. The PUNA was the annual settlement of the revenue of Bengal, when the principal Zemindars and all the chief people of the country assembled at Mutijil in April and May: it was abolished in 1772, because it was found that the amils or contractors rack rented: the Zemindars used to come to the Puna with the state of amrahs, it was viewed as an act of fealty or homage to the Nawab of

Múrshidabad and the annual rent roll of the provinces was then settled; Khelats were distributed each year; in 1767 the Khelat disbursement amounted to 46,750 Rs. for Clive and his Council: 38,800 Rs. for the Nizamat: 22,634 Rs. for the people of the treasury: 7,352 Rs. to the Zemindar of Nudiya: to the Raja of Birbhum 1,200 Rs.: of Bishenpúr 734 Rs.: the sum expended on Khelats that year amounted to 216,870 Rs. The practice of distributing these Khelats was of long standing, as they were given to the Zemindars on renewal of their sunnuds and as a confirmation of their appointment; to the officers of the Nizamat they were an honorary distinction; the people held the Puna in great esteem, and Clive, regarding it as an ancient institution, raised a special revenue collection to defray the expenses of it; but in 1769 the Court of Directors prohibited the giving presents at the Puna. In 1767 at the Puna the Nawab was seated on the Musnud, Verelst, the Governor-General, was on his right, and recommended in the strongest manner to all the ministers and land-holders, to give all possible encouragement to the clearing and cultivating of lands for the mulberry. It must have been a splendid sight, when amid all the pomp of oriental magnificence Khelats were presented to the Rajahs or Nawabs of Dhaka, Dinajpúr, Húgly, Púrnea, Tippera, Silhet, Rangpúr, Birbhúm, Bishenpur, Pachete, Rajmahal, and Bhaglipúr; a form like the Puna is still kept up at each Zemindar's Kacheri. Newish Mahomed, nephew of Ali Verdy, is buried at Mutijil in a mosque built by him; at his funeral there was great lamentation of the people, as he was very charitable, he could not bear to be on bad terms with any one. Ecramed Daula, the brother of Suraj-ud-daula, is also buried here, "on his death the city of Múrshidabad looked like an immense hell filled with people in mourning." The East India Company's Political Residents lived at Mutijil and several of them made large fortunes there; one of them returned to Europe in 1767, having, as is said, during his three years Residency, accumulated property to the amount of nine million of stivers.

On the right bank of the river opposite Mutijil is the burial place of the Nawabs; here Suraj-ud-daula and Ali Verdy are buried side by side. Forster in 1781 mentions that mullahs were employed here to offer prayers for the dead, and that the widow of Suraj-ud-daula used often to come to the tomb and perform certain ceremonies of mourning in memory of her deceased husband: the expenses of the burial ground are defrayed by Government; the river, two miles south of Mutijil, formerly took the shape of a horse-shoe, until the neck was cut through at considerable expense. To the North East of Mutijil is the *Kuttera* described by Hodges, a traveller of 1780, as "a grand seminary of Musalman learning, 70 feet square, adorned by a mosque which rises high above all the surrounding building;" near it is the *Topikhaná* where the Nawab's artillery was kept, it formed one of the entrances to Múrshidabad, a cannon was placed between two young trees, they have grown up, and their branches have lifted the cannon from the ground. It has two splendid minarets 70 feet high, Jafir Khan was an humble man, and is buried at the foot of the stairs leading up, so as to be trampled on by people going up:" this mosque was constructed after the model of the great mosque at Mecca.*

At *Kalkapúr*, a long straggling village to the south of Mutijil, are the few remains of what was once the Dutch factory, and the scene of gaiety. In 1757 Vynett was the chief of it, he was very kind to the English when the factory of Kasimbazar was taken by the Musalmans: the burial ground still remains. The river formerly flowed by Kalkapúr, now it is at a considerable distance, it also ran behind Berhampúr, the Dutch had a mint there. A visitor to it 1825 writes, "Kalkapúr is now in a neglected state, the court yard is overrun with jungle, and the barking of the paria dogs were our only greeting on entering a place which for many years was a scene of gaiety in the evening and of incessant application to business during the hours of every returning day." Stavorinus describes the Dutch in 1770 as rising at 5, then breakfast, then business until noon, after which dinner, and the afternoon *siesta* or nap until 4 o'clock, from that to six business again, from six to nine relaxa-

* In a Persian Mss. is the following short account of this Mosque: "Jafir Khan, sometimes also called Múrshid Kúlí Khan, having a presentiment that his death was approaching, commissioned Mirad, the son of Ismaíl, a Furrash, (a servant whose business it is to spread carpets) to erect a tomb, a Musjid, and Kuthrub to be called after him, and directed that it should be completed in six months. This man on receiving the commission, requested that he should not be called to account for any acts that he might think necessary to adopt in the execution of his work. On his request being granted, he immediately called upon the Zemindars to supply him with artisans and labourers to raise the building. He fixed for the site a piece of ground which belonged to the Nawab to the East of the city. For the materials for the work he pulled down all the Hindu temples that he heard of in or near the city, and seized all the boats in the river. The Hindu Zemindars wished to preserve their temples and offered to furnish all the materials at their own cost, but this Mirad refused, and it is said that not a Hindu temple was left standing within four or five days' journey round the city. He also exercised oppression in other ways, and even pressed respectable Hindus while travelling in these suwarees to work at the building. By this means the work was finished in twelve months. It consisted of a Kuthrub, a Musjid, and Mínars, a Houir and Boalí and Well—and Jafir Khan endowed it in such a manner as to ensure its being preserved after his death."

tion, when supper was taken and they went to bed at 11. Tavernier, in 1666, visited Kasimbazar and was well received by Van Wachtlendonk, Director of the Dutch factories in Bengal; the Nawab then lived at Múrshidabad: the present Nawab's family is of Arab origin. The Dutch had intercourse with Bengal at an early period; Warwick, the founder of the Dutch East India Company, made an alliance with several Rajahs of Bengal in the beginning of the 15th century: they settled in Bengal about 1625. In Tavernier's time the Dutch kept up to 800 natives employed in their factory at Kalkapúr.

Tieffenthaler, 1770, describes Múrshidabad as having an immense number of brick stucco houses, adorned with a great number of gardens and fine buildings, and that the Ganges there had an astonishing number of barks and boats on it. Even as late as 1808 Mr. Ward thus writes of it, "Múrshidabad is full of Moors, very populous, very dusty, except a few large brick houses and a few mosques, the rest of the town consists of small brick houses or huts into which an European creeps; for near two miles the river was lined with trading vessels." Now all is in rapid decay and the chief object to attract the traveller is the New Palace, which is 425 feet long, 200 wide, 80 high; it has a splendid marble floor, the banqueting hall is 290 feet long, with sliding doors encased in mirrors. Colonel Macleod was the architect of it, and the *only European* engaged, the *natives* executed the work. The trade of Múrshidabad was formerly very great; the Pachautra or Custom office books state, that, as late as Ali Verdy's time, 875,000 lbs. worth of raw silk were entered there, exclusive of the European investments, which were not entered there, as being either duty free or paying duty at Húgly. Múrshidabad is now famous for the manufacture of ivory toys and chessmen; in 1838, an English Newspaper was begun there called the *Múrshidabad News*, it met with a good circulation, the Court of Directors subscribed for 10 copies of it, but afterwards it became scurrilous and indulged in personal abuse, the consequence of which was that it became extinct in 1839.

Múrshidabad was noted in former times for the profligacy of its court, we dare not pollute these pages with a description of the vile impurities of Serferez Khan. The Seir Mutakherim describes the court of Múrshidabad as a kind of Sodom; the women of the court talked *publicly* of subjects which should never pass the door of the lips. A regard to the feelings of survivors prevents us from referring to the orgies of late

occupants of the Musnud. We trust the present Nawab will set a different example; the length of his title "Mantizum Ul Malak Moshen Ud Daula Faridau Jan Syad Munsur Ali Khan Bahadur Narset Jang," fully rivals Spanish titles. May he imitate the example of a former Nawab, Suja Khan, "who supported at Múrshidabad all travellers of intellectual and moral worth, and encouraged merit in every way." Ali Verdy also is a worthy object of imitation in the attention he paid to developing the resources of Bengal.

The present court has about 50 eunuchs attached to the Nazim and the female relatives living within the Kela or the enclosure; inside which the authority of the civil officers of Government does not extend; these eunuchs come from different places in Abyssinia, from Tigra, Dancali, Nubia and the Galla country.

Suraj-ud-daula kept in his seraglio a female guard composed of Tartar, Georgian, and Abyssinian women, armed with sabres and targets. Múrshidabad is noted on account of the festival of the *Beira* which was introduced by Suraj-ud-daula, who used to have boats large enough to hold 100 men, filled with earth and flowers, and floated down the river with lamps, while the shores were illuminated.—Little could be expected of him, his mother was a notorious adulteress, and himself, when governor of Katak, plundered the rich and shocked all decency, so that a conspiracy was formed against him.

TERETKONA lies on the right side of the river facing Múrshidabad; it has an image of Cintua, a goddess worshipped there in the temple of Kriteswari or Durga; it has declined after the withdrawal of Government patronage; it is mentioned in the Bhabishyat Purana. *Debpárá* opposite to Murshidabad had a Mosque and Mausoleum erected by Shuja Adin, in which he was buried, A. D. 1739. He was a man of general philanthropy and unbounded liberality. He made a beautiful garden at Debpara, which he called *Ferreh Bag* (the garden of happiness) to which he retired in the summer with his seraglio in order to indulge in every luxury.

AZIMGANJ is also opposite Múrshidabad, the city formerly extended on the west bank of the river from this to Suraj-ud-daulah's tomb. Du Perron describes the river as dividing the city into two parts. There are several fine *Jain* temples here: the Jains are a most enterprising mercantile race and many of them here emigrated from Jaudpúr, Marwar, and Hariana; some have settled as far east as Assam: the north of Múrshidabad is occupied chiefly by Jain merchants, who speak Hindi;

the middle is occupied by Musalmans, and the south by Bengalis.

BHAGWANGOLA is divided into old Bhagwangola and new Bhagwangola, twelve miles distant from each other; the former was the port of Múrshidabad in Ali Verdy's time, and supplied the city with provisions from the districts to the east of the Ganges. The Ganges anciently flowed to the west of it; now it is five miles west of the river. In 1760 Clive sailed down the Ganges to Bhagwangola and then crossed to Múrshidabad. Oats, gram, and rice are brought to it from Rangpúr, Dinajpúr, &c. &c. Surup Dút, the ghat mangi here, was for many years the leader of the thugs of Dhaka, Furidpúr, &c. &c. he used to embark travellers in the boats of his comrades and then have them murdered. In former times the neighbourhood of Bhagwangola must have been exceedingly populous, as there are evident remains of a very extensive town or a series of large villages, now overgrown with forests, and dotted with numerous tanks and other signs of population. Several English officers were buried here, but their tombs have been swept away by the river.

JANGIPUR or Jehangipúr, because founded by Jehangir the Emperor, was long a seat of the silk manufacture of the East India Company: the Company's factory was sold to a Mr. Larulletto in 1835 for 51,000 Rs. the silk filatures were erected, in 1773. The first attempt of the East India Company was at Budge Budge, which did not succeed. Grant in his Essay on India adduces the silk manufacture as an instance that the Hindus are not *unchangeable;* the East India Company introduced the Italian mode of winding silk, and the natives have altogether dropt *their own* method: in 1757 the East India Company sent out to Bengal, a Mr. Wilder, well acquainted with the silk manufacture, to examine into the different qualities of the Bengal silk; he resided at Kasimbazar, then the Company's chief silk manufactory, where he died in 1761: in 1765 Mr. Ponchow was appointed to Kasimbazar to carry on the improvements begun by Mr. Wilder: Italians were sent out first. Lord Valentia, in 1802, describes Jangipúr as the greatest silk station of the East India Company and employing 3,000 persons. The west bank of the river is best for the mulberry cultivation, as it requires a black soil. The East India Company's filatures did not extend beyond 26° N. Lat., as in a more northerly direction the soil and air become too dry for the mulberry and silk worms. Napoleon's Berlin Decrees, prohibiting the exportation of silk from Italy to England, gave a great stimulus to the cultivation of the Silk Trade in Bengal: a meeting was immediately held in London and a request was made to the East India Company to supply England with silk direct from India. Mr. Williams was resident here and died in 1822, he was a great friend to education. Jangipúr was formerly famous for "its pretty English garden;" in 1808 the river near it was dried up so that gharis crossed it, owing to a chur at the mouth of the Bhagirathi, which caused the Ganges to flow into the Jellinghi, the lowest depth of water here in the dry season is about two feet: in the Jellinghí, in 1832, a *thousand* boats were waiting at the mouth to be lightened before they could proceed on account of the shallowness of the water—and yet Government levy a tax of 150,000 Rs. per annum on boats passing up this river in order to keep it clear, the same sum on the Matabanga and Jellinghi, while little trouble is taken by Governmeut officers to keep the river clear. Allowing 3 Rs. as the average toll for each boat, this shews that on an average above 50,000 boats pass Jangipúr annually.

SUTI is memorable for the battle of Gheria fought near it, 1740, in which Ali Verdy defeated Serferez Khan at the head of 30,000 cavalry and infantry and a numerous train of artillery; and for a battle in 1763, which lasted 4 hours, and in which Mír Kasim was defeated, though at the head of 12 battalions of sipahis, 15,000 horse and 12 cannon; had the English lost this battle they would have been driven out of Bengal, as Mír Kasim's troops were drilled according to European discipline. Three thags were arrested here in 1836 by Capt. Louis, two were father and son, one man confessed, that in one expedition he and his gang had committed fifty murders between Múrshidabad and Bar. Near Súti an excavation has been made to join the Ganges and Bhagirathi; when first made it was only a few yards wide, but the stream was no sooner admitted than it quickly expanded to as many hundred yards: in the year after its completion not a trace of its existence remained, the middle of one of the principal streams of the Ganges is now pointed out as the spot where the excavation was made; between Súti and Kalgang forty square miles of land have been washed away by the river in a few years. Suraj-ud-daula alarmed at the capture of Chandernagar and afraid that the English would bring their ships up the Padma and into the Bhagirathi, sunk vessels near Súti to prevent it. In 1839 it was proposed to Government to form a new zillah, of which Súti was to be the capital, six thannahs from Múrshidabad and eight from Bhagalpúr were to form it. Tavernier, the

celebrated traveller, who visited Kasimbazar in 1665, mentions that there was a sand bank before Súti, which rendered it impassable in January, so that Bernier was obliged to travel by land from Rajmahal to Húgly. In Du Perron's time Súti was famous for the tomb of a Fakír, Morte Zeddin.

The extent to which this article has reached forbids us to take notice now of *Gaur* with all its interesting associations connected with the history of 2000 years. The banks of the Bhagirathi in 1846 present widely different scenes from what they did in 1746. Since that period the crescent has waned and Moslem pride has been laid low—the Sati fires have been extinguished and Ganga's stream is no longer polluted with infanticide—the fame of Nudiya and its Sanskrit Colleges is passing away and yielding the palm to the superior influence of western science and literature—there are no longer Kazis to sentence men to death for abusing fakírs, or governors like Múrshid Kúli Khan to send Korans of their own writing with valuable offerings to Mecca and Medina—travellers now pass the banks of the Bhagirathi by night and defenceless women may travel from Calcutta to Delhi without fear of molestation. The future opens out a bright scene on the banks of the Bhagirathi,—when Brahmanism will be in Bengal, as Buddhism is now, "a thing of the past,"—when Gospel light and its handmaid the English language and literature shall be diffused far and wide,—when Municipal Institutions, Colleges, Agricultural Societies, Zillah and Town Libraries shall have dispersed the torpor of Mofussil life,—when railroads intersecting the country shall have helped to scatter to the winds all local prejudices—and when the banks of the Bhagirathi, like the banks of the Rhine or the Thames, shall be ornamented with villas, country seats, and all the indications of a highly civilized state of society,—when the upper classes of English Society in Calcutta—instead of being crowded together in their aristocratic mansions in Chowringi, the hot bed of Anglican prejudice and the focus of all those who cherish their irrational exclusiveness towards the natives of this land—shall enjoy the quiet and retirement of their dwellings along the course of the sacred stream, living thirty or fifty miles from Calcutta, but coming daily to it to do business through the wonderful facilities of travelling which will then be afforded.

ART. IV.—1. *Report of the Committee on Prison Discipline, to the Governor General of India in Council, dated the 8th January* 1838; *to which is prefixed a Resolution recorded by the Government of India, on the 8th of October* 1838, *after taking the Report into consideration. Calcutta,* 1838.

2. *Appendix to the above. Calcutta,* 1838.

3. *On the Penitentiary System in the United States and its application in France. By G. de Beaumont and A. de Tocqueville, with an introduction and Notes and Additions, by Francis Lieber. Philadelphia,* 1833.

4. *Third Report of the Inspectors of Prisons for the Home District. London,* 1838.

5. *Report on the Construction, Ventilation, and Details of Pentonville Prison. London,* 1844.

6. *First, Second, and Third Reports of the Commissioners for the Government of the Pentonville Prison. London,* 1843, 1844, 1845.

THE subject of Prison Discipline is one, which, at the present day, has attracted much interest not only in England but in all the civilized countries of Europe and America; and we feel a pride, we confess, in the thought that to our native land is due the credit of having first aroused the attention of the world to this great and interesting theme.

We have most of us had the advantage of studying the general principles which are involved in all improvements in Prison Discipline, as laid down by Howard, Bentham, Livingstone, de Tocqueville, and others, and the great object now is, to obtain a mass of statistical facts relating to the subject. There is probably no civilized country on the face of the globe, however, in which it is more difficult to obtain such facts than India: it may be truly said, that here we have hardly any Statistical knowledge upon any subject whatsoever, and the reason is, that there is no person whose exclusive business it is to procure such knowledge. In other countries there is a department, with energetic and able officers presiding over it, whose sole duty is to collect Statistics and facts of all kinds upon which improvements are based. In England there is a separate Statistical department connected with the Board of Trade, to collect and arrange all the documents of an interesting nature which can be obtained through any department of Government. It has been most truly said that "the civilization of a country 'may almost be measured by the completeness of its statistics. 'However rude the Government of a country may be, it cannot

'attempt to make laws, without having acquired the means of 'forming a judgment, however imperfect, as to the matters 'brought under its consideration, and in this sense statistics 'may be said to be coeval with legislation." Here, there is no attempt to procure statistical knowledge; we have nothing to go upon; we are compelled, generally, to grope in the dark. The Government officers who have it in their power to give the information we require, have other important and essential duties to which they are obliged to attend—and they are unable, consequently, to devote the time and labor which would be necessary for the object in view. For instance, although ancient usage and obvious utility might direct us to "go forth and number the people" (an injunction which is followed in all civilized countries but India,) we have no idea what the true population of this country is—we are told that it amounts to so many millions of souls; but all this is mere guess work; it is not founded upon any accurate returns. Again, we know not the number of Births or Deaths in any part of the country—we know not the healthy or unhealthy districts of India—we have a sort of vague notion, which has been transmitted to us from our fathers, that the Sunderbunds are pestilential, and that Behar is a preferable climate to Bengal, we are told that Chowringhi Road, as forming the "lungs of Calcutta," is a more healthy locality than Ballygunge or Garden Reach—and so on; but on all these points which might be ascertained with unerring precision there are generally two opinions. It was only the other day that Mr. Simms and Captains Boileau and Western, in reporting to the Home Government upon the practicability of establishing railroads in this country, said, that "from an entire want of statistical information," they were unable to give any opinion upon several, and some of them the most important points, to which their attention had been called. It is really due to the interests of the country that the Government should alter this state of things; we trust that the Railway Committee's Report may have the effect of attracting the attention of those who have it in their power to apply a remedy. The Prison Discipline Committee which was appointed by Lord Auckland in 1838, certainly managed to collect a considerable mass of information upon the subject to which their attention was directed, and which it is our purpose, in the following article, to examine; but then, it must be remembered, that they were nominated for this special purpose.*

* It is a curious coincidence that since this article has been in type, the Local Newspapers have published a Despatch from the Court of Directors to the Government of India, bearing date some time in June last upon this very point. The Home Government write thus:—"The great practical importance of Statistical enquiries, and the attention which they now receive from the most enlightened European Governments, have induced us to take measures for investigating the Statistics of the countries under our administration, and for arranging and preserving in a form convenient for reference, the information which may be attainable.

"2.—With a view of accomplishing these ends, we have formed a Statistical Department in our Home establishment, in which the requisite enquiries will be conducted, and the materials thereby obtained classified and compared."

What will be done upon this? will the Government of India appoint persons to collect Statistical information in this country, or will they leave things as they are, and quietly *shelve* the Despatch in question? We sincerely hope that this will not be its fate; we fondly trust that it will not be left to moulder in some Secretary's office—a prey to white ants and cockroaches.

It is only within the last half century that the economy of prisons and the welfare of their inmates, have in any way attracted the attention of thinking men. Year by year persons have been consigned to these abodes, not for the purpose of reformation or of real punishment; but in order to be educated in vice, and strengthened in iniquity. Indeed, as late as 1821, Sydney Smith, writing on the subject in the *Edinburgh Review*, says, that in every county in England there are "large public 'schools for the encouragement of profligacy and vice, and for 'providing a proper succession of house breakers, profligates, 'and thieves." We can all recal to recollection the scenes of depravity and profligacy which are related in the adventures of Jonathan Wild, Jack Shepherd and other worthies of the same class; and which, though probably highly colored and in a measure exaggerated to suit the taste of general readers, have still a ground-work of truth running through the whole of them. The author of "Jonathan Wild" was himself a magistrate at the time when the office was frequently the source of an iniquitous traffic in justice, and we believe, notwithstanding Horace Walpole's disparaging account of him, that Fielding was an excellent Justice, and contrasted favorably with the generality of persons of the same grade, of which class, we fear, Justice Thrasher in "Amelia" was too frequently a type. In his work entitled "causes of the 'increase of Robbers, &c. with proposals for remedying the 'existing evil," Fielding says, that the punishment provided by Parliament for Robbers, &c. is "commitment to Bridewell either for more or less time;" and he adds, in his caustic and racy style, "a very severe punishment this is, if being *confirmed* in habits of idleness, and in every other vicious habit, may be esteemed so."

"The erection of these houses," he continues, "as is usual 'with new institutions, did at first greatly answer the good 'purposes for which they were designed, insomuch that my

'Lord Coke observes 'that upon the making of the statute '39 Eliz: for the erection of houses of correction, and a 'good space after, whilst Justices of Peace and other officers 'were diligent and industrious, there was not a rogue to be 'seen in any part of England,' and again he prophesies that "from the erection of these houses we shall have neither 'beggar nor idle person in the Commonwealth.' But this 'great man was a much better lawyer than he was a prophet, 'for whatever these houses were designed to be, or whatever 'they were at first, the fact is, that they are at present, 'in general, no other than schools of vice, seminaries of idle-'ness and common sewers of nastiness and disease. What 'good consequence there can arise from sending idle and dis-'orderly persons to a place where they are neither to be 'corrected nor employed; and where, with the conversation of 'many as bad, and sometimes worse than themselves, they are 'sure to be improved in the knowledge, and confirmed in the 'practice of iniquity? can it be conceived that such persons 'will not come out of these houses much more idle and 'disorderly than they went in? where then is the remedy? 'To reform the present conduct of the several Bridewells? 'This would, I believe, be as difficult a work as the cleansing 'the Augean Stable of old."

Not many years after this was penned, the Hercules arose who was destined to cleanse Fielding's "Augean Stable;" or at least, to lead the way in the good work. John Howard was the name of the remarkable man, who has raised for himself "monumentum ære perennius" by stepping forth to assist the miserable and degraded convict, and who thought that his life and fortune were not too much to sacrifice for such an object. He was a man in every way suited to the work; one whom no toil could subdue, no personal sacrifice daunt, no danger scare, from what he considered his sacred mission. Of low origin, the son of a London Tradesman, he found himself on the death of his Father the owner of a tolerably handsome competence. In 1756, about the time that Justice Fielding wrote the work from which we have quoted, Howard was a passenger on board a packet ship bound for Lisbon, when he was taken a prisoner by a Privateer, and conveyed to France; the miseries which he suffered, awakened, it is said, his sympathies, and made him determine to devote his fortune and his life to the endeavour to render prisons less pernicious to health and morality. From this time till 1773, when he was nominated to the office of Sheriff of Bedfordshire, and when the subject was, consequently, brought more immediately under his notice,

he never lost sight of the one object to which he had devoted himself; after travelling about to different neighbouring gaols he placed a mass of information before the House of Commons, which induced that body to pass two Acts for bettering the condition of Prisoners, and for doing away with certain fees, without the payment of which, no innocent person, who had been tried and acquitted, could obtain his release. From this time till his death in 1790, he devoted himself, heart and soul, to the one object of ameliorating the condition of those of his fellow-subjects whose wretched lot had heretofore failed to attract the attention of those whose duty it was to care for them; and in fact, he lost his life whilst engaged in one of his philanthropic Tours in the Crimea. He published his Travels in 1770, in two volumes, which contain an immense mass of information and suggestions of improvements of various kinds. Of this work his biographer Aiken says "as soon as it appeared the 'world was astonished at the mass of valuable materials 'accumulated by a private unaided individual, through a course 'of prodigious labor, and at the constant hazard of life in 'consequence of the infectious diseases prevalent in the scenes 'of his inquiries. The cool good sense and moderation of 'his narrative; contrasted with that enthusiastic ardour which 'must have impelled him to his undertaking, were not less 'admired, and he was immediately regarded as one of the ex-'traordinary characters of the age, and as the leader in all 'plans of meliorating the condition of that wretched part of 'the community for whom he interested himself." It has been objected, however, and we think with cause, that though containing a rich fund of materials, his works show no leading principles; no order; no connection. Bentham, who is of this opinion, says, that Howard was much better employed however, than in arranging words and sentences. "Instead of doing what 'so many could do if they would, what he did for the service 'of mankind, was what scarce any man could have done, and 'no man would do but himself. In the scale of moral desert, 'the labors of the legislator and the writer are as far below his, 'as earth is below heaven. His was the truly Christian 'choice—the lot, in which is to be found the least of that 'which selfish nature covets, and the most of what it shrinks 'from. His kingdom was of a better world: he died a martyr, 'after living an apostle." Burke's splendid eulogium on the character and achievements of Howard, has been so often quoted that it must be familiar to the minds of all our readers.

Such was the character of the man who first effectually turned the attention of the world to improvements in prison discipline;

who first laid bare in all its hideousness the existing state of the gaols in England and other lands. We do not propose to enter upon the subject of Howard's works or to notice any further the abuses which then prevailed; their day is gone by, and many of them no longer exist; besides, the subject of our present notice is connected with Prison Discipline in India, before entering upon which, however, we propose to examine, cursorily, what steps have been taken in other countries to reform the condition of prisoners and convicts.

We have claimed for old England, in the person of John Howard, the credit of having taken the first step in the march of reform; but though an Englishman was the first to awaken general attention to the subject, and to set on foot certain inquiries which resulted in improvements and alterations in the existing practice, English America was, we are inclined to think, the first to put in practice the *extensive* reforms which have taken place within the last half century; and the other states of Europe, which have paid any attention to the subject, have followed in the precepts laid down by her, and been guided by the experience gained from her experiments. Monsr. Duchatel, who was in 1842 the French minister of the interior, has in a work recently published entitled "Instruction et Programme pour la construction des 'maisons d'Arret et de justice," questioned the right of America to the distinction of having been the first to put in practice the improved system of discipline; he says that the first house of correction which was ever built, was constructed in 1703, by Pope Clement XI. at Rome, and that "si l'on entre dans 'l'examen detaillé du systeme et même de la disposition 'architectural de cette prison, on reconnâitra que les 'Americains ne sont que les imitateurs des Italiens; non seule-'ment sous le point de vue du regime disciplinaire, mais 'aussi sous celni de la construction."

The credit however is generally, and we believe correctly, given to the Americans. It is supposed that that which induced the inhabitants of the West to turn their minds and attention to the subject at first, was, the abhorrence which the early Colonists, principally Quakers, entertained to the shedding of man's blood. It has been said that the Gallows and the Prison are signs of civilization and the march of improvement; the remark is, in a measure, correct, as showing the steps which civilization takes to protect herself against those who violate the bonds which hold society together; but a still further step in advance is the discarding of the Gallows; and it was this reflection which made the descendants of William Penn petition the legislature of their country in the year 1786, to abolish

the punishment of death, except in one or two cases, and to substitute for it, Solitary Confinement. This was a great and bold step for an infant colony; at a time too, when the laws of the mother country, according to Sir Wm. Blackstone, attached the punishment of death to one hundred and sixty offences; and far be it from us to attempt to rob the Pilgrim Fathers of the credit which is undoubtedly due to them, for this successful and most merciful innovation. Prisoners had heretofore been looked upon us little better than animals, whom nothing but brute force could restrain, or keep in order. It was considered Utopian to imagine that such persons were susceptible of reform, or of redemption of any sort; and the American experiment to treat them as beings subject to the same principles of action as their fellow creatures, though with vitiated tastes and uneducated minds, was generally looked upon as chimerical. The punishment, however, which was substituted at the same time, for other offences than those which had previously been punished by death, was unfortunate; it was precisely that which may be said to be universal in India; namely, hard labor in public. This was found to be most injurious and detrimental not only to the prisoners themselves, but to the inhabitants of the Towns in general, who were witnesses to this public and degrading punishment; crime increased in consequence instead of decreasing.

In 1797, the state of New York followed the example of Pennsylvania, by sanctioning a reform of the Penal Laws; but the system introduced was found expensive, and at the same time inefficient, nor did it attempt any reform of the criminals; the consequence was, the frequent recommittals of persons. The Auburn prison was built in 1816, but it was found that the principle which was adopted in it of building small cells to contain *two* persons each, was the most unfortunate which could have been chosen; as Mons. De Tocqueville says, "it would have been better to throw together fifty criminals, than to separate them two by two." In 1817, the Penitentiary at Pittsburg, and in 1817, that of Cherry Hill in the city of Philadelphia, were built; and in these the system was adopted of absolute solitary confinement; the miserable criminal was not to be permitted to leave his prison, day or night; and all and every kind of occupation or labor was denied him.

This experiment was made upon only eighty prisoners; its results were fearfully fatal; and, without doubt, gave rise to the opinion which is prevalent even amongst the better informed at the present day, that the American Penitentiary

System, taken as a whole, is a cruel and barbarous one; which should be shunned instead of imitated; which should be a beacon and warning, instead of a loadstar. But there are, in fact, two American systems, if we may call them so, existing at the present day; and it was neither of these, but a third and totally different one, which no longer exists, that gave rise to the feeling of distrust and horror to which we have alluded. It was neither the "Separate," nor the "Silent," but the "Solitary" system, which gave such fatal results; and persons who ought to have known better, have not been able to distinguish the one from the other. Dickens in his American notes falls into this error. He says, "very few men are capa-'ble of estimating the immense amount of torture and agony 'which this dreadful punishment, prolonged for years, inflicts 'upon the sufferers; there is a depth of terrible endurance 'in it which none but the sufferers themselves can fathom, 'and which no man has a right to inflict upon his fellow 'creature." And yet, without observing the inconsistency of which he is guilty, Dickens immediately himself "fathoms" the "terrible endurance" of the prisoners, by shewing how one was amusing himself by painting the walls of his cell; another by making a clock; a third by writing poetry; a fourth by gardening, &c. &c. There is much mistaken humanity in all this: the Separate plan of Imprisonment, as it is practised at Pentonville near London in the Model Goal which has lately been erected there, and the progress of which we propose presently to notice, is a most humane system; open to no objections on the score of cruelty, but, if any thing, rather the contrary; and the same remark holds good regarding the Silent System; save that, it being necessary, not unfrequently to have resort to corporal punishment, it is more open to objection, and more exception may be taken to it on this account, than to the other. The lot of the wretched man however who was sentenced to absolute and unintermitting solitude without labor, was far different. A hopeless outcast, with nothing to think of but his crimes, nothing to brood over but his former evil deeds, he too frequently sunk under the infliction; or became a miserable drivelling idiot, unrecognizable by his nearest relatives.

De Tocqueville says, "absolute solitude, if nothing inter-'rupts it, is beyond the strength of man; it destroys the 'criminal without intermission and without pity; it does not 'reform, it kills."

Not only was this system fatal to the health of the miserable creatures upon whom it was tried, but it was also, strange to

say, inefficient in producing the reform of those who were liberated. It appears that the Governor of the State of New York, having exercised the prerogative with which he was vested, pardoned twenty-six of those upon whom the experiment was tried, and permitted the rest to leave their cells during the day, and work in the common workshops of the prison; and that out of these twenty-six, fourteen returned in a short time to the prison convicted of other offences! This result will not however appear surprising to those who remember, that the punishment of absolute solitary confinement was much opposed to public opinion, even at that time. It is a principle of Penal Legislation, that all punishments which are opposed to public opinion, are inefficacious and consequently improper: we should be particularly careful therefore in all Prison Improvements not to adopt any measure which is calculated to shock the feelings, or excite the pity and disgust, of the public. It was this same feeling which prevailed in England with reference to offences punishable, by the former sanguinary code of Britain, with death. Sheep and Horse stealing were more frequent formerly than at the present day, when the penal code has been mitigated: the same principle is commonly alleged to extend to the trials of Duellists, as no Jury, it is supposed, will convict the man who fights a duel because they know that the same punishment can, legally, be inflicted upon him, as upon the ordinary murderer.* A sheep stealer knew he had many more chances of escape fifty years ago, than now; he argued that the Jury, thinking the punishment too severe, would not convict; the witnesses would perjure themselves rather than be instrumental in causing the death of a fellow creature for merely stealing a sheep; and this same reason doubtless weighed with the twenty-six inmates of the New York Gaol who were pardoned; they said, the Jury, knowing what a dreadful punishment we shall have to endure, will probably acquit us; and they hesitated not to commit a second offence. We forget who relates the story of the Lawyer, who, on entering the Old Bailey with his friend, said, "Do you see that 'Juryman in the Canary colored waistcoat?" "Yes," "Well, 'there will be no conviction of death to-day:" and the fact was as predicted.

Notwithstanding the failure of the totally Solitary system, the

* It may, however, be allowed that Juries would often convict if there were evidence. When there is no evidence, as when all present are parties, they cannot convict. When crown officers are in earnest to convict, there will no doubt be convictions; for sometimes sufficient evidence may be had. And there is no friend of humanity, but must rejoice in the success of any measure which would put an end to a practice so highly criminal as Duelling.

Americans did not give up the principle with which they had started, that the solitude which obliges the prisoner to reflect upon his condition, instead of enabling him to compare notes of iniquity with his compeers in crime, must exercise a beneficial influence: and the only problem remaining was, to strike out some plan, by which the bad effects of total solitude might be avoided, and, at the same time, its manifest benefits taken advantage of. It was then determined to leave the prisoners to their solitude and reflections during the night, and to allow them to work all together in the workshops of the Gaol during the day, but in absolute silence; that silence being enforced rigorously by the application, when necessary, of the whip.

Such is the system of the famous Auburn Prison, and although the credit of having first suggested it, is claimed by several different persons, we believe we are only stating what is the fact, when we say, that the author was a Captain in the Army of the United States of the name of Elam Lynds. As there were only 550 cells in the Auburn Prison, the Legislature in 1825 sanctioned the erection of a new Prison. Mr. Lynds was then the Superintendent of Auburn, and he undertook to build the new prison with the assistance of the prisoners themselves. He took a hundred of these men to the spot, encamped them there without a place to receive them, and without walls to lock them up, "having no other means," says De Tocqueville, "to keep 'them in obedience, than the firmness of his character and the 'energy of his will. During several years, the convicts, whose 'numbers were gradually increased, were at work in building 'their own prison, and at present the Penitentiary at Sing-'Sing contains one Thousand Cells, all of which have been 'built by their criminal inmates." This appears almost incredible, but we believe, there can be no question as to its truth. An anecdote is related of this Captain Lynds, which we cannot resist the temptation of inserting; it is related by M. de Tocqueville, thus: "an individual, imprisoned in that Peni-'tentiary, had said that he would kill Mr. Lynds, the Superin-'tendent of Sing-Sing, upon the first opportunity. The latter, 'informed of the prisoner's resolution, sends for him, makes him 'come into his bed room, and, without appearing to perceive 'his agitation, makes him *shave him!* He then dismisses him 'with these words; I knew you intended to kill me; but I des-'pise you too much to believe that you would ever be bold 'enough to execute your design. Single and unarmed, I am 'always stronger than you are." This anecdote is related to show that Mr. Lynds practises what he preaches; for when asked what was, in his opinion, the most desirable quality in a person destined to be a director of Prisons, he said, "He must 'be thoroughly convinced, as I have always been, that a dis-'honest man is ever a coward. This conviction, which the 'prisoners will soon perceive, gives him an irresistible ascen-'dancy, and will make a number of things very easy, which, 'at first glance, may appear hazardous."

In April 1829, the state of Pennsylvania, adopted, in the Prison at Cherry Hill, a combination as it were of the Pittsburg and Auburn systems; the solitude, day and night, of the Pittsburg Prison was retained, and into the solitary cell the labour of Auburn was introduced. "This revolution in the Prison Discipline 'of Pennsylvania was immediately followed by a general reform 'of the Criminal laws: all punishments were made milder, as the 'severity of solitary imprisonment permitted an abridgement 'of its duration: capital punishment was abolished in all cases 'except that of premeditated murder."—*De Tocqueville.*

In France, prisoners before trial are kept quite distinct from those who have been convicted. Prisoners sentenced to hard labor are sent to the *Bagnes*, the same as our Hulks: those sentenced to imprisonment for more than one year, are confined in the *Maisons Centrales;* and those, whose term is less than a year, in the *Maisons Départementales.* There is hardly any attempt, we believe, at classification; and the Pictures drawn by Vidocq, and admitted to be correct by Mons. de Tocqueville, of the vice and general corruption in these institutions, is perfectly appalling. In the *Maisons Départementales* it is worst of all. Mons. Leon Faucter, in his Description de Fort du Hal, which is quoted by Mr. Christopher, Inspector General of Prisons on the Seine, says, there is "point de distinction de crime, ni de peine, de sexe 'ni d'age; tout cela vit ensemble comme une famille accablee 'au vice."

The subject has however attracted much attention in France, and a model Prison on the separate system has been built at Versailles. M. M. de Beaumont and de Tocqueville were deputed by the French Government to visit and report upon the American Gaols; and their report in 1831, a most able document, is now before us. M. M. De Metz and De Blouet were sent upon a similar mission in 1836, and a Law was passed in 1844 for the introduction of the Separate system into France. It would appear to be the general opinion in France that the Philadelphia system is too severe.

In Hungary the separate system has been introduced into a few places, and it is supposed that before long, it will be very generally adopted throughout the country. In Prussia, four prisons upon the Separate plan are in course

of erection by Dr. Julius, who was sent over to America, in 1834, to report upon the working of the system there. In Geneva and Lausanne, the silent system has, for years, been at work; and it is said that silence is preserved amongst the prisoners without much use of the whip. In Holland, Belgium, Hamburg, Sweden, Norway, Denmark, the system has its advocates; and enquiries, previous to the introduction of the system, have been commenced in all these countries.

So long ago as the year 1790, the Separate system was tried in England, in the Gloucester Jail; for many years it was continued, and worked admirably, the number of recommitments being very few; but after nearly 20 years, the increased population rendering further prison accommodation necessary, it was abandoned in order to make room for more prisoners. In 1811, a Committee of the House of Commons recommended a trial of Bentham's Panopticon; and in 1813, the Penitentiary at Milbank was commenced; it was not finished till 1821, when it was filled with 1200 convicts; but Separate confinement was not carried out in it for some years. In his evidence before the House of Commons in 1811, Bentham stated, that it was his intention to confine at least six prisoners in each cell; "but," he added, "that would not preclude me from putting 'seven in one, or eight in another—for aught I know, some 'work might be carried on during the night as in manufacto-'ries. I reserve to myself full liberty to take all those advan-'tages." The trial was unfortunate, the mortality being very great; but there is no doubt that this was caused, more by the unhealthiness of the spot chosen, than by the system itself;—the disappointments and heart-burnings to which the great and humane philosopher Bentham was subjected on this occasion, are matters of history, and are probably known to all our readers. There is a model Penitentiary upon the Separate system at full work at Pentonville near London; and there are many others, some at work, others only projected, in different parts of England: at Shrewsbury, Bath, Leeds, Hereford, Clarkenwell, Buxton and other places. The great prison of Newgate,* and some others in the Metropolis and elsewhere, are still, as they always were, schools of vice, and a disgrace to our country.

In Scotland there is a prison on the Separate system, at

* It is, however, but justice to the late Mrs. Fry and Lady Pirie (lady of Alderman Sir John Pirie, Bart.) to say that their private unobtrusive labours, assiduously persevered in for years, did tend greatly to ameliorate the general internal system of Newgate, and did, in point of fact, succeed in reforming many of its unhappy inmates.

Glasgow, which is most excellently managed. This Bridewell is divided into two portions, the last of which is fitted up with 160 cells in which the system of Separate confinement is strictly carried out. The Governor of the place mentions, in an account which we have seen, that he has no difficulty in procuring situations for prisoners on their leaving the prison, when he is able to express a favorable opinion of their conduct and habits. In Ireland we believe there are no prisons on the modern plan, though the management of the Irish prisons, in other ways, has been much improved within the last ten or fifteen years.

We have said that at Pentonville near London, the Separate system is now under trial; the very interesting reports named at the commencement of our article give the results of the experiment up to the end of the year 1844, but has not yet been finally pronounced upon; indeed, in his address to the electors of the city of London on taking office, only the other day, Lord John Russell mentions, amongst other useful reforms which will require his attention, that the "treatment of criminals is a problem yet undecided." The Pentonville prison was opened in 1842; it is considered a *model* of the Separate system of imprisonment. In it are confined male convicts of not less than eighteen, or more than thirty-five, years of age; the prisoners are confined in separate cells, thirteen feet by seven, and nine feet in height, for a period of eighteen months; after which they are transported to New South Wales, and have there to undergo whatever period remains of their sentence. Sir James Graham, in his letter to the Commissioners of the Prison, dated the 16th of December 1842, and published in the Report of Major Jebb, the Surveyor General of Prisons, says, that only those who have committed an offence for the first time, and who have been sentenced to be transported, will be sent to the model prison. No person is to be admitted into Pentonville without their knowledge, Sir James declares, "that it 'is the portal to the penal colony, and without the certain-'ty that he bids adieu to his connections in England, and 'that he must look forward to a life of labour in another 'hemisphere." At the same time, it is distinctly and clearly explained to the prisoner, that his fate hereafter, that is, the terms upon which he will have to pass his future existence, depend very greatly upon himself. He must be made to feel, that, from the day he enters the model prison at Pentonville, he enters upon a new career. "He should be told that 'his imprisonment is a period of probation; that it will 'not be prolonged above eighteen months; that an opportunity

'of learning those arts which will enable him to earn his bread 'will be afforded, under the best instructors; that moral and 'religious knowledge will be imparted to him as a guide for 'his future life; that at the end of eighteen months, when a 'just estimate can be formed of the effect produced by the 'discipline on his character, he will be sent to Van Dieman's 'Land; there, if he behavé well, at once to receive a ticket of 'leave, which is equivalent to freedom, with the certainty of 'abundant maintenance, the fruit of industry; if he behave 'indifferently, he will be transported to Van Dieman's Land, 'there to receive a probationary pass, which will secure to him 'only a limited portion of his own earnings; and which will 'impose certain galling restraints on his personal liberty; if 'he behave ill, and if the discipline of the prison be ineffectual, 'he will be transported to Tasman's Peninsula, there to work 'in a probationary gang, without wages, deprived of liberty, 'an abject convict."—*Report of the Surveyor General of Prisons*, *p.* 50.

The system pursued at Pentonville is the most complete that can be imagined; those of our readers who are interested in the subject, should lose no time in possessing themselves of the Reports of the Commissioners, as well as of the separate work published by Major Jebb, of the Royal Engineers, and called "Notes on the Construction and Ventilation of prisons;" the plans and designs in this work are most beautifully executed, and show, in the clearest and simplest manner, the whole mechanism of the model prison; giving, not only the Ground plans and Elevations of the Buildings, but, descending to the most minute and trifling particulars, all of which however, it is of importance to be acquainted with—even the sections, profiles, and plans, of the locks and handles of the doors and the sashes of the windows, &c. &c. The area occupied by the prison is 6 acres and 10 perches—and there is a garden of two acres in the rear, and a terrace and road seventy-five feet broad in front. The total cost of the prison, from the commencement to the period of occupation, is given at Eighty-four thousand One hundred and Sixty-eight Pounds; which, considering that it contains 520 cells, allows £161 for each cell. It is said, however, that, in consequence of the inequality of the levels on the surface of the site and other causes, this is more than the cost of a Prison under ordinary circumstances would be. From the Second Report of the Commissioners we learn, that in 1844, the earnings of the prisoners was £1062-13-11 over and above the cost of materials; this was during the first year of trial. Each prisoner is taught his trade in his separate cell, and he

generally is allowed to choose it himself; it is a curious fact, which we learn from a table given in the Appendix, showing the present trades upon which prisoners are employed in the prison and their occupation previously, that out of 525 prisoners, only 36 took to trades of which they had had any knowledge upon their entry into the prison; so that nearly 500 persons learned new trades. Care is taken that the regular manufacturer is not under-sold, the prices upon the goods being fixed at the regular market value of similar articles; and instances have occurred, in which large sales have been refused at prices, which would have given a very fair profit, because the prices offered were below the regular market value. This teaching of trades is in every point of view a most important feature of the new system of Prison Discipline. The Calcutta Prison Discipline Committee, we shall presently see, object to teaching trades; there can be no doubt however that the practice forms a habit, and in many cases a permanent habit of industry amongst the prisoners; it enables them, when they reach the colony, in which their future destiny is fixed, to earn an honest livelihood of their own, and to become, perhaps, useful colonists. This result the Commissioners attribute "to 'that system of separate confinement and moral discipline 'to which each prisoner is subjected. His mind is brought 'into exercise as well as his body; his attention is undivided; 'he is interested in his occupations; he feels the present as 'well as the future value of the trade he is learning; he 'pursues it with eagerness; and he finds it a solace and a 'resource, as well as a duty."—*Second Report*, *p.* 8.

The expense of the prison during 1843 was £13,849—and that for completing the buildings, furniture, books, machinery, tools, &c. are £5,301—total £19,151. The *diet* of each prisoner cost £9-0-10—and the years' clothing was £2-4 per head. The general instruction of the prisoners is carried on, by a Principal and three Assistant school-masters. The prisoners, when they attend the instruction classes, leave their cells and march in single files, 15 feet apart, to the large room; here they sit in separate stalls, from which they can all see the master without seeing one another; they can hear each other read, and answer questions, but they have no means of communication with one another, as there is an empty stall between each occupied one; —on their way to and from the school room, Chapel, or whenever in fact they are out of their cells, they wear a peculiar description of Cap with a long peak in front, which prevents their looking about and recognizing one another.

On the 10th of March 1845 the Commissioners made a Third

Report upon the state of the Pentonville Prison; this is also before us, and gives some most remarkable and most gratifying results. It would seem, that of 382 prisoners who had concluded their eighteen months in Pentonville, 288 had been placed in the first class; that is, this large majority had received, as Sir James Graham described it, "a ticket of leave, which is equi-'valent to freedom, with the certainty of abundant maintenance, the fruit of industry;" 78 had been placed in the second class as probation pass holders; 13 had been placed in the third class, as having behaved ill; and three only had been removed, as incorrigible, during the whole year: of 741 prisoners in confinement during the year, only 69 were punished for offences; of whom ten only were punished twice, and only two more than twice; so that 672 prisoners were never subjected to any punishment at all. The Commissioners consider therefore that "punishment for prison offences can scarcely 'be considered an element in this system of discipline."—*Third Report, p.* 4.

As a remarkable contrast to this we copy the following statement from the third Report of the Inspectors of Prisons for the Home District, written in 1838:—

"Selecting the two prisons in which the Silent system is 'most carefully and strictly carried out, we find that there 'were, in the course of the last year, in

	Prisoners.	Punishments.
'Coldbath Fields House of Correction	9,750	13,812
'Wakefield House of Correction...	3,438	12,445
	13,188	26,257
'In all the Prisons of England and Wales.....	109,495	54,825

'Whilst therefore these two prisons contain rather less than 'one-eighth of the whole number of Prisoners, there were in-'flicted within them nearly one-half of the whole number of 'punishments."

Comparing this with the Pentonville return, we find, that, whereas under the Silent system at Coldbath Fields, and Wakefield, *each prisoner was, on an average, punished twice,* under the Separate system of Pentonville, not one prisoner in ten *was ever punished at all!*

Of the 366 prisoners, who, having completed their probationary imprisonment in Pentonville, were sent abroad in course of last year, the following analysis is given; it is so curious, that we cannot resist the temptation of inserting it entire:—

On Admission.		On Removal.
Of 83 who were *totally ignorant*	28	Had acquired a knowledge of reading, writing and arithmetic.
„ ..	29	Could read, write and cipher well.
„ ..	26	Were in the higher rules of arithmetic, and 70 of the total number had acquired considerable general knowledge.
	— 83	
Of 82 who could *read only imperfectly* and had *no knowledge of arithmetic or writing*....	36	Could read, write, and cipher well.
	46	Were in the higher rules of arithmetic: and the entire number had obtained considerable general knowledge.
	— 82	
Of 62 who could *read and write only imperfectly*, and had *no knowledge of arithmetic*..	6	Could read, write, and cipher well.
	56	Were in the higher rules of arithmetic; and all had acquired much general knowledge.
	— 62	
Of 23 who could *read well*, but had *no knowledge of writing and arithmetic*		
And 5 who could *read and write well*, but had *no knowledge of arithmetic*	28	The whole could read and write well; cipher in the higher rules; and had obtained a very considerable portion of general knowledge.
Of 42 who had only an *imperfect knowledge of reading, writing and arithmetic*	8	Could read, write and cipher well.
	34	Were in the higher rules; and all had obtained very considerable general knowledge.
	— 42	
Of 49 who had a *good knowledge* of reading, writing and arithmetic	49	The whole had attained to the higher rules; and mensuration and become highly intelligent men.
Of 20 who were *well-educated*..	20	The whole had become very much improved; and had turned their attention to various useful and rational studies.
366	366	

Of these 366 persons, 201 had learned a trade who had never known one previously; and there were 141, who, having a

knowledge of one trade had been taught another; thus qualifying themselves to exercise two different trades. In 1844, the average earning of each prisoner was £4-4-10½ over and above the cost of materials; and it must be borne in mind that the men were instructed in reading, writing, &c. two days in the week, so that only four days remain for working at trades. The comparative cost of each prisoner was much less in the second year of the existence of the Model Prison than in the first—as will be seen by the following table:—

	1843.	1844.	Remarks.
Average cost of each man	£49 5 0	£33 6 8	Decrease of £15 18 4 p. head.
Diet.....	£ 7 0 10	£7 11 2	Increase ..£. 0 10 4 „
Clothing.....	£ 2 4 0	£1 . 3 1	Decrease ..£ 1 0 11 „

No cases of insanity occurred, and only three deaths.

We have given this long and detailed account of the Pentonville Prison, because, as we said before, it is the Model in England of the Separate system of prison discipline.. Upon its success, or failure, much will depend; and we think we may safely predict that success must, and will, crown the benevolent efforts which are now beng made in England, though alas not in India, to ameliorate the condition of prisoners.

We fear that many of our readers will question the truth of the statements which we have given above; and they are, in many respects, so startling and extraordinary, that we can hardly be surprised at their incredulity. We do not find any mention, however, in the reports before us as to how the persons who are placed at Pentonville, are chosen; whether particular individuals, upon whom the system is likely to have a good effect, are picked out; or whether all the prisoners who may be convicted, for the first time, and sentenced to transportation, at any particular Assizes, are despatched, good, bad, and indifferent, to Pentonville. We fear that the former must be the case; for we can hardly imagine, that all, or even a fair proportion of the 382 persons who were transported during 1843, could have been bred up in the Sykes and Fagin School. We can imagine the Pentonville discipline having a very excellent effect upon men such as Barber and Fletcher; who, our readers will remember, were transported for being concerned in a case of Forgery; such men, naturally acute and sensible and brought up with as great an abhorrence of murderers and Highway Robbers as ourselves, would, no doubt, see the advantages of good behaviour at Pentonville; and would feel thankful for the kindness which placed them in a solitary cell, instead of compelling them to herd with cut-throats. But that these feelings should actuate "Artful Dodgers" and such like, and convert them, on the instant, to moral and religious men, quiet and steady, upright citizens, and useful colonists, is, to say the very least, most difficult to be credited. And yet there can be no doubt, we think, that, wonderful as it may seem, it is absolutely as reported. We confess however we should be glad to hear how the Pentonville stock is replenished. We are aware that only those who are convicted of a first offence are sent there; but keeping this in view, the good behaviour of the prisoners seems to us little short of a moral miracle.

We now come to the subject more immediately before us; namely, the improvement of the discipline in our Indian Gaols. We believe that a strong, and, in the interior of the country especially, very general opinion, exists, against accepting the reasonings and the conclusions of what is somewhat contemptuously called, a Calcutta Committee. The Government of India, naturally enough, likes to get its work done as cheaply as it can; and when this feeling does not interfere with utility, there can be no question that they are right. We are inclined to think, however, that it not unfrequently happens that the benefit, which may reasonably be expected from an inquiry, is much circumscribed by this habit of taking what is at hand, good though it may be, instead of searching for the best instruments to be had, wherever and howsoever to be obtained. It is in this way that Calcutta Committees are formed; it is for this reason they are, let it be reverently spoken, in bad repute; and it is, perhaps, for this reason, that we so seldom find any practical results from their labours. If the Government desires information and suggestions of improvement with reference to the Post Office system of the Country—upon the Police—upon Municipal matters—upon Slavery or any thing else,—why, we ask, do they not get this information and these opinions, from the best sources they possess? why limit themselves to those persons only who have situations or employment at the Metropolis? or to those persons only who are in the immediate service of Government? The reply will suggest itself to our readers. To procure the best information, money must be paid; and it is here that the shoe pinches. It requires a good deal of agitation on the part of the

Press to induce the Government to take up a subject involving expenditure at all: once moved, a Committee is appointed and a sop is thrown to the Cerberus of public opinion. The Committee send in their Report, after, generally, one or two years; it is passed round in certain red Boxes to each member of Council, and then shelved in the Secretary's office; and who will say that, in many cases, this is not the best thing that could be done with it? The fault of all this lies in the beginning of the undertaking; if a thing is to be done at all, it should be done well; and to be done well, a more extended field for choice should be allowed than that which is furnished by Calcutta. If you have to pay for it, what then? the laborer is worthy of his hire; and if you get good work, you *must* pay for it.

During the last 10 years we have had, we forget, how many Police Committees; a Municipal Committee; a Prison Discipline Committee; a Post Office Committee; a Slavery Committee; a Finance Committee, and others which it would answer no purpose at present to enumerate. To all of these Committees, we have had the ablest men in Calcutta appointed—men, whose opinions are worth asking, and, what is more, worth taking. But, though good men, though excellent men, there were as good, perhaps some better, to be found *out* of Calcutta; as well as others, both in and out of Calcutta, but not in the Service at all: to get these, however, the Government must probably have paid for them, while officers, who had appointments at the Presidency, might be nominated without costing the Government a fraction. We believe that, with the exception of the late Captain Tayler, the excellent Secretary to the Post Office Committee, no single member who was appointed upon any of the Committees above named received one shilling for his services. The single exception to the above rule has been, we think, in the case of the Commission appointed under the Charter to draw up a uniform code of Laws and a code of Procedure. It may be that the ratio between the cost and the utility of this Commission have been such as to give the Government a distaste to appointing paid Committees, except when compelled to do so by Act of Parliament. We confess if our surmise be well grounded, we cannot find it in our hearts any longer to blame the Government very severely for their penurious policy.

The Prison Discipline Committee consisted of, perhaps, more able men, than almost any Committee which was ever nominated by the Government; and although an infusion of country, in contradistinction to Metropolitan, talent, might have rendered their recommendations more practical, and therefore more useful, we are not in any way disposed to quarrel with the formation of this Committee. It contained, so to speak, a galaxy of talent; as all will confess who have had the pleasure of numbering amongst their friends, such men as Ryan, Macaulay, John Grant (pere et fils), Cameron, Macleod, Millett, Macnaghten, Trevelyan, and others. This Committee was appointed on the 2nd of January 1836; and their Report is dated the 8th of January 1838; during these two years they collected together a vast mass of information regarding the actual state of the Gaols of India, and the opinions of the officers in charge of them; and submitted them to the Government, with some practical, and some theoretical, recommendations of their own. Since then what has been done upon the subject? Echo answers, of course, what? The report went the usual *trajet* in a red box; and now, doubtless, reclines on a Record Rack in some Secretary's office, in the midst of "consultations" and "Proceedings" of all kinds, enveloped in cobwebs and dust—a mass of filthiness as unpleasant to the eye and nostrils as loathsome to the touch.

The recommendations of the Committee may, we think, be said to resolve themselves into two great and organic changes: namely, the abolition of out door labor, and a partial recognition of the separate system of confinement within doors. Out of these two radical changes emanated, however, many other recommendations.

We will quote the Committee's own words for their two great recommendations:—

First. "We are strongly of opinion that the demoralizing 'effects of imprisonment cannot be avoided until the system 'of putting Convicts to out-door labor be abolished."—*P.* 233.

Second. "There can be no doubt that solitary confinement 'is generally the most dreaded of all descriptions of confine-'ment, and that, therefore, the great end of punishment is 'generally most effectually attained by solitude."—*P.* 258. "It may, however, be a matter of great nicety to apply this 'system to the Indian climate, and the Indian character, physical and moral, but there is no reason to despair of success 'from a modified plan of this sort."—*P.* 263. "We think 'it will be better to authorize the Judges to sentence to certain 'terms of solitude, with or without certain terms of imprison-'ment of any other description; and not, *a priori*, to restrict 'the use of solitude by any definite law till experiment shall 'have shown, with what qualification, solitary confinement can 'most beneficially be inflicted; and how much of it, so qualified, 'can be borne wholesomely."

The minor recommendations, or rather—for they are perhaps

as important as the two we have just mentioned—the recommendations which were consequent upon the carrying out of those two above quoted, are:—

1st. A better classification of prisoners than at present.

2nd. The introduction of labor upon Treadwheels.

3rd. The introduction of rations of food, instead of a money allowance.

4th. The abolition of the practice of permitting each convict to cook his own meals.

5th. The building of great central Penitentiaries.

6th. The appointment of an Inspector of Prisons for the provinces under the Jurisdiction of each Local Government.

There were other matters also, such as the better treatment of untried persons, the abolition of heavy fetters, the exclusion of all Friends or Visitors from the Prison, &c. &c., which formed a part of the Report, and are subjects of discussion.

The first points, namely, the employment of Prisoners out of their gaols, is, to our apprehension, the most important of all, and should have been, we think, the first to have attracted attention, and to have called for reform. As long as the present sysem of employing prisoners on the roads is persisted in, it will be futile, we are satisfied, to hope for any improvement in Prison Discipline by the adoption of other minor changes. This is the key of the arch; and upon it, the whole question of improvement rests. The abolition of out-door labor would strike at the root of the existing defective and rotten system. Our readers will remember our mentioning before, that when the Legislature of Pennsylvania, in 1786, reformed their Code, they legalized the punishment of forced labour in public. The Inspectors of Prisons in Great Britain, in noticing this, say, "the result was frightful. De-'basement, corruption, and an immediate repetition of crime, 'were the consequences of this mistake." And yet not only does this system form the chief occupation of nine-tenths of the prisoners in India, but, we fear, that those who have the power to correct the evil, do not look upon it as one—that they by no means agree with the English Inspectors of Prisons in thinking it a "mistake." Is it supposed that working on the roads is looked upon as a punishment by those upon whom it is inflicted? to nineteen out of every twenty, we believe it is nothing of the sort; it may be a punishment to a man of station or property, who has never been accustomed to it before; but such a man has the means, probably, of purchasing exemption from it; and this he always does. Examine a working gang of prisoners and you will find, that almost all of them have been accustomed

to agricultural pursuits during the entire term of their lives—when at liberty, they have to work for their bread; their labor has perhaps been embittered by the reflection that their wives and families, the inmates of the miserable hovel which they call a home, have nothing to eat; but, once in Gaol, and all concern for their own personal comfort is ended; they know, that dig and delve as little as they please, they have an excellent meal waiting for them in their new and comfortable abode, without even the trouble of cooking it. We would ask any one who has seen a gang of convicts at work on the roads, whether he ever saw a happier set of laborers any where? one-half of them are, probably, smoking, and the other pretending to work; singing, laughing, joking, and only waiting their turn to exchange the Spade for the Húkah. This is a scene which must be familiar to most persons; and those who have never seen any thing of the sort, have only to cross the Alipore bridge, on any day in the week they please during the day time, and we will guarantee them an exhibition such as we have described.

The first step, therefore, which must be taken towards a reform, is, at once to put a stop, as the Prison Discipline Committee have recommended, to all out-door work. That there are difficulties in the way of this, and that it cannot be done till labor in the interior of the gaols is provided, we admit; but what great question, and we look upon this as one, was ever without its difficulties? One of the first objections which will strike a resident in the country, will be this: at inland stations where the roads are made and kept in repair, entirely by convict labor, it will be asked, "what are we to do for our 'drives? the Government will never allow us to hire labor; 'and without one or the other, the roads will become impas-'sable; the expense of hired labor would be so great, it 'would be useless applying to Government on the subject." Hear what our Committee say to this—hear what they demonstrate—hear what they prove unanswerably:—"We have," say they, "no doubt, notwithstanding the apparent anomaly, 'that the working of Prisoners on the Roads, does actually 'entail a dead loss upon the state."—*P.* 125.—And they prove their case with figures, and in a manner which the most ingenious sceptic may scoff at and doubt, but which he cannot disprove, argue he ever so wisely. We recollect hearing, at the time the Committee's Report was first published, that Col. Irvine of the Engineers, then a member of the Military Board, declared the figures and statements of the Committee to be all wrong. He was invited to prove this, but we never heard that

he was able to do so; on the contrary, we heard that he gave up the task as a hopeless one. Facts are, as we all know, stubborn things; and the following facts cannot, we believe, be got over, or their accuracy be impugned.

The annual average cost of Prisoners working under charge of an Executive officer in Bengal, was found, from returns prepared by the Civil Auditor, to be *Sicca* Rupees 46-4-6: in the North West Provinces the same description of Prisoners cost Rs. 58-11-1 each. These men were employed exclusively in making roads; that is, in labor with the Mattock, or Kodali, such as is common in all parts of the country; in work, in fact, of the commonest kind. The average annual cost to the state of those Prisoners who were left in Gaol, perfectly idle, was found to be Rs. 24-2-0 per annum; and allowing for sickness, Native Holidays, Sundays, &c. it was ascertained, that a convict does not actually work more than equal to twenty-one days of a paid labourer's work, in each month. The road gang prisoner therefore in Bengal, costs Rs. 46-4-6, for twenty-one days work every month; and the *idle* Prisoner costs Rs. 24; the working Prisoner, therefore, costs Rs. 22 more, per annum, than the idle one; and this, at the rate of twenty-one working days in the month, gives about one anna and a half per diem, which is more than the wages of a hired laborer!

Our readers will like to know in connection with this strange and paradoxical fact, what causes the great increase in the expense of the out-door Prisoner. The chief difference is in the guards; a thousand men within the Jail may be guarded by half a dozen, or less, persons stationed upon the walls; but these thousand convicts, if employed in a road gang, will require, at the rate of one Burkindaz to four Prisoners, 250 men to guard them; which, at three rupees each per month, will alone amount to Rs. 750 per mensem or Rs. 9,000 per annum. Then, again, if working at a distance from the Gaol, as many of the Prisoners to whom these statistical facts relate were doing, namely on the Great Benares Trunk Road, they require Tents, Doctors, Medicines, &c. &c. It must be remembered also that, in addition to this, the free labourer with a desire, perhaps, to please his master, or himself, will do much more work than the convict with no such incentive, and with irons on his limbs; and it is stated, in the report before us, that the cost of employing convicts upon road-work is at least *double* the cost of working by contract. With these facts proved to demonstration, by a collection of gentlemen whose ability forbids the possibility of a suspicion that their credulity had been practised upon, it is difficult to comprehend why nothing

is done to amend such a state of things. We have already admitted that it would not be possible to confine Prisoners within their respective Gaols, night and day, in the state in which those Gaols are at present; the first thing to do is, to alter our existing Gaols, or else to build new ones; the next, to employ the inmates of each Gaol within its four walls. The building new Gaols through the country is, practically, out of the question; the outlay would be enormous, but the present buildings might very easily be made something of. Where the Area is too confined, an additional space might be enclosed, adjoining one or other of the walls of the existing Prison; this might be done, at a very trifling cost, by the convicts themselves, and when once this Area was enclosed, the objectionable practice of working the men in public, might be discontinued. When also the present buildings allow of it, by the size of the yards, workshops might be built in them in order that the entire Gaol might be divided, as it were, into a series of small Gaols. If, in this way, each ward had a yard and workshop attached to it, the persons confined in that ward might never be permitted to leave it, day or night.

Have our readers ever been within an Indian Jail? If not, we recommend those who are desirous of ascertaining for themselves, what sort of a life a Burglar, or a Dakoit leads, when under confinement in this country, to take an early opportunity of visiting the nearest one at hand; they are all much the same; the only difference is, that one is perhaps worse than another; the same system, if system that can be called which has none, exists in all. The visitor will find the lean Bengali, who came into the Gaol, only a few months before, more like a scare-crow to frighten birds, than a human being of flesh and blood, filled out in the ribs, his muscles developed, his head erect; and no care-worn marks in his countenance. He sees perhaps, one man stouter, plumper, and fatter than the rest; more like a Calcutta Babu, with his swelling rotundity, than the son of old Hunsraj the Barber; he inquires why he is there, and finds, that his history has been a remarkable one. He is told that, thinking the life a Barber beneath him, the object of his enquiry, from shaving the chin of some Magistrate, and showing himself a clever fellow by making himself prominent in other ways, got promoted to the post of a Police Burkundaz or guard—that, keeping his own interests, and the Magistrate's, in view, he turned spy and *peached* against some run away convict, who was formerly his friend, and had been concealed in his own father's house for a couple of years. The re-capture of this unfortunate man so delighted the Magistrate, and gained

him such praise with the Superintendent of Police, and the Court of Nizamut Adalat, that our friend met his reward in being nominated to the higher post of Jemadar of a Thannah. Again he recommended himself to the favor of the Magistrate by bringing him some intelligence regarding the lair of a notorious tiger. This gained our friend a Darogahship; for, as the Magistrate said, "that Hunsraj is a proper sharp fellow, and 'will make a capital Darogah I have no doubt." He was now at the top of the tree; from the son of an obscure Barber, he had risen to become a Darogah; and, better still, a favorite with his master. But this rise in the world was too much for the Barber's son; he gave rein now to his profligate nature and one fine day found himself convicted, at the Sessions Court, for a criminal assault, with torture, upon a poor unoffending girl, (the details of which are almost incredible for their brutality), and sentenced to fourteen years' imprisonment, with labor in irons. However, during his career, he had managed to accumulate a little "nest egg," and he now employed this money in procuring the setting aside of the latter portion of his sentence. How he managed this, matters not. Suffice it to say he *did* manage it, and there he was, enjoying his *otium*, literally, *cum dignitate*, for he was looked upon, by those who were confined in the ward with him, some 100 men, as a really great character, and one whose example should be followed. The above is, without exaggeration or amplitude, the history of the fattest and best conditioned Prisoner we ever saw; he toiled not—he grieved not—he rose when he liked——dressed when he liked—ate when he liked—did what he liked; he was a contented, and, apparently, happy man, and was on terms of intimacy with his Jailors. His victim had died shortly after his conviction, but without doubt in consequence of his brutality. What mattered that to him! he was merry enough—the only thing which he had to do, in the way of penance, was, to appear respectfully, with clasped hands, whenever the Magistrate or Judge inspected the Gaol, and to mutter, as they passed, something about the hardships of the Gaol, and the fact of his being a "Ghuríb admí."

But we have lost sight of our subject. To return—we have shown that it was incontrovertibly, and unanswerably proved, eight years ago, that the working of Prisoners on the roads, "does actually entail a dead loss upon the state," and we now proceed to the second great recommendation of the Committee—that of separate confinement, the great and only practical objection to which is, the expense it will involve. One end of all punishment being to deter persons from committing crimes, the knowledge that real punishment will certainly follow the commission of crime, is much more likely to have this effect, than the fear of a severe punishment afterwards. The question then arises, what punishment has the effect of deterring others in the greatest degree?—at present the punishment in India is, in the majority of cases, nothing else than the transfer of the culprits from incessant toil, and pinched and precarious livelihood, to easy work, and good wholesome food. Is there anything in this to deter him from committing offences, in future? or is the knowledge of this at all likely to deter others from following his example? Is there any thing here to make him dread the precincts of a Gaol, or inspire a wholesome horror of violating the Laws?

The Committee, in Para. 311 of their Report, say that there is no reason to believe that crime was decreased in Bengal. On the contrary, they declare, "after every consideration we 'can give the subject, it appears to us that the immense yearly 'increase of Prisoners can only be accounted for by an increase 'of crime, and that the increase of crime must mainly be attri-'buted to a defective system of punishment."

This was in 1838. We have a statement now before us, of the number of cases, arrests, acquittals, and convictions in Bengal which gives the following results for the two years of 1838 and 1844—and Mr. Dampier's last Police Report supplies us with that for the last year, 1845:—

	Cases.	*Arrested.*	*Acquitted.*	*Convicted.*
1838.....	36,893	43,787	12,191	26,669
1844.....	43,487	82,987	30,809	45,025
1845.....	117,001	86,623	32,831	50,235

We have not, because such a thing does not exist in non-statistical India, a statement giving the comparative Population at the two periods mentioned—but there can be no question, that the increase of Population has not been such as materially to affect, or adequately to account for this increase of crime. Neither can we find any commensurate cause in any alleged improvement in the vigilance of the Mofussil Police. The arrests and convictions are double, and the acquittals nearly three times, what they were only seven years before! but though increased Population, or any new regulations of Police, may not be sufficient to account for this, we have no doubt that increased comforts in Gaol have much to do with it.

We have said above, that the great and only practical objections to the introduction of the system of separate confinement in this country, is, the expense it will involve.

This expense, however, is only temporary; the outlay in the first instance will be heavy, but will not the return compensate for it? It cannot be denied that the building of Penitentiaries, and Houses of Correction would involve a very large outlay at first; but if the result of years shows, that the severity of the new system has lessened crime, and consequently the number of criminal mouths which the Government has daily to fill,—will not this (leaving out of sight the moral obligations of the Government) satisfy even those who take only a pound, shilling, and pence view of the case, and look solely to the number of rupees which it will cost, that their end too is gained, though in a different way from that which they themselves proposed? We have heard the proposals of this Committee laughed at and treated as chimerical by those who, we fear, have never read the Report with any attention. We have heard the projectors stigmatized as little short of madmen; but, surely if they prove not only that the reforms proposed by them are necessary and proper, but that they will eventually cause a saving to the state, the objectors must at least admit that there is "method in their madness." The sentence of imprisonment in India we believe to be a sentence of increased enjoyment; it is as if the Judge were to address the prisoner and say,—taking the well known parody of Sydney Smith, and applying it to this country,—"Prisoner at the bar! you have 'been found guilty of a grave and heinous offence, and it is 'necessary that the sentence of the Court should be of such a 'nature, as to prevent others from following your wicked 'example. You have urged in your defence, and I believe 'truly, that you have been driven to the commission of crime, 'by the want of the common necessaries of life; and that 'you have only committed a theft, and burglary, in order 'to supply yourself with food and raiment—but this is no 'legitimate excuse; and I must pass upon you such a 'sentence, as will deter others in your sphere of life from 'following your bad example. The sentence of this Court 'is, that you be removed from the roofless mud hut in 'which you have been accustomed all your life to reside, to 'a well ventilated brick building in this town called the Gaol: 'that you be subjected to such moderate work as will keep 'you in good health and spirits: and that, instead of having to 'roam about seeking what you may devour, two well cooked 'meals, such as you have never seen before, or even "dreamt 'of in your philosophy," be prepared for you: that after 'partaking of these luxuries, you be presented with an allowance 'of tobacco, and be permitted to smoke the "calumet of peace"

'till the evening: when you will be locked up in a com-'fortable brick building, with other vagabonds as happy as 'yourself."

Is it not natural in such a state of things that crimes should increase? and if crimes increase, the number of prisoners will increase, and consequently the number of persons who require to be fed at the public cost increases.—But then, the charges for dieting prisoners, even if they become more and more, year by year, form one of the usual and ordinary expenses, which in the vast mass of accounts of the Government would pass unobserved; whereas a lakh or two of rupees, under the head of "Penitentiaries," would inevitably raise many questions, and consequently give much trouble. And is it by such subterfuges that a great Government should get rid of a great subject? Certainly not. Yet we cannot fairly blame the Government for niggardliness in their Police arrangements, of late years at least. Within the last twelve months they have raised the salaries of Police Darogahs to something approaching a competency; and they have created the new appointment, which is open to the best men to be found in the country, of Deputy Magistrates. All this shows a laudable desire to improve the Police; but would it not be simpler and better, instead of increasing the number of thief-catchers, to decrease the number of thieves, by holding out an inducement to be honest; or, at least, by *not* holding out an inducement to be *dishonest?* The object to be gained is, not so much to catch thieves and vagabonds, as to put an end to the inducement to pilfer and commit heinous offences; and the first step towards this object should surely be, to make Gaols a place of real punishment—a place to which a man who once knew its horrors, would not desire to return—a place of suffering—of toil—of very plain provender.

Solitary confinement, is a punishment, regarding which much has been written, both for and against; and upon which opinions amongst the ablest men even, differ strangely. All admit, none can deny, that it is a dreadful punishment; and the one which has been found, in European and American prisons, to be the most dreaded of all known punishments. It is said to tame, in an incredibly short time, the fiercest and the most fiery spirit; the person subjected to it, at once sees how hopeless all resistance is; he is immediately convinced of his own weakness, and of the futility of all opposition; there is no one present to encourage him in rebellion, no one to applaud him; from the solitary thoughts which it necessarily inspires, in the hardened as well as the most quiet, it is said to have such an innate reforming tendency, that recommittals are becoming unknown in places

in which it prevails. The Prison Discipline Committee think it would be a matter of "great nicety" to apply this system to India; although they say that there is no doubt that, in England and America, solitary confinement in a small but airy cell, if work be allowed, can be inflicted for a great length of time without risk to life or sanity. We believe it would not be so difficult as is supposed, to introduce this, the *only* effectual punishment, into our Indian Gaols.

Many and various are the objections which have been urged against separate confinement; and, there is no doubt, a very general impression exists, but we think only amongst them who have taken a cursory view of the subject, that it conduces to melancholy and madness. It is objected by some that it is an unequal punishment—inflicting more real suffering upon the man of cultivated mind, than upon others; but this inequality may be said to be the effect of all punishments; for a gentleman would, undoubtedly, feel more degradation in half an hour's tramp upon the treadwheel, than a chimney sweep. One of the questions put by the Committee to the local authorities was— "In your opinion are there any objections to the introduction of the punishment of strictly solitary confinement for limited terms?"

This query was replied to by more than fifty officers attached to the Bengal and Agra Presidencies, and the replies of all but three, were in favor of this mode of punishment. By this large body of intelligent and practical men, solitary confinement was pronounced, a much dreaded punishment—highly efficacious—calculated to tame the most sturdy and to curb the most unruly and turbulent. The Sheriff of Calcutta, the late Mr. R. H. Cockerell, declared, that it had "come under his observation, that Europeans of the most violent, overbearing character, picked from the army for ungovernable conduct, in the daily habit of breaking the prison rules while in Gaol, and striking the sentries, had been, by four days' solitary confinement, reduced to gentleness, civility, and a mildness of manner, scarcely to be credited by them who have not observed the effects." Of the three gentlemen, who objected to the punishment, one did so because, as he said, the natives "are naturally timid; and ignorance is their greatest fault." The second said, it would not be efficacious, as "a native would sleep through his time with great composure, and perhaps regret when the period arrived for his resuming his active labors on the roads;" and the third thought, that "the native mind is, generally speaking, so sunk in the darkest superstition and ignorance, that I should fear solitude would

produce only terror that might end in madness and suicide." We confess we cannot see the force of any of these objections. The first is quite beyond us; the second gentleman thinks solitary confinement would induce a composed sleep of some months' duration; and the third that it would lead to madness and suicide!

The Committee themselves are favorable to solitude; but, as we mentioned before, we think it would be a matter of much delicacy and nicety to apply the system to our Gaols in this country. They recommend, therefore, that judges should be authorized "to sentence to certain terms of solitude, with or without certain terms of imprisonment of any other description; and not, a priori, to restrict the use of solitude by any definite law, till experiment shall have shown with what qualifications solitary confinement can most beneficially be inflicted, and how much of it, so qualified, can be borne wholesomely. Then, but not before, the Law of prison discipline on this point can be framed with confidence; but till experience can be our guide, we think it will be the safe course to declare, that a sentence of imprisonment in solitude for any term, shall mean no more, than that as much of that term shall be passed in solitude as may be found to consist with the health and reason of the sufferer."—*Para.* 267.

We fear there is no probability of such a modification of our code being proposed. Here again the bugbear of expense opposes improvement. The Government shrinks from the heavy outlay which would be involved in the matter. As we mentioned when describing the Pentonville model Prison, each cell there cost £161 or upwards of 1,600 rupees; and the Separate cells in the Calcutta House of Correction cost about 160 Rs. each. There certainly is something to stagger us in this. Taking the number of Prisoners in India at only 50,000,* to put each into a Separate cell, would cost eighty lakhs of rupees. This charge at the very outset, at the threshold of the undertaking, is enough to make a Governor-General hold back. Nor would we desire to press any thing of the sort upon his consideration; but surely a partial separation might take place. There are very few Gaols in India which contain one solitary cell even; and we have seen, when it was desired to subject a violent man to the solitude which inevitably subdues him, the condemned cell of the Prison used for the purpose. Surely it would not be difficult or expensive to build, with the assistance of Prisoners themselves, a few, say 50 or 100, Separate cells in each Gaol, and always to keep them full. We venture to say that even this very imperfect

* The Report of the Committee, page 9, gives it at 56,632, as far back as 1838.

Separate system, would soon have a marked effect in diminishing petty crimes. We would not confine men sentenced to long terms in these; but reserve them for the vagabonds and rogues who are sent to Gaol for three or six months; and we are satisfied few of them would desire to return to the Gaol, when once out of it. We believe that the introduction more generally into our Gaols of the punishment of solitude, would have a marked and striking effect; and that this would be more sudden and immediate than is generally supposed. Notwithstanding the many startling facts which are brought to our notice in the reports of the Pentonville Prison inspectors, and other works, we are not, we confess, amongst those who are very sanguine as to the *moral* effect of solitary confinement. It is difficult to think that the man who has perhaps been born in a brothel—nursed in a cellar—and educated amidst ruffians and profligates—the man who has considered it an object of his highest ambition to follow in the steps of Jack Shepherd,—who has been taught to scoff at religion and its ministers—can be reduced, by a month or two of confinement, and chiefly by want of companionship, into a really meek and moral convert. We may doubt the sincerity of many, at least, of the conversions which the excellent men, whose duty it is to look after and report such matters, speak of with pride, and describe to their superiors with honest exultation. It is, in fact, more easy to believe, that these sincere and good men are often deceived by the professions of their congregations, than that individuals, whose habits and pursuits have been diametrically opposed to every precept of Scripture, should, in the short space of a few months, throw off their degraded natures, and appear as holy and moral persons. The sudden transformation of persons so circumstanced, is always liable to more or less of suspicion. We believe firmly in the excellence of Separate confinement as a punishment—but we believe in its efficacy, for a very different reason from that which enthusiastic writers upon the subject, generally give. We are quite satisfied that the 288 persons who behaved well in the Pentonville Prison in 1845, and were placed in the first class, and got tickets of leave as we have detailed above, did actually and truly conduct themselves in an orderly and proper manner whilst at Pentonville. That is, that they created no disturbances in the Prison—that they did not abuse the officers when in their presence—that they did the work allotted to them—that they walked steadily to Chapel, and to the school classes, with the Regulation cap well over their eyes, &c. &c.—but we are much more inclined to believe that they conformed to all the requirements of the Prison, because they believed it was for their own interests to do

so, than because they were transformed from ruffians into really moral or religious men. A Prisoner in a Separate cell is a very different person, we have not the least doubt, to a Prisoner in a large Newgate Ward. The latter, when surrounded by hardened characters as bad as himself, dilates with glory and pride upon the several exploits which have distinguished his life; and tells his hearers, with an unhappy garnish of oaths, how many crimes he has committed in his eventful career, and how many more he intends to commit when his term of imprisonment is over; but put this man into a cell of seven feet by nine, and satisfy him that, if he behaves well, he will, in eighteen months' time, get what is "equivalent to freedom;" whilst, if he behaves ill, he will be sent to Tasman's Peninsula, "there 'to work in a probationary gang, without wages, deprived of 'liberty—an abject convict," and we doubt not he will see it is to his interest to behave steadily and quietly, and that he will eventually be transported under the denomination of a "useful colonist:" we may question however whether this change which has been wrought in him, has not been, in most cases, effected by the intuitive perception which he possesses of what is best for his own interests. The adventures of criminals, from the gentlemanly Paul Clifford to the ruffianly Bill Sykes, have always possessed much interest, and are read with the greatest avidity by all classes: if we recollect right, Courvoisier attributed the murder of Lord William Russell, to the reading of Ainsworth's novel of Jack Shepherd. But put Paul Clifford or Bill Sykes or Jack Shepherd into a solitary cell; and you may search long enough, we venture to say, before you will find a Bulwer, or a Dickens, or an Ainsworth, who would be at the trouble of chronicling their adventures. The "artful Dodger," if in Pentonville, would probably say to himself, 'that the best thing to be done was to remain quiet, in order that he might be a gentleman hereafter at Sydney; and we fear that the prayers and exhortations of the Revd. Chaplain at the Model Prison might not have as much to do with his apparent contrition, as that reverend gentleman would sincerely believe, and as he would fain convince others. It is not that we, for a moment, call in question the *possibility* of such sudden change, transformation, or even real conversion. Quite the contrary. With the Almighty all things are possible; and there is no limit to his goodness, mercy, and grace. We only desire to express a cautious and prudent doubt respecting the *nature* and *extent* of alleged sudden and great changes, under circumstances in which inferior secular motives *may* exercise a predominant practical influence.

In the report of the Inspectors of prisons in Great Britain, published in 1838, they quote an opinion of the "late Governor ' of the Sing-Sing Prison," without giving his name, which bears out our general view of this matter:—

" If I were to mention a prognostic, I would even say that ' the prisoner who conducts himself well, will probably return ' to his habits when set free. I have always observed that ' the worst subjects make excellent prisoners; they have ' generally more skill and intelligence than the others; they ' perceive much more quickly and much more thoroughly, ' that the only way to render their situation less oppressive, ' is to avoid painful and repeated punishments, which would ' be the infallible consequence of insubordination; they there- ' fore behave well without being the better for it."

This applies to prisoners under the Silent system it is true; but the moving principle, we fear, is a good deal the same at Pentonville.

Still, however much we may be inclined to question the reason which induces many criminals to reform in Penitentiaries, there can be no doubt as to the fact. The Jonathan Wild is, somehow or other, transformed into a Joseph Andrews. Men may debate about the peculiar nature of the alchemy by which this change is wrought; we take it as we find it; and the first question appears to us to be, "Do others dread this punishment ' so much that it deters them from committing crimes?". The second question is, " Have we by this punishment made the ' prisoner a moral man and a useful Colonist?" This latter object is one which no Christian man can possibly undervalue; but a difference of judgment may arise as to whether it more properly belongs to the Clergyman or the Prison Discipline Reformist. It may be questioned whether the Pentonville system can ever be largely carried out even in England; and right thinking men may differ as to the policy, the propriety, or the practicability of introducing it, in its integrity, into this country. It may be, and in a measure is, the object of England to provide useful and moral colonists for the immense tracts of waste land in the New World of Australia; but while we have no such object here, we may, and ought to desire to see the Natives of India useful and moral citizens in their own country.

It is curious to see, from the Appendix to the Report, how very little the subject of classification is attended to in our Indian Goals. The reply of the officer in charge of the Russipuglah and Alipore Goal, to the question, " are the ' prisoners at all classified—and if so, to what extent," was simply, " there is no classification in either of the Goals under

' my charge;" and the answers of the other officers consulted, may be summed up in the same words. Regulation IX. of 1793 requires, that the Prisoners in a Goal should be divided into five classes, according to the length of the term of imprisonment to which they are sentenced; but even this, slight though it be, is not universally adopted. Females are always separated from the others, and debtors are confined in the Civil Goal, which is generally nothing else than a Ward in the Criminal Goal; beyond this, however, there cannot be said to be any real classification in our Gaols. Accused persons are not always separated from those who have been convicted, neither are those who are not sentenced to labor, always kept away from those who are so sentenced. The Committee think that " Classification to be of any material use must be carried at ' least so far, as to separate absolutely, by day and by night, ' and whether in Goal, or in working parties out of Goal, the ' following description of Prisoners:"

"1st. Accused persons suspected of being thugs."

"2d. Males accused of the more heinous crimes against per- ' son or property; such as Murder, Rape, Robbery, House- ' breaking, or attempts to commit such crimes."

"3d. Males accused of simple theft, receiving stolen goods, ' perjury, forgery, fraud, and similar offences, or of conspiracy ' to commit offences of this nature."

" 4th. Males accused of affray, assault, and offences which ' are commonly described as ordinary misdemeanors."

" 5th to 8th. Males convicted of the above-mentioned ' offences respectively."

" 9th and 10th. Accused and convicted females."—*Para.* 42.

Debtors, the Committee say, should be confined in a distinct Gaol, and besides the ten separate classes mentioned above, the Committee add, that " every Gaol ought to have a sufficient " number of small apartments in which persons accused or ' convicted of murder, and certain other atrocious offences, can ' be confined alone." To carry through the recommendations upon this point alone, therefore, it would be necessary to have twelve or fourteen distinct Wards in each Gaol, many of which would probably be unoccupied during a great part of the year; for one-half of the separate Wards are for unconvicted persons, most of whom would generally be removed to a convicted ward within a few days, and the aggregate of whom is seldom more than one twentieth part of the whole number in the Prison. The Committee, sensible of this difficulty, say that they " find ' it impossible to offer any very definite and practical recom- ' mendation on the subject of classification;" and that, in case it

be not determined to build Central Penitentiaries, they think the present Gaols should be improved as much as possible, by making as many Wards as are consistent with proper ventilation. That a certain degree of classification is desirable, nay absolutely necessary, is unquestionable; but we think that this is carried in the Report before us much too far; and the subject has given rise to Minutes from some of the members of the Committee, in which the point is argued with tedious minuteness. At no time is, what we may call, gregarious classification, in our opinion, a matter of vital importance; but when carried to the extreme, to which it is by some required, it becomes little less than absurd. The true classification is entire separation; one individual in each cell. The principle to be kept in view in clasification is, to guard the morals of the Prisoner from being contaminated by others, or from contaminating others—the only way to carry this principle into thorough and complete effect, is to separate each individual from his neighbour; because, as Mr. Livingstone has truly said in the introduction to his code, "even when the class is reduced to two, one of 'them will generally be found qualified to corrupt the 'other; and if the rare case should occur, of two persons 'who had arrived at the precise same point of depra-'vity, and the rarer circumstance of the keeper's discernment 'being successfully employed in associating them, their ap-'proximation would increase the common stock of guilt." A classification such as we have in India, that is, classification according to sentences, is, to speak the truth, of no use whatever—the crimes of two persons may be identical, but the morals of the one may be very far better than those of the other; the more immoral, therefore, is fully capable of corrupting his companion, and is almost certain to do so. The larger these classes, the more depravity necessarily exists; and the smaller they are, up to individual separation, the better; the limit being simply the expense.

The Government passes over this part of the subject in the resolution of October 1838, with the remark, that "His 'Honor in Council does not think it necessary to canvass, at 'present, either the views of the Committee, or the general 'subject of classification, in detail"—but, it is added, that, "when the consent of the Court of Directors may be obtained, 'the new Central Penitentiary will be constructed, and the 'district gaols, within the circle to which the Penitentiary 'shall belong, will be altered, in such a manner as to admit of 'the utmost extent of classification, consistent with other 'considerations, such as the general expense of the build-

'ing and its sufficient security and ventilation."—We need hardly tell our readers, that these improvements are still in the womb of Time.

The next proposal of the Committee relates to Treadwheels. If out-door labor is abolished, as it should be, the prisoners must be employed in the Goal, either in trades or in monotonous labor such as the Treadwheel, pounding súrki, or the like. The first would be the most economical, as it would probably pay for itself; but there is, they think, a reason, in this country against it, which does not apply to other places; it is the same reason which opposes itself to so many improvements in India, and may be given in one word—caste. At Pentonville, in America, Prussia, France, and all other countries, an inmate of a prison may be employed in working as a Tailor or Shoemaker or any other trade; but to compel a high caste Native of this country to work at a trade, would be to disgrace him for ever; to inflict, as the Committee say, a "dreadful punishment not only on himself, but on every 'member of his family." This is, we conceive, an unanswerable reason for not employing *all* convicts, indiscriminately, upon trades; but it is no reason, that we can see, why *some* or even *many* should not be so employed. The Committee, however, came to the opinion, that the "limited employment 'of Prisoners upon trades, is, in any case unadvisable." Their reasons are stated in Paras. 242 to 247 of their Report. They object, that, for a trade to be successful, you must interest the mind of the workman; to do this would be to afford him a pleasure, and consequently to diminish the pain of punishment. Again they argue, that if, following the practice of other countries, you give prisoners good instruction, and teach them trades, you enable them to surpass honest workmen; and in such a case, the only chance for the honest man would be, to turn rogue, in order that he might be instructed at the national cost. Thus, say they, "It would very soon be discovered that 'going to Goal would be the first step to fortune."

We confess we are unable to appreciate the reasons here given by the Committee. Here we find one of the paradoxes which disfigure this otherwise very able report, and which we fear must have rendered the suggestions contained in it of so little practical value. If we find an excellent way of employing prisoners, which shall not undersell the honest laborer, and which, at the same time, diminishes the cost of our prisons, are we to be deterred from carrying it out, because it "in-'terests the mind of the Handicraftsman, and makes him 'feel, from one cause or another, pleasure in success?"

Are we to deny the State, the right of being reimbursed some part of the heavy expenses now incurred in keeping up prisons, and the convict himself the newly acquired means of gaining an honest livelihood when he leaves the Gaol, because of the remote contingency, that "some honest and in-'dustrious workmen, who have never committed any offence, 'may be completely surpassed by the liberated convicts." On the contrary, we think with M. M. de Beaumont and de Tocqueville, that "Labor is not only salutary because 'it is opposed to idleness, but it is also contemplated that 'the Convict whilst he is at work, shall have a business which 'shall support him when he leaves the prison." We must be allowed to differ altogether, therefore, from the arguments of the Committee on this point; but although we think it quite unobjectionable to employ convicts on Trades, we believe that much care should be taken that the honest workman is not undersold. It must be remembered that the free workman cannot get on without a *profit*, which the Prison workman does not require. The object of the first is to *gain* as much as he can, that of the last to *lose as little* as he can. Again, the Capital of the free workman is limited, that of the Prisoner is not. Great care, therefore, and much and constant enquiry is desirable on this point, and for this purpose, if for no other, there is much need for an Inspector of Prisons, a part of the subject upon which we shall have to remark hereafter. A good deal of judgement, and a considerable knowledge of the state of the markets, is required to check this; as long as the price of the article is high, as long as it leaves a good fair profit to the manufacturer, so long the competition of prison labor will not do harm, but, on the contrary, will do much good. It is to the interest of all nations that production should increase, because prices will fall and the consumer gains: but the moment prices have sunk to their lowest, the moment that the manufacture of any article ceases to afford the honest workman a fair profit, the pressure upon the market should be relieved by the withdrawal of the prison labor or by its transfer to some other branch of trade. It has frequently happened in England that Gaol manufactures have been stopped on this account, and recourse had to the Treadwheel, which, when required, gives work without producing,—and it is particularly stated in the accounts of the Pentonville Prison that instances have frequently occurred of large sales having been refused, at prices which would have given a very fair profit, because the prices offered were below the regular market value.

Labor on the treadwheel, the Committee say, is subject to

none of the objections which they find to Labor at trades. "Whenever it has been used in India it has produced the best 'effects, and demonstrated that there is nothing in the Indian 'constitution or climate, which makes its use in this country 'objectionable. It is extremely dreaded, and it produces no 'permanent ill consequence, moral or physical.

We are of opinion that both trades and Treadwheels should be adopted as extensively as possible in our Gaols. The latter, when in use, should be of the simplest and plainest construction, without any complicated machinery at first; when they have been in use for some time and when the prisoners have got accustomed to them, additional wheels and cranks might be added, so as to turn the work to some use; such as grinding corn, pressing oil, &c.: but at first, if the machinery is at all liable to be deranged, the prisoners will find out how this is to be managed, and will injure it purposely. A Treadwheel has been in use in the Calcutta House of Correction for some time, and we learn that it has been quite successful.

The next recommendation of the Committee was with reference to the food of Prisoners. "It appears quite certain," they say, "that all over this Presidency, the Prisoners fare better, 'and more fully, than the Agricultural laborers." We believe it to be quite true that there is no punishment or no discomfort which a Prisoner feels more sensibly than what is called, in the phraseology of Lord George Bentinck, "putting on the muzzle." We hear periodical complaints of sickness in Goals. Is this much to be wondered at when prisoners, from coarse and stinted fare, are at once put upon a rich and plentiful diet? Ut sis nocte levis, sit tibi cæna brevis—is a maxim but little attended to in our Gaols. The food given to prisoners should be sufficient to keep them in health, but no more; it should be of the coarsest and plainest description; instead of this, however, the rice or wheat which is given in our prisons, is of the finest quality, and such as nine-tenths of the prisoners never tasted in their lives till they became inmates of the Gaol. This fact is notorious to all who have any acquaintance with the subject in this Country; and we should pass it over, assuming that its existence was unquestioned, but that some who may chance to light upon this Review, might not be satisfied on the subject without further proof. The twelfth question addressed by the Prison Discipline Committee to the officers in charge of Gaols in this country, was to the following effect:—

"Are Prisoners, both those under sentence, and others, sup-'plied with rations in your Gaol, or with an allowance in mo-'ney? What is the nature and quantity of the rations, or the

'amount of the allowance in money given to each Prisoner 'per diem, and what are the facilities provided for his obtain- 'ing food when working in or out of Gaol? What is the 'nature and quantity of the food daily eaten by a laborer 'in full work in your Province, or how much does such a man 'spend in money, on his own daily food? Money spent in 'food, &c. for his family, must of course not be included in 'the reply to the above question."

From a large collection of replies, all nearly to the same effect, we select one or two as specimens. Mr. Samuells, the Magistrate of Húgly, declared that as far as regards food they (the Prisoners) are rather better off than the generality of free laborers in these provinces. He then gives a table showing the quantity of food which an able bodied man is capable of consuming, and adds, "this is always, it is to be observed, within the reach of the convict, while with the common day laborer it is a matter of uncertainty whether he can procure it or not. In place of vegetable the laborer (I speak of the poorest class) not unfrequently makes use of a weed which floats upon the surface of the tank, and his wood is collected from the nearest jungle, whilst every article which he eats is of the coarsest description. The prisoner is thus I conceive in many instances better off than a large proportion of the laboring population." The Hon'ble Mr. J. Thomason, then, eight years ago only, the Magistrate of Azimghur, but now the Lieut. Governor of the North West Provinces, says, "Two years ago I entered 'into a calculation which went to show that a Prisoner's con- 'dition is superior to that of the lower ranks of common 'laborers, who, on an average, do not earn more than four pice 'a day, out of which they have mainly to supply themselves 'and family with food, clothes, and lodging. Their food is 'inferior in quality and generally small in quantity, whilst the 'Prisoners use the best wheaten flour; many of them enjoy the 'use of tobacco; they quickly become sleek and fat in Jail, 'and after purchasing their food, salt, firewood, &c. there is 'every reason to believe that they can save from their allow- 'ance, as those Prisoners who for any breach of Jail disci- 'pline, are reduced to three pice a day, appear to be able to 'live on as much as usual; and I have known an instance of a 'Prisoner's mother being killed in a dispute relative to an iron 'pot which he had purchased out of his savings and sent home to his family." This would seem sufficient for our purpose, but we cannot deny ourselves the pleasure of quoting one more example to show, that this high and luxurious mode of feeding Prisoners is not confined to Bengal and Agra, but that it exists also at

Madras—Mr. E. P. Thomson who was, at the time these returns were made, Criminal Judge of Canara, but who is now, we believe, the Chief Secretary to the Government at Madras, says, "Taking the average of laborers, I should say a Prisoner 'in Jail was as well off in respect to food as a laborer in good 'employ—better than others whose work is precarious—and 'infinitely superior to those who are unable from idleness or 'bodily infirmity to gain a full day's hire."

Who after reading these opinions, which are only a few out of some scores, can accuse us of exaggeration when we say that the end of punishment in India is, in effect, to incite, and not to deter, persons from committing crimes?

After stating their opinion that a Prisoner, "instead of 'living like the mass of his class out of Gaol, enjoys the food 'of a Sepoy, or a well fed domestic servant—the difference 'between potatoes and a diet of butcher's meat being scarcely 'greater,"—the Committee say they are "very strongly im- 'pressed with the inexpediency of giving convicted prisoners 'any money allowance at all. The inquiries which we have 'made have convinced us not only of the advantages of a 'system of Rations, but of the perfect feasibility of carrying 'such a system strictly into execution, so as to withhold the 'smallest piece of money from a Prisoner from the date of his 'sentence to that of his liberation"—*Para.* 59.

Connected with this part of the subject the Committee recommend, Para. 69, "that no convicted prisoner be hereafter 'allowed to cook his own victuals; but that a Brahman and 'Musalman cook be provided for each Gaol." The reason for this great and radical change, which has caused so much bloodshed, and the propriety of which has been so much canvassed, is contained in the following Paragraph:—

"The cooking of his dinner is, we believe, one of the great- 'est enjoyments of every individual amongst the lower orders 'in India, even when at liberty, and consequently, this long 'operation must be the chief alleviation of the tedium of a 'Prisoner's life. The privation of the enjoyment appears to 'us one of the most legitimate means of enhancing the effect 'of imprisonment, as it conduces neither to a Prisoner's health, 'nor to the improvement of his character. We have little 'doubt that the absence of the two pleasures of marketing and 'cooking would add materially to the severity of the punish- 'ment of imprisonment, and so make it possible to reduce 'proportionally the term of imprisonment, without taking 'away from the efficacy of the punishment."—*Para.* 70.

It will be seen that the Committee desired that there should be "a Brahman and a Musalman cook for each Gaol," and that these cooks should not be convicts but persons hired and paid for the purpose. We can hardly suppose that the Committee could have thought, that two cooks would be sufficient for a Gaol containing, for instance as at Gya, 1400 Convicts; but, however this may be, we are satisfied they never contemplated the opposition which their cooking system would give rise to, nor the objections, of a valid nature too, we think, which would be raised to it; had they ever thought of this, they would, doubtless, have made more inquiry into the matter, and have devoted more of their attention to it. No persons whatever appear to have been consulted on the point. A Circular containing nineteen questions was circulated by the Committee, and opinions invited; but in this, not a word is mentioned of the messing and cooking system. The officers in charge of Gaols were questioned as to the propriety of the abolition of out-door labor, and the substitution of work within the Gaols—as to treadwheels—as to classification—as to solitary confinement—as to working in perfect silence—as to improving the moral characters of the Prisoners under their charge—as to furnishing Rations instead of a money allowance—as to privation of food as a punishment—as to prohibiting all indulgences, &c. &c. &c. but there is no question asked as to the propriety of prohibiting cooking. The only question which can in any way be supposed to bear upon this point, is the one as to "indulgences;" but we do not find, on looking over the replies to the 15th Query, that any of the officers considered the cooking his own meal by the Prisoner, one of the "indulgences" regarding which inquiry was made. Every other point contained in the Report was inquired into with laborious minuteness, and has furnished the subject of paragraphs and pages, but this one, which was dismissed with two short Paragraphs and with no questions asked.

The Public in general are too apt to mistake and confound the Ration and the Messing system. The two are very generally spoken of as one, under the first appellation; but they are two very distinct and very different things. The distributing Rations to Prisoners, in place of giving them money to buy food with, is in every point of view quite unobjectionable; no prejudices of caste are violated, and an illegitimate and improper traffic, which is too often made the means of bribing the Gaol Guards, is put a stop to. The Committee, in Para. 60 of their Report, give five reasons for

proposing the discontinuance of the money system and the introduction of Rations:

1st. That money may be hoarded and sent to the Prisoner's friends or used in bribing the Guards.

2nd. That it affords the Prisoner the pleasure of marketing, which is opposed to all right views of Prison Discipline.

3rd. That it allows him to supply himself with savory food, and indulgences which is an evil.

4th. That it assimilates too nearly to the payment of wages to honest work-people to be a suitable way of maintaining convicts.

5th. That as long as it exists, you cannot prevent convicts in good circumstances from obtaining money from their friends and spending it in bribery and luxuries.

All of these reasons carry more or less weight with them: the first alone was quite sufficient, we think, to call for an immediate change. We have given the five reasons at length, however, because the Committee say that they recommend the Messing and Cooking system, "for similar reasons." Para. 69. Now our readers will remark, if they examine the subject attentively, that the five reasons given for abolishing the money system can, by no ingenuity, be made to apply to the Cooking system; substitute the word, cooking, or messing, for money in those reasons, and they have no sense—the only reason for introducing the messing system is that given in Para. 70, which we have quoted at length; to wit, that it was a "pleasure and an alleviation of 'the tedium of a Prisoner's life." The statement therefore that the Committee recommended the hired cooks and messing system "for similar reasons" to those which induced them to desire the abolition of the money allowance system, displays such a looseness of argument and such a thoughtless and inconsequential style of reasoning—qualities which are diametrically opposed to every other part of the very able Report under review—that we can scarcely think the two Paragraphs, 69 and 70, owe their parentage to the vigorous intellect of the author or authors of the rest of the Report. They bear the impress of haste, the character of slovenliness about them, so evidently, as to warrant the assumption that they were inserted into the paper after the draft had been made, and that they could not have undergone the scrutiny of the many able men who sat upon the Prison Discipline Committee.

And yet it is these two paragraphs, short and meagre though they be, which have caused so much bloodshed—so much opposition to the whole system—so much rebellion. The

Government resolution in remarking upon this is equally meagre and unsatisfactory—it simply says, "For the reasons 'stated by the Committee, the President in Council is of 'opinion, that the plan which they recommend, in Paragraphs '68 and 69, should be immediately and strictly acted upon 'throughout all the Presidencies, and that for the first year or 'two, half yearly Reports of the results, both as regards the 'health of the Prisoners, and expense, should be rendered, 'through the local Governments, in a condensed tabular form 'to the Supreme Council."—*Para.* 38. It will be observed that even here the only two points alluded to are the "health of the Prisoners and the expense" of engaging hired cooks, &c. Nothing is said about the prejudices of caste; it never seems to have struck any one that it was in the cooking and messing, and not in the ration part of the question, that the shoe would pinch.

That the messing system has given rise to disturbances of a most serious and fatal nature is familiar to our readers, but we have no returns by us which will show the precise number of these casualties. The first attempt of the Government to enforce the messing system was made in 1841.*

In the month of June 1842, the first organized opposition to the measure showed itself in the Gaol at Chuprah. It seems, from the *Friend of India* newspaper of the 2nd of August of that year, that there were at the time 620 Prisoners in the Gaol, and that they had been divided into fifty-two messes, with a separate cook attached to each. We would remark here, en passant, how different this system of having one-twelfth of the entire Gaol spared all labor, and employed in the "pleasant occupation," as it called by the Committee of cooking is, from the plan proposed by the Committee themselves: they proposed, as we have seen, to have "one Musalman and one Brahman cook for each Gaol." In this case however the cooks, doubtless stimulated by the other Prisoners, were the first to rebel. "On the morning of the 10th June, Mr. Wilkins was in-'formed that all the cooks, with the exception of two, had re-'fused to work—on ten of the recusants he inflicted corporal 'punishment. They were all men of high caste, who, not-'withstanding the whipping, refused to the last to cook; the

* The messing system was enforced under a circular of Nizamut Adalat, dated the 9th of July 1841; which declared, that all the prisoners in each criminal Gaol —those under examination or committed to the sessions only excepted—should be formed into messes consisting of 20 men each, and that one cook should be allowed for that number. In June 1843, a farther order was issued that *two* meals should be daily given to all Prisoners under the Ration system.

'rest pretended submission." The account then proceeds to the effect that the Prisoners rose en masse, but that, fortunately, the outer gate was shut upon them, and they were not able to break the Gaol: that 3,000 or 4,000 of the town's people collected outside to assist the Prisoners, and that the Magistrate, the Judge, and the Collector whilst proceeding through the crowd were saluted with clods of earth and abuse—that the Magistrate "dropped a hint that he would suspend the en-'forcement of the order for messing till a reference could be 'made to the Sadar Court, and that he would forward any 'reasons which the Prisoners might have to urge against it," and that in consequence, the disturbance ceased. The Sadar Court, in reporting the matter to Government, suggested the propriety of enforcing the orders by all means, and at all hazards. Mr. Wilkins, on the contrary, thought that the feelings of repugnance which the Prisoners had manifested to the messing system were sincere and genuine, and that no force or punishment would induce them to violate their prejudices; that if the rules were to be enforced, it would be necessary to call in military aid, and that the orders could not, under any circumstances, be executed without force. The Government, most sensibly in our opinion, told the Court that the messing rules were not intended as a punishment; but as an improvement in Gaol discipline; that the Prisoners should rather be drawn into, than forced to, adopt them; and that any recourse to military force was, therefore, quite foreign to the original design of the rules.

Since 1842 there have been several other disturbances in the Bengal Gaols, all of them arising out of these messing rules; and there are good grounds for supposing, that attempts have been successfully made, in more instances than one, to mix up the Sepoys of some of our Native Regiments in the matter. The last occasion of a disturbance in the Bengal Provinces was that which took place in the Behar Gaol in September 1845; for this offence sixteen persons were tried in January last by the Court of Sadar Nizamut; one of whom was sentenced to transportation for life, and the other fifteen to transportation for fourteen years. Upon their trial it came out that the riot was caused by the "Magistrate's attempt to carry out the 'messing system in accordance with the orders of Govern-'ment"—that the Prisoners expressed no disinclination to eat together, but suddenly rose upon the authorities—that they disarmed the guards and wounded the Gaolers—that the Magistrate had to fly to save his life—that the sepoy guard was

called out—had to fire twice upon the Prisoners, and ultimately drove them back at the point of the bayonet into their wards—that the military were then called in, but did not arrive until five days after the disturbance—during the whole of which time the Prisoners held out against the constituted authorities, the Gaol being in a state of siege all this time, with the doors barricaded, so that neither ingress nor egress was practicable. When the military arrived, the Magistrate proceeded at their head into the Gaol, where, says the Report of the trial, "some dead bodies were found, and a few 'more Prisoners wounded—making the total number of casual-'ties amount to eighteen." Within the present year an *emeute* has taken place in the Allahabad Gaol, in which, in believe, four Prisoners were shot dead, and fifteen others seriously wounded.

Such are the facts which we, with the most scanty means at our disposal, and from recollection, can bring to bear upon this part of the question; but we think it is the duty of Government to call for returns, from each Gaol in India, of the number of persons who have been killed and wounded, and also those who have been flogged, for offences connected with this messing system; the question might then be fairly discussed whether the keeping up of this system of messing and cooking, was worthy of being purchased at so much blood. The only argument of any value in its favor is that given by the Committee; namely, that it is a "plea-'sure, an alleviation of the tedium of a Prisoner's life." But for the sake of depriving them of this pleasure, are we to wade through blood—are we to run the risk of corrupting the fidelity of our Native Army—are we to cause ourselves to be looked upon as a set of tyrants—as the poor man's persecutor?—Let our readers ask any respectable native the question, and they will see that no man, be he who he may, and however highly educated and intelligent, can understand the reasoning by which we arrive at the conclusion, that to alleviate the tedium of a Prisoner's life by allowing him to continue to perform for himself a duty which can hardly be called—so bound up with his existence has it always been—a pleasure is opposed to all proper and correct views of Prison Discipline; and we confess, when it is carried to the extreme, noted in the present instance, it is a point upon which we think there may very fairly be two opinions. What would the Committee think of the Pentonville system, and that adopted in the American Separate prisons? does not shoe-making and tailoring—does not taking exercise and learning to read and to calculate, alleviate the "tedium of the Prisoner's life?" Nay, it is one of

the objects aimed at under the modern system. It is said "that the tedium and ennui of inaction and seclusion, 'make him, (the Prisoner), fly to labour as a resource from 'the pain of doing nothing;" and De Tocqueville remarks "It would be inaccurate to say, that labor is imposed—we may 'say with more justice that the favor of labor is granted." Again he says "they speak of labor with a kind of gratitude 'and express the idea that, without the relief of constant occu-'pation, life would be insupportable." Surely then this is a "pleasure which alleviates the tedium of a Prisoner's life;" but would the Committee therefore do away with it?

The question is, Is cooking a legitimate employment for a Prisoner? If we had had any doubts as to answering this question in the affirmative in the year 1838, we conceive that subsequent events have undeniably demonstrated that it should now be so answered. But we are amongst those who would never have deprived the Prisoner of this pleasure, if so it can be called; and we cannot but think it was a straining of the otherwise sound maxim that "Prisoners should be denied all luxuries," which gave rise to the opinion upon which the recommendation regarding the messing system was based. Our limits prevent our pursuing this subject any farther. We should be very glad to find the Government calling for returns from all the Gaols in India of the number of deaths and punishments which can be traced to the messing system; and when they have these before them, we think the matter might very properly be reconsidered, and the question asked, whether the enforcement of the system had not been too dearly purchased?

The Committee's proposal was, to have hired cooks; the present system, therefore, of having one-twelfth of the Prisoners (as in the Chuprah case) exempted from the labor to which they have been sentenced, and occupied in the pleasant task of cooking, cannot be fairly called the Committee's plan at all; and the question we should desire to see reconsidered is, therefore, whether the exempting this large number of Prisoners from the punishment to which they have been sentenced,—added to the bloodshed, butchery, and brutality to which the enforcement of the system has given rise,—be not a greater evil than the allowing each convict the pleasure of sitting beside his cooking pot and preparing his own meal to his own taste? We are strongly inclined to the opinion that it would be politic and proper to return to the old plan—food, not money to buy it, being given to him for the purpose; and we much fear that

unless this be adopted, the Allahabad disturbance will not be the last scene of the kind which will occur, nor the Behar Magistrate the last functionary who will have to take to his heels to save his life; for the Messing system is a perpetual blister, an irritating ulcer, which time will not heal, nor years serve to assuage. If it be said that it is too late now to give it up; that we are too deeply involved in the principle to forego it now—that any change will be attributed to timidity and vaccilation, we reply: Be it so; if it is an error there is a certain manliness in avowing it; but to prevent the malcontents from benefitting by their rebellious acts which have caused the loss of so many lives, the messing might be abolished, and the old plan returned to, only in those Gaols, and towards those Prisoners, who quietly submitted to the Cooking system when it was first introduced.

We must bring this already too long article to a conclusion, though there is still much to comment upon, of a very interesting nature. We believe we have reviewed the most prominent parts of the Committee's Report, and the minor matters, —relating to the proper description of fetters to be used—the better treatment of untried persons—the exclusion of visitors, &c. &c. although all of importance,—must, for the present at least, be passed over. But there are two more subjects which require notice before we close our remarks—we mean the building of Penitentiaries and the appointment of Inspectors of Prisons.

On the first point the Committee recommend that Central Penitentiaries should be built, one to every six or eight districts, and that all persons who are sentenced to imprisonment, with hard labor for more than one year, should be sent to them. This recommendation has been acted upon only in the Calcutta House of Correction, we believe, where Wards have been added according to the plan of the Committee. We think we are correct in saying that the cost of the erection of these Wards has been more than covered by the labor of the Prisoners. At Patna a wall has been built capable of containing a Penitentiary on the Committee's plan; but Wards on that plan have only been built for 120 Prisoners at a cost of Rs. 38,698. The estimate for the complete Penitentiary for 2,000 Prisoners was Rs. 3,16,890, and the magnitude of the sum was, unfortunately, sufficient to deter the Government from undertaking it. The expense here was, it will be seen, less than 160 Rs. per cell; the Pentonville Prison cells cost, as we have noticed, the same number of Pounds Sterling.

Ten Penitentiaries here, therefore, would not cost more than *one* in England—and yet the cry is, "we cannot afford it." Another Penitentiary was to have been built at Kishnaghur —the materials were all collected but the works have been stopped—why? Because "we cannot afford it!"

In Para. 298 of their Report, the Committee propose "the 'appointment of an Inspector of prisons over a certain number 'of sets of districts. We think there should be one such 'officer, at least, for the provinces under the jurisdiction of 'each Local Government. This officer should be constantly 'visiting the Gaols under him, and be in confidential communication with every Magistrate in his province, and with the 'Government. The appointment of officers of this description 'in England has lately been made, and it is there deemed a 'matter of great importance. We consider such officers at 'least equally necessary in India, in order to secure the good 'and uniform working of any general system of Prison Discipline. The keeper of every Gaol will of course be superintended by the District Magistrate by whom each Gaol 'might be visited frequently and unexpectedly; but both the 'Keepers and the Magistrates, as far the Gaols and Penitentiaries are concerned, ought to be subject to the control 'of the Inspector. Such an officer, besides being essentially 'necessary to ensure the goodness of any general system of 'Prison Discipline, might, we think, be of use to the Police, 'from the knowledge of the people of the worst character 'spread over a large tract of country, which he ought to 'acquire in his tours, and this not the less effectually because 'he would have no police powers himself. We think, therefore, that these officers ought to be selected from amongst 'the most zealous and intelligent Magistrates and Joint 'Magistrates."

We need hardly say that we quite concur in these remarks and in this recommendation—any improvement which is to take place in Prison Discipline should be uniform—the same system, the same reforms should exist in all Gaols, unless when local circumstances render necessary any deviation. Without this, you leave all to the character and temper of the Magistrate or person in charge of the Gaol. One man is strict and severe—his neighbour lax and indulgent; but, besides being contrary to all correct notions of Prison Discipline, this want of uniformity may be almost stigmatized as illegal—for one criminal is severely, and the other laxly, punished; though perhaps, their offences were identical, and their sentences similar. At

the time the Committee was sitting, Gaols were under the charge, as now, of Magistrates, whose proceedings in all matters regarding them were subject to the direct supervision of the Judge. An act was passed in 1844, however, which took away all power of interference from the Judges; and at the present moment, Magistrates are subject only to the direct controul of the Government; and, necessarily, the supervision must be rather slack. There is no one whose exclusive business it is to look after the management of Gaols, and there can be little doubt that the system suffers in consequence—it is true certain periodical reports are required, but the stringency of management, which, it may be supposed, such reports generate, may be entirely defeated. One statement, which we have seen, gives the different description of work upon which the convicts have been employed on the last day of each six months; and it is supposed that this will afford a good general notion, of the way in which they are *always* employed; but it is clear, that, if a Magistrate chose to do so, he might employ the convicts in his own garden for every day of the six months, except the last; nor is there any one to check this at the place; the power to do so having been expressly taken away from the Judges, the Superintendent of Police, and the Sadar Nizamut Adalat. We do not say that such a case as this ever has been known, or is likely to occur; far otherwise we hope; only it is *possible*, under the present system, and would *not* be so, if a good Inspector of Prisons were appointed, whose duty it was to see to such things, and to such things only.*

Those of our readers, who have accompanied as through these remarks—in whose eyes the dryness inseparable from the subject will, we trust, excuse in a measure the tediousness of our article,—will have observed, how much yet remains to be done before we can claim to be put on a par with other countries in regard to improvements in Prison Discipline. But there is plenty of time before us; every year adds to our knowledge, and every year exhibits successful experiments on the subject. Let us not too hastily blame the Local Government for its tardiness; let us remember what events have occurred in the History of India since the Prison Discipline Committee wrote the Report, which we have been reviewing. Eight more eventful years have not passed, since our first occupation of the country. Our armies have been marching through the length and breadth of the land. We have taken Affghanistan, and given it up again—we have taken Sindh, and, would we could say, have given it up again! We have taken Gwalior—we have taken Lahore—we have fought battles, the narration of which, may well make the heart beat quick, and the cheek flush with pride—we have poured out oceans of blood and lavished whole mines of treasure—and, in the midst of such exciting scenes, who can call the Indian Autocrat apathetic, because he has forgotten the claims of the felon and the out-caste? Is it not natural that he, who has at his beck the imposing pageantry of an army, and such an army as ours, should throw aside the "Report of the Prison Discipline Committee of Calcutta," and devote himself, heart and soul, to the "pomp and circumstance of glorious war?" But those days are no more—they form a portion of the past; let us hope that some of Lord Hardinge's valuable time may now be devoted to the improvement of our Prisons; and that some of his leisure thoughts may, ere long, be given to a subject which formed so prominent a feature in the lives of such of his countrymen as John Howard, Jeremy Bentham, Wilberforce, and Romilly.

* An Inspector of Prisons was appointed, nearly two years ago, for the North West Provinces, and why, we ask, is not a similar appointment made for the Presidency of Bengal? we will not venture a solution of this question, we will only hope that it will not be long, ere we shall see the "most zealous and intelligent Magistrate" in these Provinces, nominated Inspector of Prisons in Bengal. Till this takes place, no reforms can be carried out, no improvements expected, no change for the better hoped for.

ART. V.—1. *The Poetical Works of James Beattie, L. L. D. and William Collins. London,* 1823.

2. *Campbell's Specimens of the British Poets: with Biographical and Critical Notices, &c. London,* 1841.

LOOKING at the names of the authors which appear at the head of this article, some of our readers may wonder what connection any of them can possibly have with the chosen sphere of our lucubrations. India is our grand and peculiar field for investigation and research—but not our *exclusive* field. Our original design had reference to the Eastern Hemisphere generally—including the continent of Asia with its magnificent retinue of islands, and any region besides, such as the Cape of Good Hope, which may claim or maintain any special relationship with India. It is true, in point of fact, that hitherto little comparatively has been done for other than Indian realms, Indian themes, and Indian interests. But, as time rolls on, another and another exemplification will be found, drawn from many a prolific source, of the comprehensiveness of our original and still unaltered purpose.

Subjects, calling for grave discussion—subjects, bearing on the development of our national resources and the progress and welfare of society around us, are those which more appropriately fall in with our predominant design, and tend to further the realization of our leading object. But our desire, at the same time, is, as far as practicable, to mingle the *dulce* with the *utile*,—leaving the snarling cynics who sometimes mutter cadaverous sounds from the usurped chair of criticism to croak away to the tune of their own misanthropy. It is this desire to temper the severity of grave discussion with the amenity of musings of a lighter kind, which prompted us to turn to the ever-pleasing theme of *Poetry*. And in doing so, our memory seemed spontaneously to revert to an author, whose poetic treatment of Oriental personages and Oriental scenes, once greatly interested us, in days of yore—when youthful fancy, fresh and sparkling as the morn, with its dew drops and glittering radiance, loved to disport itself amid its own unreal visions of the beauty and luxuriance of "the climes of the sun." In a word, we thought of William Collins—an author, now too generally forgotten; and his *Persian* eclogues—a work, of whose very existence, some of our readers may not be cognizant, and the announcement of which may fall on the ears of others, like the faintly reviving echo of a long evanished dream.

It will now be obvious why the name of Collins appears at the head of this article. That of Beattie is there, merely as a Bookseller's accessory; in other words, merely because it suited the taste, caprice, or convenience of the Bibliopole to associate the works of Beattie with those of Collins, in a printed volume. But the name of Collins we claim as our own—as rightfully belonging to our own oriental domain; and the *Oriental* or *Persian* eclogues at once establish the legitimacy of the claim.

There is something delightful, in a mere literary point of view, in the very name of *Persia:* a kindred spirit of beauty, and sweetness, and poetry, we immediately associate with it. From childhood we are dazzled, with its highly coloured glories in the "Arabian Nights," with Persian carpets, Persian odours, and, above all, with beautiful and accomplished Persian maids; then come, in more mature years, Cyrus, Darius, Xerxes, in all the truth, splendour, and magnificence of History: we become still older and wiser, and begin to reflect on the decline and fall of nations, and to enjoy the mighty legacies they have left behind. Persian Poetry was born in a voluptuous region—in a region where the gratification of the senses formed a principal part of the philosophy of life; in a region where the brightness of high moral civilization had never condescended to shine. And yet the poetry of the Persians abounds in moral sentiments, beautiful maxims, and charitable ideas:—such are the mysteries of human life! From this very fact, it seems strange to us, that the brilliant and imaginative Rousseau did not consider the ruinous foundation on which he was building his principles—that of *humanising* the world without the aid of Christianity. Fallen nations, degraded human beings, fragments of greatness—given by the charity of nature—we think tend as much as any thing to show the presumption and folly of that gifted mortal of romance and poetry, who, on his death bed, represented to his friends the ruins of the world, and challenged any man to say that he was better than himself.

Persia, as one of the fallen nations, has, in her poetical Literature, bequeathed to us a fair legacy of her own. Greece and Rome—those cradles of human knowledge, science, and beauty—have nothing more simply beautiful of its kind than the sweet strains of Hafiz to the "lovely maid of Shiraz." The modern Persians derived their poetical measures from the Arabs, and, according to Sir William Jones, they have nineteen sorts of metre. From the commencement of the ninth century, we may safely date the origin of poetry in Persia, becoming an art; and laws of prosody being laid down. But before this period, the fine arts appear to have flourished in Persia.

Haroun Alraschid, when Caliph of Arabia, was much addicted to poetry, and took great delight in reducing his art from the mere jingling of rhyme, and cherishing it upon more noble principles. Al-Raschid—as it is sometimes written—flourished in the eighth century; and if we are to place any faith in the "Arabian Nights," the *Fair Persian*, who lived about this time, is described as being able to play "on all sorts of instruments to perfection," to dance, to sing, to write "better than the most celebrated authors," to *understand poetry*, and, in short, every thing that could aid in forming the very perfection of a woman. The comparisons in Arabic and Persian poetry, are similar; chiefly consisting in likenesses to tents, camels, hunting, beautiful animals, bright flowers, with other bright things, all borrowed from a fanciful idea of ever-smiling nature. But the Turkish and Persian poetry is more voluptuous and refined than the Arabic. The Arabic being a branch of the Hebrew language, and the Persian poetry being derived from the Arabic, as well as its dialects—we may with propriety imagine the "Song of Solomon" to be a fair specimen of the origin of the style adopted in Persian poetry: as in part of an ode of Hafiz, translated by Sir William Jones —"I know not why the damsels, tall as cypresses, with black eyes, bright as the moon, have not the colour of love."

The climate of India, and the nature of the Englishman's life in India, may seem favourable to the delightful study of poetry. With a good library, we can feast upon all the different styles, treasure up all the beautiful ideas, enter with our poet into the realms of Imagination; and in creating little worlds of our own, break the spell of an every-day monotony. As *men of letters*, and in *that* capacity alone we now write, we are happy for the time; temporary happiness, to be sure, is all we can expect on earth; and what will give more permanent delight than the proper appreciation and study of an exquisite piece of poetry? It lifts us above the world: it tells us we were not meant to be always here. What does that man deserve who can form for us such an admirable creation? There is nothing in this world sufficiently good for him.

But the age of poetry, people tell us, is gone! and, so we must just find enjoyment, when we seek others besides the great immortals of the age that has now closed upon us, by looking back into the chronicles of Father time, and thereby pause and ponder over the old favourites which delighted us, when we first began the study of poetry. We deny, however, that the age of poetry, in its highest and best sense, as an emanation of some of the nobler constituent elements of human nature, is gone. A peculiar poetical genius of the day is brighter than ever: but, to chime in with the popular opinion, founded on prejudice, and say that it *is* gone! will perhaps best suit our present purpose. We now hope to give our readers some pleasure, if they will only allow us to guide them over a beautiful tract of country: to this journey our few remarks on the origin and nature of Persian poetry may be considered as prefatory.

We take up a huge volume of British poetry—one edited by an Aikin, a Southey, or a Campbell; and in pouring over the brilliant selections contained in it, we begin to reflect on the various conditions of those men who have given perpetual delight to the world. The poetry creates in us a sympathy for the poet; and if we be writers ourselves, we feel that we cannot repay the pleasure given us better than by causing a halo of our own to shine around his memory. There are three English poets, poets in the highest sense of the word, who have not written much, but all well—Gray, Collins, and Beattie. The first we are early led to admire, through the plaintive beautiful Elegy, written in a Country Church yard; the next, through a magnificent Ode to the Passions; Beattie, through his Minstrel, or the Progress of Genius. Of the three, in our opinion, Collins was the most highly finished off by Dame Nature for the title of poet. There is a delicacy of finish about his works, not surpassed by any of the poets, of his class, in our language. Beattie is more laborious than either Gray or Collins; and we think the Minstrel owes a little of his popularity, to the fact that the progress of Genius was in the "mind's eye" of Lord Byron, when he drew Childe Harold. The impulse of Beattie's genius seems to have been but momentary: his poetical muse was not constant to him. No one can fail to remark in reading Childe Harold, how quickly Lord Byron breaks away from the shackles of imitation, allowing even that he did take lessons from Thomson, Ariosto, or Beattie. We think the whole of the admirable beauties of Beattie's Minstrel are comprised in the first fifteen stanzas. The genius of Collins expands equally throughout. It is to this latter poet, as our readers will have observed, we intend to devote our chief attention.

London, the nurse of poverty and genius, received William Collins, as an object of her charity, in the year 1744—seven years after Samuel Johnson, and the English Roscius, Garrick, had settled themselves in the Queen of cities. Like the great moralist, and the great player, in fact like most poets who

shine in Biography, he came to London with "more literary 'projects in his head, than money in his pocket." Like poor Savage, his dinner was a complete uncertainty; and a bailiff prowling around him, was ever in his thoughts; this was the more melancholy in Collins; for we cannot discover from any of his biographers, that, like the "Wanderer," he was a man whose misfortunes were brought on mainly through his own misconduct. Collins appears to have been the child of misfortune; but in the midst of his misery, he would sometimes take a philosophical glance at the sunny side of life. His genius was "essentially honest." Possessed, by Nature, with a rich imagination, and extensive faculties of creation—combined with an extreme love of the marvellous and the passionate—as well as the homely and pathetic—his works abound as much with those essential qualities, as perhaps the productions of any other poet of his class: and far more, for the bulk, than the majority of English poets. His was a genius well adapted to the passionate Ode, and simple, homely pastoral; two kinds of poetry, which come home to the heart, and infuse a delight there, which only can be known by those who have experienced it. Like Sir Walter Scott or Spenser, Collins had always enjoyed stories of *genii*, fairies, monsters of various description; and all works where human passions, or aught that savoured of humanity, had a "local habitation" assigned to them. But, unlike the two poets we have mentioned, he did not possess the faculty of using his culled stores at length—or probably did not possess the inclination, being what may be termed an idle poet: so, instead of finding his treasures of fancy scattered over a wide expanse, there is a manifest condensation of beauties apparent in all his works; which might have supplied imagery and beauty for at least as much space as six cantos of the Fairy Queen, or the whole of the Lay of the Last Minstrel. Collins, unlike the Author the Lay, did not understand the profuseness of which his genius was capable: had he been spared to a longer term of life than thirty-six years, he might have sounded far longer and more popular lays than his Odes, or his Persian Eclogues. Collins possessed, to an eminent degree, that *inventive genius*, which so characterized Scott, Rousseau, Byron, Mrs. Radcliffe, Monk Lewis, and many others who knew well how to govern a powerful imagination. In the exercise of his imagination, the poet of the passions failed; or, as we have said before, he lavished his stores too redundantly over one fit of study; as a spendthrift would lose a fortune in one night at the gaming table, for the sake of present enjoyment, and on the morrow would repent his want of discrimination. Dr.

Abercrombie,—in his admirable work on the Intellectual powers—in alluding to the wonderful capabilities of a well managed imagination, *i. e.* where it is never made to overstep the bounds which we assign in poetry to the "modesty of nature"—says:—"Avoiding combinations which are grossly at variance with reality, the framer of such a compound may make it superior to any thing that actually occurs. A painter may draw a combination of beauties in a landscape, superior to any thing that is actually known to exist; and a novelist may delineate a more perfect character than is met with in real life. It is remarked by Mr. Stewart, that Milton, in his Garden of Eden, has "created a landscape more perfect, probably, in all its parts, than has ever been realized in nature, and certainly very different from any thing that this country exhibited at the time when he wrote." "It is a curious remark of Mr. Walpole," he adds, "that Milton's Eden is free from the defects of the Old English garden, and is imagined on the same principles which it was reserved for the present age to carry into execution."

The imagination of Collins was on the whole remarkably adapted to the display of lyrical genius: and his Odes are not surpassed by any in the language. But the poet sought in his heart a more lasting fame than he will ever be honoured with;—so we must rank him in the second class of English poets, for what he has done; and in the first, for what he had the power to do. It is next to impossible that a man like Collins, continually in poverty, and obliged to submit to various degradations, could have always brought in the aid of high moral principle to steer him safely through the realms of imagination; and it is this circumstance, which has nipped in the bud so many of the sons of Genius. We cannot even be so severe with Savage, a man who did not possess much moral principle, when we think of him writing his poetry in the streets, cold and hungry, composing on pieces of paper snatched from a dog-kennel. He might have avoided this degradation: but it is all very well for people, epicures of the good things of this world, to talk of the defects of this man and that man; how would they control their own imaginations, had they no dinner to sit down to? "Imagination is a mental power of extensive influence, and capable of being turned to important purposes in the cultivation of individual character. But to be so, it must be kept under the strict control both of reason and of virtue. If it be allowed to wander at discretion, through scenes of imagined wealth, ambition, frivolity, or pleasure, it tends to withdraw the mind from the important pur-

suits of life, to weaken the habit of attention, and to impair the judgement." The last sentence of these wise remarks by Dr. Abercrombie, in his "Inquiries concerning the Intellectual powers," we are afraid is but too applicable to Collins. The son of a hatter, possessed of a keen genius, struggling for existence:—this complication alone might have prevented him turning his imagination to all the useful purposes of which it was capable. Savage, in the Wanderer, thus feelingly describes a poet in his study:—

"A feeble taper, from yon lonesome room,
Scattering thin rays, just glimmers through the gloom.
There sits the sapient bard in museful mood,
And glows impassion'd for his country's good!
All the bright spirits of the just combin'd
Inform, refine, and prompt his towering mind!
He takes the gifted quill from hands divine,
Around his temples, rays refulgent shine!
Now rapt! now more than man!—I see him climb,
To view this speck of earth from worlds sublime!
I see him now o'er nature's works preside!
How clear the vision! and the scene how wide!
Let some a name by adulation raise,
Or scandal, meaner than a venal praise!
My muse (he cries) a nobler prospect view!
Through fancy's wilds some moral's point pursue!
From dark deception clear drawn truth display,
As from black chaos rose resplendent day!
Awake compassion, and bid terror rise!
Bid humble sorrows strike superior eyes!
So pamper'd power, unconscious of distress,
May see, be mov'd, and being mov'd, redress."

These expressive, beautiful lines, come from a man possessed of a calmer imagination than Collins, but, as we said before, from not nearly so upright or so good a man as the poet of the passions. In the last two lines of the above passage, in such expressions as "*pamper'd power*," and "*being mov'd, redress*," we easily observe an allusion to the infamous Countess, who was Savage's unnatural mother. There is something very distressing in all this, but the author of the Rambler has done full justice to Savage:—charity will ever revere the name of Johnson for that admirable and successful effort to create, in the most sublime language, a downright honest sympathy for the struggles of genius, in the whirlpool of poverty and distress. Collins had no secret gnawing his very soul, like Savage. During his early struggles, he had merely to contend, like thousands of others, against poverty. In this respect, he may be compared to Goldsmith: but in their imaginations, how the two poets differ! The one, well regulated and always approaching to the natural; —the other, too often, headstrong, loose, and impassioned. Nature, of course, has to do with the planting of our imaginations;—we have to account for the rearing of them. While

Collins was struggling against poverty in London, in the year 1746, he wrote his famous Odes; on which his reputation chiefly rests. Four years previous to this, while a student at Magdalen College, Oxford, he wrote his Oriental Eclogues. He was then twenty-two years of age. He had not begun to struggle violently with the world. His mind at College was, like the surface of a calm clear lake on a summer's evening, unruffled; and from the reflection of the setting sun upon its glassy bosom, beautiful to look upon: but a blast was gathering far away, which was soon to cause the scowl of darkness and turbulence, lightning and madness, to overshadow and destroy that quiet scene. Luckily it did not come before he gave to the world his Persian Eclogues. The Pastoral can only shine from the poet, of naturally quiet, or subdued emotions: and especially that relating to the lands of the sun. But since we are writing about the genius of Collins, we are bound to give our readers a just idea of its comprehensive and intrinsic nature; so, previous, to our opinion and specimens of the Oriental Eclogues, we shall glance at the beauties of our poet's other works. In our edition, he is coupled with Beattie: the reason we suppose is, his approaching the author of the Minstrel, nearest in style and bulk. We frequently observe a strong resemblance between the works of Beattie and Collins.

Campbell, the illustrious bard of Hope, in his "Specimens of the British Poets," has not given sufficient space to Collins, a poet our noble bard greatly admired. The Edinburgh Reviewers, in 1819, when the first edition of his "Specimens" appeared, remarked this strange omission; when Campbell had paid such a just and admirable tribute to Collins, it would seem natural to exhibit, at least a considerable number of beauties, in the "Specimens;" but, no! It must have been either an oversight, or a piece of literary obstinacy in Campbell: for in looking at the edition of 1841, we find nothing save the *Ode to Evening*, and that *on the popular superstitions of the Highlands of Scotland:* pieces by no means adapted to show the vigour and variety of Collins' genius. We think the omission a perfect mystery; for Campbell says of our poet: His "works will abide comparison with whatever Milton wrote under the age of thirty.* If they have rather less exuberant wealth of genius, they exhibit more exquisite touches of pathos. Like Milton, he leads us into the haunted ground of imagination;

* Most of Milton's minor poems, such as *Comus* and the *Arcades*, were written before the age of thirty.

like him, he has "the rich economy of expression halved with thought, which by single or few words often hints entire pictures to the imagination." A very elegant volume,—published in 1837, and entitled the "Book of Gems," poets and artists equally displayed; a book that England might well be proud of,—is more liberal to Collins; for there we find the Ode to Mercy, Ode to Evening, Dirge in Cymbeline, and the beautiful Ode to Simplicity. The Ode to the Passions, had Collins never written any thing else, alone would have stamped him as a true poet. There is something so pleasantly fanciful, and beautifully chaste in every line of it. The passions having a natural affinity to music, crowd around her cell; and take the use of her instruments to suit the strains to their individual natures:—

"Each, for Madness ruled the hour,
Would prove his own expressive power.

First Fear, his hand, its skill to try,
Amid the chords bewilder'd laid,
And back recoil'd, he knew not why,
Ev'n at the sound himself had made.

Next Anger rush'd, his eyes on fire,
In lightnings own'd his secret strings,
In one rude clash he struck the lyre,
And swept with hurried hand the strings.

With woeful measures wan Despair—
Low sullen sounds his grief beguil'd,
A solemn, strange, and mingled air,
'Twas sad by fits, by starts 'twas wild.

But thou, O Hope! with eyes so fair,
What was thy delighted measure?
Still it whisper'd promised Pleasure,
And bade the lovely scenes at distance hail!
Still would her touch the strain prolong,
And from the rocks, the woods, the vale,
She call'd on Echo still through all the song;
And where her sweetest theme she chose,
A soft responsive voice was heard at every close,
And Hope enchanted smil'd, and wav'd her golden hair."

This is true poetry! Then come the other passions in their turn: Revenge breaking in upon the strain of Hope:—

"He threw his blood-stain'd sword in thunder down,
And, with a withering look,
The war-denouncing trumpet took,
And blew a blast so loud and dread,
Were ne'er prophetic sounds so full of woe."

Pity at his side, with "*her soul-subduing voice*," has little power over Revenge. Then we have Jealousy, and pale Melancholy,—their natures described with the greatest pathos and beauty: the former courting Love, *now raving, calling on Hate:* the latter

"With eyes upraised, as one inspired."

The most delightful is Cheerfulness, the follower of Melancholy. This "nymph of healthiest hue" blew such an "inspiring air," that all the forest smiles:—

"Satyrs and Sylvan boys were seen
Peeping from forth their alleys green;
Brown Exercise rejoiced to hear,
And Sport leapt up, and seized his beechen spear."

We have no doubt but that the most sanguine Indian Hog-hunter will be as much delighted with the two last lines of this example, as ourselves: the whole of the lines about Cheerfulness breathe forth a delicious freshness,—no namby-pamby—all good.

Last of all comes Joy, who, finding "the lively pipe" not lively enough for him, has recourse to the heart-stirring violin:—

"They would have thought who heard the strain,
They saw in Tempe's vale her native maids,
Amidst the festal sounding shades,
To some unwearied minstrel dancing,
While, as his flying fingers kiss'd the strings,
Love framed with mirth, a gay fantastic round
Loose were her tresses seen, her zone unbound:
And he, amidst his frolic play,
As if he would the charming air repay,
Shook thousand odours from his dewy wings."

The famous Duchess of Devonshire has some pretty and fanciful lines about the playfulness of "the little wanton;" but we do not know where in poetry Cupid enters so wantonly as in the above description. The lovely and clever Duchess seems not to have scrupled to take a slight hint or two for her pretty little poem, from the poet of the Passions. In describing how love was born, she says:—

"On kisses fed, and silver drops of dew,
The little wanton into Cupid grew;
....
Hence joys arose upon the wings of wind,
And hope presents the lover always kind;
Despair creates a rival for our fears,
And tender Pity softens into tears."

But even supposing that the Duchess was indebted to Collins's fanciful imagery for her ideas: we see no harm in it. It always raises the poet in our opinion, when we are sure he wrote before the imagined copyist. It holds forth the power of the poetry on the mind of the reader. Mrs. Barbauld, in her description of the poetical works of Collins, although, throughout, she lavishes praise upon him, nevertheless takes particular care to find out that our poet "is obliged to Milton's Comus for some of his images." This remark is in reference to the Ode to Liberty; and puts us in mind of an eminent

judge admiring the rich colouring and correct drawing of some beautiful painting, and then telling the artist, to his lasting dismay, that he thinks the design is borrowed from Titian. There is something very rich and inconsistent in all this; and it puzzles us amazingly. Burns, it is well known, has the ideas, of the three last verses of Collins' Ode to Evening, in his address to the shade of Thomson: Campbell tells us he had been reading Collins at the time. The ideas were fresh upon Burns's memory. Burns had no more actual need of borrowing from Collins, than had the latter from Milton's Comus. We do not like this trifling with the memory of departed genius: any accusation from a sensible pen, of borrowing a simile, or a metaphor, or a sentence, against a defunct poet, does him more injury than people are generally aware of; for, without proper reason, it breaks the spell of originality.

The Ode to Evening is deservedly a great favourite; but we do not admire it so ardently as some of the others. It appears to have been one of the most successful of the early attempts, to use a blank verse with the lyric measure. Goldsmith in one of his Essays, pays the following compliment to this Ode by Mr. Collins: "Milton's translation of Horace's Ode to Pyrrha is universally known and generally admired, in our opinion, much above its merit. There is an ode extant without rhyme addressed to *Evening*, by the late Mr. Collins, much more beautiful; and Mr. Warton, with some others, has happily succeeded in divers occasional pieces, that are free of this restraint."

We like the last three stanzas of the Ode to Evening the best: the metaphors are rather too much forced, yet the verses possess much grace and beauty:—

"While Spring shall pour his showers, as oft he wont,
And bathe thy breathing tresses, meekest Eve!
While Summer loves to sport
Beneath thy lingering light:

While sallow Autumn fills thy lap with leaves,
Or Winter yelling through the troublous air,
Affrights thy shrinking train,
And rudely rends thy robes:

So long, regardful of thy quiet rule,
Shall Fancy, Friendship, Science, smiling Peace,
Thy greatest influence own,
And love thy favourite name!"

It was very natural that such pensive strains as these, should have been strongly impressed on the mind of Burns, when writing his "Address to the Shade of Thomson.". Metastasio

has a beautiful Ode on *Summer*, which reminds us a little of the above verses. Collins was well versed in the Italian language; and we are glad to be able to assimilate him to such a poet as Metastasio. The first verse of the Italian poet is,—

"Or che niega i doni suoi
La stagion de' fiori amica,
Cinta il crin di bionda spica
Volge a noi
L'Eetate il pie."

Several of our late poets have been very successful in this style of lyric: what can be more beautiful than the following verse, in Southey's Ode to Winter?

"The green moss shines with icy glare;
The long grass bends in spearlike form,
And lovely is the silvery scene
When faint the sunbeams smile."

In the Ode to Peace, Collins strikes his lyre with the air of a man who has a kind, gentle heart. Beattie has also an ode on this subject. That of Collins, is as bright and well conceived as a Rubens; Beattie's resembles the dark shade and mystic touch of Salvator Rosa. How applicable are the following lines to India at present: Collins wrote them about a year after "the —45."

"O Peace! thy injured robes up-bind!
O rise, and leave not one behind
Of all thy beaming train:
The British lion, goddess sweet,
Lies stretched on earth to kiss thy feet,
And own thy holier reign.

Let others court thy transient smile,
But come to grace thy *western* isle,
By warlike Honour led!
And, while around her ports rejoice,
While all her sons adore thy choice,
With him for ever wed!"

The Ode to Fear is evidently the production of a frenzied imagination. It is a very grand ode; but in the midst of its awful beauties, we are easily led to think of the failings of the poet. In the *Antistrophe* (or part of the Ode to be sung) the style becomes more subdued; and in the last verse he says:—

"O thou, whose spirit most possest
The sacred seat of Shakspeare's breast!
By all that from thy prophet broke,
In thy divine emotions spoke!
Hither again thy fury deal,
Teach me but once like him to feel:
His cypress wreath my meed decree,
And I, O Fear, will dwell with thee!"

The Ode to Simplicity is like its name, simple and beautiful:

> "Though taste, though genius bless
> To some divine excess,
> Faint's the cold work till thou inspire the whole;
> What each, what all supply,
> May court, may charm the eye,
> Thou, only thou, canst raise the meeting soul!" &c.

We shall now take our farewell of the Odes; which must be acknowleged to exhibit a strong lyrical genius. There are several others, we might have noticed; but we are afraid that even now we have exceeded our limits. The character of our poet's lyric muse may thus be described—"tinged with melancholy, beautiful imagery, chasteness of sentiment and an exquisite ear for harmony." Let us now turn to "the *Oriental* or *Persian* Eclogues, written for the entertainment of *the Ladies of Tauris!*"

We shall first say a few words by way of defining Ode, and Eclogue or Pastoral.

The Ode, among the ancients, signified merely a song, any touching piece of poetry set to recitation and music for any grand occasions. In modern days the term Ode has been generally applied to solemn and grand poetical composition, such as those of Pope, Dryden, Collins, and Campbell. The Pastoral is nearly the entire reverse of the Ode: the former sheds a gentle warmth over the heart—the latter, generally a glowing or rapid fire. Johnson defines Pastoral—"a poem in which any action or passion is represented by its effects upon country life." In looking back, through the means of History, to the most remote ages, where we endeavour to explore the rise of poetry—we find its chief cultivators, hunters and shepherds. Pastoral life, mixed up with the violent strifes and petty feuds of nations, we may perhaps safely assert was the origin of heroic poetry. The simplicity of the Pastoral leads us back to the simple, nomadic nature of our ancestors; and causes us to wonder how such taste and simplicity of expression could be used in uncivilized life. The labours of great poets, abound with pastoral description. In the Augustan age of Rome, Virgil wrote his famous Pastorals and the *Æneid* is full of rural life,—the incidents drawn out into high flights by the poet's ingenuity. A celebrated historian says—"the flight of a band of exiles, the fightings of a few peasants, and the establishment of a paltry village, comprehend all the boasted labours of the pious Æneas." We would gladly, did space permit us, enter into a dissertation on Pastoral; when we should be away from Persia for a considerable time—the reader wondering when we intended to return. We shall

content ourselves with mentioning, that nearly all our famous pastoral poets have been connected with trade, or been engaged in rural pursuits: Allan Ramsay, immortalized by his gentle Shepherd, was the son of a miner, and apprentice to a wigmaker: Gay, the author of numerous fine English Pastorals, in early life, gained the smiles of the City ladies, by serving out choice silks and satins from behind a counter: Pope was the son of a London linen-draper: Collins, who gave the first natural dash of orientalism to English Poetry, we have no doubt suited many a customer to a hat, previous to his departure for school, and while his father was engaged in Chichester with his more important civic duties: Burns, who could moralize with equal force on a man or a daisy, it is well known, was a ploughman: Bloomfield, whose Farmer's Boy is a great production, was himself what he wrote; but afterwards a journeyman shoemaker: Hogg, Nature's rough but honest mountain bard, was by profession a Shepherd: and lastly Moore, our admirable living poet, whose charming Lallah Rookh boasts much of the Asiatic Pastoral, though rather too dazzling and overdrawn, to his lasting honour be it said, confessed to Royalty that he was the son of a Green Grocer in Dublin. Since we have lit upon Lallah Rookh, we may perhaps state our opinion, which is, that the Poem is the most brilliant display of eastern imagery ever sung in Europe; like a circle of diamonds round the fair forehead and raven tresses of a beautiful woman, whose chastity is suspected: abounding with descriptions and beauty, which no one who had ever seen India, Arabia, or Persia, would have attributed to these countries, even in their most palmy days. This, in a great measure, is the poet's licence; but we think that Lallah Rookh would have had a more lasting popularity, had it been a little more true to nature, and not so dazzling and brilliant. The Oriental Eclogues of Collins, are perhaps as unpretending productions, as any poems in our language. Their simplicity, truth to nature, and morality, chiefly cause our admiration. Collins, forsaking the Corydons and Phyllisses of the age, brought Pastoral to bear upon the love sick swains and gentle beauties of the East, in four very small poems. *Selim, or the Shepherd's Moral,* is the first Eclogue,* which though not cast in the usual

* In his life of Philips, Dr. Johnson has these remarks: "Petrarch entertained the learned men of his age with the novelty of modern pastorals in Latin. Being not ignorant of Greek, and finding nothing in the word *Eclogue*" (i.e. *choice piece* of Poetry) "of rural meaning, he supposed it to be corrupted by the copiers, and therefore called his own productions *Eglogues*, by which he meant to express the talk of *goatherds*, though it will mean only the talk of *goats*. This new name was adopted by subsequent writers, and amongst others by our Spenser."

dramatic form, has in it much of the spirit of the genuine pastoral. The *time* is morning; the *scene*, a valley near Bagdad. The Shepherd commences his moral admonition:—

"Ye Persian maids! attend your poet's lays,
And hear how shepherds pass their golden days,
Not all are blest, whom Fortune's hand sustains
With wealth in courts; nor all that haunt the plains:
Well may your hearts believe the truths I tell;
'Tis virtue makes the bliss, where'er we dwell.

Thus Selim sung, by sacred Truth inspir'd;
Nor praise, but such as Truth bestow'd desir'd:
Wise in himself, his meaning songs convey'd,
Informing morals to the shepherd maid;
Or taught the swains that surest bliss to find,
What groves nor streams bestow, a virtuous mind.

When sweet and blushing, like a virgin bride,
The radiant morn resum'd her orient pride;
When wanton gales along the vallies play,
Breathe on each flower, and bear their sweets away;
By Tigris' wandering waves he sat, and sung
This useful lesson for the fair and young."

Thus beautifully introduced, the fair shepherdesses gather round Selim to hear the "moral of his song." After wise counsel,—which certainly seems more like that of Addison or Johnson, than that of a Persian shepherd, in which the fair maids are exhorted to wisdom, and entreated to beware of the dangers to which beauty is exposed; also to cultivate all the softer virtues, without which, no woman can be perfect,—the shepherd poet continues his strain:—

"Blest were the days, when *Wisdom* held her reign,
And shepherds sought her on the silent plain;
With *Truth* she wedded in the secret grove,
Immortal Truth! and *daughters bless'd their love.*

O haste, fair maids! ye *virtues*, come away,
Sweet Peace and Plenty lead you on your way!
The balmy shrub for you shall love our shore,
By Ind excell'd, or Araby, no more.

Lost to our fields, for so the Fates ordain,
The dear deserters shall return again.
Come thou, *whose thoughts as limpid springs are clear*,
To lead the train, sweet *modesty!* appear:
Here make thy court amidst our rural scene,
And shepherd-girls shall own thee for their queen."

The simplicity and beauty of these lines are almost as delightful as the sweet morality they contain. The virtues of modesty, chastity, with the rest that are named in the lines which follow, fidelity, meekness, pity, love, being once personified, nothing can be finer than the lineage ascribed to them, when they are pourtrayed as "the daughters of Wisdom and immortal truth." What a pity that such maxims were not deeply sown, by the aid of Christianity, in such a land as Persia! Goldsmith admired our poet's Eclogues considerably: in the

above lines we are led to think of the grace, sweetness, and harmony of the Deserted village. The conclusion of the Eclogue is as follows:—

"With thee be Chastity, of all afraid,
Distrusting all, a wise suspicious maid;
But man the most—not more the mountain doe
Holds the swift falcon for her deadly foe.
Cold is her breast, *like flowers that drink the dew*,
A silken veil conceals her from the view.
No wild desires amidst thy train be known,
But *faith*, whose heart is fix'd on one alone:
Desponding *Meekness* with her downcast eyes,
And friendly *Pity*, full of tender sighs;
And *Love* the last, by these your hearts approve,
These are *the virtues* that must lead to love.

Thus sung the swain; and ancient legends say,
The maids of Bagdat verified the lay:
Dear to the plains the Virtues came along,
The shepherds lov'd, and Selim bless'd his Song."

The second Eclogue is *Hassan, or the Camel Driver*; the scene, the desert; the time, mid-day. This is a charming effusion. The anxiety which is poisoning the mind of Hassan; the description of the desert through which he is passing; the anxious speech of Zara, his loved one, before his departure,—all are natural and beautiful characteristics of a nomadic life. The two first opening lines at once convey, with nervous simplicity, a vivid picture of the dreary solitude of a region, utterly bereft of the ordinary signs of animal or vegetable life:—

"In silent horror o'er the boundless waste,
The driver Hassan with his camels past."

The details which follow are all in accordance with this fine exordium. At length, poor Hassan,—jaded, exhausted, oppressed, and even "affrighted" by the interminable dreariness of the scene, with its "scorching sand," and "blasting wind," and tree-less, herb-less, water-less barrenness,—in the wildness of "desperate sorrow," "thrice sighed, thrice struck his breast," and thus abruptly gave vent to his passionate grief and regret:—

Sad was the hour, and luckless was the day,
"When first from Shiraz' walls I bent my way."

Recovering somewhat from this burst of depressive sadness, Hassan, in the absence of any human being to listen to his plaint, or sympathise with him in his sorrows, very naturally turns round and addresses "the mute companions of his toil," in a strain in which it is scarcely possible to say which to admire most, the amiable tenderness of the sentiment, the elegance of the expression, or the beauty of the imagery:—

"Ye mute companions of my toils, that bear
In all my griefs a more than equal share!

Here, where no springs in murmurs break away,
Or moss-crown'd fountains mitigate the day,
In vain ye hope the green delights to know,
Which plains more blest, or verdant vales bestow:
Here rocks alone, and tasteless sands are found,
And faint and sickly winds for ever howl around.
'Sad was the hour, and luckless was the day,
'When first from Shiraz' walls I bent my way!'"

Mr. Campbell particularly admires the descriptive lines:—

"Here rocks alone, and tasteless sands are found,
And faint and sickly winds for ever howl around."

Their beauty consists in their truthfulness, or strict accordance with reality; and in their power to excite a feeling of dreariness, faintness, and sickliness, in the mind, in singular harmony with the gloomy desolateness of the scene described. No one has traversed the real desert, who is not ready to testify that "faint and sickly winds" are much more common there, than the much talked of "balmy odours" and "spicy gales."

Smarting under the pains and deprivations of travelling in the desert, and foreboding the approach of still greater calamities, Hassan next denounces the thirst of gold and silver, in strains as true to the theory of sound morals, as they are to the style of genuine poetry:—

"Curst be the gold and silver which persuade
Weak men to follow far fatiguing trade!
The lily peace outshines the silver store,
And life is dearer than the golden ore:
Yet money tempts us o'er the desert brown,
To every distant mart and wealthy town.
Full oft we tempt the land, and oft the sea;
And are we only yet repaid by thee?
Ah! why was ruin so attractive made,
Or why fond man so easily betray'd?
Why heed we not, while mad we haste along,
The gentle voice of Peace or Pleasure's song?
Or wherefore think the flowery mountain's side,
The fountain's murmurs, and the valley's pride,
Why think we these less pleasing to behold,
Than dreary deserts, if they lead to gold?
'Sad was the hour, and luckless was the day,
'When first from Shiraz' walls I bent my way!'"

After enumerating many of the dangers which appeared to impend over him, and which his excited fears naturally led him somewhat to exaggerate; and after adverting, by way of contrast, to the "wise contented poor," who, free from the "lust of wealth," tempt no deserts and find no griefs there; he last of all turns to the happy home which he left behind him, and memory, retentive of fond impressions, holds up, as in a mirror, the tenderest and most affecting of domestic scenes:—

O, hapless youth! for she thy love hath won,
"The tender Zara will be most undone!

Big swell'd my heart, and own'd the powerful maid,
When fast she drops her tears, as thus she said:
'Farewell the youth whom sighs could not detain,
'Whom Zara's breaking heart implored in vain!
'Yet as thou go'st, may every blast arise
'Weak and unfelt as these rejected sighs!
'Safe o'er the wild, no perils may'st thou see,
'No griefs endure, nor weep, false youth, like me!'
O, let me safely to the fair return,
Say with a kiss, she must not, shall not mourn;
O! let me teach my heart to lose its fears,
Recall'd by Wisdom's voice, and Zara's tears.
He said, and call'd on heaven to bless the day,
When back to Shiraz' walls he bent his way."

Shenstone, the bachelor poet, has a pastoral ballad something similar to the above lines; commencing:—

"Ye shepherds so cheerful and gay,
Whose flocks never carelessly roam;
Should Corydon's happen to stray,
Oh! call the poor wanderers home, &c."

We do not read much of Collins' "love business;" although a man of his taste must have had a high opinion of the fair sex: but Shenstone was particularly fond of their society, and his heart was capable of the tenderest impressions; and yet after having been Corydon to at least half a dozen Phyllisses—he died a bachelor. Collins, at any rate, showed more consistency than Shenstone.

The next or third Eclogue is entitled "*Abra, or the Georgian Sultana.*" The scene is a forest in "Georgia's land," where "Seflis' towers are seen."

A fair shepherdess while making a garland of flowers for her hair, is discovered by Abbas the Great King of Persia, who falls in love with her at first sight, and takes her home. She turns a fond look at the dear scene she is quitting:—

"The royal lover bore her from the plain;
Yet still her crook and bleating flock remain:
Oft as she went, she backward turn'd her view,
And bade that crook and bleating flock adieu.
Fair happy maid! to other scenes remove,
To richer scenes of golden power and love!
Go leave the simple pipe, and shepherd's strain;
With love delight thee, and with Abbas reign.
'Be every youth like royal Abbas mov'd,
'And every Georgian maid like Abra lov'd!'

Yet midst the blaze of courts she fix'd her love
On the cool fountain, or the shady grove:
Still with the shepherd's innocence her mind
To the sweet vale, and flowery mead inclin'd;
And oft as spring renew'd the plains with flowers,
Breath'd his soft gales, and led the fragrant hours,
With sure return she sought the Sylvan scene,
The breezy mountains, and the forests green.
Her maids around her mov'd, a duteous band!
Each bore a crook all rural in her hand:
Some simple lay, of flocks and herds they sung;
With joy the mountain and the forest rung.

'Be every youth like royal Abbas mov'd,
'And every Georgian maid like Abra lov'd.'

And oft the royal lover left the care
And thorns of state, attendant on the fair;
Oft to the shades, and low-roof'd cots retir'd
Or sought the vale where first his heart was fir'd;
A russet mantle, like a swain, he wore,
And thought of crowns and busy courts no more.
'Be every youth like royal Abbas mov'd,
'And every Georgian maid like Abra lov'd.'

Blest was the life, that royal Abbas led:
Sweet was his love, and innocent his bed.
What if in wealth the noble maid excel;
The simple shepherd-girl can love as well.
Yet those who rule on Persia's jewel'd throne,
Be fam'd for love, and gentlest love alone;
Or wreath, like Abbas, full of fair renown,
The lover's myrtle with the warriors crown.
O happy days! the maids around her say;
O haste, profuse of blessings, haste away!
'Be every youth like royal Abbas mov'd,
'And every Georgian maid like Abra lov'd.'"

We have made this long extract, being at a loss to give any particular passages of this Eclogue, which as a whole we consider extremely beautiful. In this poem we are slightly reminded of Waller's pretty lines, "Go, Lovely Rose," which he probably addressed to Sacharissa,

"Small is the worth
Of beauty from the light retired."

The fourth and last of the Eclogues is denominated "*Agib and Secander, or the Fugitives.*" The scene is a mountain in Circassia; the time, midnight. The country has been desolated by a ruthless Tartar foe. Two shepherds, flying over ravaged plains, wherever "wildering fear and desperate sorrow" may lead them, at length, "faint and weak," reach what they consider a place of temporary safety. Then commences a Dialogue, in which Secander, one of the shepherds, first calls on Agib, the companion of his flight and misery, to look back and survey by the friendly aid of moonlight, the "wide groves," the "long extended plain," the "ragged cliff," and the "weary mountain's side," which they had already passed. Agib responds to the call. And the spectacle of "blasted harvests," of "citron groves, drooping their fair honours to the conquering flame," of "flying swains, leaving to ruffian bands their fleecy care," leads to mutual lamentation over the ruin and misery of their unhappy native land. Throughout, there are some fine touches of melting pathos; and this is preeminently true of the lines in which the shepherd gives expression to his lively apprehensions and fears respecting the fate of his fair but helpless country-women:—

SECANDER.

"In vain Circassia boasts her spicy groves,
For ever fam'd for pure and happy loves;
In vain she boasts her fairest of the fair,
Their eyes' blue languish, and their golden hair!
Those eyes in tears their fruitless grief must send;
Those hairs the cruel Tartar's hand shall rend.

AGIB.

Ye Georgian swains, that piteous learn from far
Circassia's ruin and the waste of war;
Some weightier arms than crooks and staffs prepare,
To shield your harvests, and defend your fair:
The Turk and Tartar like designs pursue,
Fix'd to destroy, and steadfast to undo.
Wild as his land, in native deserts bred,
By lust incited or by malice led,
The villain Arab, as he prowls for prey,
Oft marks with blood and wasting flames his way;
Yet none so cruel as the Tartar foe,
To death inur'd, and nursed in scenes of woe."

Their rest is broken—they startle—it is their pursuers—they are off!

"He said, when loud along the vale was heard
A shriller shriek, and nearer fires appear'd,
Th' affrighted shepherds, through the dews of night,
Wide o'er the moon-light hills renew'd their flight."

The scene is in Circassia; and the pleasures of love, and peace, and plenty, are here beautifully contrasted with the desolation and ruin produced by war. The Emperor of Russia would do well to consider this. We have now concluded our specimens of the Oriental or Persian Eclogues; in which it has been our intention to let the reader judge of the natural delineation, truth, and want of affectation in those sweet poems so little known among us. Our remarks concerning them, purposely, have been few. Departed genius is food for admiration, not for fault-finding, or severe criticism.

It will be seen, throughout, that it was not our intention to say much concerning the life of Collins; but merely sufficient to excite admiration, and draw forth the tear of sympathy for his genius. In glancing at the page of Biography, the feeling heart must sympathize with the occasional fate of those who have given light to the world. Although there exists, in many cases, considerable exaggeration of miseries, undergone by authors; yet such cannot be said of Butler, Dryden, Savage, Otway, Chatterton, Collins, or Burns. They all drank severely of the cup of bitterness and misery; and this fact brings home to us the truth of what Smolett wrote in a letter to Garrick, to the effect, that it depends upon the toss-up of a half penny, whether a man rises to affluence and honour, or continues to his dying day struggling with the difficulties and disgraces of life. As a further illustration of this melancholy fact, we

shall relate an anecdote from a life of Butler by an unknown hand, which will shew on what a little thing a man's happiness may depend:—"Mr. Wycherley had always laid hold of an opportunity which offered of representing to the Duke of Buckingham how well Mr. Butler had deserved of the royal family, by writing his inimitable Hudibras; and that it was a reproach to the Court, that a person of his loyalty and wit should suffer in obscurity, and under the wants he did. The Duke always seemed to hearken to him with attention enough; and after some time, undertook to recommend his pretensions to his Majesty—Charles the second. Mr. Wycherly, in hopes to keep him steady to his word, obtained of his Grace to name a day, when he might introduce that modest and unfortunate poet to his new patron. At last an appointment was made, and the place of meeting was agreed to be the Roebuck. Mr. Butler and his friend attended accordingly: the Duke joined them; but as the —— would have it, the door of the room where they sat was open, and his Grace, who had seated himself near it, observing a pimp of his acquaintance (the creature too was a Knight) trip by with a brace of Ladies, immediately quitted his engagement, to follow another kind of business, at which he was more ready than in doing good offices to men of desert; though no one was better qualified than he, both in regard to his fortune and understanding, to protect them; and, from that time to the day of his death, poor Butler never found the least effect of his promise."

Collins, like Burns, was chiefly honoured and admired after his death. Many years after the graceful spirit of the poet had burst its earthly tenement, the great Flaxman was ordered to design a monument to his memory; which was placed among those of the illustrious dead. The monument is in beautiful keeping with the poet's elegant fancy: just recovered from a fit of phrensy, his lyre neglected, and one of his poems on the ground; above him "two beautiful figures of Love and Pity entwined in each other's arms;" in a studious posture he is seeking consolation in the New Testament, his favourite volume.

It is sad to find, in glancing at the latter days of Collins, that a mind so ordered as his, a mind whose chief consolation latterly was in religion, should have been tinged with the gloom of a melancholy so deep that it verged into madness. Had it been the vain and eloquent Rousseau, the philosophical Hume, or the sage Voltaire,—had their days gone down in madness, the tear of human sympathy alone would have been shed; expressions of Christian admiration must have been withheld. Collins, though we do not class him with the above trio in intellectual

power, yet affords a striking contrast to the vanity of Rousseau Our poet, in his latter days, on being questioned by a friend what he was reading, said, in presenting the New Testament, "he had but one book, and that was the best." Of Rousseau, from his eloquent tribute to the inimitable beauty of the New Testament, it has been said "What a mind! to conceive ideas so beautiful and so just! The divinity of the New Testament is displayed as with a sunbeam! But what a heart! to resist the force of all this evidence, to blind so fine an understanding, and to be able to subjoin, "I cannot believe the Gospel." What, of the most preposterous human vanity or absurdity, throughout the whole range of literature, do we find equal to this? It is a glory to our country that so many famous literary and scientific men have lived under the influence, and died under the consolations of true religion.

We have little more to say of Collins, while we admire his genius, we cannot be blind to its defects. Of these the more conspicuous were a certain wild and unbridled extravagance of imagination, and a certain incorrigible irresoluteness of mental habit. He was constantly planning great literary projects, both in prose and verse, but seldom even attempted to execute any. The consequence was, that, though endowed with powers which rendered him capable of accomplishing much, he achieved but little, though that little is of a kind to enhance our regret that it had not been more. We have thus to mourn over the loss of gifts, not prematurely wasted by the fire of impetuous and over-done exertion, but wasted idly and unprofitably under the corroding rust of inveterate indolence. As to his imagination, it delighted to indulge in those flights which "pass the bound of nature and to which the mind is reconciled only by a passive acquiescence in popular traditions;" it loved to luxuriate amid the revelries of "fairies, genii, giants, and monsters;" it rejoiced to "rove through the meanders of enchantment, to gaze on the magnificence of golden palaces to repose by the water-falls of Elysian gardens." How far his too facile yielding to the lawlessness of imagination may be viewed as symptomatic or accelerative of the fatal malady, the felt influence of whose insiduous inroads may have driven him to the use of mitigating expedients which the faithfulness of generous friendship cannot but seriously reprehend, it is not for us to determine. That there was an action and re-action of some sort cannot well be doubted. But be that as it may, it is impossible to contemplate the lurid gloom which hung over his latter days, and shrouded "in dim eclipse" the bright lustre of his genius, without feelings of deepest commiseration and tender pity.

ART. VI.—1. *Report from the Indian Law Commissioners to the Honorable the President of the Council of India, in Council, upon Judicature in the Presidency Towns. Dated February 15th*, 1844, *p. p.* 78.

2. *An Act for establishing a Court of Subordinate Civil Jurisdiction in the City of Calcutta (Revised Draft.)*

3. *Appendix to Report—Minute on the Supreme Court (Bombay) by Sir Erskine Perry, Puisne Justice, 3rd June*, 1843, *p. p.* 19.

4. *Letter from Sir Henry Roper, Chief Justice, Bombay, to the Indian Law Commissioners.*

5. *Minute, &c. of Sir Lawrence Peel, Chief Justice, (Calcutta), 13th February*, 1844, *p. p.* 23.

6. *Supplement to Appendix.*

7. *Letter from Sir Erskine Perry to the Honorable the Governor in Council of Bombay, 22d May*, 1844.

8. *Letter from Sir L. Peel, to the Indian Law Commissioners, in reply to Sir Erskine Perry. 22nd February*, 1845.

IN May, 1843, the Indian Law Commissioners addressed to the Judges of the Supreme Courts at Calcutta and Bombay, an inquiry as to the number of Officers and amount of Salaries, which would be required to render those Courts efficient in every department, if they were now to be established for the first time. The inquiry suggested to those to whom it was addressed a previous question; whether it would be desirable to establish such Courts as the Supreme Courts, and with what alterations: and accordingly Sir Erskine Perry, whose answer was returned in the following month (June 3rd, 1843), and Sir H. Roper whose answer followed soon after, both delivered their opinion on the procedure of the Supreme Court, and recommended, the former a total change, the latter very considerable changes. The Judges at Calcutta did not return any answer for several months; and having in the meantime seen the answers sent from Bombay, they also suggested an extensive reform in the procedure of their own Court, but combated with great warmth and zeal the views particularly of Sir E. Perry. In this manner began a very important, and, in many of its features, novel controversy, which we purpose to divest as much as possible of technicalities and to lay a full and critical analysis of it before our readers. An opportunity was given to Sir E. Perry to defend his views, which he did in a letter to the Commissioners; and this elicited from Sir Lawrence Peel on the 22nd February, 1845, a reply which closed the controversy: but the advantage of the last word, hitherto enjoyed by Sir L. Peel, belongs to Reviewers. The entire controversy fills about ninety pages of Appendix to a Report of the Indian Law Commissioners.

This Report also, though it enters not into the controversy, is intimately connected with it in subject; and has reference to a plan of the Commissioners for establishing a new Court of local subordinate jurisdiction, with a simple procedure, but limited at first to subjects of common law jurisdiction; and to decide according to Equity in all those cases where Equity and Law, or rather Equity-law and Common-law differ. We hope either on the present or some early occasion to lay the views of the Commissioners before our readers: but will only remark here that they are in general accordance with the views of Sir E. Perry.

We will premise, for the information of our numerous readers out of India, a general outline of the peculiar manner in which the Supreme Courts have been constituted.

The oldest of the Supreme Courts is established in Calcutta, and it was the model of the Supreme Courts afterwards established at the other Presidencies. It was established for the purpose of administering English Law, both Civil and Criminal, to all British subjects throughout the Bengal Presidency, and the native Civil Codes and British Criminal Law to natives resident* within Calcutta. The Supreme Court was composed of three judges; and it had to administer the whole body of English Law, which in England is parcelled out among several Courts, each of which, though for the most part only supplementary to the others in respect of the law substantive, has its own peculiar procedure. It was necessary to give the Supreme Court this universal jurisdiction, or some of the substantive rights of British subjects would not have been provided for.

* By applying to natives the doctrine of constructive inhabitancy the Court has extended its jurisdiction over natives in every part of the Bengal and Agra Presidencies; we have even heard of suits against the subjects of native Princes, viz. of the *roi faineant* of Oude, in virtue of the fiction of constructive inhabitancy. An Up-country native sends his gomashta with shawls, sugar, or other merchandize to Calcutta, the gomashta hires godowns till he can sell his goods, and has two or three writers: he hires a shop at perhaps 10 rupees (£1) a month, and this is a constructive inhabitancy. Another method of acquiring jurisdiction is by inserting an agreement or consent that the Court shall have jurisdiction; another by associating the name of a British subject with a native. The jurisdiction thus created is a discouragement to trade, and is in fact pregnant with every sort of injustice and iniquity. Conceive the language of the English Chancery and Courts of Common Law to be Urdú or Hindustaní and their process to run against the British races all over India, who know neither Urdú nor Hindustaní, and we have the exact case of natives hundreds of miles off sued in the Supreme Court of Calcutta.

From this oneness of the Supreme Court and universal competency; simplicity and uniformness might have been expected in its procedure. But when we come to inquire into the fact, nothing can be more contrary. As if it had not been one Court but several Courts, it was established with all the diversities of procedure which were found among the several species of Courts in England, and so continues to the present day: thus, in matters (called in England), of Common Law jurisdiction, the suitor of the Supreme Court is driven to the necessity of employing Special Pleading, and the Judges on the trial of issues of fact are accordingly addressed as Jurymen:—"may it please your Lordships and Gentlemen of the Jury" is the forensic style of addressing them. So, in matters of equity jurisdiction, the procedure is by Bill and Subpœna and Answer as in the English Chancery; and not only is the distinction of the jurisdictions generally preserved but even their conflicts; and the Supreme Court in Equity restrains its own judgments and proceedings at law, (restrains itself) through the same medium of an independent and hostile suit, in the same manner as the Lord Chancellor restrains the Courts of Common Law. And, (as the Law Commissioners have well observed*) in the Supreme Courts, the anomalous and extravagant features are exaggerated beyond those of the parent institutions.

On this incongruous and really absurd state of things, of one Court with a variety of procedures, and in conflict with itself, Sir Erskine Perry in his original minute makes the following pertinent and just observations:—

"When Sir Elijah Impey had the task before him of framing a judicial Establishment for Calcutta, as the object was to afford a tribunal for every question that might arise, whether Civil or Criminal, legal or equitable, of Ecclesiastical or Admiralty cognizance, the course which he adopted of attributing to the Court, to be established, the different jurisdictions which he had seen parcelled out amongst different tribunals in England, as it was the most obvious, so possibly was the most unobjectionable, which he could have pursued.

But as the object to be attained in every different department of the Court was precisely the same, namely, to bring forward the case in controversy in the clearest and least vexatious manner possible, it might have been imagined that a uniform code of practice directed to that end, would have been devised, preserving all the good portions of the methods in operation in the different Courts for discovery of the facts, and rejecting all the bad, so as to form one rational simple system, which would have been, as satisfactory to the Judge to administer, as to the public whom it would have benefited. When it is seen, on the other hand, that the whole of the contradictory, complicated, expensive Codes of practice of all the different Courts in England have been imported bodily into the *one* Supreme Court of India; that on this side of the Court, facts may be only elicited by vivâ voce examination, that on another they cannot be brought before the Court except in writing; that a party to the cause may not be examined in the case in one instance (at law), that he may be in the same case (in Equity); that the decision of the Court on the Plea side will give a matter in dispute to one party, that the decision of a Court of Equity will give it to another (in case there are funds sufficient to keep up the litigation); and that all these varying results and perplexing operations are only to be got at by vast expense and vexation: with these facts before our eyes, I say, it is not, I think, an uncharitable conclusion to arrive at, that the temptation of forming a costly establishment with the number of offices to which these different codes of practice were to afford fees, and of which the founders were to have the patronage, must have completely kept out of view the interests of Suitors and of the public."

* Report on *Lex Loci* addressed to the Right Honourable the Earl of Auckland, Governor-General of India in Council. Dated 31st October, 1840. p. 31.

These remarks on the existing multifarious system carry conviction: but the most valuable parts of the Minute are those in which Sir Erskine states his own experience, and critically compares the different procedures, every one of which he has been personally engaged in administering. While the most learned lawyer in England is generally unacquainted with all but one branch both of substantive law and legal procedure; and no English lawyer at all, as such, is practically acquainted with the working of the natural system, for it is entirely out of the pale of the profession; the experience of Indian judges and generally of the Indian bar extends to every branch of substantive law and every kind of procedure; and hence, as the question of what is the best mode of administering the substantive law is entirely a practical one, we regard Sir E. Perry's opinions as of great weight and entitled to the fullest consideration. It has been treated of indeed, abstractedly, by Bentham and Mill and other philosophical writers on Judicial establishments; and as Law Reformers we confess ourselves their pupils; but their method does not always satisfy the plain understanding of the merely practical man, and they are not masters of the details. The peculiarity of the present controversy is, that the subject is treated of by persons having actual judicial experience. And let us here remark that all parties generally agree as to the points on which the merits of any system mainly depend. The desired object is to administer the law at the smallest reasonable cost to the public and suitors; and with all the expedition and certainty practicable. The estimation in which a court is entitled to be held depends on the degree in which it realises this principle: and consequently the cost of obtaining a decision; the time employed in obtaining it; and the probability of its being conformable to the substantive law, are principal points in the discussion under consideration.

Sir Erskine Perry, first, as to the cost of Common law procedure, shews by official tables, that in Bombay the taxed costs of a *defended* cause, on both sides, average about rupees 1,200 (£120); of an undefended cause, about rupees 450 (£45;) and if the defendant gives a *cognovit* on the first opportunity he has, after action brought, the costs are rupees 189 or (£18 18*s.*) On this, Sir E. Perry remarks, "no one, I think, can look at these sums* total, without perceiving that they are enormously high, whether taken absolutely or in relation to the cost of litigation in England."

Twelve hundred rupees (£120), is a pretty round sum to tax against two persons for any description of service which a Court can be called upon to render on any subject matter of common law litigation, be the amount in dispute however large, and be there even a difficult question of *law* on which a doubt is entertained, and therefore requiring a judicial determination; but it is unconscionable and exorbitant for the ninety-nine out of every hundred common law actions, which are put into the cause paper and not tried, or which are brought to trial, where there is no difficult question of law; but on the part of the defendant mostly fraud or insolvency are seeking shelter under legal forms, or the case is contested only because the lawyers are at hand (if we may use the metaphor) to make a ring and supply at once fighters and the weapons.

Sir L. Peel on the subject of common law costs gives a different account, which is the more remarkable, as he had seen Sir Erskine Perry's statement. Sir L. Peel says:—

"The expences of a contested suit on the plea side of the Supreme Court of Judicature at this Presidency, properly conducted without needless outlay and without errors† in the progress of it, do not materially, if they at all exceed the average costs of the trial of a cause in the Superior Courts at Westminster, *even where the witnesses are all resident in the vicinity of those Courts.*" .....
"The cost of a contested suit on the plea side, will on an average be found, I believe, to be much about the same as that of an ordinary cause in the Superior Courts at Westminster."

Certainly all we have heard, and all that has come within the range of our actual observation, had led us to form a very different opinion. The subject deserves investigation. It

* These sums are taken on an average of bills brought to the taxing office: but as bills of large amount in important causes are usually settled without taxation, these sums give the average cost only of the inferior causes.

† Does not the studied insertion of these qualifications imply that the average would be greatly increased if the cases alluded to were included in the calculation, and does not this prove how ill adapted for the very small professional body of a colony or distant dependency are the English forms of technical procedure?

would not be just to take Sir Erskine Perry's view as the correct one, nor to reject Sir L. Peel's, merely because the former coincides with our preconceived notions; and we will therefore state some grounds we have for forming an opinion. But let us first note the *climax* which we have put in italics in our last quotation; it amounts to this proposition, that the costs of an action at Law in London, when all the witnesses reside in London, are as high as the costs of an action at Law in Calcutta, even when the witnesses have to come from a distance, or a Commission, which is less costly, has to be issued to examine them. Sir L. Peel himself states, that "the fees to Counsel and the expense of employing an attorney constitute the principal portion of the expense of a suit." The fees of Counsel and charges of attornies are higher in India than in England, and consequently the aggregate cost of litigation would be higher were there no other differences of the same kind. It would indeed have been a real injustice at any time, and would be so still, if the fees to Counsel and Attornies were the same in India as in England. They would also have been inconsistent with all other prices or charges of European origin. They would have presented too the singular and incongruous spectacle, of a bar in possession of a monopoly out of which they could make by fair means no splendid fortunes and at the same time establishments of officers endowed with the utmost extravagance. But we may lay aside hypothesis and give particular instances. In England, a defendant, sued for a debt, may pay it within four days after service of the writ, at a varying expense of between £1-18-0 and £2-2-0; here of Rs. 100 or (£10;) and though this charge includes the costs of a plaint (which are not included in the more equitable practice of England) yet, from the difference, we may conclude, that all the charges connected with the proceeding are higher than in England. If the cause goes on, the next step, after the four days are elapsed, is in the labyrinths of Special pleading. We need not explain the nature of Special Pleading: our immediate object is to shew how much less costly it is in England. In England there is an intermediate class of persons (technically said to be below the Bar) called Special Pleaders *par excellence:* their province is the extensive domain of procedure which includes not only special pleading, but the "practice" connected with it, and springing out of its forms, which ends not until the cause is actually in Court before a Jury for trial. Most plaints and other pleadings above the Attorney's skill are drawn by these very learned persons, as well on account of their more economical rates of remuneration, as for other rea-

sons. Eminent pleaders of the generation just passed away, drew common plaints for 7*s.* 6*d.* (Rs. 3-12) common pleas for 5*s.* (Rs. 2-8); the fees of the present day range from 7*s.* 6*d.* to 10*s.* 6*d.*—15*s.*—21*s.* and 31*s.* 6*d.*—for a pleader a high fee, and many opinions 10*s.* 6*d.* Now all pleadings not drawn by attornies—(and very few are)—are drawn here by counsel and the smallest pleading fee is £3-8-0, and £5-2-0 is not unusual. The corresponding bar fees in England would be £1-3-6 and £2-4-6. The very common case of a motion for judgment as in case of a nonsuit, will further illustrate the difference. Fee on motion £1-14-0; on supporting it or moving to make rule absolute £3-4-0; shewing cause against it, £3-4-0; total in India £8-2-0; in England 10*s.* 6*d.*, £1-3-6 and £1-3-6; total £2-17-6. Consultation fees on common law briefs both of junior and leading counsel are £5-2-0, making the cost of a consultation, on each side,* £10-4-0 if there are two, £15-6-0 if there are three Counsel: the corresponding expense in England would be (including Clerk's fees) £3-10-6: £5-7-6. Consultation fees in Equity Suits are £8-10-0, and taking the fee on the brief at only the same amount, an argument on Equity pleadings with two counsel on each side costs £68-0-0, and this probably is below the average. Many fees which have been abolished in England continue in India, and there are many motions and of course fees which are unknown in England; e. g. to give a day to a defendant who has not appeared to the writ, (3 motions) each £1-14-0; total £5-2-0, which is a mere farcical proceeding.

Besides the higher rate of Indian fees, the aggregate amount is still further increased by the different practice as to the employment of counsel. The result of this is very considerable in the cost of litigation. To confine ourselves to the common law,—the proportion of cases is very large, in which several counsel are employed, but only one would be employed in England, *e. g.* in all undefended causes,—in England there is one fee, £ 1-1-0; in India there are almost invariably two counsel, and the fees are rarely less, sometimes more, than 5 gold mohurs, or £ 8-10.

* Since the above was written, we have seen a comparative Table of Indian and English Fees, the former being extracted consecutively from the Fee Book of a Barrister of the Supreme Court, and the latter derived from an experience of many years both as Special Pleader and Barrister in England. The aggregate of eighteen fees for pleadings is £68, and a few shillings. In England, the corresponding fees would have been £10, and a few shillings, or reckoning three of them as bar fees about £12.

The same fee book exhibits £5-2-0 as paid on every case on which an opinion was taken. In England, on some of the cases, only a Special Pleader's opinion would have been taken at a fee of 10*s.* and £1-1-0, and a Barrister's fee on some of them would have been only £1-1-0. Retainers are never less than £3-8-0. The smallest fee exhibited as paid for drawing any pleading in equity is £8-10-0.

Again,—in a very large proportion of defended causes only one counsel is employed in Middlesex and London, especially for the *defendant:* the fee is sometimes only £1-1-0; more generally £2-2-0; occasionally £3-3-0, in a comparatively small number of cases £4-4-0. Here, on the contrary, in defended causes there are always two counsel; very generally a consultation: the two brief fees are never less than £8-10-0; frequently more; and the consultation fees,—the same to senior and junior counsel—make the total fees of the defendant in the most trumpery defended case £18-14-0, or £23-16-0 and upwards. And here let us observe that this difference between the cost of Indian and English litigation, great as it is, ceases to appear surprizing, when we call to mind what we believe to be the principal cause of it, viz., the different circumstances of the profession here and in England: *there,* an open body, subject to all the *good* and *bad influences of free competition: here,* a monopoly, which, officers, barristers and attornies mutually endeavoured, in former times, to make as productive to one another as possible. This is the Upas tree; what we have described, some of its fruits: whereas, looking to England, we find no profusion in bar fees: liberality in bar fees the exception: the settled practice, to keep bar fees as low as possible, and to dispense with the aid of the bar as much as possible,—that is, in all cases except those in which honor, as well as fees, may be gained by the exercise of forensic talents.

Not to tire our readers with any further details, we will conclude this branch of the controversy under review with a summary of the causes which appear to us to enhance the cost of litigation here above its cost in England. They are, 1st. Bar motions and various parts of practice peculiar to the Supreme Court, in addition to all others known in England. 2d. Bar motions and other proceedings retained in the Supreme Court which have been abolished in England. 3rd. The foreign language of the Court, which makes it necessary whenever the plaintiff or defendant is a native, for the writ, plaint, bill, plea, answer, demurrer, documentary evidence and other parts of the proceedings to be translated from the English into the native tongue, and often from the native tongue into the English. 4th. The absence of the class of special pleaders and chamber counsel; and the absence of the very wide distinction made in England between leading and junior counsel: to this may be added as having some influence, the claim set up by the leading members of the bar, and recognized nearly to the present day, of having all the small business and motions of an incidental kind, which in England go to the junior counsel. 5th.

The rate of bar fees, exceeding by two, three, four and five times that in England. 6th. Douceur fees, alluded to by Sir Henry Roper under the name of "*immediate*" fees because they are received by the bar from parties. 7th. Errors (alluded to by Sir Lawrence Peel) arising from the multifariousness of the procedure, for which no barrister is prepared by his legal education, and no one man or bar can be equal. 7th. The unnecessary multiplication of counsel in common causes. 8th. The want of a proper taxation of costs, and *mala praxis* of all kinds as its consequence. Each of these heads would afford many pages of illustrative matter, for which we have not space, and we will only add finally that Sir H. Roper agrees with Sir E. Perry as to the cost of litigation, and has proposed several reforms specifically for its reduction.

After noticing the expense of procedure in the Supreme Court, Sir Erskine states that there is a small cause Court in Bombay, in which the puisné Judge of the Supreme Court presides; but the procedure is simple; and the costs consequently comparatively trifling. The entire costs to both parties of a defended cause in this court are Rs. 50; of an undefended cause Rs. 41; and of a cognovit Rs. 12; moreover, it works well: Sir Erskine says "that the materials for a correct judgment are more surely supplied in the Court of Simpler Procedure." Here then we have the question raised of the contrasted merits of the natural and technical systems, and we purpose giving it a somewhat extended consideration. To describe it in general terms, the natural system is that which brings the parties (with or without their legal advisers as they please) before the Judge in the first instance: he hears what they have to say, and decides at once, where the case is ripe for an immediate decision, or otherwise adjourns it, under regulations. Sir Erskine Perry has embodied the general theory of a Court of this kind in five propositions, which he recommends to the Indian Law Commissioners for legislative enactment, and the Commissioners have drafted an act for a Court not materially different. In contradistinction to this stands the technical system; which, though we speak of it in the singular number as if it were one and uniform, is not in fact an uniform, nor one, system; nor two, nor three, but a whole rabble of systems. We cannot say of it as we have said of the natural system, 'Its characteristic traits are so and so; it proceeds so and so; it does so and so;' for, in the aggregate, it is an assemblage of incongruities and contradictions; and therefore the comparison must be made with each part in detail. All these different technical methods, however, do agree in this,—that they keep the suitors away from the Judge

until the dispute has gone through the metamorphosis of certain legal forms, which, to the parties interested, are utterly unintelligible. These preparatory forms, at COMMON LAW, consist for the most part of what is called Special Pleading. The Suitor makes his statement to the Attorney: the Attorney to the Special Pleader first, and afterwards to the Barrister; and the Judge is ultimately permitted to hear only the question which the Special Pleader in a fashion of his own lays before him. The great despatch and economy of the Small cause court arise from the non-employment of Special Pleading, and bringing the cause before the Judge in the first instance. Special Pleading is not as the term popularly implies, *oral*; no, that would be too much according to common sense, and fatal to the logomachies of the legal Schoolmen. Special Pleadings are written: but in a language which, though English, is not the style either of men of business or of men of science, of the rude, the literate or the polished portion of mankind, or of any other class than that of Special Pleaders. We could quote with much satisfaction (but are obliged merely to refer to) Sir Erskine Perry's account of Special Pleading. Its primary object he observes, (and in this he adopts the received opinion)—is, to separate the law from the facts; in which respect he thinks it in some degree suited for an Institution, which refers the law to the decision of one tribunal and the facts to the decision of another tribunal. Our readers will perceive he alludes to the Jury system of England; but the Supreme Courts, he thinks, need no such formal separation of the facts from the law, because the facts and the law are decided in one and the same place and by the same persons. Sir L. Peel and many others will not admit the consequence which Sir Erskine here draws from the different nature of the English and Indian tribunals: they think the merit ascribed to Special Pleading by Sir Erskine makes it universally acceptable, and they gladly assume that it is the real merit of the system; but this requires examination, and to this point we shall address a few observations.

Conceding that it is a merit to separate the facts from the law, Special Pleading, as we apprehend, fails as often as it succeeds in doing it. Often what is called an issue of fact is a mere legal construction of facts, *law* really, and the process for which Special Pleading is praised has to be performed at the trial. There is a vast deal of false pretence in this boasted system. Indeed Sir Erskine afterwards says in reference to Indian Special Pleadings,—that "the true point in dispute is often not elicited at all;" that often "the law and the facts are

so jumbled up together that the Judges are obliged to give a hasty, and consequently, often an erroneous decision on the law."

To take an enlarged view of the subject we must consider the early history in connection with the subsequent growth and changes in the practice of Special Pleading; and then we shall see how little the entire body of procedure which goes under the name is entitled to the praise which it has received, and that it is become an art, a craft, a mystery,—any thing but a Scientific system.

The creation of the Schoolmen, in their hands, it was the formal application of the Syllogism to the practice of jurisprudence. Each plaint, each plea, each part of pleading, was a fact or a denial of a fact, and formed the minor proposition, the major was the legal principle, not expressed, which if not correctly assumed, and the judges had to say whether it was or not, would of course not support a legal conclusion: the conclusion formed the immediate remedy demanded on the occasion, *e. g.* damages mostly, sometimes restitution. This was their method of working out a litigation, and for the simple cases of ancient times it was not inapplicable. It had its birth at a time when debts, properly so called, i. e. specific sums of money due by bond or other formal matter of obligation; and trespasses, properly so called, i. e. acts of wrong committed with force; and breaches of covenant, then of a simple kind, were the chief causes of actions. The substantive jurisprudence of that age was also very simple. As Society grew, new kinds of injuries were presented to the Courts for consideration. The Courts thought the existing actions inapplicable to them; and these new cases were formally placed under the cognizance of the Courts, by an act of Parliament which authorized the invention of a new species of action called "on the case," because the old lawyers did not know how, scientifically or jurisprudentially, to class or name them; and which actions were intended for cases, where not a "debt" was claimed, nor a "trespass" complained of, nor a breach of "covenant," nor "a conversion" of goods by a person who had found them, but still, by analogy to well established principles of substantive law, a "wrong" had been committed. Here then we have a second stage in the history of actions: representing the growth of society, which had given rise to more diversified wrongs, and rendered the invention of a new form of action necessary to meet them.

But the invention of actions did not stop here. As society advanced and commerce became diffused, CONTRACTS of a kind

which had formerly been rare, became common, and the old forms of action *ex contractu* did not apply to them;—not the action of "debt," because that did not apply where the sum due was *uncertain*; not the action of covenant, because that would lie only on a *sealed* instrument. Here was another puzzle for the old lawyers, who, however, had become bold by the success of the last innovation; and to provide for these new contracts the action of *assumpsit* was invented, not under any new parliamentary authority, but by way of supplement to the class "on the case." The wants of society according to the narrow conception of common lawyers, were now provided for. But yet another embarrassment arose from the retention of the forms of a barbarous age, through the invention of the most able schoolmen. The ancient form of an action of debt, when applied to tradesmen's debts had for one of its incidents wager of law, and it became necessary to save the commercial interests from the operation of that barbarous relic. To do this, the Court allowed the action of assumpsit which had been applied only to complex cases to be extended to debts by simple contract.

On the whole, then, here we see two classes of actions, the ancient and the modern: the latter of most extensive application in modern times, and as if to confess the inapplicability of Special Pleading as a general instrument, it was scarcely applied to them; in one portion of them, when the statement of the complaint was special, the plea was general and gave no information: in another portion, the plaint was no statement of fact at all, but a mere legal construction of facts, and neither plaint nor plea gave any information. And this we think will satisfy our readers that the special pleading of the Courts of law is not the special pleading which those who regard only its theory have called a fine juridical invention. Its alleged object is wholly lost sight of, and the investigation before the judge and jury, if not absolutely free as to the topics of evidence, is just as free as it ought to be under the natural system. The junior Counsel opens the plaint, and tells the jury, it is "for money had and received, and that the defendant has pleaded he did not promise, and that that, is the issue:" "issue of fact," but it gives neither judge nor jury the least information. The leading Counsel states the case, as he might, under the natural system, and the plaint and plea are never again referred to, except indeed for the purpose of defeating the action: witnesses are called, documents read, a clear case is proved, and such a case as by substantive law the plaintiff ought to recover a verdict upon, and a verdict the jury would give, but the issue is that the defendant was liable for money had and received, and

the Judge thinks the proofs do not come under that legal construction: the plaintiff is nonsuited; or the jury told to give a verdict against their own judgment, for the defendant,—and that in virtue of the employment of Special Pleading: yet this is a "beautiful juridical invention!" The lawyers have themselves set it aside, except as a fee-gathering instrument; and partially to supply its pretended uses, have been obliged to introduce what was never heard of in ancient times, in no way belongs to the system, is framed in repugnance to some of its chief rules,—we mean, PARTICULARS OF THE PLAINTIFF'S DEMAND, which are a proper part of the natural system.

We will next cursorily notice the various attempts which have been made at different times to improve both the ancient and modern parts of the system. And we think they furnish strong proof of the inaptitude of written Special Pleadings. *Anciently* the parties were confined each to one statement; the plaintiff to a single count on one cause of action, the defendant to a single plea against one cause of action. And this was not a hardship when the pleadings were oral: but when they became written, the restriction (as is sufficiently proved for our purposes by the fact of its removal) became intolerable. Now, mark how relief was given. Plaintiffs first obtained a relaxation by the contrivance of stating a single case in different ways, but so as to appear, not one but several cases; thus five, six, seven and sometimes a greater number of counts or statements came to be used, when the real case could be given but in one statement, and the courts sanctioned this departure from principles, this corruption, by refusing to enquire whether in fact the plaintiff had as many causes of action as he had alleged on statement. Thus far as to plaintiffs.

The Law Amendment Act of the reign of Queen Anne established a relaxation in favor of *defendants;* it empowered the judges to permit several defences to a single cause of action,—the intention, however, being merely that several should be allowed when in fact there were several: but under color of it, pleas were multiplied with the utmost license; and this, another departure from principles, another corruption, was tolerated to make the system practicable as it respected the interests of defendants; and this state of things lasted from the reign of Queen Anne, till the Law Amendment Act of 1834, which was one of the excellent fruits of Lord Brougham's celebrated law reform speech and common Law Commission; and what then happened? The pleader's excuse for multiplying statements was, that he thereby made sure of matching the case as it should turn up in evidence, in other words of

avoiding at the trial a variance between the pre-statement, and the evidence, and also of matching the case whatever might be the legal construction put upon the facts by the judge at the trial. To remove this pretext the act alluded to, allowed variances of a certain kind to be corrected at the trial. Thus the evil was confessed; but the redress has been partial; the variances within the act are only such as are "*not material to the merits of the case,*" variances by which "*the opposite party cannot have been prejudiced:*" and all others are still fatal to the statement: but what a system,—ever to have permitted the right to be defeated by variances which were "not material." And that character, we believe, belongs to many of the variances which still remain fatal: and the distinction further shews that the evil of variances, that is, of making incorrect statements, is inseparable from the system of requiring pre-statements in the forms of pleading. We cannot leave this subject without further remarking that the remedy against variances by allowing their amendment has opened a new source of uncertainty and embarassment: first, to the pleader; who, must revolve in his mind, the probability of variances occurring; then decide of what kind they are likely to be, "material" or "not material," and at last plead in doubt, almost sure to err, if one way, to the ruin of his cause, if the other way, at a heavy expense to his client.

So to the judge also, with the evidence before him, which the pleader has not, the question is not always a simple one: and judges differ,—some being lax, others strict, in the exercise of their discretion: and the matter does not always stop with the judge at the trial—the Court in *Banco* has sometimes to decide on the right to amend a variance. This complication, without reflecting on individuals, we will call vicious because it results from the peculiarity wherein technical is mainly opposed to natural procedure.

Concurrently with the alteration which we have just described, Lord Brougham's Law Amendment Act gave the judges power for five years to make new rules of pleading; and this power they have exercised for the purpose mainly of requiring special pleading where it was not required before, that is, in the class of cases which we have distinguished as of modern and commercial origin: but, as if distrustful still of the system, the new rules do not apply to *plaints;* these consequently are as before, many of them not statements of *fact,* but mere constructions of law; i. e. fictions; and the procedure viewed as a whole, is still a piece of ill-assorted patchwork, not uniform, not carried out to a legitimate extent on any one principle, and working

ill as we will now shew in many of the new cases brought by the new rules within its operation.

The new rules came into operation in 1834: we know of no more fair mean of coming at a correct appreciation of the system in the more extended operation given to it by them, than an examination of the questions which have arisen since. Our limits will of course restrain us to a few specimens.

Two persons carried on business as millers, farmers and smiths in co-partnership: one sued the other and said *(declared)* "you are indebted to me £ — for money which I have paid for you, and for interest, and on an account stated."

The other in answer said *(pleaded)* "we were partners, and the moneys you mention arose out of our partnership transactions, which have not been adjusted between us and we have struck no balance."* To this the other replied *(demurred)* with an objection merely to the *form* of the statement, and the court came to this decision—that the plea was bad because it was *special*, whereas it ought to have been *general;* and also that as a *special* plea it was bad, because it did not shew with sufficient certainty that the money claimed was paid with reference to a co-partnership transaction.—Here then we have, according to the decision, either an insufficient statement of a good defence, or an attempt by *statement* to make a defence which was not in itself good or sufficient: if the former were the case, a good defence failed merely by reason of the employment of special pleading; if the latter, a bad defence was got up merely by reason of the same cause, that is, for the chance of success, and the certainty of delay, afforded by a difficult technical system.

Part-owner of a Ship against another part-owner.

A. *(Declares).* "You are indebted to me £ —— for money which I have paid for your use."

B. *(Pleads).* "Oh! we were part owners of the good ship "*Commerce*," and you paid the money, as you know, to our shipping friends C. and D. for damage done to their goods on the voyage to Bristol. Besides you were master of the ship and the damage was sustained through your own personal negligence and wrong doing."

A. Objects *(demurs)* to the form of B.'s statement, and the Court decides it to be bad because it is *special*—that is, the facts stated might be given in evidence under the general issue; but unfortunately having pleaded specially, the defendant had not the opportunity of proving any defence; judgment was

* This defence rests on the principle that one partner cannot sue another at law in respect of partnership accounts.

given against him by reason of his pleading improperly; his pleader's skill alone was tried: that having failed, his own case is debarred any hearing or trial.

There is a class of peculiarly commercial cases, of great importance, in which special pleading, first required by the new rules, has, we apprehend, had a mischeivous operation. We allude to bills and notes in the character of negotiable instruments, and particularly to cases in which the title of the holder is fraudulent, or tainted with grave suspicion in consequence of fraud in the course of negotiation, or where the party charged to pay, has been defrauded and consequently ought not, according to substantive law, to be called upon to pay but by some one having a boná-fide title. Now until special pleading was required, the investigation was unrestrained by predetermined special issues, and, on that account, in every respect more successful in the discovery of the truth in cases of fraud, than the present practice, which obliges the defendant to trace in detail by pre-statement the successive transfers to which he objects, and the grounds of his objection to them. True it is, that, under the old system, the party to a bill was held *prima facie* liable, on mere proof of his handwriting, and he was obliged to prove a fraud or something of tantamount effect committed *upon him* before he could resist payment: but having done that—which he could do because it was within his personal cognizance,—then the holder was called upon to prove the validity of his acquisition; and this course of proceeding was reasonable, because it obliged him to bring before the jury, and to treat as *his* witnesses those on whom he relied to establish his title; but now the defrauded party, the defendant, is not only obliged to prove the fraud on himself, but he must pre-state and prove that, and also the infirmity of the plaintiff's title; as that the plaintiff had notice of the fraud, or was not a holder for value, or not the *bonâ-fide* holder, and this merely in consequence of the employment of special pleading. And we may mention as another proof of the unfitness of special pleading for cases of the kind, the multiplication of speculative or conjectural pleas to which it drives the defendant, by obliging him to anticipate the evidence, of which evidence, coming at it often does from strangers, he can get no pre-statement. All he knows is, that the bill was obtained from him by fraud; but from A, who obtained it from him it passed to B, from B to C, from C to D; and about these transfers he knows nothing, yet he must shew by pre-statement wherein they are bad: and thus, the investigation, which the public have an interest in making, is ren-

dered nugatory by being fettered with a pre-statement, or in other words is rendered nugatory merely in virtue of Special pleading. It has turned the balance of the even-handed justice of former times, in favor of the fraudulent: it has rendered nugatory a right given by the substantive law, and which society, as much as the individual concerned, has an interest in maintaining in commercial cases especially; and generally this is its ordinary action.

From the difficulties of the defendant who has a good defence which special pleading makes impracticable, let us now consider the difficulies of the plaintiff, whom we will suppose to be the *bonâ-fide* holder of a bill, entitled by substantive law to payment of it. One would suppose, that having stated his case *(declared,)* and the defendant having answered it *(pleaded)* all pleading difficulties were at an end; but the fact is not so; the plaintiff's next difficulty is, as to the *form* in which he must reply. The fathers of the system, making rules, like other legislators, according to their own views of convenience, allowed in some cases the defendant's statement *(plea)* to be denied in a general and comprehensive manner by a replication called "*de injuria*" from its commencement; in other cases they would not allow a general denial, but required if the plea was intended to be denied, that some *particular part of it* should be selected for denial. Now, amazing subtlety has been employed in carrying out this distinction, which is merely in the taste and style of the schoolmen, incomprehensible to any but special pleaders by profession, and the constant source of verbal discussions: and hence, from the difficulty of dealing with it *secundum artem*, a special plea is often worse than an act of bankruptcy on the part of a defendant; it is better to have a bankrupt defendant, than a special pleading defendant: or a bankrupt holder of your bill, under a doubtful title, than a special pleading one: and here is an illustration. The indorsee of a bill sued the drawer, and the drawer pleaded a perfectly intelligible defence, setting up against the plaintiff, the title of a third person, viz: that he the drawer endorsed the bill to A B for a valuable consideration, and that the bill was still his, A B's, property, and he the drawer remained liable to him. This was simple and intelligible. The plaintiff perfectly well understood it, and by his reply said it was a sham "excuse" and wished to go to trial: accordingly he put in a general denial; but no, that would not do, said the defendant: mind, said he, is not a plea by way of excuse but by way of denial of title, and I object to your mode of replying. The holder of the bill (plaintiff) thinking this very unreasonable conduct on the

part of the defendant, appealed to the Court; the Court decided against him. He loses his cause merely in virtue of special pleading: or if he amends his reply, he pays the amount of his Bill of Exchange in costs of amending, and recovers probably to no purpose; as the defendant, half a rogue at first, may have become an accomplished one by his successful practice of special pleading.

Such is the system which the Judges of the Supreme Court wish to retain, while they limit their views to reforms in detail and retrenchment of establishments. They discuss like Sir E. Perry; but generally to praise or apologise for the system. Thus, Special Pleading Sir L. Peel admits, "has its technicalities;" but then, they are of "after growth:" No doubt, they are the natural fruit of the tree and we judge but by them: "and not many of them are necessary to be retained:" then why are they retained? "The nicety of the construction of the language of written pleadings," is the cause of frequent embarrassment and expense: but it "may be remedied." "Special demurrers are occasionally filed which have no tendency to advance the real interests of of the Client:" "The Court however has effectually remedied this evil:" and so on. The hard blows which others hit are here only feigned in order to be parried, and in the end the Chief Justice pronounces in favor of the system of written special pleadings: but we will give his summary of its merits:

"I do not concur with Sir Erskine Perry in his objections to the system of Special Pleading. I do not think that that system is *peculiarly* appropriate to the mixed Tribunal of Judge and Jury, and I think that the substance of the system of Special Pleading is well calculated for a Court constituted like the Supreme Court of Judicature. It throws off the admitted facts, brings prominently forward the disputed facts, prevents any uncertainty in either side of the facts on which either side relies, and tends to produce speediness and certainty of decision and cheapness of trial; it is very much the mode in which any sensible man in any domestic forum would apply himself to the settlement of any dispute referred to him by the litigants, and has its origin in simple times when a simple and natural mode of procedure was not unlikely to prevail. The technicalities are of after growth, and not many of them are necessary to be retained. The nicety of construction of the language of written pleadings is the cause of frequent embarrassment and expense, and may be remedied; and it seems to be practicable to retain all the substantial part of the system of Special pleading with all its acknowledged advantages, and at the same time to discard the material inconveniences to which it has become subject. The most obvious defect, the expense of litigation on points foreign to the merits of the case, has its origin frequently in the nicety, not to say subtlety of the construction of language. Without meaning the slightest reflection on the Bar of this Presidency, to whose talents, learning and honorable conduct I am glad to bear an honest and a willing testimony, I must observe that less attention is paid here than in England, to precision of statement in pleadings, from this cause occasionally arises expense to the suitor, and a special Demurrer is occasionally filed

which has no tendency to advance the real interests of the Client. The Court, however has, I hope, effectually remedied this evil by a late expression of its intention for the future with regard to the costs of special Demurrers of this character."

This passage, when analysed, presents, first, the singular opinion that a system which was peculiarly intended for the mixed Tribunal of Judge and Jury and differs from the systems of all the other contemporaneous tribunals, is not peculiarly adapted for that tribunal, and yet it is not employed in any other. Secondly, that the "substance" of the system is well adapted for the Supreme Court; but what is deemed the "substance" of a system of procedure, which dwells entirely in details, does not appear unless it may be collected from the reasons given. Let us then examine these reasons which disclose the substance of the system. (1) "It throws off the admitted facts." This it does not, in the apparent sense of the expression, for it is a fundamental rule that facts not expressly *denied (put in issue)*, are only not in dispute, and that the passing them over without denying them, has not the effect of an admission. (2) "It brings prominently forward the disputed facts." This it only sometimes does, often does not at all, but substitutes for facts, as we have shewn, mere legal constructions, i. e. fictions. Besides, as between different systems, on a question of their comparative merits, this abstractedly is no peculiar merit, because by every system the disputed facts must be brought forward at some time or other, or there never could be a decision upon them:—the manner, the time, the cost of bringing them forward, are the true points of consideration; and as to the manner, the time consumed and the cost of special pleading, we have already shewn, in all these respects, that it is worthy of all condemnation. (3) It "prevents any uncertainty on either side of the facts on which either side relies." It does this only where the issues are on matter of fact and special—while, on the other hand, complex issues, involving a variety of facts and circumstances under one general form of expression, issues on mere legal constructions, leave both sides in uncertainty (so far as the pleadings are concerned) as to the facts on which the other relies. (4.) "It is very much the mode in which any sensible man in any domestic forum would apply himself to the settlement of any dispute referred to him." Then there is no difference between the natural and technical systems; but there is a difference, and unless the opposite parties have mistaken their ground this is true only of the natural system.

It is unnecessary to examine the passage quoted further in detail; especially as it does evince some sense of the faults

(which we have proved) of the system; and as to their being remediable, we are entirely of a different opinion: the hoof of the camel, the horn of the rhinoceros, the trunk of the elephant, the hump of the brahmani bull, are not more characteristic and distinctive, than are the faults alluded to of written special pleadings; and this is perfectly apparent from the remedy which has been provided for them:—"the Court however has, I hope, effectually remedied this evil by a late expression of its intention, &c." and what is the remedy? Does it affect the judgment of the Court on objections of form when submitted to its consideration? No. The Court allows the same scope for such objections and decides them, as it always has done, according to the English practice of which we have given illustrations. Does it, then, disallow costs to parties successfully taking such objections? No, the contrary: generally allows them; the fault of not dotting an *i*, or of putting a full stop in a wrong place, entails the penalty of costs, if the erring party desires to *amend*,—and amend he must generally or lose the advantage of his pleading. Then, what is the remedy? That if he does not want to amend, if he can dispense with the pleading which has been declared bad in form, he shall not pay his opponent the costs of bringing him up to be taught to mind his dots and commas. So that, the remedy comes to *this*;—it leaves subject to a forfeiture of costs, him who by a strict adherence to the new Rules, has only a single count or plea for one defence or cause of action, while it relieves from that forfeiture him who has violated those rules by double pleading, and by reason of that violation can dispense with one of his pleadings.

Before we conclude this subject of Special Pleading we will endeavour to illustrate the general character of its statements, and will take for this purpose the simplest of all cases where there is the least possible excuse for refinements, viz. the special pleadings on a tradesman's common book debt. The tradesman goes to the attorney who informs himself in precisely the same way in which the judge might as well be informed of the nature of the claim; and then, either he, or a special pleader,—here a barrister, for him,—puts the case into the language of special pleading. Of the pleader's or (Indian) barrister's form and its niceties some idea may be formed by an abridgement: the pleader makes the following statement:—

"The plaintiff complains that having sold and delivered to the defendant goods to the value of £ ——, the defendant, nevertheless, has not paid for them, but refuses so to do." By common sense, sufficient; but nevertheless, wrong! or, as the

lawyers say, "demurrable;" and "demurrable" means, we wont go on, nor say one word as to the merits, until we have a better statement. The pleader should have further stated that the plaintiff sold and delivered the goods "*at the request of the defendant;*" he should also have stated that the defendant "*promised to pay for them;*" and that the defendant was requested "*to pay for them:*" and all this, though the obligation to pay results, by substantive law, from the fact of the sale and delivery, and a promise to pay is immaterial, is often not made, is implied, and no request to pay is necessary nor demand of payment. Thus, what are not facts, but mere fictions of law or legal constructions are made material, and the omission of any one entails the same consequences,—a demurrer,—as the omission of all of them.

It has been well said that the public conscience of the laws is outraged by these kinds of objections; they are of no use at all but to give employment to the profession, and that they do, but much after the old pauper system, of digging holes for the mere purpose of filling them up again at the cost of other people. This is not alone our condemnation; Sir Henry Roper, no rash reformer and probably an unwilling one, says:—

"The cost of litigation in a great measure arises *from its being for the interest of professional men to protract pleadings and to multiply incidental proceedings.* I have often thought this evil might in some degree be *remedied* by intrusting the framing of pleadings to an officer of the Court."

We have described the plaint, that is, the pleader's mode of stating a common book debt. Now let us see how he states the defence. Suppose it to be, that the defendant admits there was a sale, but says that the goods were not delivered, (e. g. they were sent, but lost on their way;) or, that he admits there was a sale and a delivery, but says the goods were not those he purchased, and hence that the dispute is whether the defendant is liable to pay for what came to his hands, as being accepted; and whether in fact there has been an acceptance; and suppose this question to be complicated with another; as, whether the original contract for other goods was waived, and whether that was a valid contract under the statute of frauds. Now for one and all of these facts, singly or collectively, issues of fact they really are, the pleader has but one form of expression:—the defendant says, "he did not promise." This is his *issue of fact;* the boasted result of special pleading: really no issue of fact at all, but a construction of law; or as Sir Erskine expresses it "facts and law jumbled together." The defendant told his attorney; "Sir, I did purchase the goods, but they have never

been delivered." The attorney says, "then you did not promise?" "Yes, Sir, I did," replies the client, "there certainly was a contract, which is, what I understand you mean by a promise, and I believe goods were sent, but they were not the right." Or, let the case be that they were lost on their way: "Don't tell me," rejoins the attorney, "I know better than you, you did not promise:" "very well, Sir, I don't understand law, I leave it to you." Does a jury, the appointed tribunal for this issue of fact, the fellow tradesmen of the parties, understand law one whit better? Do such pleadings inform the court of the legal points involved any more than of the facts? Then what is gained by this process? It has not accomplished what special pleading professes to do, but leaves it to be accomplished in an open inquiry before the jury. But it has done this: it has rejected the principle of *truth* from the inquiry; it has set aside as nought and not to be regarded every admission made by the plaintiff, every admission made by the defendant, to their respective attorneys, and which they would be willing to make, or would, as of course, make to the Judge. The plaintiff is put to prove all that is denied by the pleader; and therefore, not only is special pleading wholly in default as a statement either of facts or law, but, merely in virtue of the system, the question which the parties wanted to have had decided may never after all get to either Judge or Jury.

The drawer of a bill of exchange served a writ on the acceptor, and when he came to state his case, which was simply a demand of payment of a bill of exchange, said, "Sir, you know the bill *is due,* pay me:" the acceptor *(demurs)* and thus explains his reason:—

"You ought to have stated, Sir, not that the bill *is now due,* but that it was due before your writ was issued." The drawer of the bill, very naturally thinking this a frivolous objection, applied to the Court to set it aside, but the Court refused so to do, telling him he had better amend his plaint, in fact treating it as a good objection. We do not question the rectitude of this decision on legal principles; but we must condemn the system, which, for a moment, entertains such an objection.

A tradesman sued a customer for the price of some goods, and in stating his demand used the following turn of expression:—"Sir, on the 24th of October last, you were indebted to me £ —— for goods sold and delivered."

The customer objects *(demurs)* and with considerable show of legal reasons insists, that the plaintiff ought, in his statement, to have said, whether the 24th October was, or what other

was, the day of the sale and delivery. All four judges took part in considering this objection, which they over-ruled: but what must we think of the system which adjourns for so serious a consideration so silly an objection.

Again,—*Tradesman* to *Customer* "Sir, you are indebted to me £20 for goods sold and delivered."

Customer. "Sir, I never was indebted at all to you." On these allegations, the case went to trial, and there a question was raised, whether on such a plea the customer was entitled to prove that the credit had not expired when he was sued. The Court of Queen's Bench held he was not: The Court of Exchequer, on the same question in another case, that he was. The debts in both cases were under £20, and thus, besides the time lost, probably the whole amount in dispute was spent in discussing this mere question of the *construction of the pleadings:* the question arose entirely in consequence of the employment of Special pleadings. Here we have the *system* raising a doubt, whether a person sued for a debt is entitled to prove in defence that the debt is not yet due, and the two principal courts in the kingdom coming to opposite decisions.

To bring home this matter to men's business and bosoms we will suppose the suitors themselves to have the working of the system, while the lawyers merely prompt and direct them.

For this purpose we will assume for the *dramatis personæ*, Banker and Customer; Scene the Bank parlour; the language, common speech, only incorporating technical objections.

Banker, to *Customer* (*Sues;* in legal phraseology, making his "*plaint.*") "There is an old loan outstanding; we lent you £1,000 on securities which we afterwards allowed to be withdrawn: the period of credit is expired, and we desire payment."

Customer. Very well, Sir, there was a loan I know; is that all you wish to say on the subject?

B. Yes.

C. (Puts in a "*demurrer.*") Then I must tell you, Sir, I will not pay you upon that mode of asking, nor till you have asked me in a proper manner.

B. Do pray, Sir, explain yourself. Have I lost my senses or have you lost yours? I have told you, 'we made a loan of £1,000 and that the time of credit is expired; and that we wish you to pay us: what do you mean by asking you in a proper manner?'

C. (States *Special causes of demurrer.*) Excuse me, Sir, I keep at home a very acute person, called a Special Pleader; who assures me that if a creditor asks for payment of a loan, he should describe the loan as lent "on request," and that the debtor needs not pay on a simple statement of the fact of the lending.

B. Oh! is that it? Very well: excuse me; but your acute friend is not a man to help on business; however it makes no difference; we will say just what you wish; only do pay us. (Here the Banker amends his plaint as suggested.) "We lent you £1,000 on request; pray do pay us."

C. But, Sir, there is another thing I forgot: (suggests another special cause of *demurrer*) "you have not said, that *I promised to pay you* "*on request.*"

B. Why man, what do you mean?

C. Pardon me Sir, I am sure you respect the laws: and I only tell you what my acute friend the special pleader tells me is necessary; I thought it was unreasonable, but he assures me it has been so decided by all the judges.

B. (*Amends* his plaint again, to get his money.) "Now then pay me."

C. Certainly; but I must deduct £20 for my friend, the Special Pleader, behind the scenes, who taught me how to correct your mode of asking for payment.

B. (Losing all patience.) Why, Sir, it is worse than the black mail of olden times (*Customer*, interrupting him, "call it the black mail of the law if you please,") when men quietly suffered part of their chattels to be carried off, for the sake of keeping the rest and getting rid of the banditti.

C. True Sir. But bad policy that; better to resist. (Pays the debt and walks off.)

But the same system furnishes the same sort of weapons to the Banker.

Banker to *Customer.* "We have lent you, Sir, £10,000: and we wish to close Accounts."

Customer. "£10,000. Why, Sir, that is the aggregate of all your advances ever since I dealt with you; there is a small balance, I know, and but a very small one."

B. Why, Sir, we know the forms of law throw great difficulties in the way of creditors, and especially of bankers: and owing to these forms we must leave you to discharge yourself as you can: you know the balance; pay us that and we shall be satisfied.

C. (Pleads payment) "I have already paid you."

B. (Puts in a *demurrer.*) "Well, Sir, that will not do."

C. "Why not, Sir. Do you deny the fact of any payment."

B. Oh, no, Sir, but I keep a lawyer at home, a Special Pleader, who tells me that when you said you paid the debt,

you ought at the same time to have confessed that the debt had existed.

C. "Is that your objection, Sir, to the assertion which I make that I have paid you."

B. "Yes."

C. (*Amends.*) "Very well, Sir, any thing for a settlement."

B. "That will do; but you must pay me £20 for the Special pleader who has taught me how my customers should plead when they say payment."

C. (Aside, *Sotto voce*) "Oh! you simpleton, to put yourself into the hands of a lawyer; while you have been discussing my form of speech, you have been postponing the final settlement of accounts. I know you wealthy and respectable: these lawyers make us all by turns rogues to one another."

Managed by a professional class, the system is a learned mystery, and is tolerated by the public in ignorance. The priests alone of the legal temple have been permitted to be seen; but now, at last, the veil is partially rent in twain, the shrine is half open, and what is revealed is a false image of justice, hollow and worthless as a painted idol. We appeal to the morality of the age, to its enlightened, liberal, humane reason against such a system. It belongs not to an enlightened age; nor in its present state is it conformable with the original invention. It is not what it was in the hands of the schoolmen. It is a corruption of language, an abuse of art, a misnomer of science; only not a shame and disgrace to society, because to society it has been an occult science; but revealed now, we are entitled to say, "Reflect, you Bankers, merchants, tradesmen, you men of honor and you religious men; suffer no longer to be perpetrated in your names and at your expense the vices of a system which are abhorrent to your love of truth and all your good and just principles; there is not one of you that may not at sometime be involved in litigation; we have put in an intelligible form what your agents, as of course, say and do for you; would you do it yourselves?"

We come next to the subject of EQUITY PROCEDURE, of which Sir Erskine Perry first gives a general description, and then illustrates it by a case on the Equity side of the Supreme Court at Bombay, finally decided by himself after ten years and a half of litigation. Yet it was a commercial and common sort of case; a claim of between 2 and 3,000 rupees (£2 and £300) upon the estate of a deceased person.

Sir Erskine notes the several stages of the suit: first, a bill filed: then defendant's answer in which he admitted the claim, but alleged that he had no assets of the testator; next

a better answer; then an amended bill; then a new answer; then an amended bill, answer, replication, rejoinder. So far pleadings. Next the cause was argued and reference to Master decreed; master's report made: to which defendant excepted: exceptions argued and overruled; and then further reference to master decreed: master's second report, to which, as to the first, defendant excepted; defendant's exceptions argued and overruled; and final decree for plaintiff.

Now as to one principal point,—the claim,—how really unnecessary this complicated procedure, is evident, when we reflect that it (the claim) was admitted and would at once have been recorded as admitted, if the defendant had been summoned; and a mass of statement, of interrogation founded on it, of charges and of pretences, and consequently of expense, would thus have been saved. And then, as to the point really in dispute,—whether the executor (defendant) had assets of the testator,—it was twenty months before the creditor (plaintiff) could elicit from the defendant all the information he was entitled to have from him by *answer;* and ten years before he obtained the Report of the master. Now, by the natural procedure the defendant would have been summoned, and he must have answered as to assets immediately; the examination being *vivâ voce*, would have obtained in two hours all the information, obtained only by three bills and four answers; and then the case would have been adjourned under regulations, and at two or three meetings, in two or three weeks or months, the evidence taken by the judge himself, and a decree made in a few days or weeks afterwards.

Sir Erskine indeed well observes:—

"If the case above cited had any extraordinary circumstances connected with it, it might be safely passed over as anomalous; but it is not so, it was a mere debtor and creditor controversy, and under a simple well regulated system of procedure, it ought not to have lasted more than six months. If the plaintiff and defendant had appeared in Court on the first day of the suit, it would have been evident that a decree referring to the master must be made, and three years and a half of litigation would have been saved at once, and if the witnesses had been produced in court on any day or days after the first six months, all the facts on which the case subsequently turned might have been proved, and the same decree made, which it cost ten additional years under the present practice to obtain."

Sir Erskine has not stated what sum the costs amounted to: by the lowest estimate we can make, the plaintiff must have been called upon to advance Rs. 1.200 (£120) for fees to Counsel, and probably half as much to reimburse the Attorney for office copies of proceedings and *translations* of papers. A more grievous tax we cannot conceive. And the case is

worse where the litigation concerns the enjoyment of property: whilst the parties are left to the same routine of interminable procedure, the Court put its "broad arrow" on the property; sells, leases, lets it go to ruin at pleasure. An equity suit at once destroys a great part of the commercial or exchangeable value of property. And scarcely a pice will the Court part with, without a motion by counsel: and oftener than not, a reference to the master; and then the master reports, and counsel moves again; and often at last as much is paid out for costs as is ordered to be paid to the party. Thus it is, that hundreds of wealthy families are ruined by Equity procedure; they look at the magnitude of their property, they forget to deduct from it one half as the tax inexorably levied for procedure, and suppose themselves just twice as rich as they are; and to crown the whole they can never obtain their instalments either when they want or are entitled to draw them. When will this game of law be properly understood by society? It consists in treating the separate interests of different members of the same family, of brothers and sisters and nephews and nieces, &c. as hostile, and playing them off against one another. Barristers, and attornies from the first, and now and then at last, some of the more reflecting of the unfortunate parties themselves, understand the game; and we fear no contradiction in saying that the surest annuity out of the richest estate is that secured to the lawyers by Equity procedure.

Sir L. Peel is equally enamoured with equity procedure, as with common law procedure, and has described in considerable detail two cases, one an English the other an Indian one, and cites them as quite beyond the capabilities of the natural system. To us, desiring only the most sound improvements, tests of this kind are particularly welcome, as more striking than abstract reasonings; they are so seldom resorted to, only because few persons are capable either of selecting or applying them; the present controversy ought to be memorable from the prominent introduction of this species of argumentation. The cases selected are equity ones,—selected from that class probably because they are generally regarded as more difficult; which, *in their own nature*, they are not; and if they are more difficult as subjects of practice, it is only on account of the cumbrousness of the machinery employed about them. Sir L. Peel introduces the cases in the following manner:—

"I will first select the case of *Few* and *Guppy*, a case of no particular complexity. In that case a vendor filed his bill for a specific performance of a contract of sale of real estate. The vendee had been let into possession; and being in partnership with others, they had dealt with the property in the affairs of their partnership in a manner which it was said was injurious to the estate and permanently diminished its saleable value."

Such is the case so far as the facts are concerned.

Sir L. Peel thus proceeds:—

"This (state of facts) was relied on by the plaintiff, not as the ground for compensation in case it should appear that no title to the premises could be made by the vendor, but as evidence of a waiver of title and the acceptance of the title such as it was."

Sir Lawrence then comes to the *experimentum crucis*, first on the supposition that the party who has such a case as the above, is without the means of obtaining professional aid, and afterwards on the supposition that he has such aid. But it will be better to present the hypothesis in the author's own words:—

"Now, I will assume that the plaintiff in such a case had no means to resort to professional aid, and that the Judge alone could furnish him with the aid necessary to the institution of his suit in its most advantageous form."

We will not stop to inquire what is meant by having "no means to resort to professional aid,"—whether it refers to the poor man who has no money to pay institution fees or fees of attornies or counsel, or to a local dearth of professional persons: be that as it may, the hypothesis is not an imaginary one; but what we have to note as particularly important is, that it involves the following assumption; viz. that the natural system opens the doors of the Court and makes justice accessible to this class of persons,—a class debarred by the present system, as much as the man without his gold mohur or guinea is debarred from dining at the London Tavern, or taking up his abode at Spence's Hotel. That such persons may find themselves at a great disadvantage in comparison with others is clear; but that circumstance is not chargeable against the system; and the argument founded upon it really comes to this, or is worth nothing, that those who have not the means of resorting to professional aid ought not to be allowed (as practically is the case under the technical system,) to institute a suit for the establishment of the rights which by substantive law belong to them.

Let us next give the very picture drawn by Sir L. Peel to illustrate the misfortune which that numerous class would suffer if the Hall of Justice, now so inexorably closed against, were opened to them—

"The plaintiff would have but an imperfect notion of his rights, but would resort, in the first instance, to the court. The Judge, supposing him to be quick at ascertaining facts and able to evolve them from the confused statement which would probably be made to him, with his faculties alive to guess at facts either studiously concealed or omitted from inadvertence,

and above all, having leisure to conduct this investigation, would at length become acquainted with all or the most material of the facts of the plaintiff's case. Upon that he would have to consider, first, whether a good Title had been waived; if not, whether a good Title could be made, a question often of very considerable difficulty; upon that he must either decide rapidly and perhaps erroneously, or he must take time to consider it, but decide it he must, in his own mind, in that early stage of the cause, and *ex parte* before the suit can be instituted. Let us suppose that he thinks a Title can be made and the suit proceeds on that supposition, being prepared under his directions in the proper form. At the hearing, the defendant being like the plaintiff, *inops consilii*, would not have the means of shewing that the Judge had mistaken the Law, that he had overlooked this authority or misunderstood that, but still he might, if he were an intelligent person, bring certain facts to the Judge's knowledge or to his attention which had been either unknown or not sufficiently attended to before. The Judge whom we will suppose to be honest enough to correct his error, which I believe to be no violent supposition, would dismiss the suit prepared under his own advice and in the mode in which he had prepared it. Would this be likely to inspire confidence in a Court, or to give satisfaction to the public and the suitor? But suppose him to decide in favor of the plaintiff's claim, would not the defendant declare that his case was prejudged before it was heard: and that the plaintiff having first gained the ear of the Judge, had irrecoverably biassed his mind against the defendant. Let us suppose on the other hand that the Judge had thought that no claim of Title could be made. Would the plaintiff be contented? He would himself be unable to bring the question properly before the Judge for want of legal knowledge: would he be confident of the infallibility of the Judge? He might have thought under legal advice whilst he had resort to it, that, as a good Title which the Judge thought a bad one. Whatever his dissatisfaction he must acquiesce; there would be no appeal, and his suit would then be instituted as for a compensation, and in that suit other parties would have to be included, and its termination would be protracted by questions in which he would be unconcerned. But above all, it would not be the species of redress at which he aimed, and to which he thought himself entitled. In like manner as in the preceding instance new facts or new views of them might, even under this aspect of the suit, bar his recovery, or limit it. The decision would be subject to the same reflections as in the preceding instance. Again, in such an aspect of the suit, not only would the plaintiff's claim for compensation have to be considered with the deductions, but the claims of the parties liable to the plaintiff, to be adjusted *inter se* with all the various questions arising out of partnership transactions and to a certain extent, these must be determined upon in an early stage of the suit."

We do not admit this to be either a good likeness or a good caricature of the natural system; but, passing over its faults both in form and coloring, and examining it dispassionately we must say that it is adapted to make an impression rather in favor of, than against the natural system. For, besides that it exhibits a party in Court suing for justice, who has now that common right at present, it represents the Judge as having arrived at the true and proper question, the question attained with so much difficulty and at such enormous cost by the technical system. Sir L. Peel then being the Judge in the application of his own test, the natural system has had a safe deliverance; though the Judge has also been prosecutor witness and counsel; otherwise he would not have so entirely misrepresented the question which the supposed Court has alone to decide on an application for a summons, and which would be, not as represented, whether the applicant had a good title, but whether there was a case for a summons; and therefore the objection that the Court would decide *ex parte* at this early stage, is a mere figment of the imagination. And, as pretty nearly the same, must we hold the objection to the Judge's preparing the suit "in its proper form:" which terms are not at all applicable to what passes on granting a summons, and not appropriate to the function of the Judge even at the preliminary investigation: though were it so, that he did prepare the suit, considering the hypothesis which forms the starting point, that the parties had no means to resort to professional aid, it would not be a just ground of objection if a suit were necessary and it required formal preparation: for preparing the suit would only be predetermining the questions to be decided upon and the method to be employed in their investigation.

Having succeeded, as we hope, in proving the competency of a Court of natural procedure for such a case without the aid of Counsel, it appears almost a work of supererogation to consider its efficiency when aided by Counsel; but the reader may desire to see Sir L. Peel's observations: He says,—

"I will next consider the case on the supposition that the plaintiff has the means of access to professional aid in like manner as he has at present:"

And then come the objections,—"His (the plaintiff's) Attorney would collect the facts from him: would elicit those not originally communicated, and would then lay his case before Counsel, who would, after looking into the authorities, and anxiously considering the case on his own responsibility, advise a particular course of procedure:" good: so far it is the course pursued in important cases under the existing system. "The resort would then be to the Judge;" that is; for a summons: "now in such case what would his functions be?" We have described them: the reader has our answer to this question: the Chief Justice puts it not to answer, but as a prelude to other questions: "Is he" (the Judge) "to be the mere scribe or entering clerk to put in a legal form what the Counsel directs to be done? Is that likely to degrade the Judge or not?" The Judge is not degraded, nor converted "into a mere scribe or entering clerk," who sits to hear Counsel apply for a summons, any

more than a Judge of the Supreme Court can be said to be so when sitting to hear the motions of Counsel. "But the barrister would insist on seeing that the suit was rightly instituted, and that his directions had been complied with, and his demand would be reasonable and just; the judge then would be subordinate to the Barrister." Not at all. The privileges of the Bar would not be enlarged, and it was never before said, that those privileges placed the Bench in subordination to the Bar, nor will the Barrister have the right to insist on more than he can now, a hearing for his client. "But if the Judge is to exercise a judgment, he must then examine into the case, and review the opinion of Counsel." Yes, he must, so far as to be able to say whether he will grant a summons: generally Counsel will have little more to do at this stage than ask and have, the application being simply for a summons. The rest of this singular piece of argumentation we would give entire but our space will not permit: but the rest like the above, we deem quite unworthy so learned and able a person: shots at random are not wider of the mark: nor he more out of the way, who, wishing to go to the Sandheads, takes his course up instead of down the Húgly. The functions of counsel in a court of natural procedure will be precisely what they are now. Counsel moves for a Rule, explains the grounds in fact and law of his application: and the court refuses or grants the rule, and so would at discretion refuse or grant a summons. The danger most to be apprehended would be too great facility in granting summonses. Parties would not necessarily go away dissatisfied with a refusal; many would be tentative applications; and Suitors and Counsel well know they are not always right, nor always select what is best even for their own objects: they do reflect, and respect a court the more for administering the law according to its own abstract, impartial, elevated view of it.

We will now give our view of the operation of the natural system of procedure in such a case.

By the natural system, the seller would go before the Judge for a summons: on the day fixed, the parties would appear, and in the presence of the Judge there would be a preliminary investigation: each would make his own statement the Judge would first perceive the cause in rude outline; as that it was about a contract of sale and certain premises in the possession of one of them: that the parties before him were respectively the seller and buyer: the contract probably would be handed up to him: he would perceive there was no difference about the price; that the purchaser had been let into posses-

sion: that there was a difference of opinion about the Title; and a further difference as to the right of the purchaser to object to the title, in consequence of the manner in which he had used the premises since he had come into possession: there would be a great deal of talk about new buildings and alterations. All this, and much more would pass at the preliminary investigation; a discussion would then as of course arise as to what questions should be adjourned and would require formal decision. The Judge would observe what facts were disputed and what not. If he classed them wrongly the parties would correct him. Both parties would agree that one question was, whether the vendor had a good title. As to the manner in which the purchaser had used or altered the premises, that would require further investigation; in short, a formal trial: these therefore would be the adjourned questions. The Judge not "cribbed and cabined" in a common law jurisdiction, or in an equity jurisdiction, would open the code of substantive law in his full competency to disclose all the rights written therein, and would shew the parties their legal relations; and he would fix a day for the parties to attend to investigate the question and receive his decision. Probably the investigation would be considerably narrowed by a little more or less of preliminary sifting, and as to the question of title, probably, a statement in the nature of a special case could be prepared at once, so as to leave nothing but a legal argument. The parties would discover from the nature of the procedure that they could gain nothing by chicane, and that they would save their own time and diminish the trouble of the Judge by admitting facts which could unquestionably be established by evidence.

The second case stated by Sir L. Peel is known in Calcutta as the Gonsalves case: we will give the learned judge's own statement of it:—

"I will now select a case lately under the consideration of this Court. On a settlement upon a marriage treaty, the mother of the intended husband having a considerable real and personal estate, conveys by one Deed to which the intended husband and wife are parties, the real estate to Trustees in trust for herself until the marriage in fee; upon the marriage to herself for life, remainder to the husband for life, or until he should be adjudged Insolvent: and after the death of the husband or that adjudication, to the wife for life using words of Limitation of a singular and ambiguous character; with other limitations over. The personalty was conveyed by another deed to the same Trustees upon nearly similar Trusts, but with a variation of language. Both these Deeds were very unskilfully framed, and the meaning of the limitations to the wife was by no means clear. The marriage took effect. The husband was adjudged Insolvent in the mother's life time. A divorce, *a Mensâ et thoro*, took place between husband and wife. The

mother died. She left property to her son who paid to the Assignee under his Insolvency the amount of all the debts, and claimed back the Estate which the Assignee had claimed. The wife insisted that the Estates were her's under the shifting clauses. Her claim was resisted by the husband. She filed her Bill."

Such are the facts. The questions which arose are stated as follows:—

"The questions that arose were, did the Settler mean an Insolvency after her own death, or an Insolvency at any time? What effect had the cesser of the Insolvency? Did the wife take any Estate in possession immediately on the cesser or was there a resulting use and trust to the Settler, and if so, in whom, was the present interest? If she took a present interest, was that subject to the *jus mariti*, and so the property of the Assignees? And if so, had she a claim for a settlement and to what amount. Now let us suppose the parties stripped of professional aid."

Now, with a view merely to testing the system, we do not object to the supposition of parties being without professional aid in such a case, though it is highly improbable, for there was a clear estate of three or four lakhs (£30,000 or 40,000); in fact all the costs were paid out of the estate; and in such cases it is a common practice to make the property pay the costs of all who have reasonable grounds for joining in the litigation; a court of natural procedure would have the same power to direct the costs to be paid out of the estate, as a Court of Equity has at present.

Here follow the objections which Sir L. Peel makes on the supposition that the parties are without Counsel:—

"Let us suppose the woman to become acquainted with her rights, she would necessarily be ignorant of the extent and actual state of them. The Assignees and husband would scarcely be wiser. They all or some one or more of them resort to the Judge. In such a case how hazardous would be the position of the parties. A judge, unaided, could not probably on the mere view of the facts, unless he were singularly gifted with knowledge, diligence, and patient investigation, discover on the first resort the points on which the decision of the cause should turn. Is it too much to say that he might never discern them? It is the consequence of an argument at the Bar sometimes to direct the attention of the Court to points which may have escaped the attention even of Counsel. A case clear on the first view of it, and in which the difficulties are concealed from view would in such a tribunal as that which Sir Erskine Perry recommends, be almost invariably decided on first impressions. A Judge, with no criticising public, and few, save professional men, are competent critics of the decisions of a Judge, would be in the greatest danger of falling into a careless and hasty decision of causes, and I should fear that few could be found whom it would be safe to intrust, especially in a country like India, under a system such as that which I am considering, with the discretionary and irresponsible powers with which it would intrust them."

Now it is not suggested here, as it was in the other case, that the parties would have any difficulty in obtaining a summons

The judge would at once perceive it was a case of some importance, and probably at a glance would perceive from the most crude statement, that it was a dispute about the operation or import of clauses in a marriage settlement, considered in relation to the circumstances mentioned. The summons being granted and the parties before the judge, a preliminary investigation would take place: there would appear to be several facts which were undisputed: e. g. that the parties were as represented; husband, wife, official assignee, and trustees: that the husband had been an insolvent: that the insolvent's mother had since died and left him property out of which his creditors were paid in full: that the husband and wife were separated: that there was a marriage settlement, and no dispute about its identity, genuineness, or execution; and finally, that in consequence of the husband's insolvency the wife set up a claim under the deeds to property claimed by the husband.

Now all this would appear upon the preliminary investigation; and under these circumstances the judge would have to fix a day for the hearing, and to regulate the further proceedings. Each party would be asked if there were any further facts, and any facts at all on which the wished to offer evidence. The judge would endeavour to do his best; it would be a hard situation to be placed in, but no fault that of the system. Perhaps he would say, 'I cannot make up my mind at once what are the precise points of the case,'—but decide he would,—a merit which could not be predicated of the existing system, which would not let the case get to the judge because the parties had no means to resort to attornies or counsel.

Let us now suppose that the parties are aided by Counsel; and see how great is the advantage of bringing the case before the judge and giving him a regulating power at a preliminary stage of the proceedings. As the admissions shewed that the official assignee had no interest,—(for the creditors had all been paid)—the Court would dispense with any further attendance by him, his Counsel, or Agents: next, as it would appear that the wife's interest was protected by the trustees, it would be declared unnecessary that both wife and trustees should be separately represented by counsel or other professional persons at any subsequent proceeding: and finally it would appear that the ends of Justice would be answered by having the case heard much as "a Special case" is at present.

Now having arrived at this stage let us pause and observe some of the evils of the technical system which have been

avoided by the preliminary investigation. All questions (costly ones they are) have been avoided about the *parties*, as, which are proper to be made plaintiffs, which defendants. Next there is no long bill framed on the hypothesis of every single fact being in dispute, when the reverse is the case. Next there is no long formal answer required from any one. A note of the judge has dispensed with whole acres of statements, interrogatories and answers in writing. The official assignee had no interests to protect: and would not be allowed to follow the procession of the cause through every stage, as one of the actors from beginning to end, and to be represented at the trial, by one, or by two, counsel. Although the wife's interests were protected by the Trustees they were represented by separate, each, two Counsel: thus, out of a case really lying in a small breadth and compass, seven Counsel, as we are informed, were employed and seven briefs manufactured, whereas the Court of natural procedure soon brought the matter to a Special case; and Special cases of the most difficult kind are argued by only one Counsel on each side; a second sometimes, not always, attends to take notes of the argument.

Let us next turn to the communication of the Chief Justice of Bombay, Sir Henry Roper, who has entitled himself to the public gratitude, for his exposition of facts, candid appreciation of faults, and liberality in the suggestion of remedies on the two principal subjects of Special Pleading and Equity procedure: and, at the same time, he is an independent witness on some points about which the other judges appear to differ. If heads had to be counted we should number Sir Henry in the same class of law reformers as Sir Erskine Perry. About all the circumstances which create the necessity for reform they agree. The equity changes which Sir Henry suggests are near approximations to the natural procedure. They agree also about the cost of litigation: Sir Henry condemns it in very strong terms, and as to its *cause*, says very pointedly;—"The cost of litigation in a great measure arises from its being for the interest of professional men to protract the pleadings and to multiply incidental proceedings." The remedy which Sir Henry suggests is fairly deducible from this view of the evil; it is, to substitute official for professional agency, and divest the former of all interest in protracting and multiplying the steps of procedure. Sir Henry would have the pleadings framed by an officer of the Court, with an option to the parties to prepare them, but at no greater cost as between party and party than when the officer frames them. Our objection to this is, that if the greater costs are reasonably incurred, the

adverse party failing ought to pay them; and if they are not reasonably incurred they ought not to be allowed even against the client. Sir Henry thinks it might be advisable to allow a fixed sum for each stage of the litigation. But if the procedure were rational and intelligible, professional remuneration might, we think, be left free, and competition, we doubt not, would place it at a just level. With respect to the system of pleading, Sir Henry proposes to discard the abuses, but retain it, as far as it is essential to logically conducting altercations. This is an excellent general proposition, and one branch of it Sir Henry well illustrates by a reference to the simple memoranda which constitute criminal pleadings. The entire pleading of the accused in a case of murder is "non cul," and is sufficient to save an innocent man from hanging. By analogy, in a civil case, the words "never indebted," "payment," "set off," "bankruptcy," "plene administravit," and some fifty others like, would be sufficient. A few general rules would guide the abridgment of pleadings which must be circumstantial, and we would suggest that the plan of the recent act for the shortening of conveyances might be extended to pleading. We would consign the thousand pages of Chitty, the four hundred of Petersdorff, the ten thousand of Wentworth, to the Schedule of an act of Parliament, there to lie without the possibility of resuscitation, and in one short enacting clause give to a marginal abridgment all the meanings and effect intended in these voluminous scribbles. Such changes would put an end to frivolous objections of form: but they do not comprise a preliminary investigation *before the judge*, for the purpose of settling the pleadings or issues, as the Commissioners propose, or as we should prefer, of preparing the case for a formal trial or hearing with or (as the case might be) without issues or pleadings.

Sir Henry disapproves the plan of a preliminary investigation, for chiefly the following reasons:—

> "Were he" (the Judge,) "to preside at the oral wranglings of the parties and to superintend the making entries or minutes accordingly by way of pleadings, his authoritative position would indeed invest him with coercive powers: but through excess of zeal or infirmity of temper, when provoked by tricks and stratagems of suitors, he would have recourse to measures of a severe character, or admissions might be in effect extorted. Any impatience or indolence on his part might also produce much mischief."

But surely an officer having in this respect the same functions would be as likely to be betrayed into impatience or indolence, and the consequences, we apprehend, would be worse, for obvious reasons. And then as to tricks and stratagems provoking the Judge's severity, or leading him to extort admis-

sions; it is one of the just reproaches of the present system, that it gives unbounded scope to "tricks and stratagems;" they are among the staples of the professional art, but the public regard them in the just light of great moral and social evils, and would deem it a merit in any system to repress or prevent them. And where can a power of this kind be so well vested, for calm and deliberate exercise, as in the judge? "Tricks and stratagems" are the natural fruits of a bad system; the most honest fair dealing suitor, assured that they will be employed against him, is told that he must use the same weapons: and thus the law of procedure is habitually employed in undermining the public morals.

Sir Henry proposes various very important reforms of equity procedure, which are evidently bona fide meant not to prop up but to correct the system. The main object in Sir Henry's view is to shorten the pleadings and to prevent the multiplication of incidental proceedings. "The interrogating part of the bill might be omitted in the first instance;" and an officer might orally interrogate the defendant consistently with the scope and spirit of the bill, and the replies would form the answer: but Sir Henry would give the defendant the option of putting in his answer by the aid of professional agency as at present, under the same restriction (we presume) as to costs, already discussed in relation to special pleading. "Omissions or defects might be supplied by additions to, or amendments of the bill and by interrogatories oral or otherwise." "Witnesses in suits in equity should be examined orally in court as in a trial at law;" and if a point in equity arises in a suit at law, the court should decide it at once, without, as at present, an injunction or other suit in equity. This is a large measure of reform, and a near approximation to rational or natural procedure: indeed, it would be scarcely distinguishable, if the answer were to be taken by the judge instead of an officer, and the like privilege (for such we deem it) were given to the complainant of stating his complaint orally: the consequence then would be, that incidentally, and in virtue of the method of procedure, if not *stricti juris*, the interrogation or examination would be applied to both parties: facts admitted would be ascertained at the least cost or waste of procedure: simple cases would retain their simplicity; and for complex and exceptional ones there is no method within the whole range of technical practice which might not be adopted *pro hac vice*, with all the added advantages to be derived from any of the methods of natural procedure.

Sir L. Peel, though opposed generally to all other Indian Reformers has suggested various changes, in the practice and

procedure of the Supreme Court at Calcutta, and which are entitled to our notice: they have much merit, abstractedly, we admit; but, relatively to the manner and circumstances of their appearance, can only be regarded as obstructive to better. They would, indeed, be some relief from those misapplied exaggerations on the English system so well pointed out by Sir Erskine Perry and the Law Commissioners; but no remedy. To pursue the metaphor;—they might diminish the pain but they would leave the cancer: even the proposal of them may have a mesmeric influence on the public for a time; but, if effected, the operation of cautery would be as necessary for a final cure as ever. But they never will be effected; for they have this capital fault,—they are not supported in any quarter; neither by the Indian Law Commissioners nor by the Indian Judges generally; nor by the Indian Bar; in short, they have done the service of preventing the establishment of the Court of subordinate jurisdiction proposed by the Commissioners; and now, in a great deal of good and bad company, they are deposited in the limbo of Leadenhall Street, where great and small reforms alike are apt to find their doom by the policy of our honorable masters.

Sir L. Peel has comprized his plan of reform in two pages and a half: it is the reform not of a philosophical jurist but of a common lawyer,—the leading idea being, how to extend common law jurisdiction at the expense of equity jurisdiction. Equity jurisdiction he divides in the following manner:—

"The jurisdiction in equity may be divided thus: 1st. Purely equitable; 2nd. Concurrent; 3rdly. Legal but administered in equity."

And then as to the first, in three short lines, to wit, the following, are set at nought, as appears to us, all the previous argumentations:—

"Where the principles of equity are ascertained and have in effect become a species of law, there is no reason why they should be administered by a separate tribunal, and why they should not be transferred to a court of law."

There is an end, therefore of the Chancellor's jurisdiction. But, then, when equity is fused into common law, is special pleading to be extended to *quondam* equity questions? Of course it must: for, by transference to common law reasonably must be understood, applying common law procedure to them. But then again, if so, how reconcile with this Sir Lawrence's previous defence and apology for equity procedure.

We need not notice separately Sir Lawrence's second and third divisions, for if the "purely equitable" may be trans-

ferred to common law, *a fortiori* may be, the "concurrent" and "legal."

Sir Lawrence having divided his subject in the manner we have shewn, pursues it into the following details. "Accident and Mistake;" "Specific Performance;" "Trusts;" "Dower and Partition;" "Account;" "Infants and Lunatics;" "Summary jurisdiction;" (though this, instead of being a separate subject, is a method equally applicable to all the preceding). Against "ACCIDENT and MISTAKE" Sir Lawrence would give relief at Law. Well and good as far as it goes; but defective, (as appears from Sir Lawrence's illustrations;) and leaving a resort to equity procedure for the correction and redress of accidents and mistakes in some cases still necessary. SPECIFIC PERFORMANCE might, "to a considerable extent, be effected at Law:"—"to a considerable extent," then, as the phrase implies, a resort to equity procedure would still be necessary. "If a question arise as to title, the court should itself determine the question, *unless the investigation were one of a protracted character.*" Good again; but again under an arbitrary limit, which might be shifted at discretion, and applied either so as to send little or nothing to the master, or all but every thing. "The examination of parties at law would be the substitute for a discovery in aid of a suit at law, *where a ground was laid for a discovery on a summary application to the Law Court.*" Again a right neutralized by the associated conditions: and those conditions more onerous than any existing at present. To restrain the right to as small a number of cases as possible, is the object; while on the contrary, the Law-Commissioners propose to give both parties the right of examining and cross examining each other in all cases, which is the best of all methods of discovery; as common sense would also dictate, and as is recommended by a great party of modern Law-Reformers. TRUSTS should remain subject to the jurisdiction in equity, but then, "a summary process would in most instances suffice, whether the object were simply an account or the construction of an instrument." But "summary process" in the Supreme Court, is only less dilatory than regular; as full of abuses; needs reforms as much; and in the one case where Summary and regular process are concurrent, *e. g.* in motions for an injunction to restrain an action at law, the "summary" parts, i. e. the affidavits, are nearly as long as the bill and answer. DOWER and PARTITION. "The equity jurisdiction on these heads being founded on imperfection of powers in courts of law, there seems no ground for its retention. If retained however the process should be summary as it is in partition." But summary partition is summary ruin; of the many rich native estates to which it has been applied, not 5 per cent. of five in a hundred have remained for 12 months after a partition, to the litigants. As to ACCOUNT,—"there is no reason why resort should be had to equity, unless the question involves the execution of a trust:" and as to INFANTS and LUNATICS "the jurisdiction should be summary, and instead of a commission of lunacy the court itself should examine the witnesses."

Such are Sir L. Peel's reforms. We have, as we believe, already justly characterized them; and we come next to the proposal of the Indian Law Commissioners who have drafted an act for a model court of subordinate jurisdiction, first to be established in Calcutta, and afterwards in other parts of India. At present we shall confine our attention to the procedure of this court, though we highly approve, and commend to the notice of Law Reformers at home, the Report containing the exposition of the principles of its constitution. Sir L. Peel takes great pains to shew that the procedure proposed for this court, and the five propositions of Sir Erskine Perry essentially differ. But grant that they do differ: then, we say give us either: but Sir L. Peel objects equally to both; and consistently; for, to us they appear not essentially to differ; and quite sure we are, that Sir Erskine Perry like ourselves would most readily accept the scheme of the Law Commissioners.

The Commissioners require every plaintiff bringing a suit to appear in person before the judge, and, orally or in writing, to lay before him the facts which constitute his claim. They empower the judge to refuse a summons if he thinks the plaintiff has no cause of action; but against such a decision they give the plaintiff an appeal. They entitle the plaintiff and defendant to cross examine each other as to any matter affirmed or denied on either side in pleading; and their method for taking the evidence of witnesses is, a *viva voce* examination.

Now, all these,—the characteristics of natural procedure,—to which indeed the name owes its significancy, are embraced in the five propositions of Sir Erskine Perry. Agreeing so far, let us now examine the proofs that they at all differ. The Law Commissioners have condemned special pleading as practised in the Supreme Court, but have praised its principles and utility when conducted *orally*.

They have said:—

"The truth is that special pleading, that is to say, the logical rules which

constitute the essence of it, and which are of universal application, is not only what Mr. Serjeant Stephen calls in his admirable treatise on the subject "a fine Juridical invention," but is the method which ought to be followed in all disputes whether forensic or not, by parties desirous in good faith of terminating their disputes."

And accordingly, in seven short sections and about twenty lines, they have prescribed the manner of carrying on the pleadings. Sir Erskine Perry only has not developed his procedure: he has expressed no dissent from the plan of the Commissioners, and "oral pleading" he has *defended* against Sir Lawrence Peel, without at all indicating any difference on the subject from the Commissioners: they do in fact agree, *as far as appears*, and a great deal of special pleading has been thrown away in arguing to the contrary. As for ourselves the case is somewhat different.

Welcoming most cordially as we do, the plan of the Law Commissioners, willing to accept it whole and entire, we may still, as friends and not opponents, express the opinion, that strict rules of pre-statement will not generally work well; that in most cases they are unnecessary for the ascertainment of the points in dispute: and moreover that no one method is or can be the best for all cases. A regulating power should be given to the judge, as is expressed in one of the five propositions of Sir Erskine Perry: and the only fixed and invariable rule which we would lay down, is, that when the judge comes to *decide* he shall state what issues or facts he finds; and, doing this,—these findings will, as we apprehend, contain all that the parties, rightly advised, ought to have pleaded or put in issue and therefore will afford the same security against mis-decision as is sought for in either written or oral pre-statements.

The daily practice of the Supreme Courts in a familiar class of cases will illustrate our meaning and is in fact what we are recommending. We allude to cases in which the facts are not disclosed on the pleadings: as, when an assignee of a bankrupt claims money as having been paid by way of fraudulent preference, or after an act of bankruptcy: or the case rests on any other of the many grounds to which an action for money, had and received, applies; in which cases the grounds of defence also are not at all disclosed by the pleadings. So far as the pleadings are concerned there is no *pre-statement*, but the case comes before the jury on an open inquiry and on the statement of counsel: the court then, from the evidence, eliminates the questions, of fact or fact and law, to be decided; and in deciding, states them to the jury: from this statement we apprehend the parties or counsel may judge whether the right grounds have been selected, and being rightly selected, whether they have been decided correctly.

Special pleadings are not missed in such cases. Now to secure the same advantage in the courts proposed by the Commissioners and in all other courts without (we would also add with) a jury, the court should be required to find formally and categorically the facts, in the manner above alluded to; and let us take this opportunity of rendering a just acknowledgment of the judicial ability of the learned Chief Justice from whom we have so widely differed on the subject of procedure: it is his practice, in all such cases, to state his findings of fact, and his views of the law, in the most distinct, lucid, and categorical manner.

In comparison with the important subjects just discussed, that of retrenchment of the establishment and salaries of Officers of the Supreme Court sinks into insignificance, but must not be wholly passed by,—elaborately treated of as it has been in the papers before us, and some principles in relation to it advanced which appear to us to require further discussion.

The present establishment of the Supreme Court of Calcutta is stated as follows:—

	Co.'s Rs.	£.	s.
Master, Accountant General and Examiner in Equity of the Supreme Court: and Accountant General of the Insolvent Court per annum, Mr. Grant	48,000	4,800	0
Prothonotory, Clerk of the Papers, Clerk of the Crown and Sealer, Mr. Holroyd	36,000	3,600	0
Taxing Officer, Chief Clerk of the Insolvent Court and Record Keeper, Mr. Ryan	19,200	1,920	0
Sworn Clerk and Receiver, Mr. O'Dowda	27,600	2,760	0
Examiner in the Insolvent Court, common Assignee and Commissioner for taking Affidavits in Jail, Mr. O'Hanlon	9,000	900	0
Attorney for Paupers	4,800	480	0
Three Judges' Clerks, at 700 rupees each, per month	25,200	2,520	0
First Interpreter, Mr. Blaquiere	9,800	980	0
Second ditto, Mr. Smith	11,100	1,110	0
And 50 rupees monthly for Office Rent	600	60	0
Interpreter of Foreign European languages and Tipstaff, Mr. Soret	2,160	216	0
Cryer, Mr. Hilder	3,600	360	0
Allowance for Chopdars	1,176	117	12
Two Interpreters to the Judges at 3,600 each	7,200	720	0
Clerk to the Grand Jury, Mr. R. Swinhoe	800	80	0
Maulavi	2,400	240	0
Pundits	4,800	480	0
Múllahs	528	52	16
Brahmans	528	52	16
	Co.'s Rs. 214,492	£2,1449	4

But this table is not complete without a few further particulars which we will add to it. The Master has a house to live in, which is equal to an addition to his salary of Rs. 3,000 (£300) per annum. The Prothonotory is also clerk to Sir H. W. Seton, with an addition to his salary as Prothonotory of Rs. 8,400 (£840) per annum; making £4,400 per annum. The Sworn Clerk and Receiver is Official Assignee of Insolvent and Bankrupt Estates, on which he has the half of 5 per cent commission,—a sum, which we have reason to know, is of itself sufficient to enable a man, within a few years to realize a handsome fortune. The salary of £840 per annum was fixed for judges' clerks, after some objection to the amount on the part of the Government, and was finally conceded to induce respectable attorneys to accept the appointment, but the principle has not been acted upon. The Equity Registrar (a very important office) is not mentioned in the Table. This officer is also Ecclesiastical and Admiralty Registrar, and as Ecclesiastical Registrar has the administration of Intestate's Estates in the absence of the next of kin, on which he has a commission of 5 per cent. which produces a splendid and sometimes princely income. The Chief Justice thinks a commission of 5 per cent too high, and he expresses the same opinion of it as the remuneration for non-official administrations. By non-official administrations are meant those granted under powers of attorney to the agents of the parties interested. We should wish to keep entirely distinct, and cannot regard as under the same category, the official and non-official administrations. There is this plain distinction between them. The latter is the voluntary employment of an agent, selected by the parties concerned: the established Commission of 5 per Cent, as it respects him, is a *quantum meruit*, derived, as in many other instances that kind of remuneration is, from local custom, to which the Supreme Court itself has given the force of law; but a jury can change it, and like other charges it is liable to be modified by special agreement and competition. Grant that it is too high, still it is not a fit subject for direct legislative interference.

The official administration, on the contrary, is an office created by law, conferred by the Court or Government on an individual of its own selection; and being in its nature a public trust or service, the profits, if any justly can be made beyond the fair remuneration of the Officer, belong to the Government. All that, on any just principle, can be given to the officer, is, what is due to all other officers, an income suited to the moral and social station which his trust confers on him, and to the rank and class to which presumably he belongs. All beyond this, is money which either ought not to be levied, or ought to be applied by the Government. These are principles of very general application; in extending them to existing offices, however, they can never be permitted to apply to present incumbents.

With a view to reduction of expence, the Judges have proposed a consolidation of various offices, to take effect when the changes of procedure which they have recommended shall be adopted. By proposing, as they do, to take upon themselves much of the judicial portion of the Master's duties, that officer, it is supposed, would have some leisure which the judges would employ by making him also Equity Registrar: but we rather think this would be assigning to him incompatible duties: the attendance of the master is required exclusively in Chambers: the Equity Registrar ought to be much in court: for there alone, by a personal and assiduous attention to the pleadings and argument, he can collect the materials which he needs for a just performance of the duties of Registrar; and if he acquires them not in this manner, that is, by his own application and labour, he must obtain them sometimes from the Attorneys of the parties—a most objectionable practice;—or he must resort to the Judge who ought not to have the trouble, and will often feel it difficult to help him: for the Judge's point of view is not always that which alone concerns the Registrar; what falls from the judge ought to be noted by the Registrar; while the Judge's mind is engaged in winnowing and fanning and shaking off extrinsic matters, and separating and weighing the merits, he is entitled to rely on the Registrar to preserve what indications he gives of his view of the latter, so that, after the argument, the judge ought rather to be helped by, than be called on to help, the Registrar. This we apprehend to be a correct idea of the office of Registrar: clearly it is not an office to be thrown into the scale as a means of employing the Master's leisure; the Master would either be taken from Chambers to the prejudice of his office as Master, or from court to the prejudice of his office as Registrar.

On the proper officering and conduct of these two offices, mainly depend the practical efficacy of the decisions and orders of the judges, and the realization of the objects of the administration of Justice in the province of Equity to which they belong.

The following are Sir L. Peel's remarks on this officer:—

"The office of Master could not be abolished, but its duties would be reduced in importance and difficulty. The Master would have leisure for other duties, and I think the best course would be to assign duties which would interfere as little as possible with his attendance on inquiries in his own office. This officer then would be Master Accountant and Equity Re-

gistrar, executing also the duties now performed by the Sworn Clerk and Ecclesiastical and Admiralty Registrars, at a salary of Company's Rupees 3000 (£300) per month or thereabouts."

Sir Lawrence also proposes:—

"The Prothonotory to be also Clerk of the Papers, Clerk of the Crown, Sealer and Keeper of Records.

Rupees 2,000 (£200) per month.

Taxing officer, Chief Clerk and Sole officer of Insolvent Court, and to be also Attorney for Paupers (this office should be filled always by an Attorney).

Rupees 1,800 (£180) per month."

No office in our opinion is more capable of improvement and utilization than that of the Taxing officer, and we cannot assent to the proposition that it should be filled always by an Attorney. The Judges themselves proposed to make the Master, Taxing officer; which we should think very proper; but this was objected to by the Attorneys. The office ought always to be filled by a person of extensive experience, inflexible honesty, high character. Its proper object, properly pursued is necessarily to a certain degree odious; it is, to prevent improper charges being laid on the suitor, who, from the technical and unintelligible nature of the procedure, is at the mercy of his own or his opponent's attorney. Nearly all the *mala praxis* of a Court may be traced to the practical deficiency of this officer; and it is with no reproach to the present incumbent we assert, that the evils at present requiring correction have attained by long continuance a magnitude quite beyond his grasp or power: the same would be the case with his successor, be he who he may, and the remedy to which the public is intitled, we believe, can be obtained only by a special delegation from the imperial country of a Commission or Officer thoroughly versed in the more pure and economical practice of the Courts at home, and authorised to enforce it in this country. We forbear to enlarge on this topic, in the absence of any prospect of early benefit to the public.

We must also express our dissent from the arrangement as it respects the "Pauper Attorney." He ought not, we think, to be an officer of the Court and certainly not to be the Taxing officer. Either, Pauper calls on his time, will interfere with his official duties, or, these will prevent a prompt attention being given to pauper cases. There never can be any difficulty in finding among the Attorneys one quite proper to be pauper attorney: but the most fit of all persons to be Taxing officer, may not be at all fit to be pauper attorney.

The Chief Justice thinks that the minor establishments of Clerks to the Judges, Interpreters, and swearing officers do not admit of reduction, except that the salaries of the Judges

Clerks might be reduced to Rs. 500 (£50) per month on future vacancies.

Besides the officers comprized in the stated establishment of the Supreme Court, and whose duties are subsidiary to the administration of justice, there are others, commonly considered as officers of the Court because they are appointed by the Judges, concerning whom we now learn, from Sir L. Peel, they are not at all superintended by the Court, as they are not connected with the administration of justice. The officers of this class mentioned by Sir Lawrence Peel are, the "Administrator of Intestate Estates," in the absence of the next of kin; the "Receiver;" the "Official Trustee" whose office is of the same nature as that of the Receiver, and has lately been created by an Act of the Indian Legislature; and we may add the Official Assignee.

As to all these officers, (except the Official Assignee who is not mentioned) the Chief Justice says,—"In my opinion it would be the better course to retain the offices, but to disconnect the person discharging them from the Court, and to transfer the appointment of him to the Government:" for which recommendation the Chief Justice gives the following very significant reasons:—

"It creates false impressions that officers are superintended in the discharge of such duties by the Court when they are not, and cannot, from the very nature of the case, be so superintended. Should breaches of trust or duty arise in the discharge of such administrative duties, censure would fall on the Court for that which the Court could not by any vigilance prevent, and in short where the Court could not judicially interfere, even if it has knowledge of error committed in the discharge of such duties."

Without adverting to the history of the past, or speculating on the probabilities or dangers of the present or future, we may be very sure that the judges would not thus solicit the Government to take a valuable part of their patronage off their hands, but for the most cogent reasons as it respects the public interests, and we trust their request will be complied with. The officers alluded to are free from responsibility to a greater degree than any other public functionaries from the Governor General downwards: indeed, they are under no responsibility at all,—the Court as we learn from Sir L. Peel, declining to take cognizance of "error committed in the discharge of their duties."

The Chief Justice, as we have remarked, does not mention, even incidentally, the "Official Assignee of Insolvents' Estates," but his emoluments are an important item. He is paid by a Commission of 5 per cent which he divides with his co-assignee. This officer should be put on the same footing as the corres-

ponding Bankruptcy officers in England. Let him have a fixed salary (£800 or £1,000 per annum), and the Commissioner, power to allow him extra remuneration out of the estates, according to the view he takes of his claim in each particular instance. On this plan, he would have a motive to exert himself, where the estate is considerable; small estates would be administered without any or at small charge; and where a charge or commission would be allowed, presumably the creditors will have derived an advantage in an increased or earlier dividend. In England the official assignees are chosen, and ought to be so here, from the class of merchants and accountants.

We have now brought before our readers the principal topics discussed in the appendices to the report mentioned at the head of this article. By what we have shewn, of the origin of the discussion, we hope to attract to it a considerable share of public attention. At the very threshold, we found facts in dispute, which were material to the decision of the general question: we allude to the differences respecting the cost of Indian litigation. On which side the truth lay, we hope we have proved to the satisfaction of all dispassionate persons: no one can doubt, we think, that the cost of Supreme Court procedure exceeds beyond all reasonable bounds that of litigation in England. And now, in conclusion,—our object being to advance the cause of practical Law Reform,—we claim a reduction of Supreme Court charges. There may fairly be differences of opinion about what is a proper scale of professional remuneration: but we at least are intitled to say to the friends of Supreme Court procedure, "conform to the parent institution." If this is not acceded to, then we call for a new tariff of costs according to Sir Henry Roper's suggestions.

In like manner,—having refuted effectually, as we trust, the objections urged against the natural system,—we ask for the establishment of the Subordinate Court of local jurisdiction proposed by the Law Commissioners. The concession of this, we conceive to be due to the public as well as to those learned and eminent persons. And in conclusion we will add, that;—as our case is not a solitary one; as Madras and Bombay labour under the same evils: as many of those evils are clearly traceable to a common cause, the sinister interests of those who were intrusted with the first working of our judicial system: as the crown colonies in which English procedure has been established are, we believe, much in the same predicament;—it is high time for Imperial Britain, while it would exalt her fame, and bring honor to her Sovereign, to institute a revision of her Colonial Judicial Establishments, in which English law is supposed to be administered on the English system. Fiat justitia ruat cœlum

ART. VII.—1. *Correspondence relative to Sindh*, 1838—1843. *Presented to both Houses of Parliament*, 1843.

2. *Supplementary correspondence relative to Sindh. Presented to Parliament*, 1844.

3. *The Conquest of Sindh, by Major General W. F. P. Napier: Parts I. and II.* 1845.

4. *The Conquest of Sindh, a Commentary. Parts I. and II. by Lieut. Colonel J. Outram, C. B.* 1846.

WE are now in a position to enter on a full and final examination of the British conquest of Sindh. A sufficient length of time has elapsed, and we are far enough removed from the scene of the transaction, to enable us calmly and dispassionately to review the history of that much controverted measure; while the materials for our inquiry are both copious and authentic. There are now before us two volumes of official correspondence relative to Sindh, presented to Parliament; we have an eloquent defence of the conquest from the practised pen of the conqueror's brother; and we have a most minute commentary upon that defence, by an officer who possessed unequalled opportunities for acquiring a thorough knowledge of the country and its people, and whose name is an ample guarantee for the scrupulous accuracy of his statements. Reserving to the sequel the few observations we shall have to offer on the respective merits of these publications, we shall at once proceed, with the aid of the historical materials which they supply, to lay before our readers a brief narrative of the events which immediately led to the subjugation of Sindh, together with an examination of the justice and policy of the measure.

The valley of the lower Indus, which forms the scene of the transactions we are about to record, has of late years been rendered familiar to all our Indian readers. Bordered, like the kindred valley of the Nile, by a range of mountains on one side and by a desert on the other, it is traversed thoughout its entire length by the classic river from which it takes its name. The country on both banks of the river, from near the point where it receives the waters of the Punjab to its junction with the sea, formed the territory of the Amírs or rulers of Sindh, and was divided into two principal shares—the Southern division forming the principality of Lower Sindh, and the Northern, that of Upper Sindh: leaving, towards the Kutch frontier, a third and inconsiderable division, that of

Mírpúr, the affairs of which we will scarcely have occasion to notice.

At the period at which our narrative opens,—the early autumn of 1842—five Amírs held independent but associate rule at Hyderabad, the Capital of Lower Sindh; namely, Mír Nússír Khan, his two cousins Mírs Mír Mahommed Khan and Sobdar Khan, and his two nephews Mírs Shadad Khan and Hússen Ali. At Khyrpúr the seat of the Upper Sindh Government, the venerable Mír Rústum Khan was the acknowledged Rais, or supreme ruler; with whom were associated, as subordinate partners in the government, his two younger brothers Mírs Ali Morad and Mahommed Khan, and his Nephew Mír Nússír Khan. One Amír, Mír Sher Mahommed Khan, ruled the small principality of Mírpúr.

Our political relations with the Amírs of Sindh, at that time, were those established by Lord Auckland's treaties of 1839, which, as our readers are aware, were forcibly imposed upon these Princes at the commencement of the first Afghán Campaign. In Lower Sindh, separate treaties, identical in their provisions, were concluded with each of the Hyderabad Amírs; which contained, among other less important particulars, the following stipulations;—First, the maintenance of a British Subsidiary force in lower Sindh, either at Tatta or at some other station west of the Indus, towards the cost of which an annual tribute of three lakhs of Rupees was to be paid in equal proportions by three* of the Amírs—the fourth (Mír Sobdar Khan) being exempted on account of his early submission;—Secondly, the protection of their territories by the British Government against foreign aggression, and the arbitration of all complaints of aggression which the Amírs might make against each other;—Thirdly, non-interference by the British Government in the internal administration of the Amírs, or in any complaints made against them by their subjects;—Fourthly, the prohibition of all negociation, on the part of the Amírs, with foreign states, unless with the sanction of the British Government;—Fifthly, the abolition of tolls on trading boats passing up or down the Indus;—Sixthly, the payment of the usual duties on merchandize landed from such boats for sale, with the exception of goods sold in a British Camp or cantonment.

In Upper Sindh one treaty only was considered necessary.

* One of these shares was now divided between Mírs Shadad Khan and Hússe Ali, the sons and heirs of the deceased Mír Núr Mahommed, one of the origin parties to the treaties.

which was exchanged with Mír Rústum Khan as the acknowledged "Chief of Khyrpúr." Its engagements were analogous to those concluded with the lower Sindh Amírs with the following differences;—First, no stipulation was made for the payment of a subsidy;—Secondly, there was no engagement for the permanent location of a British force: permission being only given "to occupy the fortress of Bukker as a depot for treasure and munitions in time of war;"—Thirdly, no stipulation was made for the abolition of river tolls: the Amírs merely promising "co-operation with the other powers" in any measures which might be thought necessary for extending and facilitating the commerce and navigation of the river Indus. Lastly, short "Agreements" were at the same time concluded with each of the other three Amírs of Upper Sindh, whereby the British Government engaged "never to covet one rea of the revenue of their shares of Sindh, nor to interefere in their internal management." The treaty entered into with the Amír of Mírpúr, in the following year, was similar in its provisions to that of Lower Sindh, and included an engagement for the payment of a subsidy of Rs. 50,000 per annum, as the price of British protection.

It is unnecessary, for the purpose of our present inquiry, to examine either the justice or the policy which dictated these compulsory treaties. They formed a part (and, it may be, a necessary part) of that ill-advised and disastrous "Afghan policy," which forms the one disfiguring blot on Lord Auckland's otherwise beneficent administration: and it was only by the unconquerable firmness, and extraordinary personal influence, of the distinguished diplomatist* who conducted the negociations, that the Lower Sindh Amírs were induced to yield a tardy and reluctant assent to their harsh provisions, and thereby preserved, though but for a season, the sovereignty of their kingdom.

Having been thus reduced from independent Sovereigns to tributary allies of the British Government, it was not to be expected but that some degree of alienation and a distrust of our future measures would take possession of the minds of the Amírs. Whatever may have been the real state of their feelings, their acts, even during the disasters of 1842, evinced no appearance of hostility: for it is a remarkable fact, that, under the able management of Major (now Lieutenant Colonel) Outram, Sindh continued in a state of profound tranquillity; robberies were unknown; British subjects of all classes, unattended by a single armed attendant, traversed the country without danger or molestation; and carriage and supplies were

* Major General Sir Henry Pottinger, Bart. G. C. B.

liberally furnished for the support of our armies in Southern Affghanistan.

Such was the condition of Sindh, and such were our relations with its rulers, when Major General Sir Charles Napier, then Commanding the Puna Division of the Bombay Army, was invested by Lord Ellenborough with the military and political control of Sindh and Belúchistan. The veteran soldier hastened to Sindh (we are told) with all the alacrity of a young warrior; and on the 9th September landed at Kurrachi. Before we accompany him on his diplomatic and military career it is desirable that we should first become acquainted with his character, and that of the political functionary whom he was about to supersede.

The name of Colonel Outram will ever be associated, in this Country, with some of the finest and noblest qualities of the soldier. His character exhibits a remarkable union of calm, steady, resolute valour, with a passion for daring and chivalrous enterprise, and an energy and determination of purpose which no danger or difficulty can daunt. These qualities, added to an open, ardent, generous disposition, and a quiet unassuming courtesy of demeanour, have deservedly rendered him the pride of the Bombay Army, and appear to have attracted, in a rare degree, the personal attachment and esteem of those who have served under his orders, or have been otherwise associated with him in pulic duty. But it were an unnecessary, though a pleasing task, to dwell upon these features of his character. The conqueror of Sindh himself has with a just discernment awarded to him the appropriate and expressive title of "*The Bayard of India*;" and twelve hundred British Officers of the Indian services have publicly recorded their admiration of his heroic achievements in India, Affghanistan, and Sindh.

Colonel Outram's experience of native character is extensive and varied. In common with the majority of officers who have known the natives long and well, who are conversant with their languages and customs, and who judge them by an Indian, and not by a British standard, he appears to have formed a generally favourable opinion of them His intercourse with them seems to have been marked on all occasions by a considerate attention to their social usages and feelings: and his interest in their welfare is evinced by a desire to preserve and improve the more innocuous of their institutions, rather than precipitately to subvert them, in order to introduce the systems and usages of Europe in their place. Like all functionaries who have been guided by such principles

and feelings he has acquired in a high degree the confidence and good will of the people over whom he has been placed: and we need scarcely add, that the possession of such influence over the minds of the natives, particularly of those in high rank and station, is one of the most important qualifications which a British Diplomatist can possess; and is calculated, more than any measures of abstract wisdom, to reconcile the princes and people of India to our rule, and thereby to preserve the peace, and promote the best interests of the country.

Lest any of our readers should consider such political accomplishments as antiquated and worthless, we will supply a more practical test of Colonel Outram's diplomatic qualifications, and try them by the magnitude and importance of the services which he rendered to his Country, during the eventful year that immediately preceded his removal. At that memorable crisis, when disasters unparalleled in our history clouded the past, and gloomy apprehensions over-cast the future—when the storm of insurrection, which had burst with such fatal fury at Kabul, threatened to endanger the safety of our armies at Quetta and Kandahar—Lord Auckland, amid the general panic, turned to Colonel Outram with the assured confidence that he would hold his dangerous post with a firm and steady hand, and that, by his prompt and zealous assistance, he would enable the Government also to weather the storm.* And the result shewed that the Governor General's confidence was neither exaggerated nor misplaced. Within the three preceding years, we had imposed a Subsidiary tribute and a Subsidiary force upon the Amírs of Sindh; we had stormed the capital and slaughtered the ruler of Belúchistan; and we had waged a sanguinary warfare upon the neighbouring mountain tribes. Yet—smarting though they were under these grievous injuries, and instigated by Affghan emissaries to raise the standard of insurrection in the common cause of Islam—such was Colonel Outram's wondrous activity, vigilance, and zeal, that he not only, with a small and detached military force, preserved tranquillity throughout these vast countries, which formed both the base and the line of our military communications with Kandahar; but he also furnished and forwarded, from these very countries, the carriage and supplies which enabled General Nott to accomplish his triumphant march to Kabul, and General England to retire in safety on the Indus. These were, in truth, services, which, to cite the words and the authority of the honorable

* Outram's Commentary, 21.

Mountstuart Elphinstone, "it would be difficult to parallel in the whole course of Indian diplomacy:" and they had just been brought to an honourable and successful termination, by the safe descent of General England's army beneath the passes, when their author was summarily, without warning and without reason assigned, removed by Lord Ellenborough from his high political appointment.*

And what were the peculiar qualifications of the Officer selected to supersede a man who had, at so perilous a crisis, conferred such signal services on his country? On Sir Charles Napier's eminent military talents it were now superfluous to dwell. Long before his appearance in Sindh, his high reputation as a soldier had been inscribed on the page of history; the numerous scars with which he was furrowed attested his heroic valour on the sanguinary fields of Corunna and Busaco: and, though untried as a General, he soon proved himself worthy of a place in the first rank of British Commanders. With a military experience of half a century, he had, moreover, deeply studied the art of war:—strict and stern in discipline, but ever watchful of the interests and attentive to the wants of his men, he was peculiarly the soldier's friend. Though bending somewhat under the weight of threescore years and one, yet did he retain all the vigour and energy of youth, with a capacity for the endurance of fatigue which the youthful soldier might well have envied.

But, though unquestionably a brave and accomplished soldier, he was singularly deficient in the particular qualities required for the safe and beneficial exercise of political authority in India. He was not only ignorant of the language, the character, the customs, and the institutions of the natives; but he seemed to look upon such knowledge as unnecessary, if not prejudicial. He was, moreover, apparently embued with strong prejudice against the princes of Sindh, and disposed to regard his Mission, as that of a Military Dictator appointed to overawe and control a "barbarous durbar," rather than that of a political agent deputed to maintain the relations of amity and friendship, subsisting between a protecting and a protected state. Disregarding, in short, the maxims of sound practical wisdom, so strenuously recommended, and so successfully practised, by

* It is any thing but creditable to the Government that no honors should have been conferred on Colonel Outram and Mr. George Clerk for the important political services they rendered at that critical juncture; while analogous services performed on the same scene, four years before, by Sir Henry Pottinger and Sir Claude Wade were respectively rewarded, (and justly rewarded) by the honors of a Baronetage and Knighthood.

Munro, Malcolm, and Elphinstone, and by other distinguished statesmen of the same eminent school—Sir Charles soon betrayed a determination to open up a new political path for himself. The progress and results of this novel diplomacy we now proceed to examine.

Sir Charles Napier, as has been stated, landed at Kurrachi on the 9th September 1842, and on the 17th of the same month he started for Sukker. On his passage up the Indus he paid a visit to the Amírs of Lower Sindh at their fortified Capital of Hyderabad. The established courtesy, uniformly observed by the Indian Government towards the Native States, of formally announcing any change in the British Representative at their courts, does not seem to have been observed towards the Amírs on the present occasion: nor does Sir Charles Napier appear to have been furnished by the Governor General with any credentials of his appointment. Such an omission may be considered by the English reader to be of trifling import, but will be very differently viewed by those acquainted with the importance that native Princes attach to all these matters of etiquette. Notwithstanding the neglect, however, on the part of the Governor General, of the customary forms of courtesy, Sir Charles Napier was received by the Amírs of Hyderabad with every demonstration of respect due to his rank and station. Before leaving the capital, he addressed to them a letter regarding certain alleged infractions of the treaty, committed under their orders, or with their knowledge. These charges will pass under our review, when we examine those preferred against the Amírs of Upper Sindh: but we must not omit to notice the style and tone used by the British Commander in this his first communication with Princes, wielding the absolute power of sovereignty within their own territories. It is characterised by the Historian as an "austere, but timely and useful warning," given in the prosecution of "a fair and just, but stern and unyielding policy." We willingly pay Sir Charles the compliment of assuming that this extraordinary document, which will be found in the Parliamentary Papers (Page 358) was merely the first rough draft of the letter, and that in the process of translation it received a form and phraseology better suited to the station of the Princes to whom it was addressed. But, even under this favourable interpretation, there will remain much in the tone and tenor of the letter that is deserving of the strongest censure, and in complete opposition to the letter and spirit of Lord Ellenborough's judicious circular instructions to his political agents, directing them "on all occasions to manifest the utmost personal consideration and respect to the

several Native Princes with whom they might communicate; to attend to their personal wishes; to consider themselves as much the representation of the *friendship*, as of the *power*, of the British Government; and to be mindful that even the necessary acts of authority may be clothed with the veil of courtesy and regard." We shall find, as we proceed, that the whole tenor of the General's political administration in Sindh, of which this was the commencement, was an exact antithesis of these admirable maxims.

Sir Charles Napier, having addressed this arrogant and offensive letter to the rulers of Hyderabad, continued his journey up the Indus; and, on the 5th October, arrived at Sukker, the head quarters of the British force then stationed in Upper Sindh. There, as the historian informs us, he "forthwith commenced a series of political and military operations, which reduced the Amírs to the choice of an honest policy or a terrible war."* These operations, with their fatal results, it is now our duty to record.

On his first nomination to the military and political control of Sindh, the General had been officially informed, that if "the Amírs, or any one of them, should act hostilely, or evince hostile designs, against the British forces, it was the Governor General's fixed resolution never to forgive the breach of faith, and to exact a penalty which should be a warning to every chief in India." This communication, it will be observed, intimated the Governor General's determination to punish *future* hostility: but the following instructions, which awaited Sir Charles on his arrival at Sukker, shewed that his Lordship had modified his intentions, and was now determined to inflict retributive punishment for *past* offences, should the General, on inquiry, discover satisfactory grounds for such a procedure. "Should any Amír or Chief, with whom we have a treaty of alliance and friendship, *have* evinced hostile designs against us during the late events, which may have induced them to doubt the continuance of our power; it is the present intention of the Governor General to inflict upon the treachery of such ally and friend so signal a punishment as shall effectually deter others from similar conduct: but the Governor General would not proceed in this course without the most complete and convincing evidence of guilt in the person accused. The Governor General relies entirely on your sense of justice, and is convinced that whatever reports you may make upon the subject, after full investigation, will be such as he may safely act upon."

* Napier's Conquest, 23.

The first political duty, therefore, which devolved upon Sir Charles, was to inquire into certain alleged breaches of treaty and hostile intrigues charged upon some of the Amírs, with the view of deducing from these past offences "a pretext" for remodeling the existing treaties, and inflicting a "signal punishment" upon their authors. And this brings us at once to the consideration of what proved to be the remote cause of the Sindh conquest. And as there has been much misapprehension and misstatement on this subject, it is necessary to trace the origin and history of the revised treaties, to the imposition of of which, the General's investigation ultimately led.

In the early part of the year (1842) Major Outram appears to have come to the conclusion that our intended withdrawal from Affghanistan would render some change in our relations with the Amírs of Sindh very desirable, in order to remedy the errors of our Military position in that country; to define more clearly the commercial provisions of the existing treaties; and to ensure an adequate supply of fuel for the steamers composing the Indus flotilla. About the end of May of the same year he had received an intimation of Lord Ellenborough's wish to exchange the payment of tribute for "the continued occupation of Kurrachí and Sukker," including, the fortress of Bukker. He therefore only awaited a favourable opportunity for opening a negociation with the Sindh Government. In the meantime he received information from his assistants in Sindh, which gave him grounds for suspecting, that certain of the Amírs, taking advantage of our Affghan disasters, and instigated by Affghan emissaries, had engaged in some petty intrigues inimical to the British Government. They were considered by Major Outram to be in themselves puerile: nevertheless, he conceived that they evinced an unfriendly feeling on the part of the Amírs, and furnished good grounds for proposing, and would materially assist the negociation for, the required changes in the treaties, which, under other circumstances, would most probably be resisted.

In accordance with these views, he submitted to Government, on the 21st of June, a draft-treaty embodying the proposed changes. The following were its principal stipulations;* 1st. The cession to the British Government, in perpetuity, of the City and Cantonment of Sukker (including the fortress of Bukker) and of the Town and harbour of Kurrachí; 2nd. Free transit for commerce between Kurrachí and Tatta on the Indus; 3rd. Permission to cut wood within a hundred yards

* Sindh Parl: Pap: P. 343.

of each bank of the Indus; 4th. The total abrogation of river tolls: and 5th. In consideration of the above cessions the British Government engaged to release the Amírs from all pecuniary obligations whatever.*

Such were the provisions of Major Outram's proposed treaty—a treaty which stipulated for territorial and other privileges of the estimated annual value of Rs. 3,16,500,† to be ceded by the Amírs to the British Government, in exchange for a total release from the future payment of tribute which (exclusive of arrears) amounted to Rs. 3,50,000 per annum.‡

The objects proposed to be attained by this new arrangement were in themselves of great importance to British interests; and the pecuniary price to be tendered for their purchase was just and liberal: but, in the absence of any pressing necessity for the change, it became matter of regret that the subject should have been mooted, at that particular juncture. The minds of the Amírs, who had on all occasions shewn themselves determinedly averse to any alteration in their relations with our Government, were at that time peculiarly distracted with apprehensions in regard to our future measures; in addition to which, Major Outram was himself at Quetta,—whither he had gone for the purpose of aiding General England's force, in its retreat upon the Indus—and was consequently deprived of the opportunity, by personal negociation, of exerting his great influence over the Amírs, by which alone could any hope be entertained of reconciling their minds to the contemplated changes. Nor were the grounds assigned as the basis of negociation of clear and unquestionable validity. The hostile intrigues, alleged against the Amírs, were considered by Major Outram at the time, neither important nor dangerous; while the evidence, in support of them, forwarded by

* A negociation had previously been entered into at the instance of Lord Auckland's Government, for the cession of the district of Shikarpúr: but Major Outram reported that this must be abandoned under Lord Ellenborough's contemplated occupation of Kurrachí, and the proposed river arrangements.

† Territorial Cessions ..... Rs. 1,06,500
Abolition of transit duties and river tolls ..... „ 10,000
Compensation for cutting wood ..... „ 2,00,000
Total Annual value ..... Rs. 3,16,500

‡ Annual tribute from the Amírs of Hyderabad ..... Rs. 3,00,000
Ditto ditto of Mírpúr ..... „ 50,000
Total Rupees 3,50,000

This was exclusive of certain claims against Mír Nússír Khan of Khyrpúr, the heir of the late Mír Múbaruk Khan, consisting of about three years' tribute of Rs. 1,00,000 per annum, in addition to Rs. 7,00,000, claimed in behalf of the late Shah Shúja.

his assistants, and which he had not the means of testing, was any thing but conclusive of the guilt of the Amírs, even if it had been as unimpeachable as it subsequently proved to be worthless and false.

But, while we make these observations, we readily admit, that the treaty, as originally proposed by Major Outram, was framed in a spirit of perfect fairness towards both Governments; and there is every reason to believe, that had the negociation for its settlement been committed to that officer, it would have been brought to an amicable and successful termination. Little could it have been foreseen, that a proposal to negociate, the equitable purchase of certain privileges by an equivalent remission of tribute, would be made the ground work—and even, in some quarters, the justification—of the oppressive and retributive penalties which were subsequently imposed upon these princes.

Lord Ellenborough, who had only a few weeks before signified his intention of continuing to hold military command of the Indus, seems now to have hesitated regarding the line of policy which it was desirable to follow. In acknowledging the receipt of the draft treaties, he stated that he "did not see the necessity for pressing a negociation upon them (the Amírs) precipitately, and on the contrary would rather desire to leave their minds in tranquillity for the present;"* and that it would be "a matter for future consideration whether any probable benefit to be ever derived from the treaties, could compensate for the annual expenditure which would be brought upon the Government of India by the maintenance of a large force at Sukker and Kurrachí." Here, therefore, terminated the discussion regarding Major Outram's Treaty, which was never presented to the Amírs.

On his return from Quetta to Sukker, three months afterwards, Major Outram was directed, before leaving Sindh, to lay before Sir Charles Napier, "the several acts, whereby the Amírs or Chiefs may have seemed to have departed from the terms or spirit of their engagements, and to have evinced hostility or unfriendliness towards the Government of India." In obedience to these instructions, he submitted to the General, two "Returns of Complaints" preferred respectively against two of the Amírs of Upper Sindh, and against four of the Hyderabad Amírs, together with the documentary evidence in support of these charges. Having done this, he resigned into Sir Charles Napier's hands the political powers which he

* Sindh Parl. Pap. P. 381.

had wielded with so much credit to himself and with such signal benefit to the public service, and left Sindh on the 12th November; carrying with him the regrets of every Officer in the country.

We now resume the narrative of the proceedings of his successor.

Sir Charles lost no time in commencing the investigation of these charges, the establishment of which was to form the ground-work for the imposition of a new treaty; nor was he long in bringing it to a conclusion. In the course of twelve days after his arrival at Sukker, and a week before he had received the charges against the Amírs of Lower Sindh, he completed his report—that report which was to be Lord Ellenborough's guide in his Sindh policy, and to decide the fate of the Sovereign Princes of that country. We have perused this remarkable document with much pain. Passing by the sneering allusion to "Sticklers for abstract rights;" the undisguised admission that "we want only a pretext to coerce the Amírs;" the uncalled for remarks on the "barbarism of those Princes and their unfitness to govern a country;" the (too true) prophecy that "the more powerful government will at no distant period swallow up the weaker;" and the opinion that it would be better to come to this result at once, "if it could be done with honesty:"—setting aside these, and many similar unseemly doctrines, as well as the palpable inaccuracy of the statement, that under existing treaties we were authorized to maintain our camps permanently in upper Sindh, we proceed at once to examine the specific acccusations, and the evidence by which they were verified.

The charges prepared against the Amírs are reducible to two heads.—First, Certain acts of constructive hostility attributed to Mír Rústum Khan, the chief Amír of Khyrpúr, and Mír Nussír Khan, the Senior Amír of Hyderabad; and Second, certain infractions of the existing treaties alleged against these two Amírs, as well as against Mír Nussír Khan of Khyrpúr, and Mírs Mír Mahommed Khan, Shahdad Khan, and Hússen Ali, of Hyderabad.

1. The first charge, under the first of these heads, alleged against Mír Rústum Khan, was a breach of treaty, of a hostile character, in having written a letter to the Maharajah Shír Singh of Lahore, the purport of which was to negociate for the renewal of an alliance between that sovereign and certain of the Amírs of Upper and Lower Sindh. The letter, though intimating in vague and ambiguous language that the parties to the negociation entertained unfriendly feelings towards the

British ("that tribe") did not indicate any hostile designs against our Government, and seemed to have principally in view, an engagement to secure the succession of Mír Rústum's son to the chieftainship after *his own death*. It was intercepted by Agents of Mír Ali Morad, (Rústum's brother) who was inimical to Rústum, and a rival candidate for the Chieftaincy.

The authenticity of this intercepted letter rested exclusively on the supposed fact, that it bore Mír Rústum's seal, and was in the hand writing of His Highness' Minister. We need scarcely remind our readers that this species of judicial evidence is received with great distrust in this country. The forgery of letters and the fabrication of counterfeit seals are of very common occurrence, and had been recently and successfully exemplified in Sindh. Colonel Outram informs us* (and the Amírs in their final conference at Hyderabad reminded that Officer of the fact) that in the preceding year, he had occasion to complain to the Amírs of frequent forgeries of his own seal, which, affixed to letters professed to be written by him, had so far imposed on their Highnesses as to procure grants of land for those who presented them; and in September of the same year several forged seals of the Amírs were found in the possession of a man apprehended in the Sukker bazar. These circumstances, combined with the fact that the parties through whose Agency the Letter was intercepted were hostile to Mír Rústum, and, as we shall afterwards find, were interested in embroiling him with the British Government, ought to have shewn the necessity of care and caution in pronouncing a final decision. Major Outram, having latterly entertained considerable doubts as to the authenticity of the Letter, forwarded it to Mr. George Clerk, the Envoy at Lahore, in the hope, that, from his official relation to the sovereign to whom it was addressed, he might be able to determine the question. That most eminent public officer, however, after retaining it six months in his possession, reported to Lord Ellenborough, that its "authenticity was still a matter of doubt to him as it had been to Major Outram in sending it."† But the doubts which were entertained by Major Outram and Mr. Clerk were very summarily disposed of, by the General's Political assistant. On the very day, the 23d November, on which he received back the Letter from Mr. Clerk, Sir Charles Napier wrote to Lord Ellenborough that Lieutenant Brown had assured him that there could not

* Out. Com. 74.

† Sindh Parl. Pap. P. 473.

be the slightest doubt of its authenticity.* And thus, on the simple assurance of an Officer, who neither spoke nor wrote the language in which it was written, and without any opportunity being given to the accused party to rebut the charge, was the authenticity of the Letter summarily decided. Nor was there the slightest attempt to prove that the seal, even if genuine, had been affixed with His Highness' sanction; while there were strong reasons for suspecting that it had been used without his knowledge. Mohun Lall informs us,† that, during the negociation of the treaties of 1839, Mír Ali Morad surreptitiously obtained possession of Mír Rústum's seal, with the intention of using it for the furtherance of his own perfidious schemes; but was defeated in his object by the penetration of Sir Alexander Burnes. This fact, combined with our knowledge of Ali Morad's subsequent treachery, renders it by no means an improbable supposition that that "arch-intriguer," had now a second time possessed himself of his brother's seal, and that he was the real author of the secret letter which his own agents were instructed to intercept.

The second accusation preferred against Mír Rústum consisted in having, through his Minister Futteh Mahommed Ghori, compassed the escape of a British prisoner. This charge appears to have been established against the minister: but there was no proof or even suspicion of the Amírs implication in the matter. The substantiation of such an offence would have justly warranted the British Government in requiring the punishment or banishment of the Minister by whom it was committed, but certainly never could be held to justify the forfeiture of Mír Rústum's territory.

The last charge under this head was preferred against Mír Nussír Khan of lower Sindh,—and consisted in his having authorised the writing of a Letter to Bíbuk Búgty, the chief of the Búgty hill tribes, containing some general expressions of hostility towards the English ("some people") and calling upon him and his brother Belúchís to hold themselves in readiness. The authenticity of this Letter was unsupported by a tittle of evidence that could be considered as conclusive; and in this instance, as in the former, no opportunity was afforded the suspected Prince of disproving the charges.

The principal infractions of the treaty, constituting the *second* division of charges, consisted in the levy of river tolls on boats belonging to subjects of Sindh. These accusations affected

* Sindh Parl. Pap. P. 427.

† Life of Dost Mahommed Khan, P. 78.

Mír's Nussír Khan, Mír Mahommed Khan, and Hússen Ali of Hyderabad, and Mír Rústum Khan of Khyrpúr, all of whom admitted the facts, but denied that they were in contravention of treaty. It was argued by the Hyderabad Amírs that the treaties exempted British and foreign boats from duty, but were not considered by them to interdict the levy of duties on their own subjects, over whom, under the 3rd Art. of the treaty, they possessed "absolute" jurisdiction: and that, in point of fact, they had levied these tolls from them without hindrance up to 1840. Lord Auckland's Government, however, decided against their construction of the engagement and the Amírs had recently issued perwannahs granting an entire exemption from tolls; upon which the Assistant Political Agent expressed a confident hope that the question would now be set at rest.

On the part of the Khyrpúr Amírs it was urged with great truth, that the treaties concluded with them contained no stipulation whatever for the abolition of tolls—the Amírs simply promising "co-operation with *the other powers* in any measure which may be thought necessary for extending or facilitating the commerce and navigation of the Indus." Now "the other powers," holding territory on the Indus, were the Maharajah of Lahore, the Nawab of Bhawulpúr, and the Amírs of Hyderabad; the arrangements with the two former "powers," permitted them to levy a small stated duty; while the latter, on account of their hostile opposition to the British Government, were compelled, without receiving any pecuniary or other equivalent, to abolish all tolls. On the general principles of equity and justice, therefore, the *friendly* Amírs of Khyrpúr, whose adherence to our cause had elicited the enthusiastic admiration of the negociator of the Treaty,* had a right to expect the terms which we concluded with the *friendly* "powers," of Lahore and Bhawulpúr, and not those which were imposed on the then *hostile* "powers" of Hyderabad, between whom and themselves a marked line of distinction had professedly been drawn throughout the whole of the negociations. But apart from these grounds, there were special reasons for guiding the Government to the more favourable interpretation of the engagement: for, Sir Alexander Burnes

* "With such adherence (says Sir Alexander Burnes) I feel quite at a loss to know how we can either ask money or any favor of this family. I have never doubted their disposition to cling to us: but in their weak state, I had not expected such promises in the day of trial." And in a marginal note to the Treaty the same officer observes: "I might have easily abolished the toll for ever: but this would be a hazardous step. The toll binds the Mír to protect property; the release from it would remove this duty from his shoulders."

had received specific instructions from Lord Auckland to put Khyrpúr on the same footing as Bhawulpúr, and with that view had been furnished with the Bhawulpúr treaty for his guidance.* Finally, it has been considered an established maxim with the most eminent of our Indian statesmen, that "when any article of an engagement is doubtful, it should be invariably explained with more leaning to the expectations originally raised in the weaker, than to the interests of the stronger power.† Notwithstanding all these considerations, Lord Ellenborough decided, that the treaty must be construed as binding the Khyrpúr Amírs to acquiesce in the same arrangements as those subsequently imposed on "their kindred Amírs," of Hyderabad; and he intimated that he should expect them to be observed with the same strictness as if they had been expressly inserted in the treaty. This opinion, pronounced by the paramount power, finally decided the prospective operation of the contested article: but that it was not intended to authorise the infliction of a penalty for duties previously levied under a different, and, we think, a more equitable, construction of the treaty, may be inferred from the fact, that a clause explanatory of the article in question was introduced into the revised Treaty.

It is unnecessary to notice the other trifling charges of breach of treaty, the more particularly as it was distinctly admitted by the Governor General,‡ that the right to make any demand, extending to the cession of territory, depended upon the truth of the three offences specified under the first head. The proposed treaty, writes Lord Ellenborough to Sir Charles Napier, "rests for its justification upon the assumption, that the Letters said to be addressed by Mír Rústum to the Maharajah Shir Singh and by Mír Nussír Khan to Bíbúl Búgty, were really written by the chiefs respectively, and that the confidential minister of Mír Rústum did, as is alleged contrive the escape of Syed Mahommed Shurríp,*** I know (he added) that you will satisfy yourself of the truth of these charges, before you exact the penalty of the offences they impute."§

The final decision on these three important questions having been then remitted to Sir Charles, "on whose word, as the Historian truly states, the fate of Sindh now depended,

* Sindh Parl. Pap. P. 61.

† Sir John Malcolm's Institutions.

‡ Sindh Parl. Pap. P. No. 387, P. 437.

§ Sindh Parl. Pap. No. 389. P. 440.

he lost no time in pronouncing a verdict of guilt against the two Amírs, on each of the accusations.* The Governor General, in confirming the decision, stated that, if Government were to wait in every case of suspected hostility until it obtained such proof as should be sufficient to convict the person suspected in a court of justice, it would in most cases expose itself at once to disgrace and disaster.† It may readily be conceded, that, in the investigation and settlement of international questions arising between a paramount state and its tributary allies, we cannot expect either the technical procedure or the scrupulous nicety of evidence of a Criminal Court: but we have clearly a right to require, that, in such an inquiry, the principles of substantial justice should not be violated. Every one who is practically conversant with the elements of judicial evidence will concur with us in opinion, that the exparte evidence of an intercepted letter, written in a language unknown to those who decided upon its authenticity, and intercepted by interested and hostile parties, was altogether insufficient, in the absence of any corroborative testimony, to establish the accusation preferred against these two princes.

Before we examine the exactions of the revised treaties, which Lord Ellenborough determined to impose as the punishment of these alleged offences, it will be necessary to inquire into the proceedings and position of the parties affected by them.

The condition of the Amírs at this period was a very painful one. Their minds were agitated and alarmed by the current rumors of our intention to impose new treaties upon them, if not to subjugate their country; they had seen the Bengal portion of General England's force detained at Sukker, instead of proceeding to their own provinces; the political agency, heretofore their sole medium of communication with the British Govenment, had been abolished; and an unknown Military Commander exercised arbitrary sway in the heart of their country. No official intimation of these changes had been vouchsafed to them; no reason had been assigned for the detention of the troops, although such detention was unauthorized by treaty: and instead of endeavouring to allay their fears by personal intercourse and friendly explanation —a duty which had been expressly enjoined by the Governor General—it seemed as if the General's object was to confirm

* Sindh Parl. Pap. Nos. 409, 410, & 414.

† Sindh Parl. Pap. No. 415. P. 457.

and increase their apprehensions by an insulting arrogance of demeanour, and by an ostentatious display of Military strength. Surely under such suspicious and menacing demonstrations, it cannot be wondered at that the Amírs should have adopted some defensive measures for the protection of their interests.

If the British Government deemed it justifiable, after the abandonment of Affghanistan, to concentrate a large Army in the immediate neighbourhood of the Capital of Upper Sindh, at a time when, under the provisions of the treaty, we had no right to station a single soldier within the limits of that country, on what grounds of abstract justice, or under what clause of the existing treaties, can we dispute the right of the Upper Sindh Amírs to take the precautionary measure of assembling their armed dependants within the precincts of their Capital? Ours were the offensive, their's strictly defensive, measures. On the 6th November, Major Outram reported, in regard to the Khyrpúr Amírs that all their measures and preparations were defensive, and would lead to nothing offensive: and a week later his assistant at Hyderabad writes; "I cannot learn that the Amírs meditate collecting any troops in consequence of the large assemblage of British force at Sukker: but their Highnesses continue very uneasy on the subject, and impute any but friendly motives to it."

Lord Ellenborough's revised draft treaties bear date the 4th of November, and were received by Sir Charles Napier on the 12th of that month. On examining their provisions, we find that the following terms were common to the Hyderabad and the Khyrpúr treaties;

1. The relinquishment of all tribute payable by the Amírs to the British Government.
2. The introduction of a British currency throughout Sindh, and the relinquishment, by the Amírs, of the privilege of coining.
3. The right to cut wood within a hundred yards of both banks of the Indus.
4th. The cession in perpetuity to the Khan of Bharribpúr, of the rights and interests of the Amírs in the Districts of Subzulkote, and all the territory intervening between the present frontier of Bhawulpúr and the Town of Rorí.

The Khyrpúr Treaty stipulated in addition, for the cession to the British Government, of Sukker, Bukker and Rorí; while the Hyderabad treaty exacted in like manner the cession o Kurrachi and Tatta, with free transit between those places and the cession to Mír Sobdar Khan of territory producing half a lakh of revenue, in consideration of his share of Kurrachí, "and as a reward for his good conduct." It was finally provided that a British Commissioner should apportion, by mutual exchanges, the cession of each Amír in lower Sindh, according to the amount of tribute payable by each; and in the event of the cessions falling short of the amount of tribute, lands yielding an annual revenue equivalent to the balance were to be appropriated to the indemnification of such Amírs of upper Sindh, other than Mírs Rústum and Nussír Khans, as were called upon to cede territory under these new arrangements.

The imposition of these treaties proved the remote cause of the Sindh Revolution. The oppressive severity and injustice of their exactions will be at once understood, when it is stated that the pecuniary value of the confiscated territory and the other forfeited privileges, amounted to the sum of Rupees 10,40,500* per anuum; of which two thirds (being about one third of their entire revenues) fell upon the Amírs of Khyrpúr.—We have seen that the object of Major Outram's proposed treaty was, to commute, on equitable terms, the payment of tribute for the cession of territory, and to make the territorial possessions, thus acquired, available for securing the military command of the Indus and the efficient protection of its navigation. Lord Ellenborough's treaties on the other hand, in addition to these and other stipulations, had in view the infliction of a signal punishment upon the Amírs, and the grant of "a great reward to our most faithful friend and Ally," the Khan of Bhawulpúr.

Without stopping to discuss the expediency or otherwise, of retaining military possession of both banks of the Indus (after the withdrawal of our troops from Affghanistan) the impolicy of which had been so strongly denounced by Lord Ellenborough, in his celebrated Simla Manifesto only a month before, we will confine our present observations to the injustice and the folly of the proposed confiscation to Bharrib Khan. We have already expressed our conviction that the evidence adduced in support of the already hostile intrigues, upon the proof of

* Territorial cessions to the Nawab of Bhawulpúr... ..... Rs. 6,40,000
Ditto Ditto to the British Government.. ..... ,, 1,90,500
Free Transit from Kurrachee to the Indus at Tatta..... ,, 10,000
Right of cutting wood on the Banks of the Indus.. .. .. ,, 2,00,000
Compensation to Mír Sobdar Khan .... ,, 50,000
10,90,500
DEDUCT.
Amount of tribute remitted..... .... ,, 3,50,000
Balance Rupees..... .... ,, 7,40,500

which the justification of the treaty was declaredly made to rest, was altogether insufficient to establish the accusation. But let us admit, for the sake of argument, that the authenticity of the secret correspondence had been satisfactorily proved, and there will still remain the important question whether the imputed offence justified the penalty inflicted. If it be admitted that nothing can warrant a Paramount state in sequestrating the territory of one of its allies excepting such acts, on the part of the latter, as placed it in the position of a public enemy, and imparted to the former, all the rights of war, no one, we think, will venture to assert that the intercepted Letters justified such a measure. They indicated, it is true, an unfriendly feeling towards the British, and they pointed to measures of defence—in the one case by a foreign alliance, and in the other by the collection of Troops—against our expected hostility: but there was not one hostile act either committed or apparently meditated. They were also in contravention of the existing treaties, which prohibited negociation with other states and therefore furnished grounds for remonstrance, or even for precautionary measures of self defence, had any real danger been actually apprehended: but, in no point of view, could they be held to warrant either a public declaration of war, or a public confiscation of territory. Viewing their alleged offences in this light, we would next proceed to inquire whether such petty and childish intrigues, on the part of the Amírs, had placed them beyond the pale of mercy, or whether there were not some extenuating circumstances to plead, at least in mitigation of their punishment, if not for their entire forgiveness. On the part of the Amírs, it might have been urged that the British Government had itself contravened one of the most important provisions of the former treaties with these Princes, by transporting Troops and military stores up the Indus—that we had forced the existing treaties upon them, at the point of the bayonet, in pursuance of a policy the original grounds of which had just been publicly announced to be visionary and impolitic,* and which we had now been compelled to abandon—that we had given an illiberal, and, as appears to us, an unjust interpretation to an ambiguous clause of the treaty with Mír Rústum, and compelled him to abolish all river tolls without any recompense for the pecuniary loss it entailed—that notwithstanding our solemn pledge to Mír Rústum that we would not "covet a dam or drain of his territories nor the fortress on this bank or that bank of the Indus," the Governor

* See Lord Ellenborough's Proclamation of the 1st October, 1842.

General had intimated his intention to retain possession of the fortress of Bukker and the Town of Sukker nearly five months before the inquiry into the charges against that Prince commenced—that we were at this very moment directly infringing our engagements with the same Prince, by retaining Bukker which we had especially engaged to restore after the Affghan Campaign, and by concentrating a large Army at Sukker when we had no Authority under the treaty to station any troops whatever in Upper Sindh*—and finally, that the Governor General's Military Commander in Sindh was then meditating other and more flagrant violations of national justice and of public faith. It might have been further urged in behalf of these Princes, that they had not derived from these treaties any of the advantages political or commercial, which we had led them to expect—and that they had substantially befriended us at a time when even their passive friendship or neutrality would have been most injurious to our interests, and when their active hostility would have endangered the safety of our Armies, and perilled the whole of our Indian possessions. Under such a combination of aggravating circumstances on the one side, and of extenuating considerations on the other, we cannot but think, that if ever there was an occasion when complete forgiveness, would have been an act not merely of generosity but of justice, it assuredly was in the case we are now considering.

But if the declaration of an amnesty for all past offences, whether real or alleged, was deemed to be either impolitic or undeserved, surely no one will contend that either the demands of justice or consideration of sound policy required that the Amírs should be punished by such an arbitrary and indiscriminate spoliation of territory as the revised treaties contemplated. Was it not enough for the purposes of "just punishment," and for the efficient protection of British interests that we should exact the prepetual cession of Sukker, Bukker, Rorí, and Kurrachí, and occupy these stations with our troops at pleasure? Was there occasion to humiliate and oppress them still further by gratuitously and recklessly confiscating one third of the Upper Sindh territory, as if it had been a conquered province, for the purpose of conferring it on an obscure ally, whom the Governor General, for reasons only known to himself, delighted to honor and enrich, at the expense of other States?

* "It will be remembered (writes Lord Auckland in December 1839) that we are under special engagement to restore Bukker to the Khyrpúr Amírs, and that we have no absolute right under treaty to station our troops within the Khyrpúr limits."

If the punishment denounced against Mír Rústum Khan of Khyrpúr and Mír Nussír Khan of Hyderabad was thus arbitrary, oppresive, and unjust, how inexpressibly flagrant was the injustice inflicted on the other Amírs, who had not even been accused of any participation in these puerile intrigues—on Mírs Mír Mahommed Khan and Shadad Khan of Hyderabad, against whom there were only some trivial charges of evasions of treaty, on the part of themselves or their officers—on Mír Nussír Khan of Khyrpúr, with whom we had not even the semblance of a written engagement—and on Mír Hússen Ali of Hyderabad, and Mírs Mahommed Khan and Ali Morad of Khyrpúr, against whom there was no sort of complaint.* And yet these Princes, equally with the two former, were despoiled of their territories and sovereign rights, in defiance of every principle of honesty, justice, and good faith.

While we thus strongly reprobate this unrighteous act, it is just to Lord Ellenborough to record, that, at the time he directed its execution, he was obviously not aware of the full extent of the injustice he was committing. In the letter of instructions to Sir Charles Napier which accompanied the draft treaties, he expressly avowed his ignorance of the precise value, position, and ownership of the districts, which he had ordered to be confiscated: and, indeed, so vague and utterly erroneous was his information, that he made provision for the disposal of the *surplus tribute* to be surrendered by us *in excess* of the annual value of confiscated territory, when, in point of fact, the latter exceeded the former, as we have shewn, by upwards of seven lakhs of rupees. Seeing the grievous error which had been committed, Major Outram, on perusing the treaties when on the eve of leaving Sindh, (on the 12th November) strongly urged Sir Charles Napier to make a reference to the Governor-General, before tendering them to the Amírs; which, indeed, he was authorized to do by the discretionary instructions just referred to.† Notwithstanding the imperfect information avowedly possessed by Lord Ellenborough, and heedless of Major Outram's advice and of Mír Rústum's subsequent remonstrances, he delayed making the reference until the 30th of January—two months and a half after he received the treaties, and nearly two months after he had presented them to the Amírs. This fatal delay is the

* Mír Sobdar Khan (of Hyderabad) "our friend" was alone exempted from these exactions.

† Sindh Parl. Pap. No. 388.

more deeply to be regretted, because on the day of its receipt, his Lordship intimated, that, while he wished all the territory which had been conquered from Bhawulkhan to be restored, his object in confiscating the country between the Bhawulpur frontier and Rorí was "to establish a communication between our territories on the Sutlej and Rorí through a friendly state, rather than to inflict any further punishment on the Amírs of Khyrpúr," and therefore, that, if Sir Charles was of opinion that the cessions originally demanded, pressed too heavily upon the Amírs, he was directed to submit any suggestion he might have to offer for its modification. These instructions, however, arrived too late; they came not until the battle of Míaní had sealed the fate of Sindh and its rulers.

The conduct of Sir Charles Napier in this matter, betrayed a most culpable neglect of duty, both towards his own Government and to the Princes of Sindh, and is deserving of the severest condemnation. But this constitutes only a part of his guilt in this painful transaction. Sir Charles, had assured the Governor General that *he himself* would present the treaty to the Amírs; and that he would "Spare no pains to convince them that neither injury nor injustice were meditated, and that by accepting the treaties they would become more rich (!) and more secure of power than they now were." Instead of pursuing this course, which a sense of duty no less than his promise so clearly prescribed, he deputed his assistant, neither to explain, to advise, nor even to negociate, but to present the treaties and to admit of no remonstrance. They were tendered to the Amírs of Upper Sindh on the 4th, and to those of Lower Sindh on the 6th of December, accompanied by Letters from the Governor General as well as from Sir Charles to these Princes, and were verbally accepted on the 7th, by the deputies of both Provinces, who at the same time remonstrated against their injustice. The hostile attitude and menacing tone of the General had previously induced the Amírs of upper Sindh to adopt the precautionary measure of collecting some of their troops at their capital; but the perusal of the draft treaties, harsh and humiliating though they were, and the (fictitious) report made to them by their Vakíls that the General had now abandoned his intention of marching on their capital, and was about to send away the Bengal force, seems to have in some degree re-assured them; and, in the apparent hope of being able to procure by negociation some remission of the terms, they began to disband their troops. The General's hostile measures, however, soon led to their recall.

Having crossed the Indus in hostile array, he, on the 8th,

publicly proclaimed the districts between Rorí and the Bhawulpúr frontier to be confiscated to the British Government from the first day of the ensuing year, and ordered that thenceforth "one cowree shall not be paid to the Kamdars of the Amírs." On the 18th he issued a second irritating proclamation, annexing these districts to the Nawab of Bhawulpúr, and prohibiting the Amírs, under threats of amercement, from collecting their revenues: and on the same day he sent the Bengal column to occupy the confiscated territory. The possessions, be it remarked, thus summarily and illegally seized, were the districts regarding which, he was, at the moment, withholding such official information, as in all probability would have induced the Governor General to modify his orders for their sequestration: and these districts were now seized on the plea of a treaty which was still unratified and which remained so for nearly two months afterwards. Well might the chronicler of the conquest affirm; that "the sword was now raised, and the negociation became an armed parley." *

While he was thus forcibly appropriating the territory of Mír Rústum, which he had been authorized only to negociate for, by treaty, he on the 12th thus abruptly addressed that Amír, "I must have your acceptance of the treaty immediately—yea or nay." And again in the same arrogant strain; "The Governor-General has occupied both sides of your Highness' river, because he has considered both sides of your Highness' argument. But I cannot go into the argument,—I am not Governor-General; I am only one of his Commanders. The Governor-General has given to you his reasons, and to me his orders; they shall be obeyed."† We will venture to state, that the annals of Indian diplomacy do not present a picture of more overbearing haughtiness than this. To have treated a conquered enemy in this manner, would have been deemed an act of barbarous inhumanity: but to address such language to a sovereign Prince, with whom we were at peace, argued a scandalous dereliction of public duty. Well might the venerable Rústum say; "You have issued a proclamation, that, in accordance with the new treaty, my country, from Rorí to the boundary of Subzulkote shall be considered as belonging to the British Government from the 1st January. As yet I have not entered into a treaty to this effect: *** moreover be it known that I have distributed the districts above alluded to among my kindred and chiefs of Belúchistan." Such was the series of unjust and oppressive acts

* Napier's Conquest, P. 156. † Suppl. Sindh Pap. No. 8.

which proved the remote occasion of the Sindh Conquest; its proximate cause is now to be noticed.

Mír Rústum Khan, the Rais or Prince Paramount of Upper Sindh, the spoliation of whose territory has just been described, was now above eighty years of age. The succession to the sovereignty after his death was claimed on the ground of prescriptive usage, by his younger brother Mír Ali Morad; while Rústum, on the other hand, claimed the right of bequeathing the turban (or crown) to his eldest son Mahommed Hússen, and even of placing it on his head during his own life.

Of these two rival candidates, the ablest and the most unprincipled was Ali Morad, whose guilty intrigues were so soon to involve his kindred and country in ruin. His first object was to obtain from the British Government an acknowledgement of his title to the succession, and a promise of support, if necessary, in establishing his claim after Rústum's death: and this object being attained, he meditated the extortion of the turban, if practicable, during his brother's life. In furtherance of these objects, he persuaded Mír Rústum and the Khyrpúr Amírs to invest him with full powers as their representative to conduct all communications with Sir Charles Napier, and on the 23rd of November he succeeded in obtaining a personal interview with the General. At this memorable conference—memorable from the disastrous consequences to which it ultimately led,—Sir Charles having decided, on what ground is not stated, that Ali Morad had "the right" to the turban after the death of Mír Rústum, promised, on the part of the Governor General, to protect him in that right, provided "he continued to act loyally towards the British Government." He further assured him that Mír Rústum would not be permitted by the Governor General to invest his son with the dignity in question during his own life; because, he said, "it would be against the treaty for any one Amír to defraud another of his right." * Without presuming to decide, in the absence of any recorded data, whether the abstract right to the turban rested exclusively with Ali Morad, as was authoritatively announced by Sir Charles; or whether the claims on that ground were equally balanced between the two candidates, as had previously been decided by Major Outram,† we are clearly of opinion, that, under the existing treaty, which acknowledged the supremacy of Rústum and his absolute control within his own territories, we should have had no grounds for interference had Rústum carried into effect his

* Sindh Parl. Pap. No. 413, P. 45. † Outram's Commentary, P. 104.

intention of investing his son with the turban during his life; although, in the event of a disputed succession after his death, its settlement might have rested with the British Government.

While Sir Charles thus guaranteed to Ali Morad the eventual succession to the sovereignty of Upper Sindh on Rústum's death, he indiscreetly, though perhaps unconsciously, intimated that the turban would be preserved to Rústum during his life "*unless he forfeited the protection*" *of the Governor General:* an intimation which Ali Morad appears to have determined to turn to his personal advantage, even before he left the General's presence: for he at once indirectly accused Mír Rústum of hostility, by stating that he (Ali Morad) and Mír Sobdar Khan of Hyderabad were "the only friends of the English," and by proposing that they two should make a secret treaty to stand by each other. It seems passing strange that such a proposition coming from a Chief who had expressly solicited the interview as the accredited deputy of Rústum, should not have excited any suspicion of his perfidy in the mind of the General.

Having thus attained, and more than attained, the secret object of his visit, this bold and unscrupulous Prince hastened to compass the immediate deposition or compulsory abdication of his brother: and Sir Charles appears to have heartily seconded him in his guilty ambition. "The next step, (writes the General*) after giving Ali Morad a promise of the succession to the turban after Mír Rústum's death, was to *secure him the exercise of its power now, even during his brother's life.*"* How this was accomplished, is now to be shewn.

At the very time when a British General was confiscating Mír Rústum's territory, and a perfidious brother was secretly meditating his deposition, domestic troubles had befallen "the good old man." On the 18th December—the day on which the General threatened to march on his capital and proclaimed his districts to be confiscated to the Khan of Bhawulpúr—he sent a secret message to the General, to the effect that he was in the hands of his family and could not act as his feelings of friendship for the English nation prompted him to do, and that if the General would receive him he would escape and come to his camp.† Surely under such an appeal it would have been an act of friendship and humanity peculiarly befitting, if not absolutely incumbent upon, the British General, whose duty it was "to represent the friendship as well as the power" of his Government, to have promptly responded to so

* Sindh Parl. Pap. No. 445, P. 483. † Supp. Sindh Pap. No. 15.

reasonable a request. But setting all such feelings aside, a just regard to political consideration should have dictated a ready compliance; for, if it really was the wish of the General to secure an amicable settlement of the treaties, no better opportunity for effecting this object could have been desired than this spontaneous offer, on the part of the Amír, to place himself under British protection. And, be it remembered, that the request emanated from the Sovereign Prince of the Province, at whose court he was the delegated British representative, and within whose territories he had resided for two months and a half, but with whom he had not yet had an interview.* To have invited the aged Amír to his camp would most probably have effected the settlement of the treaties and secured the peace of the country, as it would have unmasked the character of Mír Ali Morad; and it was, therefore, a duty which Sir Charles owed both to that Chief and to his own Government. But we shall shew how different was the course of policy which he followed. "The idea struck me at once (he writes to the Governor General two days afterwards,) that Rústum might go to Ali Morad, who might induce him, as a family arrangement, to resign the turban to him:" and accordingly in pursuance of this "idea," he sent a secret Letter through Ali Morad to Rústum, recommending him to take refuge in his brother's fortress, trust himself to his care, and be guided by his advice. Bewildered and alarmed by the hostile proceedings of the General and by the dissensions within his own family, he fell into the snare, and on the 19th fled to Dejí-ka-kote. Having thus "thrown himself into his brother's power," by the General's advice, he was placed under restraint, deprived of his seals, and compelled on the following day to resign the turban to Ali Morad.† The great object of his policy having been successfully accomplished, Sir Charles thus laconically and exultingly reports its results; "This (the transfer of the turban) I was so fortunate to succeed in, by persuading Mír Rústum to place himself in Ali Morad's hands. This burst upon his family and followers like a bombshell."‡

Although the General was not acquainted, at the time, with the precise circumstances under which the turban had been fraudulently extorted from Mír Rústum, he, from the first, sur-

* Mír Rústum had solicited an interview with Sir Charles on a previous occasion, but postponed it on the plea of sickness, though in reality he was dissuaded from it by his intriguing brother. He repeated his request, but was refused.

† Sindh Parl. Pap. P. 502. ‡ Sindh Parl. Pap. No. 445, P. 482.

mised that Ali Morad had "bullied his brother into making it over to him:" and now his suspicions as to the honesty of the proceedings were increased by the fact that a determination was obviously manifested in some quarter to prevent his having personal access to Rústum. This he resolved to counteract; and on the 27th he intimated to Ali Morad his intention of visiting Rústum on the following day. But before the morning's sun had risen, the aged Prince had fled in dismay to the desert.

The intelligence of Rústum's flight, viewed in connection with the extraordinary transactions of which it was the consummation, could not fail to stagger the General, and to augment his former well-grounded suspicions. Accordingly, in reporting the matter to the Governor General, he attributed it either to the aged Prince's dread of his (the General's) making him a prisoner—a dread, he adds, which had all along haunted him,—or to his having been frightened into the foolish step by Ali Morad, who, in order "to make his possession of the turban more decisive," might have told him that he (the General) intended to seize him.* The accuracy of his conjectures was amply confirmed by the receipt of a communication, written on the following day, from Mír Rústum himself, disavowing the validity of the cession of the turban, as having been extorted from him, and stating that he had been induced to flee into the desert, and to avoid a meeting with the General, in consequence of the representation of Ali Morad that he (the General) wished to make him a prisoner. Rústum further intimates in his Letter, that he had sent ambassadors to the General to explain every thing, and concludes by expressing a hope that his case may be examined "by the scales of justice and kindness," and that he may receive his rights according to the treaty. The correctness of his statement was a week afterwards confirmed by the deputies just referred to, in presence of Ali Morad's own minister, as well as of Major Outram and Captain Brown.†

With such an array of circumstances and facts, all affording the strongest presumption that Ali Morad had fraudulently extorted his brother's birthright, and that, in the accomplishment of his wicked purpose, he had dared to stain the British name by imputing meditated treachery to the British representative,—it was the bounden duty of that officer to lose not an instant in instituting a full and searching inquiry into the whole circumstances of the transaction. An inquiry was due to the Sovereign Ally, whose rights we had guaranteed—it was due to the

* Sindh Parl. Pap. No. 446. † Outram's Commentary, P. 126.

personal character of the General himself—and it was, above all, due to the vindication of the faith and honor of the Government whom he represented. We grieve to record that no investigation whatever was made, either then or at any subsequent period, though thus imperatively required for the credit of the British name, and repeatedly and urgently solicited by the Amírs both of Upper and Lower Sindh. On the contrary, on the very day (the 1st of January) on which he received from Rústum the confirmation of his own previous suspicions, the General, with incredible inconsistency and in violation of every consideration of political prudence and moral justice, issued an arrogant and offensive Proclamation, addressed to the Amírs and people of Sindh, in which he gives a short but inaccurate outline of what had occurred; asserts that Mír Rústum, by his flight, had insulted and defied the Governor General; and declares his intention to "protect the chief Amír Ali Morad in his right, as the justly constituted Chief of the Talpúr family."* On the following day he addressed a letter of similar purport to Rústum,—charging him with misrepresentation, subterfuge, and double dealing; and concluding with these words, "I no longer consider you to be the chief of the Talpúrs, nor will I treat with you as such, nor with those who consider you to be Rais.†

Ali Morad having been thus formally proclaimed as the justly constituted Rais of Upper Sindh, the General, without waiting for instructions from the Governor General, did not hesitate to pledge the British Government to grant to the usurper all lands said to appertain to the Turban, without knowing or inquiring what those lands were. Supported by the General, Ali Morad appropriated territory at his pleasure, and resumed, on the plea of the Turban, lands which had passed into the possession of feudatory chiefs: thereby creating general disaffection and alarm.

The aggregate annual value of the territory left to the Amírs of Upper Sindh, under the exactions of Lord Ellenborough's yet unratified treaties, was only Rs. 14,29,000: of this amount Ali Morad's share was Rs. 4,45,500, leaving to the other Amírs Rs. 9,83,500. Now Sir Charles had not only pledged to Ali Morad, in virtue of his usurpation of the

* Suppl. Sindh Pap. P. 6.

† Suppl. Sindh Pap. No. 17. We have deemed it to be quite unnecessary to enter into an examination of the discordant and contradictory statements to be found in the different versions given by Sir Charles Napier of this very discreditable transaction; but refer our readers to the fifth chapter of Colonel Outram's Commentary, where they will find the whole subject of the compulsory abdication of the Turban analyzed and exposed with much minuteness and ability.

Turban, one-fourth of the aggregate revenues of Upper Sindh, but had moreover stipulated that this fourth should be deducted, not from the aggregate revenues of the Province (Ali Morad's own revenues included) but from the revenues of the other Amírs. Thus these unfortunate Princes were called upon to pay, not the fourth of their own possessions, viz. Rs. 2,40,000, but a fourth of the entire revenues of the Province, or Rupees 3,57,250:—which, added to the sum of Rs. 1,50,000 to be paid to Ali Morad as an indemnity for his possessions confiscated to Bhawul Khan, swelled the total exactions made by the usurper to Rs. 5,07,250:—leaving a balance of little more than six lakhs of Rupees for the support of no less then eighteen Amírs, with their families, dependants, and feudatory Chiefs, who had up to that period enjoyed an annual revenue of Rs. 17,44,000.

In the mean time, while these startling events were in progress, Major Outram, who was on the eve of embarking for England, was recalled to act as a British Commissioner, under Sir Charles Napier, for settling the details of the Ellenborough treaties. That officer, disregarding all personal considerations, promptly repaired to Sindh, to act as a subordinate in the countries where he had so recently held supreme political control. He accepted the situation in the hope that he might yet be enabled to save the ill-fated princes of that devoted country: but their doom was fixed, and he was unable to avert it. What Sir Alexander Burnes was in Affghanistan under Sir William Macnaghten, Major Outram was in Sindh under Sir Charles Napier. Both were powerless for good: and both must have appeared in the eyes of the Princes and people of the country as countenancing and approving a system of policy which was utterly at variance with their known characters and with their former opinions. This is painfully exemplified in the final conferences, when the Amírs pour forth their remonstrances and complaints against the cruelties and injustice which they had suffered, and the Commissioner, in consequence of the instructions he had received, has not the power of holding out the slightest hope that their grievances would even be inquired into. We are, however, anticipating the regular course of our narrative.

Major Outram joined the General's Camp at Dejí-ka-kote, the fortified residence of Ali Morad, on the 4th of January (1843)—three days after the proclamation of that Prince as the supreme ruler of Upper Sindh. He used every effort to check the General in the course on which he had so unfortunately entered. He pointed out the palpable treachery and extortion by which Ali Morad had possessed himself of the turban; his unwarrantable and indiscriminate resumption of lands alleged to appertain to the Rais-ship; the consequent injury and injustice it would entail on the other subordinate Princes and Chiefs; and the general disaffection, if not insurrection, it would create throughout Sindh. But the warning was disregarded: the General, deaf alike to the voice of reason, to the calls of justice, and to the solemn obligations of treaty, pursued his impetuous career. Having, without any declaration of war, marched in hostile array upon the capital of Upper Sindh, with whose chief we were at peace, and at whose hands we had received such signal benefits; having taken Military possession of an extensive tract of country on the plea of a yet unratified treaty; having unauthorizedly lent the sanction of the British name to the usurpation of the turban by a crafty and unprincipled chief, under circumstances—to which, he himself had been a party—that involved the strongest suspicions of treachery and violence; and having sanctioned the undiscriminate appropriation of lands on the pretext of their appertaining to that turban, which he had usurped;—the General proceeded, in the name of the usurper, to seize and make over to him all the fortresses in Upper Sindh. One of the first of the strongholds invaded was Emaunghur, the name of which must be familiar to all our readers.

Emaunghur, let it be observed, was the private property of Ali Morad's nephew, Mír Mahommed Khan, a chief against whom no charge of "hostility or unfriendliness," had even been preferred, and whose possessions were guaranteed to him, by a separate agreement, under the treaties of 1839. The true object which the General seems to have first had in view, when he determined on capturing this "Sindhian Gibraltar" as he terms it, was the moral effect likely to be produced by so daring an achievement: and we find him writing to the Governor-General on the 27th December: "I have made up my mind, that though war has not been declared (nor is it necessary to declare it) I will at once march upon Emaunghur, and prove to the whole Talpúr family of both Khyrpúr and Hyderabad, that neither their deserts nor their negociations can protect them from the British troops." But as this might be considered, and justly considered, an unwarrantable invasion of private rights, he some days after bethought himself of calling in question Mír Mahommed's title to the fort, and here, as on former occasions, we are again startled by the General's contradictory statements. In one place, we find him describing it as "belonging to Mír Mahommed Khan, but becoming the property of Ali Morad by his election, to be

chief."* But if the fort appertained, as of right, to the turban, why was it not in possession of Mír Rústum who wore the turban? In another place he states that "it *was* Ali Morad's, but he gave it to one of his relatives (Mír Mahommed Khan) three years ago." If it did really belong, at some antecedent period, to Ali Morad—which we merely assume for the sake of argument—we would ask, how came he, not only to be the proprietor of it, but to alienate it to another chief, while Rústum wore the turban, to which Sir Charles had just told us it of right belonged. Again, on a third occasion, he shifts his ground of defence, and rests the justification of its seizure on the allegation that the owner was "in rebellion" against Ali Morad. But it is painful to dwell on such contradictions. Nothing but an inward conviction of the injustice of the measure could have drawn forth such a defence.

Sir Charles marched on Emaunghur with a light detachment on the night of the 5th of January; saw no enemy on his route; and on his arrival at his destination found the fort deserted. Before setting out on this expedition he had intimated to the Governor General his intention of sending word to the Amírs in Emaunghur that he would neither plunder nor slay them if they made no resistance. These chiefs, however, apparently distrusting the General's good faith, abandoned the fort: and the latter, in breach of his solemn promise, destroyed and plundered it, after having obtained with difficulty the consent, (not of "the owner," but) of Ali Morad. Before quitting this subject, we must prominently notice, that, while Sir Charles affects to have taken possession of this fortress in support of the authority of Ali Morad, we find that he had resolved on placing all the forts in the hands of his puppet, even before he had usurped the turban. "I will place their forts (he wrote before Rústum's abdication) in the hands of Ali Morad, nominally in those of Mír Rústum."†

Having accomplished this unprovoked inroad into the heart of the territory of an allied Prince, and having completed the spoliation and destruction of the fortress, in direct violation of the treaty, and of his own plighted word, the General retraced his steps towards the Indus. He, at the same time, deputed his Commissioner Major Outram to Khyrpúr to meet the Amírs of Upper and Lower Sindh, with a view to the arrangement of the intricate details of Lord Ellenborough's treaties.

* Sindh Parl. Pap. No. 448. † Sindh Parl. Pap. P. 478.

In a circular letter, addressed to them by the General, the several Amírs were directed to attend at Khyrpúr, either personally or by Vakíls, adding, that, if any one of them failed to furnish his deputy with full powers, he would not only exclude him from the meeting but would "enter the territories of such Amír with the Troops under his orders, and take possession of them in the name of the British Government." Notwithstanding this threatening Letter, none of the Khyrpúr Amírs made their appearance within the stipulated period. Having been distinctly informed that no alteration could be made in Sir Charles's arrangements with Ali Morad,—whose usurpation of the Turban, with all its attendant territorial exactions, was to be considered a closed question,*—Mír Rústum proceeded in the direction of Hyderabad to join his fugitive relations.

Finding it impossible to avert the ruin which was befalling the Amírs of Upper Sindh, Major Outram asked the General for permission to proceed to Hyderabad without delay, in the hope of reaching that capital in time to prevent its princes from giving aid or refuge to their fugitive kinsmen, and also of being enabled, by their means, to procure the submission of the latter. The General's reply, acceding to his application, was intercepted, it is believed, by Ali Morad's Minister, and never reached Major Outram. Two days after this, Vakíls, bearing the seals of the Amírs of Hyderabad, arrived at Sir Charles's head-quarters, with full authority to affix them to the treaties. Instead of procuring the signature of the Vakíls to their unconditional acceptance (leaving the details for future adjustment) he injudiciously desired the deputies to return to Hyderabad to meet Major Outram on the 6th of February. This was certainly an unfortunate decision: but, with a still more lamentable want of judgment and of consistency, he, in a letter to the Hyderabad Amírs apprizing them of what he had done, expressed a hope that the Khyrpúr Amírs would also proceed to Hyderabad to meet his commissioner, adding, "if they do not, I will treat them as enemies:"—thereby advising and directing the adoption of the very measure which Major Outram so much deprecated, and the prevention of which was the main object of his proposed visit to Hyderabad.

* Notwithstanding the obviously imperfect information under which Lord Ellenborough drew up the draft treaties, and the discretionary power which he gave the General to refer all doubtful points, the latter persisted to the last in carrying out these oppressive exactions to the uttermost. "Whether such arrangement," he writes to Major Outram, "leaves the former (the opposed Amírs) one rupee or one million, does not, in my view of the case, come within our competence to consider."

The interception of the General's Letter and other unavoidable causes prevented Major Outram's departure from Sukker till the 4th of February: and on reaching Hyderabad on the 8th, he found that Mír Rústum, acting in obedience to the General's orders, had arrived there four days before him. Thus Sir Charles Napier had completely embroiled the Amírs of Hyderadad in the misfortunes of their cousins of Khyrpúr, and had succeeded most effectually in frustrating the very object for which his Commissioner had been deputed to Lower Sindh:—a result which the Hyderabad Chiefs themselves had all along dreaded, and had heretofore prevented, and to which they attributed all their subsequent misfortunes.

Having entered so much at length into the remote and proximate causes that led to the subjugation of Sindh, it will be unnecessary to dwell upon the memorable occurrences which marked its final accomplishment. In the conferences which Major Outram held at Hyderabad with the Amírs of both Provinces, they solemnly denied the truth of the charges on which the new treaties were imposed, and complained that they had never been allowed an opportunity of disproving them. The great subject of earnest and repeated remonstrance, however, was the unjust extortion of the turban from Mír Rústum. That chief re-iterated his previous allegations, that, in conformity with the General's express directions, he had sought refuge with Ali Morad, who placed him under restraint, made use of his seals, and compelled him first to resign his birthright, and then fly from Dejí-ka-kote on the General's approach. Although they strongly protested against the harshness and injustice of the exactions of the revised treaties, all the Amírs agreed to sign them, upon condition that Mír Rústum should be restored to his hereditary rights.

Finding that the Commissioner was unauthorized to give them any assurance, or even to hold out any hope, of Rústum's restoration, they then endeavoured to exact a promise, that an *inquiry* should be instituted, and that in the event of their substantiating the truth of what they had alleged against Ali Morad, the turban should be restored to Rústum, and the lands which had been wrested from his kindred and feudatories on the plea of belonging to the turban, should be given back to them; or, should this request not be complied with, they entreated that they themselves might be allowed to settle their dispute with Ali Morad without British interference. They urged a promise of inquiry, not only as an act of justice to Rústum, but also as the only means of allaying the excitement of the Belúchís; who had been flocking into the capital during that day and the preceding night, and who had refused to disperse until Rústum's wrongs should be redressed.* Major Outram's instructions, however, were peremptory and left him no discretionary power: he could only promise to forward to the General any representation they might have to make on the subject; and in the meanwhile urged upon them an immediate compliance with the terms of the treaties.

At length, on the evening of the 12th, the Amírs formally affixed their seals to the draft treaties in open durbar. On their way back to the Residency, Major Outram and his companions were followed by a dense crowd of Belúchis, who were only prevented from attacking them by "a strong escort of horse sent for their protection by the Amírs, under some of their most influential Chiefs." On the following day the Amírs sent a deputation to Major Outram to intimate, that, after his departure from the Durbar on the preceding evening, all the Belúchi Sirdars had assembled, and learning that, notwithstanding the acceptance of the treaties, the commissioner had given no pledge whatever for the redress of Rústum's grievances, they took an oath on the Koran to oppose the British troops, and not to sheath the sword until that chief and his brethren had obtained their rights. The Amírs further stated, that they had lost all control over their feudatories, and that they could not be answerable for their acts, unless some assurance were received that the rights of Rústum would be restored. On that and the following day, they forwarded repeated verbal and written messages to Major Outram, to the same purport,—entreating him, should he not be empowered to grant the required assurance, to leave the Residency, as they could not restrain their exasperated followers. Notwithstanding these warnings he determined to remain at his post, at all risk, lest his departure should precipitate hostilities.

While these events were in progress, Sir Charles Napier was marching with his small army upon Hyderabad. He had intended and pledged himself, as late as the 12th, to halt and embark the troops for Kurrachí, as soon as he received the Amírs' acceptance of the treaties: but, ere it arrived, he was within two or three days' march of the capital, and had obtained information that the Belúchís were assembling in large numbers in the town and neighbourhood of Hyderabad. Under these circumstances, which had been brought about by his own acts, the safety of his army and other military considerations

* The Belúchís were further exasperated at the moment by the intelligence of the seizure of Hyat Khan, a Murí and Sindhian Chief.

determined him, instead of halting as he had promised, to continue his march. The news of this determination was brought to the Amírs by the camel rider who had conveyed Major Outram's dispatch announcing the acceptance of the treaties.

War was now inevitable; and both parties appear to have arrived at this conclusion at the same time. At 9 A. M., on the 15th, Sir Charles wrote to Major Outram, "I am in full march on Hyderabad, and will make no peace with the Amírs. I will attack them instantly, whenever I come up with their troops." At the very hour, when the British General thus formally *declared* war—for he had practically been carrying on warlike operations for two months—hostilities were commenced by the Amírs' Troops in their attack on the British Residency, the heroic defence of which by Major Outram, with his small honorary escort under the command of Captain Conway, against eight thousand Belúchís, formed, perhaps, the most extraordinary achievement of that brief but memorable campaign. Then followed, in rapid succession, the brilliant victory of Miání, won by the gallantry of our troops and by the military genius and intrepid valor of their General, against the united forces of Upper and Lower Sindh—the surrender of the Amírs and the capitulation of Hyderabad—the hard-fought battle of Dubba, in which our troops defeated the Army of Mír Sher Mahommed of Mírpúr, who escaped after the battle—the public notification of the annexation of Sindh to the British dominions,—and, finally, the captivity and exile of all the Amírs. It does not fall within our present purpose to give a detailed narrative of these transactions: but there are a few points connected with them which require special notice.

The first of these relates to the attack on the Residency. That measure was characterized by Lord Ellenborough, in his notification of the 5th March, as "a treacherous attack upon a representative of the British Government," and as a "hostile aggression prepared by those who were in the act of signing a Treaty:" the character thus affixed to this hostile measure being based upon Sir Charles Napier's official report that the Amírs signed the treaty on the night of the 14th, and that they attacked the Residency on the following morning. On this we would remark, 1st. That the treaty was signed on the 12th, and not on the 14th, as erroneously reported by the General; 2d. That during the two days and three nights which intervened between the execution of the treaty and the commencement of hostilities, the Amírs, as has been shewn, sent repeated messages, verbal, and written, to Major Outram,

urging his departure on the ground that they could not restrain their feudatories, and that they themselves would be compelled to join with them, unless the General should halt, and promise an inquiry into Mír Rústum's grievances. To designate the attack on the Residency, after such repeated warnings, as a "treacherous" attack, was a direct perversion of language and of fact. It was in truth the first reciprocation, on the part of the Amírs, of hostilities which the British General had commenced two months before, and which, before the commencement of the attack, he had resolved to prosecute with vigour.

The second point which requires notice is the suppression by Sir Charles Napier of the notes of the conferences between the Amírs of Sindh and Major Outram, in violation of his official duty and of his promise to forward them to Government. An examination of these documents by the Governor General was absolutely necessary to his acquiring a just knowledge of the points at issue between the Amírs and his representative. The perusal of them would have acquainted his Lordship that the Amírs had unreservedly acquiesced in the terms of his treaties, harsh and oppressive as they were; but that they protested against the fraudulent exactions from Mír Rústum, which formed no part of their stipulations, and the unjust and unauthorized enforcement of which, by his General, proved, the immediate cause of the war. The shifting and contradictory reasons subsequently assigned for withholding these important documents are melancholy exemplifications of the subterfuges to which it becomes necessary to resort in support of an indefensible act.

A third point to which we would advert, regards the terms on which the Amírs surrendered on the day after the battle of Miání. Having previously received, through their Vakils, a promise of honorable treatment, those Amírs who were present in the battle (viz. Mírs Rústum, Nussír, and Mahommed Khans of Khyrpúr, and Mírs Nussír, Shahdad, and Hússen Ali Khans of Hyderabad) entered the British Camp, and surrendered to the General, who returned their swords, and intimated that they would be treated with consideration, until the receipt of the Governor-General's instructions for their ultimate disposal. Under this guarded stipulation, Sir Charles could not be held responsible for the fate of any of these six Princes, with the exception of Mír Hússen Ali, Major Outram's ward. As no charge had ever been preferred against this young Prince, who was only sixteen years of age, except that of being present in the battle, Major Outram interceded

in his behalf, and obtained his release, and, as was inferred, his pardon. Notwithstanding this, he was soon afterwards arrested, without any assigned reason, and imprisoned with the others. That there may have been a misconception of the General's precise meaning when he set him at liberty, is extremely probable: but, as the misapprehension was entertained not only by the Prince himself and the whole of his family, but also by the British Officer at whose intercession he was released, his subsequent imprisonment, without any known cause, cannot be reconciled with the strict principles of justice and good faith.

But whatever difference of opinion may have existed regarding the treatment of Mír Hússen Ali, there can be but one opinion as to the injustice perpetrated on Mírs Sobdar Khan and Mír Mahommed Khan. The former of these had, up to the outbreak of hostilities, been recognized by all parties as the "old and ever faithful friend and ally" of the British Government, the latter had on all occasions been employed as a mediator between contending chiefs; and neither of them had been present at Miání. It was, in consequence, intimated to them by the General, after the battle, that no harm should befal them, if they remained quietly in their houses. Under this assurance they peaceably surrendered the fort of Hyderabad, which Sir Charles admitted he could not have captured without reinforcements; and three days afterwards they were arrested, and condemned to share the fate of their kindred. The treatment of these two Princes has left an indelible stain upon the humanity, justice, and good faith of the British Government.

The next question which arises, and which has been the subject of much angry discussion, refers to the property seized in the fort of Hyderabad, and subsequently appropriated as prize. As the fortress was surrendered, and not captured, it follows that whatever treasure or other property was found therein, that could justly be considered lawful prize, belonged of right to the British crown, or the East India Company, and not to the Army. But the complaint chiefly insisted on by the Amírs, was, that they had been deprived, by the Prize Agents acting under the General's Orders, not only of the state property, but also of their personal and private property, including personal ornaments, clothing, and articles of household furniture. Another complaint urged by them, under this head, was, that the privacy of the female apartments was violated; that the Princesses were compelled to throw away their ornaments, rather than undergo the shameless scrutiny to

which they knew they would be subjected; that jewels and other property were actually taken from the persons of their female attendants; and that the houses of some of their servants were plundered. These alleged acts of spoliation were aggravated by the circumstance of their having been committed, not in the immediate excitement of a siege, but at an interval of two or three days after the peaceful surrender of the fort. There may possibly have been some exaggeration, and mis-statement in these accusations: but their substantial truth has never been publicly disproved.

It is scarcely necessary to notice, except for the purpose of denouncing, the apparently vindictive spirit in which Sir Charles Napier, with the aid of his brother the Historian, has traduced the public and private characters of the Amírs. There is something, to our thinking, at once unmanly and ungenerous in the seeming virulence with which the conqueror of Sindh has thus endeavoured to embitter the exile of the unfortunate victims of his power, and his injustice. If he had even established the truth of the monstrous crimes and vices which he has laid to their charge, he would not in the slightest degree have thereby diminished the political and moral injustice which led to their dethronement: but when we find that these charges are, either utterly devoid of truth, or, to say the least, grossly exaggerated, we feel as if the original injustice of the conquest were almost obliterated by the atrocity of the subsequent libels upon the conquered Princes. In vindication of the character of the Amírs, however, Colonel Outram has adduced the written testimony of several British Officers, who, from their official relations to these Princes during the later period of their rule, and since their exile, have had peculiar opportunities for acquiring a correct opinion, and whose characters are a sufficient guarantee for the scrupulous accuracy of their evidence. From the concurring testimony of the officers we are bound to exonerate their private character from some of the more revolting vices which have been laid to their charge, and to rank them as rulers rather above than below the ordinary level of the *Mahommedan Princes* of India.

We have already in the course of our narrative anticipated most of the observations that naturally arise from a review of the transactions which have been detailed. But, before we conclude, it seems right that we should endeavour to apportion to Lord Ellenborough and to his General their respective shares in the responsibility of these proceedings.

The first great error which Lord Ellenborough committed in the management of our relations with the States on the

Indus, was the supercession of Major Outram, the British Representative by Sir Charles Napier, and the subsequent entire abolition of the Political Agency in that country. We are fully aware of the advantages which result from an union of Political and Military Control in the person of one officer, both on account of the additional weight and influence, with which it invests him, and also because it tends to prevent the delays, jealousies, and consequent injury to the public interests, which may arise, in cases of emergency, from a divided and conflicting authority. But where the officer selected for the duty does not possess the requisite union of Political and Military qualifications, then is there no measure more hazardous to the public peace, or calculated to be more detrimental to the public interest. Lord Ellenborough selected for the discharge of these united functions in Sindh, an officer who was as admirably fitted for the one duty as he was utterly disqualified for the other. He superseded an incapable Commander by the ablest General in India; but at the same time he displaced a Political functionary of tried efficiency to make room for an inexperienced officer, whose utter incompetence for the duty has been made apparent in almost every page of the foregoing narrative. In this arrangement his Lordship evinced either a want of discernment of character, or a more culpable waywardness of disposition, to the indulgence of which the public interests were sacrificed.

The second objectionable measure, for which he must be held responsible, was the imposition of the Revised Treaties, which, as we have shewn, proved the remote cause of the revolution. It has been seen, that, had the General not culpably withheld official information which it was his duty to have communicated, the details of the measure might have been modified and rendered less oppressive to the Amírs: but, after making the necessary deduction on this ground, there will remain much that is censurable both in the terms of the treaties and in the grounds upon which they were imposed. In the first place, he acted unwisely in entrusting to an inexperienced Subordinate Agent the power of passing a final decision on a matter which was to involve, in its consequences, the forfeiture of the sovereign rights, and of a large proportion of the territorial possessions, of an allied state. But even if the General's decision upon the questions referred to him had been supported by clear and undeniable evidence—a supposition very remote from our real conviction,—we should still consider the treaties which Lord Ellenborough based upon them to be most impolitic. Independently of all other objectionable clauses,

the indiscriminate sequestration of the territory of the different associate rulers of Sindh, and its cession to the neighbouring chief of Bhawulpúr, not only immediately involved all these rulers in the punishment avowedly inflicted for the alleged offences of only a portion of them, but was calculated to perpetuate future discord between the rulers and people of the two states, and to provoke a feeling of bitter and lasting animosity against the British Government.

Lastly, it is to Lord Ellenborough alone that we are to ascribe the dethronement, captivity, and exile of the Amírs, and the annexation of Sindh to the British dominions.

Among the more prominent errors and faults committed by Sir Charles Napier, during the few eventful months of his diplomatic career in Sindh, the first to be noticed is the general mode in which he performed the political duties of his office.

The functions of a British Representative at the court of a protected native state, if we understand them aright, involve the twofold duty of upholding the authority and interests of his own Government, and of conciliating the friendship and watching over the interests of the Durbar to which he is accredited. He represents a Government which has engaged to protect as well as to control; and if he neglects the performance of either of these offices he must be considered to have failed in the fulfilment of the responsible duties committed to his charge.

If we apply this test to the political services of Sir Charles Napier in Sindh, we shall find how grievously and how fatally he failed in their performance. Of the two branches of political duty, just referred to, he altogether neglected the one, and he performed the other with unnecessary and unjustifiable harshness. The former political Agents, as the Historian admits,* had gained the friendship of these Princes, and there appears no reason to doubt but that Sir Charles would have been equally successful had he evinced a similar desire to obtain it. Instead of attempting to conciliate their confidence, he evinced in all his communications with them a degree of arrogance and harshness that was altogether unprecedented in the official intercourse between allied States, and that was calculated to have a most injurious effect upon the interests of both Governments. Almost every page of the Sindh Blue Books confirms this fact. He, moreover, exercised an interference in their internal affairs that was not only unauthorized, but was expressly prohibited, by the treaties.

The second point to which we have to advert is his inexcusa-

* Napier's Conquest, 4.

ble omission in not supplying the Governor General with full and correct information on points where his Lordship's knowledge was declaredly defective or obviously inaccurate; and in not forwarding to him such representations and remonstrances as the Amírs repeatedly made against the measures which were in progress or were about to be enforced. This is perhaps to be ascribed, in part, to forgetfulness, but it seems also to have arisen in some degree from a mistaken conception of the duties of his office. He appears to have looked upon himself as the Governor General's "Commander," delighted to carry his orders into rigorous effect; rather than as his Lordship's Political Agent, whose duty it was to supply him with full and accurate information on every point connected with the duties of his office. The grievous results of Sir Charles Napier's ignorance or heedlessness or culpable neglect of this duty have been fully detailed.

His hostile invasion of the dominions of the Princes of Upper Sindh, with whom we were at peace, and were then negociating a Treaty; and his Military occupation of extensive districts on the plea of that yet unratified engagement, constitute his third great offence. The injustice of this, however, must be shared by the Governor General, who, when issuing instructions to the General for an amicable negociation, intimated at the same time, in no unintelligible terms, his wish that the Amírs should feel the force of our arms.

The fourth measure chargeable against Sir Charles Napier is one of which the conception and execution rested entirely with himself. We allude to the unjustifiable capture and demolition of Emaunghur—a fortress belonging to a chief who had never even been accused of any participation in the hostile intrigues alleged against some of the others.

The greatest, however, of his numerous offences was his having, in conjunction with Mír Ali Morad, compassed the forcible deposition of Mír Rústum Khan, the prince Paramount of Upper Sindh, at whose court he was at the time the British Representative. In furtherance of this intrigue, as has been shewn, he counselled Mír Rústum to put himself into the power of Ali Morad; he publicly proclaimed the usurper's accession to the throne, without the Governor General's authority for so doing, and in utter disregard of Mír Rústum's solemn protest against the illegality of his abdication, as having been forcibly and fraudulently extorted from him; he publicly notified his determination to treat as rebels all who refused to acknowledge the authority of the usurper; he officially sanctioned the usurper's unwarrantable and indiscriminate

appropriation of territory in the possession of the other Amírs; and lastly, he obstinately refused to institute or sanction any inquiry into the circumstances of the usurpation. This series of impolitic, unjust, and discreditable acts, proved the proximate cause of the Sindh Revolution, and has left an ineffaceable stain on Sir Charles Napier's reputation as well as on the good name of the British Government.*

Such is a very imperfect sketch of the leading particulars of the conquest of Sindh—a conquest, which, whether it be viewed in reference to the political and moral injustice in which it originated, or to the unjustifiable proceedings which marked its progress and its close, has happily no counterpart in the history of British India during the present century. If we would find a precedent for the spoliation of the Amírs we must go back to the times of Warren Hastings; and to the injuries inflicted on Cheyte Singh by that able but unscrupulous statesman. In the revolution of Benares, as in the revolution of Sindh, the paramount authority imposed unjust and exorbitant demands (pecuniary in the one case, territorial in the other) on its tributary allies—answered respectful remonstrances by insolent menaces and hostile inroads—treated defensive preparations as acts of aggressive hostility—rejected all overtures for amicable negociation—goaded them to resistance in defence of their sovereign rights—defeated them in battle—confiscated their territories—and finally drove them into exile. While there was this general resemblance, however, between the atrocities committed on the banks of the Ganges in 1781, and those enacted in the valley of the Indus in 1843, the impelling motives and the ultimate results of the policy pursued by the two Indian rulers were widely different. In the one case, there was an exaction of money demanded, on the urgent plea of state necessity, to relieve the pressing financial embarrassments of the Government; in the other, there was a spoliation of territory, originating in a whimsical solicitude to enrich a favourite ally, who had no claims whatever upon our bounty:—the one Governor General, by his unjust policy, acquired a district yielding a considerable addition to the permanent revenues of the state—the other, by a similar course of injustice, bequeathed to his country a province burdened with what has hitherto proved a ruinous,

* The venerable ill-requited Chief who was the victim of such unparalleled injustice, has been released by death from the sorrows of his exile. He expired at Púna on the 27th of May last, and the grave closed, soon after, over another victim, of British oppression—Mír Sobdar Khan, the "ever faithful friend and ally" of the British Government.

and may prove a permanently ruinous, annual expenditure to the state.

While the present century nowhere furnishes a precedent or a parallel to our recent proceedings in Sindh, it is a subject of congratulation that the current year supplies us with a most remarkable and instructive contrast. The spotless justice of the recent war on the Sutlej, and the deep-stained guilt of the war on the lower Indus—the forbearance of Lord Hardinge, who scrupulously maintained peace until a wanton and unprovoked invasion compelled him to draw the sword, and the unjust aggressions by which Sir Charles Napier goaded the Princes and people of an allied state to resistance in defence of their sacred rights—the generous moderation which closed the triumphs of the former, and the oppressive and retributive severity with which the latter followed up his victories:—all furnish points of contrast so striking and so extraordinary, that posterity will hardly credit the fact, that the chief actors in these two campaigns lived in the same century, and were brought up, in the same Military School.

It only remains to say a few words regarding the two works, whose titles are placed at the head of this article.

The "Conquest of Sindh" presents the same characteristic peculiarities which we alternately admire and regret in the previous writings of the Historian of the Peninsular war. We find the same spirited and graphic narration of military operations; the same clearness of topographical delineation; the same vivid and thrilling descriptions of the battles. But these merits, great as they undoubtedly are, are disfigured by even more than the usual proportion of his characteristic faults. A turgid extravagance of diction pervades the general narrative; many of his statements and opinions are singularly distorted by personal and party prejudice; and the direct perversions of facts are so many and so serious, as irretrievably to mar its character for trustworthiness. These misrepresentations are rendered subservient, on every occasion, either to the undue exaltation of Lord Ellenborough and Sir Charles Napier, the unjust depreciation of Lord Auckland and Colonel Outram, or the indulgence of a feeling of what we fear must be regarded as malignant hostility towards the Ex-Amírs of Sindh.

Many of the misstatements to which we have alluded are exposed with unsparing freedom, but in a tone of great moderation, in Colonel Outram's Commentary, which presents, in many respects, a remarkable contrast to the work upon which it comments.

We regret that our limits do not admit of our furnishing

any adequate specimens of the earnest, truthful, straight-forward, and business-like style in which the author has treated every department of his intricate and voluminous subject. Our anxiety has been to disentangle, for the benefit of the general reader, the main thread of the narrative of leading facts, from the multitudinous details which are apt to weary or repel those who are neither personally nor officially concerned in the evolutions of the Sindhian tragedy. In this way we have endeavoured to contribute our mite to the diffusion of sound and accurate views respecting its real character and merits; since an undistorted retrospective view of what has actually occurred can alone effectually pave the way to healing prospective measures. And we are very sure, that, to the noble-minded author of the Commentary, any service calculated to exhibit *the truth, the plain undisguised truth*, as respects the memorable series of events which led to the subversion of the Talpúr Dynasty in Sindh, must prove far more gratifying than any elaborate attempts to illustrate his own personal merits, or those of his recently published work.

Towards the conclusion, however, of the work there is one passage so well fitted to display the moral grandeur of his sentiments, that we must find room for it:—

"Reverentially I say it, from my first entrance into public life, I have thought that the British nation ruled India by the faith reposed in its honour and integrity. Our empire, originally founded by the sword, has been maintained by opinion. In other words, the nations of the East felt and believed that we invariably held treaties and engagements inviolate; nay, that an Englishman's word was as sacred as the strictest bond engrossed on parchment. Exceptions, no doubt, have occurred; but scrupulous adherence to faith once pledged was the prevailing impression and belief, and this was one of the main constituents of our strength. Unhappily this charm has, within the last few years, almost entirely passed away. Physical has been substituted for moral force—the stern, unbending soldier for the calm and patiently-enduring political officer; functions incompatible—except in a few and rare cases—have been united; and who can say for how long a space—under such a radical change of system, such a departure from all to which the Princes and People of India have been accustomed, and most highly value and cherish—the *few* will be able to govern the *millions?*

* * * * * * * * * *

The moral effect of a single breach of faith is not readily effaced. "I would,"—wrote the Duke of Wellington, on the 15th of March 1804,—"I would sacrifice Gwalior, or every position in India, ten times over, to preserve our credit for scrupulous good faith, and the advantages and honour we gained by the late war and peace; and we must not fritter them away in arguments drawn from overstained principles of the laws of nations, which are not understood in this country. *What brought me through so many difficulties in the war, and the negotiations for peace? The British good faith and nothing else?*

It is another great misfortune, that acts like those I am deploring, pre-

vent those who are really imbued with pacific views and intentions, from acting upon and carrying them out. The present Governor-General, to his honour be it said, has endeavoured to carry out his wise and pacific intentions to the utmost verge of prudence and forbearance. Who shall however venture to say that his measures, which we know to have been purely defensive, have not, under the warning of Sindh, been regarded by the Sikhs as indicative of meditated aggression on the first favorable opportunity; or that the bold step they adopted of invading our borders, is not to be attributed to the distrust and suspicion excited in their minds by the subjugation of the Princes and People of Sindh?

If, in the performance of the necessary duty of self-vindication, I have read a warning to those in power to retrace their policy before it is too late, may it not be neglected; for nations require occasionally to be reminded that "the love of Conquest is national ruin, and that there is a power which avenges the innocent blood." Our interests in the East require consolidation, and not extension of our dominion."

With this single but characteristic quotation, however, we must conclude. Of the Commentary, it may, in brief, be said, that without displaying the fitful eloquence or the practised literary skill of the military Historian, it evinces a thorough mastery of the subject on which it treats, and it is written in clear, forcible, and unaffected language, with an earnestness that bespeaks the author's honesty of purpose, and with a scrupulous accuracy, to which his opponent can lay no claim. Colonel Outram has most fully and triumphantly vindicated his hitherto unsullied reputation from the aspersions which have been so ungenerously and so unjustly thrown upon it; he has cleared Lord Ellenborough's character from much of the guilt heretofore imputed to him in connection with the injuries inflicted on the Amírs; he has taken down the Conqueror of Sindh from the political eminence on which the Historian had so indiscreetly placed him, and fixed on him a brand of political dishonesty, which, it is to be feared, he will find it difficult to efface; and he has exposed, in General Napier's History of the Conquest, a series of mis-statements so numerous and so flagrant, as must for ever damage its claims to historical accuracy.

MISCELLANEOUS NOTICES.

Remarks on the scope and uses of Military Literature and History. Part 1. *Calcutta. W. Thacker and Co.*, 1846.

To a deaf person, or one who for the experiment's sake, stops his ears for a minute or so, to look at the movements of a number of grown up persons of both sexes, engaged in dancing; scarcely any thing can appear more absurd. Here music gives the impulse, and all spontaneously move in accordance with its measure. In abstract reasoning the external sense is shut out, and during its analysis, much that is merely instinctive or corporeal, will be apt to appear sufficiently ridiculous. The mind seeks a rational or grave cause for certain movements, and meets the next thing to a nullity. In regard to our supposed dance, all have not been allured there by the same motive. Some go to see; others to be seen. Not a few go bent on conquest and some are there not without a notion of perhaps being conquered. There are those again who have gone because they could not help it. They are perhaps, to take care of some one. Others have feared to absent themselves, lest offence might be given by their keeping away.

Let us now suppose a change of circumstances. Let the male partners of this imaginary dance, be called suddenly away at the call of stern duty. They must leave behind the fair companions of their festive hours, to some of whom solemn troth has been sweetly plighted.

> Ah then, there will be hurryings to and fro,
> And falling tears and tremblings of distress,
> And cheeks are pale, which but an hour ago
> Blush'd at the power of their own loveliness.

All ties of relationship must for the time be severed—and for what period and time—who can answer? Not even the Pythoness had she still a local habitation and a name.

> And there are sudden faintings, such as press
> The life from out young hearts, and choking sighs
> Which ne'er may be repeated.

And what is the cause of all this? why this very bitter parting? Is there not such a thing as free will? Are they not their own masters to go or to stay? Alas! who is free to do what he might choose? Man ties and is tied, he is perpetually entangling or entangled. Gulliver, pegged down to the earth by numberless minute ligatures, is a true picture of humanity and its volitions.

There is now to be another dance, but it is to be of the right Pyrrhic sort. No fair partners there. This is 'no time to play at mammets.' Man stands up now to man, but for no festive or mirthful purpose. Woman's 'nods and becks and wreathed smiles'—have vanished: and she herself, poor thing, trembles and weeps, afar off. Let us again be abstract. Let us close the hearing sense—and 'tis as well; for other sounds are there than those of 'flutes and soft recorders.' The viol is hushed—and 'the loud laugh that speaks the vacant mind,'

is no more heard. Music here too gives the impulse in braying sonnets of the shrill trumpet. To the mind abstractly, the one is about as absurd as the other. It is no longer festive absurdity, however, that we behold, but that of menace, terror, and death.

Two hosts are treading over the corn shoots, or luxuriant grass of the field, and nearing each other. What is their object? Matter of fact can state it almost as impressively, as if the words were proclaimed by an archangel from the Zenith—they are going to destroy one another!

> Yet but a little and destructive slaughter
> Shall rage around, and mar the beauteous prospect.
> Pass but an hour which stands betwixt the lives
> Of thousands and eternity, what change
> Shall hasty death make in yon glittering plain.
> Oh thou fell monster War! that in a moment
> Layest waste the noblest part of the creation,
> The boast and master-piece of the great Maker,
> That wears in vain the impression of his image
> Unprivileged from thee!

There they pause in grim silence, the calm that precedes the storm. There they stand with hushed breath, thousands on each side who never in their lives met before. They have never exchanged looks even, much less a single word—good, bad, or indifferent. Kindness or unkindness, there is none between these two hosts of palpitating, living men. They are as yet perfectly passionless. Take any two of the opposing hosts, and if any where away from that peculiar and bewitched field, the one saw the other beset upon by danger of an imminent kind, would he not, think you, generously forgetful of his own safety, peril it to rescue him? If he saw him buffeting helplessly with the waters of the torrent, would he not rush in to pluck him out, or perish in the attempt? If he beheld him lying at length on a road overcome by some sudden faintness, or other failure of nature, while a carriage and four came driving furiously along; would he not with half frantic earnestness rush forward to drag him away from the almost touching horses?

Take any one man in either host, and each is a wonderful product of nature; most wonderful! but from very familiarity we cease to consider the thing. How much care and nurture did it not require to rear each; how much circumspect tenderness to lead each by the little hand from infancy to youth. What tears and sighs have they cost in their growth. What prayers have been breathed to a merciful God for their continued safety: and what groans and anguish will they not yet occasion to many who like Rachel will weep because they are not. Consider the wonderful mechanism of each. One would feel indignant at seeing a steam engine wantonly smashed, or tumbled over a precipice. To see a clock, or musical instrument ruthlessly destroyed would cause one regret—but what is the destruction of a piece of unreflecting mechanism, a thing of metal cogs, springs and pulleys, that neither loves, nor hates, nor worships, to the living, moving, thinking and precious mechanism of the divine hand that is in each of these! A crystal is a beautiful product of nature's chemistry. Reduce it to its elements, and with some care and trouble you may perhaps reproduce it—but where is the synthesis that can reproduce one of these stalwart men if you will destroy him! Well might the great moralist exclaim—

> Put out the light, and then put out the light,
> If I quench thee thou flaming minister
> I can again thy former light restore
> Should I repent me:—but once put out thine,
> Thou cunningst pattern of excelling nature,
> I know not where is that Promothean heat
> That can thy light relume.

These men by strange destiny have come out to undo God's work, to demolish what was contrived with such admirable wisdom, and to destroy the unconstructible. By what unaccountable fatality is this? Why is it that without relative motive, and without the pretext even of angry passion, in the individuals of that host each towards each; they should nevertheless be there for so fell a purpose? This is indeed a dance of death. Oh the folly and wickedness of war in the abstract! There strong men, kindly men too, each in his way; as if there were nothing else to do in this wide and beautiful world, must needs come out there to sacrifice largely to the angel of death, as if his own legitimate summons would not come with sufficient speed and effect. And why are they there? Some earthly power that is, hath so willed it. Some anarch iron heart or other utters a word, and it is done. It may be *vive la Republique!*—or it may be down with Religion and Priests!—or any thing else. It scarcely matters what. A waste, a sand bank—the right of way through a valley, or by a river—any thing will do to form what is called a casus fœderis, or to furnish an excuse for the knock-me-down argument of war—the ultima ratio regum. But though one watch word, or catch word, or countersign calls them all out on that grand venture—yet, as in the other dance, those who engage in the dance of death, have various motives, or it may be more correct to say illusions. One is willing to kill or to be killed for a bit of ribbon, or a bit of metal. Another thirsts with an unappeasable ardour, for one or two letters of the Alphabet in addition to his proper patronymic, but the majority are there for a shilling a-day. Then comes such terrible work, as we had rather leave to the imagination to conceive, than to give even a hint of description of—and it all comes under one grand mean-every-thing, and no-meaning name, which men do call *la gloire.* All crime is folly, but there are crimes that take unto themselves a conventional veil, and cease to be viewed in their nakedness. Of these is war—for a crime it must be either on one side or the other. We are all familiar since school-boy days, with the story of Alexander and the Robber. It is not in morals as in Mathematics—things equal to the same are not always, socially considered, as equal to one another. The feathers which the Red Indian sticks about his head make a very different shew to the plume of the Martinet. A solitary slaying is a poor affair, but a massacre has a grandeur about it, that reconciles it not exactly to the moral sense, but to the admiration of a vast number who deem them-

selves mankind at large. In Cairo, you will hear Europeans even, and men professing to be Christians, defending, if not approving of Mahommed Ali's dealings with the Mameluke Beys, when the old saying of 'welcome the coming, speed the *going* guest'—was illustrated in a very striking manner.

War stands at the head of the arts, but scarcely of the class designated as *fine*. It predominates over all the other arts, and like the mighty prophet's rod changed into a serpent, swallows them all. It is an art too that develepes rare qualities, and sometimes demonstrates genius of a very high order—for of a truly great warrior it may be said as of the poet, *nascitur non fit*. A poor mortal—clinging to life with an agony of anticipation of *the beyond*—exclaims, wretchedly enough, may be, but not unnaturally:

> The meanest, most loathed worldly life
> That age, ache, penury and imprisonment
> Can lay on nature, is a paradise
> To what we fear of death.

We know what it is that forms this fear, which is properly speaking the sting of the dreaded thing. Change the final word of the lines, substituting *war*, and they will be much more applicable to its terrible conditions, to which mere abstract simple death, at times, only furnishes a happy circumstance. This potential concatenation of consequences which men call war, springs from two master passions, pride and covetousness. Were there neither the one nor the other dominant on earth, war would be unknown. While they are, and are not kept under due subjection, this grisly potentate must have a throne and a multitude of worshippers. It has been well said, that war is an appeal to heaven when justice cannot be had on earth. The just cause of a war is reducible to the three following heads, as wisely sayeth the Rev. John Ward (in his diary from 1648 to 1679). That it be undertaken for defence. 2. For recovery of what hath been taken away. 3. To punish for injury done.

Be the cause what it may, the issue to some extent *must* be fraught with grievous results to all parties—for even victory has its drawbacks, and its tears. On that early day when that mysterious paradox was fatally fulfilled, and man though living, surely died; as he had been forewarned would be the case; there went forth a declaration of war on the face of the earth, almost for all time, until the seed of the woman should bruise the head of the serpent. The drama of life is only a shifting of the scenes of death, where war plays too much the part of Prompter. It has been the enviable privilege of England, for a hundred years to know nothing of war but as a foreign speculation. Her own soil has been wholly free from its dark and cruel stain. For centuries she has known nothing of foreign aggression, she is the only nation of Europe that can say so much. Blessed be the name of the great Peace maker, that in our own Island-territories we have practically known nothing of the horrors of war! True, as a state, we have been engaged in war, in almost every quarter of the globe, but the tramp of a foreign foe has not dared to pollute the free shores of Albion. What

a load of obligation, what a heavy debt of national gratitude, has been laid upon our country, by the Almighty in this! May we as a nation never lose sight of this crowning mercy. Let us remember, that, putting all other considerations aside, self interest even ought to point out to us, what must ever be the best policy; since as sure as there is a sun in the firmament, profane history confirms the sacred canon, that it is righteousness that exalteth a nation.

Great as the miseries of war may be, terrible as it is even to hear of them, and lamentable as may be the reaction of them in families, far from the Aceldama of conflict; yet is all as child's play, compared to having the real, rampant, horrors of war brought, in all their tremendous frightfulness, to our very hearths. War, especially to a civilized and a religious people, is like the opening of the bottomless pit. All other woes are included in that most magnificent and terrible of evils, WAR. The shedding of blood may at times be almost the least of its evils, and it familiarises to that; for it is no less true than strange, that the sight of blood maddens and hardens, and begets a thirst for more. Plunder, outrage, murder, and conflagration are occasionally but the turning of a leaf in its lurid volume.

> The gates of mercy shall be closed up;
> And the fleshed soldier—rough and hard of heart,
> In liberty of bloody hand shall range
> With conscience wide as hell, mowing like grass
> Your fresh fair virgins, and your flowering infants.

Like slavery war contaminates the oppressed and the oppressor, the active as well as the passive—and it takes many many years to cover up its gory traces, and to wash out the foul pollutions left in its frightful trail. How near were we as a ration, at one time to become more familiar with all its hideousness! Many of us were too young at the time to comprehend the risk? The prospect, or rather the probability, made even the iron nerved Wellington quail. It was then that he stood forth, with the sagacity of a sage, the power of a prophet, and the authority of an experienced warrior, to raise his warning voice exclaiming—"no surrender!" HE felt what the result would prove, if the British government, in an evil hour, should deem themselves under the necessity of withdrawing our army (as was at one time seriously contemplated) from the Peninsula, on account of the expense of the contest. This would indeed have been most tragically to illustrate the old saw of "penny wise and pound foolish". He knew from intuitive tact, as well as wisely pondered experience, that if the French Government were relieved by our withdrawal from the Peninsula, from the pressure of military operations on the continent, that they would incur all risks to land an army in the British dominions. His language shews clearly, that the great military philosopher considered the contingency, of an aggressive move on Britain, as by no means impossible. "Then indeed"—he states in his letter to Lord Liverpool of 23rd March 1811, "would commence an expensive contest; then would his majesty's 'subjects discover what are the miseries of war, of which by the 'blessing of God, they have hitherto had no knowledge; and the culti-'vation, the beauty, and prosperity of the country, and the virtue and

'happiness of its inhabitants *would be destroyed, whatever might be the* '*result of the military operations.* God forbid that I should be a witness, 'much less an actor in the scene."

Every history has its mythological or poetical era, with an uniform reference to a pastoral or golden age. The legend contemplates a time of comparative innocence and peace, the reflex most probably of the traditional notions of paradise. It describes man as leading a contented open-air kind of life, by purling streams, and beneath the boughs of far outspreading and beautiful groves. This rain-bow like legend, common more or less to every country, spans the firmament of lore, but eludes the continued gaze of research, and at length vanishes altogether in the remote darkness of the primeval past. All history also refers to a series of epochs, with distinctive characteristics of polity, and morals; till at length comes the always unpopular and unpoetical present, the harsh un-sympathising iron age or Kali Yug*—for with every race the present time is generally deemed far worse than that gone bye—upon evidence perhaps equally superficial and unphilosophical. While there dwell upon earth men who are practical atheists, or who make light of all appeals to an overruling first cause, there must not only be rumours of war, but the thing itself, in all its dread and desolating reality. He who regards not the justness of a plea, or the sanctity of a solemn engagement, but considers only his own ability to violate the one or the other at convenience; necessarily forces his neighbour to assume a defensive and armed position. The most peacefully disposed nations, in the world we live in, must be prepared to repel aggression—and while this necessity exists, every nation must arm a section of the people for the defence of the majority. Unalienable rights must be asserted, even at the risk of life itself, since life would altogether lose its savour if they were wrested away. In the work, the title of which heads these remarks, the scope and uses not merely of military literature but of the military life, morale, and polity, are briefly but luminously considered, with great ability and clearness of analysis; evincing in the author intellectual powers of a high order, no less than extensive acquirements.

The conception of this excellent work is due to one of those happy accidents as we are apt to deem them, where the suggestion of some judicious friend, as in the instance before us, sets the mind upon the range of a new train of ideas. It had been contemplated to start a military review, and the subject was proposed to our author—'by a very able officer of the Indian army,'—as an apposite one for the opening article. That officer, be he who he may, has conferred a service on the community at large by giving such a hint to one who has proved so apt. The project alluded to, having been abandoned, after the bulk of our author's pages had been concocted, it was wisely determined to give them to the public; and here they are accordingly, in a more commodious and acceptable form than that first intended.

The period embraced by the work is from the earliest record of mili-

* Even Homer stamps his own age as degenerate.

tary operations and tactics, to the feudal-chivalric times, ere the discovery of gun-powder had produced so complete a revolution in the practical machinery of armies. The consideration of the important questions which have to do with the application of the mechanical arts to warlike economy are not included. These we are promised—together "with a review of the change produced in the history of warfare by the introduction of gun-powder"—will be taken up in a second and forthcoming work. The matters treated of in the first chapter are—"*The Value of Study to the Soldier—the Science of War and Origin of Military Rules, the Egyptians as Tacticians.* The science of war, like that of Astronomy, he deems the first that possessed a literature. It was of course an oral one in the first instance. "In the oldest book extant, however, that of Job, we have evidence of military arrangements, of the use of instruments of music in war to encourage or command, of the authority of appointed chiefs, and of the use of defensive armour, nay even of cavalry.". A Pagan poet cogently expressed an opinion that the slaughter of wild beasts taught man to kill his fellows:

> —— primaque a cæde ferarum,
> Incaluisse puto maculatum sanguine ferum. – *Ovid.*

We are told that Nimrod was a *mighty* hunter, and the term is pregnant with meaning—especially in one who founded an empire—since history gives us no reason to conclude, that any empire was ever founded without some knowledge of the art of applying or repelling armed force. The record of armed resistance therefore goes still further back than the time of Job, supposing the era of his prosperity to have intervened, as has been conjectured, between the time of Joseph's death, and the appearance of Moses as the deliverer of Israel. In the book of Genesis we find reference to a war of combination, in which the Patriarch Abraham became involved. On this occasion the Patriarch armed his household, but with what weapons does not exactly appear, although it is most probable that the bow,* the spear, and the sword would have been then in use—since if not known at Shinar or Mesopotamia, Abraham must have become familiar with them during his sojourn in Egypt. We find that in course of the wars alluded to, "Chederlaomer and the kings that were with him" smote the Rephaims in Ashteroth Karnaim This Ashteroth the horned—Astarte, or the Moon, was a Phenician goddess—She was exhibited with a quiver of arrows—which at any rate sufficiently shows that this lethal weapon was well known to the descendants of Ham.† The Antediluvian giants by some commentators have been considered as deriving that designation from their extreme wickedness. Now as idolatry was amongst the earliest and most marked and signal of offences, in the catalogue of wickedness, it is not improbable that Parkhurst may be correct, in his idea, that the *Rephaim* had obtained their name from being the restorers of the Antediluvian idolatry of the moon—rendered by the Seventy, the giant brood in Ashteroth.

* See Genesis, xlix. 23-24. † See Sabean Researches.

In the history of the Egyptians, observes our author, we have the completest proofs of a very careful and elaborate study of military science. These are afforded in their monuments and tombs,* the sculptures and paintings of which, "evidence the state of discipline to which the troops had been brought." The high military discipline adverted to—"had also actually that success in war which we are taught to believe it should ever command." In considering their dress, our author has a strictly original remark, by which he demonstrates the identity of the waistcloth of the Egyptian soldier with the *Dhúti* of the Hindu—"constituting another of the strange affinities in customs observable between them (Hindus) and the ancient Egyptians." The strength and pride of the Egyptian arms, he shews, to have been their

* Different nations are distinguished by their respective habits, costume, arms and physiological characteristics. Forts are seen surrounded by their fosses, and these traversed by bridges. The ancient Egyptian camp is drawn with interesting minuteness—guards stand on either side the entrance. Within are seen in confusion chariots, plaustra, sutlers, loose horses, oxen, and the spoil taken from the enemy. 'Campaigns are represented by successive pictures.'—*Wathen's Ancient Egypt.*

In another place the same author states—'some of these grand pictures contain several hundred figures. Your eye is first attracted by the colossal hero erect in his chariot, his arrow drawn to the head, he drives fiercely on against the foe; his horses magnificently caparisoned, with high arched necks and pawing hoofs, seem to smell the battle from afar. Compact trains of War Cars advance and put the enemy to flight Homer no doubt drew from similar originals.'

The colossal hero of such pictures is generally understood to be the king. From a very entertaining, graphic and lively volume of letters published in Calcutta, eight years ago by Dr. James Esdaile of Húgly—having reference to the Red Sea, Egypt, &c. during what is called an overland journey, but where the author landed at Cosseir instead of Suez, we take the following notice of a 'figure story'—at Luxor. "It is a tale of war and victory on the side of the Egyptians. The troops on both sides, fill each a half of the field, and are represented marching to meet in the centre, where the great scene of action is. The soldiers are charioteers, spearmen and swordsmen, and each regiment is preceded by a vapouring person carrying a shield like a bass fiddle. * * * * The Egyptian general leads on his army, standing conspicuous, in his war chariot drawn by two prancing horses. He bends his bow (a true English Yeoman's) in good Robinhood fashion, the grey goose feather touching the tip of his ear, and the armies are engaged all round him. But fortune has already declared in favour of the Egyptians, the enemy is in full retreat before the hero and his chariot is surrounded by heaps of upset chariots, dead horses, and dead men, lying in most admired confusion like so many toys shaken out of a bag. The vanquished survivors are on their knees, beggiag quarter from the Egyptians, who answer with a thrust and a 'down! down!" &c. one part of the advancing enemy marches encircled by a great serpent, perhaps to show that their fate is already decided, an 'ex post facto' prediction doubtless, but confidence is rewarded by success; for we see the same band again defeated, bound, and captive within the deadly folds of another serpent; and the captives will probably be sacrificed to it; for elsewhere, a row of trembling captives is seen, and an executioner is striking off their heads in rotation. On the other half of the front, the same subject is continued. The conquering hero is seated in triumph, and troops of bound captives are led to his feet. He is again repeated looking the other way and standing in his war chariot, darting his winged deaths, like an Apollo, and scattering the enemy by his single prowess." * * * * There is a curious scene in basso relievo on the Memnonium; the general escalade of a fort. A conqueror who is always in the same Apollo Belvidere attitude, driving his chariot over heaps of dead, and dying, and some in attempt (or rather no attempt) at foreshortening, are standing on their heads; as stiff certainly, if not as naturally as a corpse. The leader of the forlorn hope, is gallantly mounting the storming ladder, with a shield like a shutter covering his back, and his friends haul themselves up by ropes, looking as if hung by the neck—'perge'—is the word, and prize money clearly awaits them."—*Letters from the Red Sea, Egypt, &c., by James Esdaile, M. D.*

chariots. Their cavalry were most probably levied or subsidied from allies, as the Ethiopians and Lubims. It will be recollected, however, that the Ethiopian race was long dominant in Egypt, and there exists a great probability that the fine arts in architecture, &c. descended from Ethiopia to Egypt. Amenophis the III., the Pharaoh of the Exodus, is supposed to have been an Ethiopian. Indeed his profile and ring, as exhibited in existing monuments, indicate his country. Homer himself is believed to have drawn upon the Egyptian treasury for a portion of his accessories—as for instance the chariot. Allowing that the charioteering use of the horse was well known to 'the old man eloquent'—still our author is justified in his inference, that from the silence of Homer, the use of the horse for the purpose of equestrianism was not known—or at any rate not general—at the epoch of the long Trojan campaign, some three hundred years previously.

The second Chapter refers to *the early history of the Phenicians and Carthaginians—the Hebrews—the Greeks—with remarks on the use of the chariot and elephant in war.* "The Hebrews, in connexion with Egypt, have been easily identified as one of the foreign races which from time to time settled in the land, these being—'the shepherds which were an abomination to the Egyptians.' All foreigners who sojourned in the Nile Valley whether as peaceful inhabitants, or as conquerors, were termed as has been read from the hieroglyphics 'Hyksos'—which has been deemed to signify stranger, wanderer," &c.—"when, after forty years in the wilderness, the generation which left Egypt had died out, their sons, *Hyksos* no longer, but free men inured to war by preliminary conflicts with the men of Canaan, the Ammonites and the Midianites, were ready to carry out the great military revolution which it was their destiny to accomplish, and win their inheritance of the Promised Land with the sword." In matters not of a Theocratic nature, our author notes a resemblance previously adverted to by Heeren, between their usages and customs and those of the Egyptians. This is not surprising, considering their long sojourn in Egypt and their gradual degradation from the state of esteemed allies, to that of abject slaves. Indeed one intention of the Exodus, subservient to that of rendering them the conservators of true religion, appears to have been, to wean them entirely from the taint of all Egyptian predilections and associations. The arms of the Egyptians "were the bow, the spear, sword, sling and shield; their tactics merely an impetuous charge for the purpose of engaging at close quarters." To Egypt most probably the Greeks were indebted, as has already been intimated, for their war chariots and other muniments—"We may safely refer the general introduction of cavalry in the Grecian armies, to a period in which they came into collision with an equestrian people, that is, to a date subsequent to their invasion by the Persians." We learn from Diodorus that after the sacerdotal, the soldier's in Egypt was considered the most illustrious profession—and it possessed other advantages besides. Being hereditary, the military spirit would be more intense and influential. In old age—there was a sure refuge—as each soldier had a piece of ground, irrespective of pay and rations. We have also to bear in

mind that there was a standing army of 400,000 men of all arms. Among the ancient Jews again, the military formed no distinct class. When war occurred—the people were assembled together and a body of militia formed from them. Their having no cavalry is sufficiently indicated by the recorded fact that their kings fought on foot as well as the meanest of the soldiery. At first they used only infantry but afterwards horses and chariots were used in their armies. The war chariots of the Greeks, owing perhaps to the nature of their country, were early laid aside. Ælian gives the technical divisions of a phalanx of elephants. Our author justly expresses his surprise that they should ever have been used in service with disciplined troops. "They have been, of very late years, brought on the field by native leaders and princes in this country, but not positively into action; their use in war having in all probability ceased for ever, except for dragging heavy guns in the line of march." Lord Hardinge, it seems, from the result of an experiment tried in brigade at Barrackpore, has condemned them as dangerous and useless in action.

Chapter III. treats of *the Etruscans, Italians, and Romans.* Passing over the tales of old Rome which Livy termed history, and which his countrymen received as such, but which have been shewn (by Niebuhr and Arnold) to be the prose reading of old ballads, our author proceeds to demonatrate his position, proving as he happily phrases it, that the science of arms 'percolated' through other nations to the Romans, and "had its origin in that land whence came the knowledge of almost all ancient science—Egypt." On the conclusive authority of Herodotus, our author traces the Etruscans to their Syrian origin—and by undeniable induction makes it clear, that they derived their arms (all but the shield) from Egypt. The prototype of the Roman arms is found in the tombs of the Etruscans and is depicted on the fading walls of their extraordinary sepulchres. "The Romans affected to look down on the Etruscans." They hated and feared them. This hatred of an ancient nation passed away from its pristine prosperity, is not without its parallels even in our day. The Romans, as we learn from different sources, carried the system of drill and practising efficiency, and camp defence, to very high perfection. They were soldiers and field laborers in the earlier stage of their history. The state exulted in the glory of its arms—but was wise in its manifestation of it. The political power of religion was well understood in the state and greatly influenced the military morale. The soldier was well and even severely exercised in running, leaping, and mounting. The whole system, in fact, was founded on a knowledge of man's capabilities physical and moral. The basis of the whole army was the legion, in itself an army—"They seem to have had no separate corps of engineers. The study of every department of military literature therefore was with their officers as constant as profitable, while their practice of castrametation kept officer and man employed, and in field works made them unrivalled."

Chapter IV. takes up the interesting subject of *the Military history of the horse—large equestrian armies—and, the moral character of war in early days.* Distinguishing between those nations that harnessed the horse, and those who both rode and drove him, our author refers to the "nomade races who roam throughout vast plains where the change of seasons requires a migration of the tribes from one pasture ground to another"—as riders solely. These are the latter occupants of the Great Asiatic plateau, or 'High Asia,' as the Germans call it. Referring to the Arabs as the most remarkable horsemen and riders in the world, the author satisfactorily makes out that they were, independently of other nations, users of the horse in war from a period anterior to the most ancient of written histories.

"They were among the earliest colonists of the earth, and seem to have been in possession of the land they now inhabit before the Chaldæans, that most mysterious people (Heeren. Researches, vol. ii. p. 147) had a national existence. Modern investigation has of late actually put it into our power to establish the early habits of the Arabs in the very land that Job inhabited, that of Aws, or Uz, by evidences "belonging to a period of the world whose remoteness is appalling to the mind and almost eludes the grasp of the imagination." (Forster's Geography of Arabia, vol. ii. p. 377.) These consist of inscriptions found on the southern coast of the Arabian peninsula, one of which in particular records the warlike deeds of the ancient tribe of Ad, a mighty and highly civilized race, which is known to have perished in, there is every reason to suppose, the same dreadful famine mentioned in Genesis which "was over all the earth," but whence Egypt was delivered by the providence of Joseph. The tradition of this destruction of the Adites owing to a judgment upon them by reason of their idolatrous practices, and their neglect of the preaching of the prophet Houd, (whom the learned indentify with Heber,) was current among the Arabs from the earliest periods, and has been embodied with other similar ones by Mahommed in the Koran. Their inscriptions at Hasan Ghorab in Hadramaut so unexpectedly discovered by Lieut. Wellsted (see his Travels in Arabia) in 1843, have been decyphered from the ancient Hymarite character, and translated. The most remarkable of them, recording a victory, concludes with these words:—

'With our swords: still wounding and piercing our adversaries:
Until *charging home* we conquered and crushed this refuse of mankind.'

While another runs as follows:

'With hostile hate, the men of crime
We assailed: *onward rushed*
Our horses, and trampled them under foot.'

We have here an evidence of the early military habits of the Arabs, in the very earliest of all historical periods, and of their use of the horse at that time, written literally "in the rock with a pen of iron." To borrow the observations of Mr. Forster—

"The most curious fact in the poem, is the circumstance that the combat was fought on horseback: that while, so many centuries after, the barbarous heroes of the Trojan war (like the savage Britons) knew no other use of this noble animal than as the drawer of the chariot, ... these Adites already exemplified the historical fidelity of the Book of Job, when it describes "the horse and his rider"... already managed "the proud war horse, whose neck is clothed with thunder, the glory of whose nostrils is terrible; who paweth in the valley and rejoiceth in his strength, and goeth on to meet the armed men."

From his original oriental descent the horse can be traced in the migrations of the Celtic and Gothic tribes of the Great Indo-German

family. Though the Greeks and Romans in process of time entertained cavalry—"the true equipment of a cavalier seems, like the use of cavalry in masses, to have been the invention of those equestrian nations who first subdued the horse." Universal history, contends our author, shows the soundness of the position, that a force whose strength is cavalry may overcome, but cannot hold a country. This is signally demonstrated by the annals of the Mahrattas as a military and political power. Cavalry is of all arms "the most difficult to form, to equip, to maintain efficient in service, and to command." In regard to the morale of war in ancient times, it was a struggle for victory or death. He who lost the battle assuredly lost his life or liberty—in general the former. No one is spared in the Homeric battles. Thus poor Adrastus when crying for mercy, which Menelaus is inclined to grant, is butchered in cold blood, as we should say now a days, on the stern interference of Agamemnon. Vae victis, in ancient times, was a 'great fact.' It was the rule—and never the exception. The farther we advance Eastward—the less the care with which human suffering is regarded. And yet, where is there any part of Asia in which human life is held more cheaply, than in some parts of Ireland. With the Hebrews war was another word for extermination. This partly resulted from their Theocratic system. Judicial sentence had gone forth on nations, the measure of whose crimes and iniquities was full—and they were chosen as the agents of divine justice. Of the crimes of these nations, we are allowed as it were but a glimpse—but it is conclusive, and fills the mind with horror at enormities the most unutterable, and inconceivable. Nature itself was outraged as if upon system—until at length the land, to use the strong expression of holy writ, cast them forth—as an abomination on the face of the earth. These wars of obligation might, with a nation ever apt to harden its neck, be at times available to serve as sophisticated ground of precedent, for hostile movements having no sanction of divine prescription at all. The fact is pretty clear, that the Jews had a national tinge of cruelty and vindictiveness of which frequent revolting instances are to be found in their history after Shiloh came, and the sceptre as well as the glory had departed from their singular and doomed race. With the Greeks, wanton cruelty towards a vanquished foe was less prevalent than with other nations. The Carthagenians were malignant in avenging the injury of attack—but desperate in their energy of resistance. Our author is scrupulously just in balancing the characteristics of ancient and modern times, and taking into proper consideration the opportunities of improvement, as well as the spirit of the age. We are too apt to forget the genial light in which we bask and to blame rigorously those who literally 'sat in darkness and the shadow of death.' Are the majority of us better men? it is to be feared not a whit; for how little apparent is the vitality of Christianity with many who profess its creed, but who live, move, and have their being almost as if the gospel had never been proclaimed. And yet—there can be little doubt, but that, as in a thousand ways the ebb and flood of the sea smoothes and rounds the angular flinty fragments of rock, the ever living waves of revealed truth, are, in a like variety of

modes, affecting the conduct, if not the hearts of men, and turning up ever and anon some new and beautiful object from its depths.

"The spirit of mercy and kindliness was preached, and went forth doubtless with profit to millions, but hardly so on the battle-field. We may have occasion in the review of the military systems of after days, to point out the existence of a stern and ruthless lust for bloodshed, as strongly developed in the thirteenth century as in the third, tempered by no element but that of interest." Aye—and our author might have added in the nineteenth century, as witness the French General Pelissier's exploits in the Dhera caverns. "Men became merciful in early times, only because they found it more profitable to enslave than to slay—a living bondsman being of more value than a dead foe; whereas afterwards when the system of ransom was fairly introduced, the combatants, sought much less to kill than to disarm and disable. So long as the use of cold steel remained the great and only resource for the obtainance of victory, slaughter among the combatants was inevitable to an extensive degree. much in fight, but more in flight,—great during the moment of the struggle for superiority, greater when the weaker side, broken and dispersed, became a prey to the victorious party, maddened by the sight of blood and by the flush of success.".

Chapter V. brings us to *the decadence of Military Science—the Barbarian Invasions of Europe—the age of Charlemagne—the Feudal Military Principle and Armament—the Military system of Chivalry and its effect on the moral character and science of War.* The chapter on this dark period commences with a brief, general, but just reference to that great store of history "Gibbon's Decline and Fall, &c.," Glancing at the successive irruptions of barbarous hordes which desolated and destroyed the whole of civilized Europe, we arrive at a new invasive element in the Saracens and Arabs, who, from the East and South, possessed themselves of Sicily, mastered the sea-board, and much of the interior of Southern Italy, and vanquished Spain. Almost simultaneously, in the eighth century "appeared from the North, a new and still more terrible race of plunderers (the Vikingr or sea kings) ruthless and cruel for the very love of cruelty, who infested the maritime countries from the Danish Sound to the Straits of Sicily. With undisciplined invading tribes, not distinguished by national intrepidity, our author has observed that attacking parties are led by a class of desperadoes, as the Mahratta *Elkas*, the Burmese Immortals, and the Sikh Akalís. The *Bersakir* paroxysms of the Vikingr, in which they worked themselves up to a pitch of brutal excitement, remind one of that singular practice among the Malays of running a muck. It is under the Merovingian Kings of France, that the first germ of military system is observable. To estimate the magnitude of Charlemagne's military talent, the political condition of the country, as he found it, must be borne in mind. "It was invaded and assailed on all sides"—but, as the tide of assault bent it in every quarter, he "shewed a perfect comprehension of one of the first of the now-received dicta of the science of war; for, abandoning defence, he boldly assumed the aggressive, and

carried hostilities into the enemies' country." Though, with this great mind, died the magnificent empire which it had set up; the fruits of his military exploits have been permanent. In the middle ages, nearly all the soldiers of Europe were subject to the laws of the feudal system. No land could be held mediately or immediately of the crown but by some service. All hereditary freeholds, as proceeding from the sovereign, were called feuda or feoda (fees)—for some small yearly rent and the performance of some service originally laid upon the grant. These services were of two kinds, chivalry and soccage, the one military, the other rustical (Littleton). On horse back, the knight incased in iron was a formidable fellow—but if he fell—he was woefully at the mercy of his foe. This reminds us of a song we have heard on the battle of Waterloo, where the Life-guards in their charge are described as riding over and crushing the unhorsed cuirassiers "like lobsters in the shell." The following sketch is so graphic that we *see* the subject of it:—

"It is enough that we in our brief sketch have arrived at a competent idea of the feudal lord, mounted on a heavy powerful charger,* which strong as he was, yet never sustained the iron burthen of his rider save just before action commenced. On this "great horse," (as the war horse was subsequently termed) he bore down amid his knights, armed and accoutred as himself, like a moving tower of steel, in such a gallop as we may fancy a dray horse could achieve hung round with heavy trappings, cased in iron and leather with some two and twenty stone upon his back in the shape of rider, and his (the rider's *plus* the horse's) harness.† If his foe were armed like himself, it was a question of weight, tough ashwood, and seat on horseback as to which went down; if he charged the serried pikes of the burgher force of some free town, it was a matter of weight and impetus on his part, —of endurance, and of courage with the infantry before him as to which had the victory; but if his attack were upon the "villayns," the rabble rout of foot soldiers, or bowyers whose arrows were expended, he was greatly glorious in his iron shell, and slaughtered with impunity so long as he had strength to wield his weapon, or his horse wind to stand under him. The English archer, or the Genoese cross-bowman was his worst opponent: the cloth yard shaft of the one, and the quarrel or square bolt shot by the other, made naught of horse armour, while the former required that even the riders should be admirably and faultlessly tempered to resist it ‡ When he came within range of these the knight was the exemplification of brute force helpless against skill: and yet this was the position in which chiefs and leaders were placed,—they, like the men they led, warring not to make war, but to fight. What there is edifying to the soldier, or great, or glorious, in this spectacle, reducing the head to rank with the hand, and making a general do in this clumsy cowardly fashion, the butcher's work of personal conflict, I cannot and never could comprehend."

* Bred from the Flanders or Black Stock. See Hamilton Smith.

† The spur used by the chivalry of Europe gives sufficient evidence as to the nature of the animal it was intended to stimulate. Up to about 1350, it was a simple prod or goad of iron with a circlet or guard, to prevent its being driven too far home, and "when," says "Groset, he roulle or wheel (rowell) spur come in fashion," superseding the ancient or point "spur, some of these rouelles were six inches in diameter," (v. i. p. 105.) There is an excellent specimen given in the xi. volume of the Archaiologia.

‡ Carew (Survey of Cornwall) so late as 1602, says of the Cornish archers "for long shooting, their shaft was a cloth yard in length and their butts twenty-four score paces, equal to four hundred and eighty yards, and for strength they would pierce any ordinary armour."

There can be little doubt that the various perfections theoretically required in a true knight have been but rarely united in one person. Our author sufficiently demonstrates that the practices of chivalry did not harmonise very well with its vaunted principles.

"History tells us that from the end of the eleventh to the commencement of the fifteenth century, which is termed the age of chivalry in connection with feudalism, crime of all sorts was never so rife, honour was never so disregarded, nor war conducted so brutally. The principles of chivalry are no doubt admirable, and they were in those days highly valued; but it is exceedingly often the extreme scarcity of an article that is the reason of its excessive estimation, and on this ground I explain the anomaly before us. It is very plain that when the higher orders make skill in the use, not the science, of arms, the only business of their life, and take every occasion of rushing from the dull and stately seclusion of their castles to the brutal enjoyment of sanguinary personal conflict, they can, in very few instances, attain a moral standard above that of ignorant rough-handed sworders.* The tilt-yard and the pageant again were no very edifying places of resort for the fair sex, and although female virtue was never at a higher premium than in those days, it certainly never had stronger reasons for being so."

Chapter VI. introduces us to perhaps the most brilliant period of the feudal chivalry; and treats—*Of the general military disposition of a feudal force—The crusades in their effects on Tactics—Of war as practised by the early Mussalmans—Of the use of Standards and Banners with armed bodies.* Though the crusades were indirectly of great service to European civilization, they taught in our author's opinion nothing as to war. Surely they must have suggested much in Strategy? "The Arabs in Palestine could teach little, being inferior to the Crusaders in their mode of engaging. In the earlier days of the Hejira, tactics and discipline were almost unknown to Moslem warriors." In the East as well as the West—large ill composed armies were helpless and ill to manage. Rules of discipline were ineffectual to coerce in a system, which was a mere succession of will within will. Accordingly for many days, opposing armies would remain motionless and gazing at each other. The internal economy and military array depended mainly upon the display of a standard or banner. "The idea of such a signal is unusual. The tradition of almost every nation gives some time of origin for the standard." Here again we must

* A very cursory glance at cotemporary history gives us convincing evidence of this fact. Supposing that the principle of chivalry had taken firm hold of the better orders, a practical result must have appeared in the better ordering of society at a date certainly previous to 1400; but what do we find really the case?—that the worst crimes which disgraced Europe during the middle age, were as nothing compared to the treachery, ferocity, and general lawlessness displayed in the 15th century in England and France. The murder of the Duke of Orleans, and the excesses of Armagnacs, of whom it was said—"never in the memory of man, had a Christian army commanded by such great princes, and composed of so many noble knights, committed such horrors" (Sack of Bordeaux, 1114, Pict. Hist. of England): the retributary massacre of John of Burgundy under breach of the most holy pledges, were fit events in the one country to usher in the miserable reign of our Sixth Henry in the other, and the disastrous wars of the Roses, disgraced by every species of unknightly, and unmanly excess, in defiance of all laws, divine or human, moral or social. Yet these were the acts of "*great princes and noble knights.*"

refer to the Egyptians* as to their earliest and most certain adoption.

"In the poem of the Shah Nameh, the great Persian epic, affecting to recount the history of the heroic ages of that ancient people, many of the old military traditions of the land have doubtless been preserved, mixed of course with an unlimited amount of fable and exaggerated poetic imagery. The raising of the banner, however, under which the hero Feridún delivered the country from the oppressions of the tyrant Zohák, deserves attention as pointing to a very early use of ensigns in war, and indicating the great value attached to them. The immediate agent, my readers will perhaps remember, in the revolution above alluded to, was one Gaveh, a blacksmith, who assembled the indignant and outraged populace by raising his leathern apron on a spear point With this gathering staff in his hand, the daring artisan made his way to the presence of Feridún, whom he prudently invited to take the command of the popular outbreak. Feridún accepted the offered authority, and adopted, for a good omen, the blacksmith's apron as his standard, richly adorning it. The eight lines in the Shah Nameh describing this might be given as follows:—

> He came to the hold of the new chief in war,—
> As they saw him the tumult arose from afar:
> When the chief had that skin on the spear-head espied,
> A star of good omen then fell him beside:
> He bedecked the rude apron with silk of Byzant,
> Of gold, sea-gems, and jewel-work made he no scant;
> Red, yellow, and purple hung mingled and crossed,
> And the name they then called it was *Gleam-of-the-host*.

It is curious enough to find in this appellation, a sense so analogous to that of the great national banner of France, *The Oriflamme*. The similarity affords a practical proof of the identity of habits and feelings among men of all races when placed in like circumstances. By assembling armed bands about a conspicuous, and it may be even, an intrinsically precious object, some degree of unity of action is secured, when the men are easily stimulated to the impression that their honour lies in the honourable defence of this, the banding sign of their array. It matters not what be chosen as the ensign; the more familiar perhaps the object in early days, the better. The Persian artisan, heading a tumult in a populous burgh, bethought himself, very happily, of his own apron by way of standard: the Roman agriculturist, surprised in his fields by the approach of a predatory enemy, raised a bundle of hay on a pole, this being the earliest standard of the rude manipular bands (Ovid. Fast. III. 117): the Turk again took the readiest emblem, which offered itself to him as one of an equestrian nation, and made his standard of a horse-tail. There have been many other similar ensigns made use of from habit or association as rallying points for troops. These have varied at different times, and according to the feelings of different nations, The Janissaries, strange to say, attached their idea of military credit to the defence of their campkettle, while their European opponents held for a long time that their honour was comprised in the safety, not only of their colours, but their drum."

Chapter VII. treats of *Petit warfare in the middle ages—of the Anti-*

* Some of the most interesting sculptures seen are at the Memnoneum, and commemorative of the exploits of Ramses II. or Sesostris "On the east wall of the second court there is a grand battle scene—the enemy, fly in disorder to a fortified city, surrounded by a river, * * * Another of these sanguinary scenes, within the hall of columns, represents the storming of a fort, a detached castle in two stories on the summit of a conical rock, battlemented and surmounted by a *standard*."—*Wathen's Ancient Egypt.*

Chivalric nations—the Tournay and Military habits of the time—the origin and nature of the Tournament and Joust. Civilization creeping on little by little, began to weaken the despotic iron will of the few. Gradually Burgher rights became established—villanage vanished—the principal towns became republics; and Dukes and Counts, Sovereigns;—and at length schism sapped the strength of the Romish Church herself, leading to the decay (visible enough in the 14th century) of Ecclesiastical power; till the general discontent, caused by annats, tithes and sales of indulgences and other evils, served as it were to trace out the course of the coming Reformation, that cast its faint shadow before in the works of Dante, Petrarch, and Boccacio; inasmuch as they, with singular boldness, considering the times, touched on matters of abuse with unsparing sarcasm, of which we find the reflex in the works of our own Chaucer.

Pelotins of horse or independent detachments, were accustomed in those days to disport themselves with feats of arms and wonderful enterprizes. The condition of the Scottish border, up to James 1st's time, gives a familiar example of the social state; while on the continent, feudatories carried on private war with a high and unsparing hand. It was, however, during the long occupation of the fairest provinces of France by the English; inducing hostilities which invited to them mercenaries and adventurers from all parts of Europe, that the spirit of partisan warfare among these, 'gentle knights and gallant squires,' was perhaps most especially developed. In reference to the system of mortal combat to the *outrance*, our author gives a very animated idea of the pomp and circumstance of Jousts and Tournaments, the offshoots of which at times were sufficiently wanton and cruel, of which some signal instances are given in the work before us. Some of the combats themselves, as that in which Lord Scales bore so conspicuous a part, were sufficiently inconsequential, and seemed to indicate a natural reluctance to come to extremities; nor need we be surprised, if, in spite of ostentatious vaporings to the contrary occasionally, neither party had any great stomach for the encounter *à l' outrance*. The accomplished author of the work now under notice, it strikes us, refines too much in supposing that to his intimacy with Mr. Stewart Rose, Sir Walter Scott was indebted for some hints from the Italian poets in his description of combats. Surely there was nothing here, but what the resources of his own mind were equal to. In our day a man of scholarly habits would find no great difficulty in mastering for himself the works of men of genius in modern European languages, by help of books in his own study, sufficiently to enjoy even their idiomatic beauties—much less to eke out episodical incidents.

Our author is in no way dazzled by the prestige of chivalry and feudality, but on the contrary has formed a very common-sense accurate estimate of the merits and defects of both. Robertson and others have unintentionally coloured chivalry a little too much of a roseate hue, and ascribed to its working, effects which are due to deeper and more lasting causation. After all, the boasted services of

chivalry to distressed humanity, we suspect, has been greatly overrated. The widows and the orphans, and distressed damsels, rescued from oppression and affliction by its intervention, are heard more of in the pages of Amadis de Gaul and Don Quixote, than in the sober page of history. It is said to have reformed manners. Refinement may spring from either of two causes, or both. It may be grounded on a heart principle and a head principle, or a religious self control, and a conventional necessity. The latter very often springs from the former where people may not be aware of it. Christianity, mixed as it was with much error, nevertheless had been progressing; and out of its pure fountain, like the lotus flower, grew the domestic influences that belong to Christian woman and her alone. To these; and their salutary, silent, but sure and spreading impression, and not to the ferocious onslaughts of iron knights, do we owe the gradual amelioration of manners that began to mark here and there, with verdure, the sterile wastes of social being, and to mitigate even the horrors of war.

Independent of other causes the Crusades had grounds of self-defence to plead on the part of Christian Princes and Chiefs. Europe itself was in a great measure still darkened by much of ancient Paganism, so that at home and abroad religious zeal had sufficiently palpable objects. It was desirable, if possible, to defend converts from the ferocity of surrounding races, and to abate, either in the field or the tent of negociation, encroachments of Saracenic power, that threatened at one time to be fatal to the independence of Christendom. On the other hand, there is little doubt, that the bad odour even to this hour, in which Christianity is held in the East, had its source in the enormous excesses and flagitious crimes committed by the camp followers, if not by the Crusaders themselves; as for instance, when led through Thrace and Hungary, by Peter the Hermit. Whatever the leaders might be, the followers for the most part were without morality.* There is no doubt that the growing power of the Turks gave occasion of great anxiety to Christian princes, and that there were probable grounds for apprehension of Italy itself being subdued. This might be a more dominant cause for venturing so much in these wild expeditions, than may at first be apparent from the page of history. Be that as it may, there is reason to infer, that the devastation of whole provinces, and the waste of national resources attendant on these expeditions, as well as the extensive demoralization inseparable from them, were as inimical to the course of civilization itself, as it unquestionably was to that of true Religion; and that it threw the former back to an extent, from which perhaps we even yet suffer less or more. The effort to renew these Crusades fortunately proved in vain; and the 14th century beheld the commencement of that wane of chivalry, which in the next became a marked decline which the discovery of gunpowder was to clinch for ever.

The subject of the VIII. Chapter is—*The constitution and internal*

* "This army was a motley assemblage of Monks, prostitutes, artists, labourers, lazy tradesmen, merchants, boys, girls, slaves, malefactors, and profligate debauchees."—*Mosheim.*

arrangement of an Army in the Feudal Chivalric Period. In the feudal times the cohesive and controlling principle of discipline was but ill understood and little regarded. With respect to combat, every one did pretty considerably what seemed good in his own eyes. "The leader of a body," says our author, "fought for his banner, while among the knights that were supporting him, not one, but conceived his first duty as a chivalrist was to fight for himself. Personal renown and personal advantage, in prisoners, and plunder, was the motive object of the great majority of combatants in these unwieldy masses, and the great military axioms, unity of action, and obedience to one head, were, if not wholly lost sight of, at any rate greatly disregarded." The practical inconvenience of this state of things, suggested the appointment of high military officers being made, with rank and authority irrespective of feudality. These were the High Constable and Earl Marshal in England, to command under the king or for him. These "fulfilled in their own persons or by their deputies the whole of the staff duties of an army in the field." Prior even to the great change which gunpowder was to bring about; a complete subversion of the feudal military constitution, was caused by the substitution of paid troops, for feudal levies, and the discovery of the true value of infantry.

"But even in countries strictly feudal, one encounters at a very early date direct instances of the payment of bodies of soldiery, when large armies are assembled for continuous operations in the field, giving evidence of the impossibility of depending, even in the full working of the system, upon feudal levies summoned for forty or sixty days' service. It was found even then necessary to create a nucleus in the army, of real military efficiency, in the shape of troops, whose service was, as to period, unlimited, and who owed obedience to the military commandant of the whole force, not to the intermediate power of their feudal leader. We find, to give a familiar instance of this, that at the battle at the ford of Blanchetaque, which preceded the great fight of Crecy, Sir Godemar du Fay, who commanded the French, had "certain knights and squires from Artois and Picardy *in his pay*." He had also some of those Genoese mercenaries armed with crossbows, fifteen thousand of whom fought at Crecy;—"he had collected in his march great numbers of the country people: the townsmen of Abbeville also accompanied him, excellently well appointed:" * besides these, his force consisted of a thousand men of arms and six thousand foot. The force so constituted contains all the elements of a continental army of the period: 1. The feudal chivalry, and their contingent of horse and foot: 2. The foreign mercenaries whose peculiar armament supplied a notorious defect in the French armies, weakness in misile power: 3. The burgher troops of the nearest town, well found and armed: 4. And lastly, the *levee en masse* of the people, a useless rabble who contributed much to create a fatal confusion. "All the roads," says Froissart, "between Abbeville and Crecy were covered with common people, who, when they were come within three leagues of their enemies drew their swords, bawling out "kill, kill;" and with them were many great lords that were eager to make show of their courage: there is no man unless he had been present that can imagine, or describe truly

* Froissart, B. i. c. 124.

the confusion of that day: especially the bad management and disorder of the French, whose troops were out of number."

Who can refrain from pausing a moment to take a glance at their opponents—nay, the digression is in place, for are they not the yeomanry of England, the very subject of our present thoughts? In face of the Genoese, "banditti accustomed to pillage and murder," who could not be trusted the previous night in Abbeville, lest they should plunder the town,*—in face of the roaring, yelling rabble, with which the country seemed as covered—in face of "those kings, earls, barons and lords of France,"† so proud of their individual prowess that they "did not advance in any regular order, but one after the other, or any way most pleasing to themselves," were the English in three divisions, seated on the ground, who, on seeing their enemies advance, rose undauntedly up, and fell into their ranks." I do not think it in the power of language to express more forcibly the contrast between the character of the opposed forces than do these simple words. In the chivalric portion of the English army, we can, save that they are our countrymen, have little more interest than in any other of the fantastic fighters of the day, waging war in a bad cause for the mere fighting's sake; but I confess that my sympathies are always deeply moved by the contemplation of that noble infantry, all free soldiers, each man there of his own free will, ready to take each of his share in the bloody business of war with the same deliberation with which he had made his election to incur its risks. They were a handful of men as compared numerically to their foe, but they were calmly confident in their strength and courage; the English knights, and men at arms from the proudest to the poorest, had, according to the national custom in the field, dismounted, and all fought on foot, thereby giving heart and encouragement to this gallant infantry, every man feeling he was there to stand to the last."

Our author concludes the chapter by shewing that there is only one remedy for the alternate helplessness and misery of a country at one time destitute of defenders, at another ground to the dust by their exaction, than "a standing army constitutionally governed, and raised by the fiat of the people."

Chapter IX. treats of *the constitution of a Feudal Chivalric Army, as respects the use of Infantry.* Men's opinions at length had undergone a change as to the relative value of mounted troops, and infantry. The real merit of this discovery our author attributes to the English and Scottish. He traces it from a period immediately subsequent to the battle of Crecy. 350 years ago De Comines pronounced the English the first Archers in the world. For a long time it was supposed that it was owing to the terrible clothyard shaft leaping from the lithe yew, that the English soldier was so formidable. But it matters little what the weapon may be, it is now a truth which admits not of question, that the English foot soldier, in whatever manner armed, when well commanded, has at all times evinced the same indomitable prowess. Both as mercenaries and as patriotic soldiers, our author does justice to the Scottish. This he does too, cordially and generously, and with no cold qualifications, more honoured sometimes in the breach than the observance.

* Beltz's Inquiry into Hist. of the Battle of Crecy. Archaiologia, v. 28, ix.

† Froissart. B. i. c. 129.

Chapter X. is devoted to *the Constitution of a Feudal Chivalric Army as to Infantry in Continental Europe—and Burgher Troops.* Glancing at the Swiss mercenaries and the writings of Guicciardini in which the customs of the former are epitomised, our author sufficiently evinces his contempt for the mercenary principle. On the appearance "in Italy of troops so formidable, aiding the aggressive and invading projects of the French, it became necessary to obtain a description of force capable of opposing them. These men were found in the German foot-soldier, or pikeman the *lanzknecht.*" The military spirit of the French was so wholly Chivalric that, they were destitute at the end of the 15th century, of the element for the construction of a national infantry. To the French as "the most military nation in the world" ample justice is done by our author. The military character of the Italians became deteriorated from license, and the abuse of foreign troops. To date from about 1520 however, the Spanish was considered the model Infantry of the Continent. Though in the shade for some time past, the Spanish army has had its day of renown. The Spaniards are devoted to their country by a spirit of pride, and their natural habits are not remote from those of military life. In living, they are frugal and temperate. Little genuine glory has accrued to the Spanish arms, since the expulsion of the Saracens. They were distinguished in the 16th century, for superiority in the use of the Matchlock. We regret that want of space precludes our entering as much as we could wish, into our author's excellent and discriminative estimate of the military characteristics of the different nations of Europe. All we can do, is to indicate that the subject is ably handled. The formation of burgher troops, was the stepping stone to the system of standing armies which quite absorbed it.

The subject of Chapter XI. is *the line of march, war cries, &c. and the general application of military study.* The method of keeping different divisions together and of distinguishing contending armies, was in addition to the use of standards, by war cries and badges. "It is easy to observe, how from this habit arose in time, the use of paroles and countersigns." The carelessness evinced for the sick and wounded, was a characteristic of the times. Henry V. had but twelve surgeons with his army in France amounting to thirty-two thousand men, which is not more absurd than that in our own day the army of the Sutlej should have only one medical officer of a higher grade than Regimental Surgeon, to superintend the medical details of the whole army. If he had been killed or taken ill, it is not easy to understand how comprehensive arrangements, under proper control, and each knowing his precise and relative position in the field, could be made for the wounded and sick. This carelessness or indifference to the wounded, noticed by our author, arose from the state of civilization itself, and the low state of surgical science, in which men in general had little or no confidence. The poorer soldiers too, when much hurt were turned to the right about, with very little ceremony; being usually dismissed with a small sum of money to find their way home as they best might. Simples and charms too were more depended upon than a system of Surgery that perhaps maimed and killed more than it cured. The profession of arms has

always been an honorable one, though at times apt to be rather predominative in its claims. Its dignity and importance, as our author justly observes, "rises instead of diminishing with the advance of knowledge and civilization." Our author takes his ground boldly and ably against the false philosophy that cries out on armies as useless and unchristian. While the world is what it is, we must for protection and defence, cultivate military science, he contends, with unanswerable moral force, no less than good sense. Our author then, is a frank and enlightened advocate, for all that tends to better the position of the soldier, and particularly so, for his being a diligent student. As the soldier makes serious sacrifices in embracing that profession, so is it imperative upon him, he thinks, to be at pains in order to procure the respect and esteem, of the community at large. The world will more readily sympathise, he deems, with a soldier who studies the arts of peace, and makes them subservient to his military profession. "Two things"—says the Arabian proverb, "rule the world,—the sword and the pen—but the pen rules the sword." We much fear that our author is too sanguine in his expectation that mental cukivation in the higher grades, would be necessarily followed by an improvement in the intellectual tones and temper of the subordinate ranks; and that this would be followed by such a reaction of popular opinion, as to lead a superior class of men to fall into the ranks. Two things must first be largely modified, before we can concur with our esteemed author, in any such hope, and these are—the system of military punishment that holds in the British army and 'the cold shade of Aristocracy'—that, torpedo-like, paralyzes all generous aspiration—and produces a level monotonous deadness on the surface of our military system, like the leaden stillness of the Asphalite lake, which inherits a certain buoyancy from its very bitterness. There is no getting rid of the fact, that it was only the Revolution that struck off the Incubus from the old armies of France—formerly, the appanage of sucking Monseigneurs and Court dandies of forty quarterings—and latterly, of the hangers on of the harlot of the hour. Had Napoleon, by the chapter of accidents, happened to enter the English army as a Recruit—ten to one but by the time he forced the bridge of Lodi—he would have received due punishment at the halberds for mere brusquerie which in the eyes of the Martinets of the day would have debarred him from promotion for ever—or he might have risen to be a Sergeant Major! The necessity of an alteration of system, is at length beginning to be reluctantly acknowledged in high quarters. Something to this effect has been begun upon in India, but on so very homœopathic a principle, that we despair of its producing any beneficial effects. Already performance has immensely halted behind expectation. It remains to be seen how this driblet of promotion by merit may work. We have no sanguine expectation. Had it been upon a more comprehensive and statesman-like scale—we cannot conceive a measure more fraught with regenerative virtue for the soldier in India especially. Such a stimulus of hope might do wonders—but as we already hinted, we conceive it too infinitesmal in scale, to affect in the slightest degree the morale of a large army.

The authorship of this work being now, we believe, pretty generally ascertained, it would be affectation to allude to a person as anonymous, who is held in such high estimation as the accomplished Secretary to the Asiatic Society of Bengal. Those who are well acquainted with his distinguished literary and social talents, will not be surprised that the work itself, should exhibit proofs of such extensive reading and multifarious research? The impartiality and kindly feeling that breathe throughout are highly creditable to Mr. Torrens, as a man and an author. We therefore look forward with no small interest to the second portion of the work, which will bring us nearer the scene of action, and call forth a more lively train of sympathy. We regret that we cannot extend the same approbation to the typographical execution of the work, which, independent of press errata, is generally inelegant,—the character of the type being unpleasant and hard to the eye. It appears to us that it would be a desideratum in the forthcoming part II. to put the date of the various historic details at the top of the page and to have the different items marginally titled.

We do not exactly know to whose argument our author addresses himself at page 384, in reference to its being objected that—"the profession of arms is unchristian." We do not think this inference fairly deducible from the sacred canon. It never has been the doctrine or practice of true Christianity, to overthrow what is established for human security, or the welfare of good government. Even when our Lord abode on earth in the form of humanity, he found the profession of arms established as a lawful calling. The principle of self-preservation in man is itself a divine law. Life and what gives value to life are God's own gifts—and are worthy of being conscientiously defended by communities as well as individuals. The right is so clear and indefeasible that it would be really cavilling, to deny it. It is a right that man is not merely justified, but is bound to assert, whenever it is questioned or perilled. The powers that be, we are assured, are from God. No Government on earth could stand without some degree of military support. It will not be so, when Christianity becomes more catholic and influential on national masses as well as controlling authorities. A constitutional army is a protective establishment, without which all other establishments whatever, would be under continual risk of violence and invasion.

We find that when the publicans came to the Baptist inquiring what they should do, that he replied, "exact no more than that which is appointed to you." The office itself was not condemned as sinful. It was and must continue a necessary vocation, for without taxes where would government or rule be? It was not the office then, that had become odious, but the practices of too many who made it the instrument of peculation and extortion. The soldier is no less necessary in the state than the revenue collector, for without the moral strength resulting from his status, there might be no revenue to collect. So when the soldiers also came questioning the Baptist, he says not a word condemnatory of their calling, but, in stating their duties, indicates sufficiently broadly what in those days might be their besetting offence.

"Do violence to no man, neither accuse any falsely, and be content with your wages." It was by military interposition, under providence, that the Apostle of the Gentiles was twice rescued from imminent danger of immediate death by a lawless mob. Cornelius, the devout Centurion, is not enjoined to forego his calling. "Let every man abide in the same calling wherein he was called," is the injunction of exalted authority. Every thing should be done in order, and while soldiers are obedient and conscientious servants, they are in order, and conserve order. It is when they assume a masterdom, that they set themselves beside the canon. Where would the Reformation itself have been without military fencing and guarding, or could Luther, and Calvin, and Knox have propounded their bold truths in security, had there been no moral strength in the state, derived from the known existence of a disciplined army? Is it implied that soldiers are professedly irreligious? Then, must we say, as far as our knowledge goes, that the charge is unjust. There is no doubt that soldiers have at times exhibited in the hot hour of conflict, and victory, a wildness and a licence, over which religion would rather draw the veil. Will not an unarmed multitude, assembled ostensibly on religious impulse, also commit the most revolting acts?* But soldiers have exhibited a conventional freedom and perhaps a levity, at which serious and pious men may shrink. We trust and believe that this, in our day, is the exception and not the rule. It is a glory of our times that a Regiment is no longer a school of extravagance, revelry, or irreligion, but the contrary. Let those who doubt this, out of justice to their countrymen, look a little closer at the system. From an intimate acquaintance for many years with several Regiments, we can conscientiously declare that they may be considered as large families, in which the practice of morality grounded on religion, is enjoined by example as well as precept. Many a devout and God-fearing heart is covered by the red or the blue coat. Look at them in the hour of conflict and victory; then may it be said, with rigid truth, of the British Soldier, that he is as merciful as he is valiant. This is a lesson the Roman never acquired; nor any of his predecessors: but it has percolated into our military system from that Rock which gives issue to the fountains of truth and Christian freedom.

"Wars are incidental to man," our author very truly remarks, but considering the signs of the times, it is not perhaps too Utopian to expect that the day is not far distant when war may wear itself out. Has it not marks of decline? War was not from all time, and will not be for all time. The age we live in, appears to be the beginning of a grand and auspicious Epoch. Let us take but a retrospect of a hundred years, and the rate of advancement in our age as compared with all preceding, will be acknowledged to be truly wonderful. The discoveries in Chemistry have opened up stupendous potentialities of illimitable comprehensibility, that have infused an unheard of energy into all things affecting social progress, in a variety of striking

* See the record of the doings of John of Leyden and his fanatics—and Lord George Gordon's Riots.

modes. Idols which men had set up for themselves, founded in short-sightedness and prejudice, are crumbling into the stream of time, with a rapidity that fills many with fear. The Baconian philosophy has at length, as it were, found an anvil to its powerful hammer, and it rings with the clang of utility shaping and fashioning things of power. Every thing is now closely scrutinised, and sternly investigated. Names have lost their magic spell, and things are all in all. It is an age of facts and exploding theories. Whatever is, or is to be, is pondered, discussed, and analysed. Perhaps a stolid Pyrrhonism is the vice of the age. It doubts every thing that is not tangible and palpable; but rampant impiety is no more. No longer are measures, things, or institutions deemed final, and unquestionable, because they are. These must now be demonstrated, to be best adapted for their professed purposes, or like the Test and Corporation Acts, and the Corn laws, they must give way. All shams are false idolatrous images, and the generation of our day are vigorous Iconoclasts. Cortez, before the idols of Tlascalla, was a child to them. Sinecures totter—protection is beyond the pale of human shield. Nothing is taken for granted. All things must be brought to square, level, and plumb. We should despair, if this were all to merge in mere mechanical philosophy, but we have a brighter and a holier hope. Things in fact now range themselves under two categories, the true and the false; the just and the unjust. To either of these must WAR belong, ere it can sufficiently command the support of the people at large. Europe has now enjoyed thirty years of peace. Peaceful habits and trains of thought, are every where taking root; even in that nation which was deemed the most restless for change—and thirsty for false glory. It is true, that, while sinful passions exist, there will be the shedding of blood, but a feeling is abroad, voicing itself through the earth, and from kingdom to kingdom, that human blood should no longer flow in torrents without some great, deep, pervading, life-earnest, and unavoidable cause. Nations now, have got into the way of peacefully endeavouring to make each other keep the peace. The Reformation was the first grand clearer up of the moral atmosphere. Next came the French revolution. The waters of that deluge have subsided, and the face of things is again diversified with verdure, order, and beauty. Weak monads that had been magnified into systems, recede before the strong power of public opinion. The cry is no longer "under which king Bezonian"—but under which truth, or system of realities,—facts and not hypotheses. Free-trade in all things even in opinion is the rule, and what is this free trade of which we hear so much but a mere Artesian spring from the under-lying waters of that christianity so little thought on and considered by foolish ones? Christianity has not for ages been saturating or rather permeating all social conditions, less or more, for nothing. What is this free trade principle of which we hear so much of late but the simple application to business matters, between nations, of what has been partially understood but not so much practised as it will be—*Do as you would be done by?* Christianity, understood in the true depth of its philosophy, is the

universal solvent that begins to affect even the rocks and high places of the earth. It is the unseen subterranean current, drawing, by its attraction, the twigs and slivers of human motives. Whatever is pacific, whatever is slow to anger, and quick to amend, and make reparation, is but the blessed verdure up-springing from the irrigation of these waters.

In a variety of ways which those who most undervalue christianity have not sufficiently considered, do its influences operate unceasingly. They operate like the dews of heaven that fructify the teeming ear and the succulent grass. The very passions seek a more subdued way of venting themselves. The most violent impose a check of self-control on themselves, and vice no longer dares show herself unveiled. Persecution has quenched her faggot, and bigotry laid aside her rack for ever. A leading article, or a pamphlet, is the inquisition of our day; and a paragraph the cup and the poignard. All violence is avoided as in bad taste, and gentleness firmly manifested, or rather, determination mildly propounded, becomes irresistible force. Ruffianism is at utter discount, and flies to Kentucky and Tipperary; but will not be allowed to lodge even there. Modern courtesy is as different from ancient politeness, as the wit of Aristophanes is from Mr. Charles Buller's, or the smoothness of flint, is from that of velvet. In fact, properly speaking, the Ancients had neither urbanity nor courtesy to boast of. Diogenes could not—dared not—have spit upon the pride of Plato on an English carpet. The urbanity of the Greeks is questionable. Socrates would have scarcely been brought on the stage in our day. The stick raised to strike Themistocles tells more than meets the eye. The old Admiral perhaps had made what he deemed justifiable use of it at home—if not in the very gyneceum. What the soldiers of Julius Cæsar considered a capital joke (Gallias vincit Cæsar, &c.) would strike any modern general with horror. The ancients at every turn evinced a depravity that even the veil of a learned language is too diaphanous to hide. Their very jests were foul and smelt of Tophet. The most abandoned creature on the pave of an European city in our day, would have shrunk from the avowals of Sappho. The coarsest English Foxhunter, represented by Fielding or Smollett, would be shocked at some of the grossnesses of the courtly Horace. What has produced such a change, not merely of manners and allusions, but of sentiment and conduct? Even its bitterest enemies,—let their side sneer at, or direct vituperation of Christianity extend to what limits it will,—cannot deny the fact, of its being a besom of destruction to all indecency and profligacy. These, if not annihilated like foul vapours before its blessed light, and searching fiery power, hide themselves abashed in dark holes and corners from the gaze of general reprobation. It finds us in childhood—like some spiritual specific—and through life is the grand prophylactic against poisonous influences that war against the soul. In a thousand ways it operates beneficially, even when it does not extend to the length of conversion. It abates vice—it awes injustice, neutralises hostility, and repels aggression, by its commanding spirit of calm firmness.

Gradually it is achieving victories over wrong, which, combined with the grand discoveries in material philosophy, made under its fostering wing, must render the science of war so hazardous as to make recourse to it madness. Add to this that juster views are spreading over the face of the earth. A spirit of arbitration and appeal now asserts itself, formerly unheard of. The masses begin clearly to understand the insane folly of wanton wars. They will be frowned out of countenance. The genius of Peace, which is but another name for true Christianity, will, in the fulness of time, and at a less remote date than may be dreamed of in vain philosophy, bring about the sublime consummation, when "nation shall not lift up sword against nation, neither shall they learn war any more."

NOTICE.

In consequence of the great length of some of the preceding articles—which yet, from the importance of their contents, we had not the heart to abbreviate—our allotted space has been considerably exceeded. We are therefore reluctantly constrained to keep back several Miscellaneous Notices, which must now be reserved for a future number.

SANDERS AND CONES, TYPS., MISSION-ROW, CALCUTTA.

ERRATA IN VOL. IV.—No. VIII.

Page 287, 6 lines from the bottom, for "Camp Guys," read "Camp Bay."
— 288, line 277, for "Baron Indwick," read "Baron *Ludwick*."
— 288, line 33, for "Farmer Peik's," read "Farmer Peck's."
— 297, line 18, for "before the morbid can hope," read "before the *invalid* can hope."
— 300, line 16 from the bottom, for "vocation," read "*vacation*."
— 301, 8 lines from the bottom, for "no doubt," read "no *dearth*."
— 302, line 1, for "there, some," read "there are some."
— 306, line 14 from the bottom (*note*), for "continued to supersede," read "*contrived* to supersede."
— 307, lins 5, for "fastidious enthusiasm," read "*factitious* enthusiasm."
— 309, line 7 from the bottom, for "a pot of fresh butter," read "a *pat* of fresh butter."
— 316, line 5 from the bottom, for "wearying apprehension," read "*wearing* apprehension."

ERRATA IN VOL. V.—No. IX.

Page 149, line 4 from the bottom, for "first branch of the object," read "first branch of the *subject*."
— 155, line 3 from the bottom, for "idea of monstrosity," read "the idea of *a* monstrosity."
— 180, line 5, for "not a small matter to have," read "not a small matter to *some*."
— 211, line 16, for "had the lion been the hurrier," read "had the lion been the *limner*."

MISCELLANEOUS NOTICES.

Journal of the Ceylon Branch of the Royal Asiatic Society. Colombo, J. Gilgot, 1846.

THE foundation and labours of a new Literary Society in a country so little known as Ceylon cannot be viewed by us but with the liveliest interest. It proves at once that the inhabitants of the Island are not sinking into that apathetic indifference to intellectual pursuits so common in the East, and that there are men in the "Eden of the Eastern Wave" willing and able to devote themselves to the investigation of the various subjects of interest connected with the Island. It was therefore with great pleasure that we heard, now upwards of a year ago, that measures were being taken to establish an Asiatic Society in Ceylon—measures which were happily successful, and which resulted in the formation of the Society referred to, and its subsequent incorporation with the Royal Asiatic Society of London. In the Journal before us we have the first fruits of its labour, and we trust that the exertions of the literary characters in the Island, which have already produced this first part of the Journal, will but be increased by the favor with which it has been received.

Attempts had been made in former periods, we understand, to form a Literary Society of the same or a similar character at Colombo, all of which after a shorter or longer period of existence became extinct. The names which appear before us as the supporters of the present institution, and the energy of its proceedings lead us to hope better things of the Ceylon Branch of the Royal Asiatic Society. With so wide and interesting a field of research before them its members will be contributing much to the literature of the East by sending forth even a few such numbers as that before us, treating of the religion and customs of its inhabitants, the Natural History of the Island, and its numerous antiquarian remains. Buddhism especially, we are happy to perceive, is receiving that share of attention which its importance, as the professed religion of so many millions of our fellow-creatures, entitles it to demand, and in no country perhaps are the facilities for its investigation greater than in this, one of its most zealous upholders. In the libraries attached to the various temples throughout the Island, as well as in those of private individuals, particularly priests, are to be found the works attributed to Goutama Buddha himself and his immediate followers in the ancient Magadi or Pali language. In these works alone there exists a vast mine of ancient learning as yet for the most part unexplored, and for the working of which we naturally look to Ceylon where the acquisition of the Pali language is not attended with the same difficulties as elsewhere. In these works we have that remarkable system of religion developed, not as the corruptions of its professors have made it in later times, but as it came direct from its

founder himself and those whom he instructed, five centuries at least before the Christian era. What a field is here then for the labours of our Ceylonese brethren!—a field as interesting as it is extensive; for the works to which we refer are sufficiently voluminous to employ the entire lifetime of more than one or two zealous students in their investigation. Till these works shall have been translated, ancient Buddhism must remain to us a sealed book, and we must accept the alloys and dross of modern speculations, or the base metal of the professors of the faith, instead of the pure and unadulterated product of this valuable mine. We have said that this interesting subject has not been neglected by the society whose Journal we are noticing. Two valuable papers on Buddhism appear in the number before us displaying research and ability of no ordinary stamp, and which are drawn from the original documents to which we have alluded. These we shall subsequently notice more particularly. But important as Buddhism is, as a subject of investigation connected with Ceylon, it is yet but *one* of these subjects. A mass of ancient lore connected with the early history of the celebrated Lanka still remains to be clothed in a European dress, which is quite accessible to students in the Island. The line of kings, with many of their actions, it is true, has been harmonized and regulated—we can faintly trace the rise of the Ceylonese monarchy from the invasion of Wijeya to its culminating point in the reign of Dutu Gaimono, with the turbulent period which followed till the desertion of the ancient capital, Anuradhapúra, by its vacillating sovereigns. We can dimly discern the progress of the succeeding capital Pollannaruwa by noting the pious works of the succeeding monarchs till its splendour was consummated in the brilliant reign of Prakrama Bahu the Great, the most warlike, energetic and talented of the Singha line of princes. Thence descending the stream of time we find the seat of Government changing with the whim of each succeeding monarch; we have enumerated in the native histories the pious erections, and charitable donations of the Buddhistic princes contrasted with the impious labours of the Malabar invaders till we arrive at the landing of the Portuguese under Almeida in 1505, whence we may date our more intimate knowledge of the Island and its inhabitants as they have, since then, existed. All this we can do with the materials at present available, and all this has been done, but this is not sufficient to show us what manner of Island it was and what manner of people its inhabitants were. That the ancient Lanka was a rich, powerful and well-peopled Island we cannot doubt, considering the remains of former magnificence which abound in it, but of the genius of the inhabitants who made it so we know little or nothing—of their arts and sciences we want definite information—of their customs, habits and national character we know little. All these subjects require investigation, and for their due investigation we feel convinced ample materials exist in the ancient literature of the Island—a literature of which but a few scraps are as yet in the possession of the English reader. Thus, for instance, ancient works there are in abundance

treating of the astronomy, astrology, religious sciences and profane branches of learning as known to the ancient Singhalese, and of these the English reader can know nothing, just as he must remain ignorant of the native poetry of the Island (written in the Elu language) till some of the *savans* of Ceylon sets about their translation. For this labour we naturally look to the Asiatic Society within whose province such investigations more particularly lie. In these subjects then we have three especially suited to the taste of philological students, and in all these departments the labours of the Sanskrit, the Pali, the Elu, and the Singhalese scholars will be valuable beyond measure.

So much for Ceylon as it was, its religion and its history, to the period of the Portuguese settlement. From that time our information of the Island, its condition and history may be derived from sources in the European languages aided and enlightened by native works. The Portuguese historians relate the doings of their countrymen, in the usually inflated style of their writers, with great minuteness, and not a few remarks respecting the native customs and character of considerable truth and acuteness may be found in the pages of Ribeiro* and Botelho. Still however much remains to be learned of the religious exertions of the Portuguese, and of the impression which their strangely blended religious and warlike character left upon the natives. Next upon the stage of Singhalese history came the commercial and grasping Dutch, who, having won the Island after a fierce and wasting struggle, seemed to think only of how they should make it pay for the blood and treasure expended in its conquest. We look in vain in the History of their transactions for any enlightened views of Government—for any consistent scheme to promote improvement and happiness. For the investigation of their measures ample resources exist in the Dutch Records preserved in Colombo, a valuable mass of papers which are being gradually allowed to fall a prey to the destroying insects of the tropics. The learned in the Portuguese and Dutch languages resident in the Island might thus supply the Society, and through their Journal, the world, with a large mass of valuable and interesting information—all tending to throw light on the History of the Island, and to increase our knowledge of the characters of the various nations who there came into collision. We have thus shewn that the proficient in Sanskrit, Pali, Elu, Singhalese, Portuguese or Dutch, resident in Ceylon, and willing to devote a few hours to literature might be the means of bringing many important facts, now unknown, to light, and of increasing our acquaintance with this remarkable Island. Still, however, there is a seventh language by means of which much may be done, and much has already been done, in elucidating the History of Ceylon—we refer to the Tamil, a language spoken by the numerous classes of Malabars and Moors—the latter especially, a most energetic race, becoming every

* We have heard that an English edition of this writer's History is being prepared by a gentleman in Colombo already distinguished for a partial digest of the Dutch Records of the Island.

day of importance, the former a people intimately connected with the Singhalese both in ancient and modern times. Amongst both of these classes, we are inclined to think, works, containing much valuable information respecting the past history of their respective possessors, might be found.

The ignorance of the Indian Community generally respecting the circumstances of Ceylon has frequently been complained of by our Anglo-Ceylonese brethren, and that such ignorance exists to a very considerable degree is beyond a doubt. Our brethren in Ceylon however must pardon us if we attribute part of the blame that attaches to us, in consequence, to themselves. They have taken little or no pains to instruct us in the real condition and circumstances of their adopted Island, and if we seek information on this subject, we would naturally look to such works as that before us, and others of a more elaborate nature. Now this evil would soon be obviated if but a few of those shrewd, discerning, active men which are to be found in every English community, would devote a few hours to enlightening their fellow-countrymen abroad on the condition of the Island as it is. We have shewn that the students of languages and literature may do much to exhibit Ceylon to us as it was—the true character of it people—the genius of its various inhabitants—the nature of it various institutions, but to teach us what the present character of th island is—to exhibit to India and the world the circumstances i which it is at present placed, as well as the influence which conta with Europeans has had on the native inhabitants—to teach us the things no philological studies are necessary—nothing is required b the observing eye and inquiring mind with which intelligent Britons a generally gifted. If such men would set about the task of "holding th mirror up to nature" as nature exhibits herself there, the complaints f our ignorance to which we have referred would soon be at an end, a our faulty judgments on Ceylonese events and Ceylonese character, is to be hoped, would no longer form a just ground of complaint.

Important as the Island is and valuable as it is becoming in a com mercial and agricultural point of view, we know little as yet of it geological, mineralogical, botanical or zoological character. The fir of these subjects has never been thoroughly investigated, and with th exception of a few fugitive essays in the local papers,* ephemeral a the journals in which they were contained, has been in fact entirel neglected. The essays to which we refer have appeared since th formation of the Asiatic Society, and if valuable it were well ha that Society preserved them by appending them to their Journal—it appears in fact strange to us that their author should prefer throwin them away on a paper whose very name is unknown to the great mass of Indian and English *literati* rather than offer them to a Society in whose Journal they could not fail to be appreciated and made use of. The mineralogy of Ceylon is in an equally backward condition, either

* We refer to some geological papers signed *Trincomania*, which appeared lately in the *Colombo Observer*.

from the want of scientific men willing to devote themselves to its investigation, or from the results of their researches not having been made known—we are inclined to think that the latter is the true state of the case, and if our supposition be correct we know not what better means of bringing them before the scientific public could be found than through the pages of the Journal of the Ceylon Asiatic Society. The *Flora* of Ceylon, we are happy to perceive, is receiving that share of attention from a scientific gentleman in the Island, which is necessary to render our information on the subject complete. The results of these investigations our Indian naturalists will find in their own scientific Journal in Calcutta, and we cannot but congratulate them and their brethren in Ceylon on the prospect of having the botanical character of the Island speedily made known.

We have thus endeavored to shew how wide and ample the field of the Ceylon Asiatic Society's investigation is, and how every particular acquisition natural or acquired of the laborers may be turned to account. This we have done because we have frequently heard the observation made that in so small an Island there scarcely existed subjects enough to afford continued variety of investigation for a literary Society such as that whose Journal is before us—our object will be gained if the observations we have made tend to prove to its members that the question is, not where can we obtain subjects to bring before the society's notice, but where shall we obtain men to handle with ability the numerous subjects which present themselves.

Turning now to the Journal before us, we find in it two papers by Mr. Justice Stark, the President of the Society—the first an opening address intended to explain the nature and object of the Society—the second a valuable essay on "the state of crime in Ceylon." On Buddhism we have two excellent and original papers by the Rev. D. J. Gogerly. General observations on the translated Singhalese literature by Mr. Knighton, the Secretary of the Society, next attract our attention. Then comes a paper "on the elements of the voice viewed in reference to the Roman and Singhalese Alphabets commending the writing of Singhalese in Roman characters," by the Rev. Dr. Macvicar. The next writer is Mr. Capper, who gives a practical paper on "the ravages of the Cooroominia or Cocoa-nut beetle" and also some observations "on the collection of statistical information in Ceylon." Lastly we have a letter from Mr. S. C. Chitty to the Secretary on some ancient coins found at Calpentya. It will be seen from the above list that the Society very properly confines its labours to the Island in which it is established "not professing" in the language of the President "to look beyond the island, or to regard literature and the arts otherwise than as they affect the Island."

The opening address of the President is as we have said intended to explain the nature and object of the Society. In it the various subjects to be investigated are brought forward successively, and a few remarks made upon each. In noticing the history of the Island he makes the following general remarks :—

"We see the tide of population and can mark the progress of political

power towards the WEST—from Mount Ararat to Babylon, and thence to Nineveh, Palestine and Phœnicia, Greece, Rome, France, England—like the encampments of the children of Israel on their way to the holy land, resting and moving according as the symbol of the divine presence rested or advanced—or rather like the sons of Jesse brought up in succession before the Prophet, and still dismissed with the words "Neither hath the LORD chosen this." For when with the fate of the nations whose glory has departed from them, we place in corresponding columns (like the handwriting on the wall before the impious Belshazzar) their depravity and irreligion as exhibited to us in the denunciations of the prophets, the visions of Ezekiel, the comedies of Aristophanes, the satires of Juvenal, and the writings of Voltaire and the Holbach coterie of atheists. When, I say, we thus place together the character of a people and their ultimate fate, we perceive something of the great principles of Providence—the philosophy of history—and unavoidable proofs of the declaration of the Psalmist. 'Verily there is a GOD that Judgeth in the earth.' But of the progress of population and political power in the EAST we know comparatively little, nor can we connect together the languages of Asia as we can the languages of Europe."

The paper on the state of crime in Ceylon also by the President gives us much valuable information on this interesting subject—information which the situation of the writer as one of the Judges of the Supreme Court of the Island renders undoubted. Its results may be succinctly stated. From a variety of useful tables with which the essay opens it appears that the number of cases on the calendar has decreased generally throughout the Island since 1834 save in Colombo and the interior where they remain as formerly. This result is curious when taken in connection with the fact of the increase of the average number of prisoners connected with each case and of the increase of the number of prisoners accused of murder, homicide, burglary and other offences against property with violence accompanied by a diminution of the number of prisoners charged with theft, embezzlement, receiving stolen property, assaults and such like,—facts plainly proving that whilst crime is less in the gross amount, has increased in violence, and that whereas crimes by solitary individuals are on the decrease, those committed by parties or gangs are becoming more numerous. A curious and lamentable proof of the increasing civilization of the coast districts is to be found in the fact that crimes against property are on the increase in a greater ratio than those against the person, a result not obtained with regard to the ruder districts of the Interior. In concluding his remarks on this subject Mr. Justice Stark, very properly notices with severe reprehension the state of the jails in the Island by which so many prisoners are allowed to escape. In September 1843 there were at large 53 prisoners of whom 18 had escaped during that year alone. "Escapes on a scale like this" he observes "must be in every respect injurious—the administration of justice is rendered nugatory, opposition to the laws is engendered, the connection between crime and punishment is severed, and among the escaped there must be many a Kurupunchy,* the head and nucleus of a gang." We have looked with no little interest for some statistical data respecting the state of education amongst the inmates of the jails, but without success—the facts stated on this subject referring only to three jails in the Island, and even with regard to these only on particular occasions. A striking fact in reference to the proportion between the commitments, trials, and convictions remains to be stated. From the tables to which we have referred it appears that in no case do the trials equal in number the commitments, and of the number tried, there are seldom more than one third convicted, whilst in Scotland, the honorable gentleman informs us, that three fourths at least of those tried are convicted—the contrast is remarkable. In concluding this brief notice of Mr. Stark's paper, we cannot but express our hope that he will continue his investigations into this important subject, sure as he must be, of developing important principles and interesting facts unknown to the great majority even of our educated countrymen.

* A noted Singhalese desperado.

Pursuing the order we have traced out for ourselves we come next to Mr. Gogerly's first paper on Buddhism. Much as has been written on this subject—how ignorant do we not still remain of what Buddhism really is! The fact too is easily accounted for. Instead of searching into the original sources whence ancient Buddhism might truly be derived, we have had writers on the subject substituting speculations of their own for the writings of the founder of the faith, and we have seen numerous instances of such writers setting down the most contradictory tenets, all the coinage of their own brains, as the true dogmas of the faith. The necessary result of this course of procedure has been that the inquirer finds Buddhism according to such writers, to be an ill-regulated, confused mass of heterogeneous principles and facts many of them at variance with each other, and with the true foundation of the faith. It would appear however that this state of things is now about to end. M. Burnouf, in Paris, and Mr. Gogerly, in Ceylon, have both taken the right road to investigate the matter, and whilst the one arrives at certain conclusions from studying the writings of the founders of the faith in Sanskrit—the other is arriving at the same conclusions by investigating the Pali documents so long taught in Ceylon and Siam. This coincidence naturally leads us to the conclusion that Buddhism, as it really was, is being evolved and that the period of the speculators and theorists has drawn to a close.

Mr. Gogerly sets out in his first paper by informing us that Goutama Buddha, the founder of the faith does not appear to have laid down the principles of his faith in any one discourse or series of discourses, but to have left it to be evolved in his numerous sermons chiefly, as it would appear, called forth by accidental circumstances and subsequently committed to writing by his disciples. That a great first cause or creator is not recognized by the faith is the impression produced by a perusal of the original sermons, and that Mr. Hodgson's ideas on this subject particularly with reference to the Adi Buddha, were erroneous, is plainly shewn, in the paper before us, by a reference to the fundamental principles of the faith. The term Adi Buddha (the

name given by Mr. Hodgson to the Buddhist Deity and Creator) mere y signifies an ancient Buddha. Many of them have appeared at successi e intervals in the history of mankind, and the truth formerly taught y one is after an incalculable period again taught by another who obtai s his Buddhaship in the same way, that is by persevering virtue. A l these ancient prophets now in Nirwana or annihilation, as it wo d appear, are Adi Buddhas, and in no respect superior to their successo s the later Buddhas. In fact to become a Buddha a long initiato y course of preparation is necessary, and it is therefore impossible that a y one of them could have been the *Creator*, as we understand the ter . We have next an enumeration of the sacred books of the faith corre s-ponding with that given by Mr. Turnour in his preface to the Mah -wanso. They are divided into two great parts the books of doctrine a d the books of discipline—the extracts in the paper before us refer chie y to the first of these. A very curious discourse relating to his o n superiority as delivered by Goutama himself, is translated by the writ r. We are sure our readers will not consider an apology necessary fr m us for transcribing it, with the few words of observation which foll w is—Goutama loquitur:—

"Brahman, if eight, ten, or twelve eggs are placed under a hen and c e-fully hatched, what appellation is given to the bird who with his f t, his spur, his head, or his beak, first breaks his egg, and is perfe ly formed? Such an one, venerable Goutama, should be called "The Ch ," he is the first born. Even so, Brahman, having broken the shell of ignora e by which, enveloped in darkness all beings were encompassed, I stood al e in the Universe, in the full ascertainment of unerring and all perfect kn e-ledge. I, Brahman, am the first born, the Chief of the World. Brahma , I was persevering and diligent, thoughtful and intelligent, tranquil in body nd mind, with a pure heart and with singleness of purpose. Being, Brahm n, free from sensuality, and criminal propensities, I enjoyed the pleasure of the first Jhana (or course of profound meditation) produced by retire t spent in examination and investigation.

Investigation and research being terminated, with internal serenity a d a mind concentrated in itself, I enjoyed the pleasures of the second Jha a, produced by the tranquility which is undisturbed by inquiry or investigat n.

Free from the disturbances of pleasure, contented, thoughtful and w , and possessed of health of body, I experienced the happiness of the th i Jhana, called by holy sages the happy state of thoughtful contentment.

Free from the emotions of joy or sorrow, previous exultation and depre sion being annihilated, I lived with a contented mind, unmoved either pleasure or pain, and being perfectly holy, attained to the fourth Jhana.

Being thus mentally tranquil, pure and holy, free from passion or pollu tion, serene, and competent to the effort, I addressed my mind to the recollec tion of former stages of existence. I remembered these states of previou being from one birth up to those experienced during many revolutions o kalpas, and recalled to mind the place where I resided, the name I bore, m race and family, my circumstances, personal appearance, enjoyments an sufferings, and the duration of life, at the conclusion of which I ceased t live there and was born in another place, until I was born in this world. Thus I recalled to mind former states of existence, with their circumstances and causes. Thus Brahman, during the first watch of the night, ignorance passed away and knowledge was obtained; darkness was dispersed and the

ght shone forth; and by my persevering and holy exertion, like the first atched chicken, I first chipped the shell of ignorance.

Being thus mentally tranquil, pure and holy, free from the pollution of e passions, serene and competent to the effort, I addressed myself to the nsideration of the birth and death of intelligent beings, and with a clear d godlike vision, transcending that of men. I looked upon beings, dying d being born, whether noble or base, beautiful or deformed, happy or rrowful, according to the desert of their previous conduct. I saw some ose conduct was evil in thought, word, and deed; revilers of holy men; ly men, holders of false doctrines and attached to the observances of a lse religion; these, upon the dissolution of the body after death, were duced in hell, increasing in misery, wretchedness and torments.

I saw some who were virtuous in thought, word, and deed; who erenced holy men, were of a pure faith, and attached to the observance true religion; these upon the dissolution of the body, after death were n in heaven endued with felicity. Thus Brahman, during the second tch of the night, the second part of ignorance passed away and know-ge was obtained; darkness was dispersed and the light shone forth; and my persevering and holy exertion, like the first hatched chicken, I again pped the shell of ignorance.

Being thus mentally tranquil, pure and holy, free from the pollution of the passions, serene and competent to the effort, I turned my attention to that wledom by which desire can be extinguished: and clearly discerned, according its real nature, this is sorrow; this is the source of sorrow; this is the cessa-n of sorrow; this is the path by which cessation from sorrow may be obtain-These are the desires: these are the causes of their production. This is extinction of desire. This is the path leading to the cessation of desire. aving understood and perceived these truths, my mind became free from sual desires, free from the desire of continued existence, and free from igno-nce; I became conscious that I possessed this freedom, and certainly knew at my transmigrations were terminated, my course of virtues completed, my edful work accomplished, and that nothing more remained to be done.

Thus Brahman, during the third watch of the night, the third part of igno-nce passed away and knowledge was obtained; the darkness was spersed and the light shone forth; and by my persevering and holy exer-on, like the first hatched chicken I broke the shell of ignorance.

Upon hearing this, the Brahman acknowledged Goutama's supremacy and mbraced his religion.

From this extract it appears that Buddha founds his claim of supremacy, upon his being perfect in holiness, entirely free from the influence of esire whether in reference to bodily and mental sensations, or to the con-nuance of existence; and 2, upon his being perfect in knowledge, under-tanding both natural and moral truth with absolute exactitude; and 3, hat this knowledge is self originated, resulting from his own unaided mental fforts. As Buddha he acknowledges no teacher, admits no inspiration or evelation from a higher source; but declares himself to be the fountain of nowledge for all existing beings, whatever may be their dignity."

An extract is then given from the third book entitled Maha Waggo,—which we have the Buddhistic chain of causality commencing with on account of ignorance, merit and demerit are produced," and so —every thing in the universe resulting from this chain. We must nfess we cannot understand this, and as there is no comment on subject by the translator, we are left in doubt as to its meaning.

If it be intended to shew how Goutama dispensed with the necessity of a Creator it seems eminently absurd. From these and the succeeding extracts Mr. Gogerly's conclusions are, that Goutama, the son of one of the inferior sovereigns of India, abandoned his home, adopted the life of an ascetic, and during six years performed painful penances to overcome his passions. He then retired to solitary meditation and came forth to the world professing to have attained the perfection of wisdom and virtue, and being therefore entitled to reverence from all. This assumption he did not support by miracles or the sword but solely relied, as it would appear, on his powers as a teacher That he was eminently successful, the state of India a few years after plainly proves. Mr. Gogerly then enters upon the question of the relative priority of Buddhism or Brahmanism, which in ten lines he decides in favor of the latter, founding his decision on the simple fact that certain men called Brahmans existed before Goutama's time. This only link in the chain wanting to complete his proof is to shew, that these Brahmans professed what is now called the Brahmanical religion. This we suppose is intended to be understood. In a few concluding remarks the fact of the Nirwana of the Buddhists being a total cessation from existence is sought to be established, and of this assertion several proofs are given into which we need not enter. If the fact be so, what an extraordinary system of religion this Buddhism is—a religion without a God, recognizing the attainment of virtue and wisdom as the only true duty of man, desiring him to attain this at any and every sacrifice, and yet holding out no higher lure to move him do so than ultimate annihilation. Had some political theorist, like another Plato or Sir T. More, invented such a system of religion for his Republic or Utopia, how unnatural and improbable would it not have appeared, and how would not the unlucky theorist have been persecuted with ridicule for his monstrous invention!

In Mr. Gogerly's second paper on Buddhism we have a somewhat particular account of the priesthood and the laws by which it was governed. To the word Priest, however, as used to designate the monastic order of Buddhism, our author objects, as not conveying a proper idea of their office. They more resembled the Christian monks than the working priests, collected as they were in the Wihara or monastery, and bound by the vows of poverty and celibacy. Whilst bound individually, however, by these vows, their community could and did acquire possessions sometimes of vast extent, in landed property and other sources of wealth. Cases of delinquency were tried before the Sangho or chapter of the order, which might consist of the whole body of the Wihara or a less number according to circumstances, five members being necessary however to constitute a chapter in cases of discipline. An order of nuns was also established by Goutama, but has long since been extinct at least in Ceylon. Into the copious extracts given in this paper from the first and second books of discipline, entitled Paraji and Pachite it will not be necessary for us to enter; suffice it to say that they prove plainly to us that Goutama's rules were founded on the incidents which occurred, as his institutions grew older, and that he

seems to have relied less on theory and more on experience, than ancient philosophers generally did. It were to be wished that subjects of this nature could be exhibited to us without the disgusting expressions with which we occasionally meet in the paper before us, and this in fact is the only objection we have to make to Mr. Gogerly's contributions—of their value as additions to our knowledge of Buddhism there cannot be a doubt.

The "General Observations on the translated Singhalese literature," by Mr. Knighton, appear to be intended to remove certain European prejudices common to many against Asiatic literature generally. The works with which have hitherto been translated from the Singhalese and Pali languages in Ceylon are altogether historical, and on their contents and composition we may adopt Mr. Knighton's observations, knowing as we do that he has made these works his peculiar study. A peculiarity which he most strongly condemns in these works is the strong religious bias existing in the authors who were generally priests, and viewed every thing by the standard of Buddhistic orthodoxy—hence arose their reverence for certain worthless princes whose tyranny and oppression were in their eyes, more than compensated by their gifts to the priesthood, whilst on the other hand many a noble character is reviled for inattention to priestly wishes—his virtues and excellencies weighing as nothing in the balance when opposed to his neglect of Buddhism.

Dr. Macvicar's paper on the introduction of the Roman alphabet into the Singhalese language, is distinguished by that soundness of judgment and enlarged views, which characterize all the writings of its author. Much as the subject has been canvassed in Bengal, and tired as we have been of it, yet the paper before us presents it in a light so new and clear that we have read it with no ordinary interest. Dr. Macvicar argues in favor of the introduction of the Roman letters in printing the Singhalese language, and sets out with an imposing string of arguments in favor of his views. Of these the following are the principal. 1. By its introduction into the class books in the Government schools, the pupils would have but one alphabet to learn for the three languages—English, Singhalese, and Tamil. 2. It would facilitate the study of English amongst the native population, as they would enter upon that study with a knowledge of the alphabet previously acquired and of the powers of the various letters. 3. It would greatly facilitate the attainment of the native languages amongst the European community. 4. The use of capital and italic letters with stops, would introduce a perspicuity into Singhalese compositions, of which they are now totally deficient. 5. The saving of expense in printing, &c. &c. The learned Doctor then enters upon an able analysis of the sounds of the human voice, shewing as he proceeds, that with the help of a few diacritical marks, the Roman alphabet may be rendered competent to denote all its sounds, and with peculiar ease in the case of the Singhalese language, in which irregularities seldom occur. The subject has been so frequently discussed here that we have no wish to enter upon it at present at such length as it would require, nor would it be an easy task to give an account of the Doctor's analysis in less space than he has

given it himself. We may, however, quote his *preliminary* remarks on the vowel sounds as a slight specimen of the interesting and intelligent manner in which the subject has been discussed :—

" Let the vocal tube be kept open and sounding, the tongue being in its natural position, and one of those elements of speech found in all languages and known by the name of vocales or vowels will be produced. As to their number they may be said to be infinite, because every new position of the lips, every new length of the vocal tube gives a new vowel. But by commencing to sound the vocal tube with the lips compressed and linear, then opening the mouth wide, and then closing it circularly, as also by reversing this process, all the vowels may be produced in an orderly series at one breathing. The former series is very distinctly produced by a cat when it mews, the latter less distinctly by a lion when it roars. How then are we to represent this series in writing? In itself it is infinite, and even its members which are distinguishable by the ear are more numerous than the entire letters of any alphabet. We must therefore limit the number of letters which are to represent the vowel sounds; and if so how many shall we invent or adopt? I do not think that we can find or fix on any thing better than that which the Roman alphabet gives, viz. five simple vowel letters, each distinct from the other, and no more. Now of these the phonic value may be found, independently of every particular language, in the following way. Let the letter m be written down to represent the initial sound of the vocal tube when the mouth is shut, then, after it in this order the vowel letters i, e, a, o, u, then, fixing *the eye* on each of these successively while *the voice* is simultaneously made to imitate the mew of a cat, and attaching about an equal amount of utterance to each, a just idea of the significancy of each symbol or letter will be obtained by the student, and that though he be quite ignorant of Italian and Latin as pronounced in Scotland, Ireland, and all Europe except England; and of English, nay of every other language but that in which he happens to acquire his ideas. By any one who can recall the roar of a lion, the proper sound may also be attached to each letter, by reading the series backwards while imitating the roar of this more noble cat. In English indeed, in consequence of the rapidity with which its pronunciation has departed from its orthography, sad confusion prevails. Thus the initial letter (*i*) which corresponds to the linear position of the lips, has often the sound of *ai* which requires two very different positions, while *e* has often no sound at all, often the corrupt power of impressing its own sound upon the letter *a* as in the word *name*, and often the sound of *i* as in the word *me*; *a* in like manner has often the sound of *e*. English orthography is in a wretched state. But in most of the other countries of Europe, especially in Italy, the spoken and written language agree more perfectly.

Nor can we find fault if the phonic value of the letters of the Roman alphabet must still be taken from the mouth of a Roman. Now this, as will presently appear, brings them to a perfect correspondence with the vowels in the languages of India; a state of things which is no longer wonderful when we consider that the principal languages of Europe and those of India equally (especially when considered as written languages) have flowed from the same fountain, of which we may consider the Latin in the west, and the Sanskrit in the east as the most classical developements. No wonder then if a parallelism exists between their vowel systems. The elaborate Grammarians of Sanskrit indeed place the liquid syllables *ri* and *lri* among the vowels, and regarding them as such, have subjected them to euphonic changes in that particular language, to which they would not be subject as

syllables. Hence in writing Sanskrit in the Roman alphabet it would be necessary to attach to these letters some diacritical mark to indicate when they were used as vowels, when as consonants. But Sanskrit is so much the creature of study, so little that of life, and its alphabet is so much the very symbol and formula of its grammar, that independently of there being no urgency in the case, since it is a dead language, there are other reasons why it should be left to repose undisturbed in its own Deva Nagari. Let it not be inferred however, that the Deva Nagari which gives two additional letters unlike all others for these so called vowel sounds, is to be admired for so doing. The Roman alphabet which represents the former (*ri*) by two and the latter (*lri*) by three letters is far more true and philosophical. The new letters of the Nagari give no information at all as to the character and composition of the peculiar sounds which they represent, while the combinations *ri* and *lri* show both. They shew that the former requires two positions of the tongue and the latter three to accomplish its utterance. They shew also what these positions are, and what the order of their succession."

Again, in bringing his masterly analysis to a close, Dr. Macvicar favours us with the following judicious observations on a theme which has occasioned endless controversy : —

" The only other important remark which remains to be made respecting these letters and the Roman alphabet is, that though there is reason to believe that in its origin it was syllabic, that is, every letter implied also a vocal or vowel sound, it is now strictly elementary; mutes are truly mutes, and semi-vowels no more than semi-vowels. To form a syllable with any letter a vowel must be joined to it. It is indeed true that we name the letters bee, cee, dee, &c. but their value is rather ab, ac, ad, &c. the a in these syllables being occupied by some letter proper of the word into which they enter; and it is a great improvement in teaching the alphabet to return to this old way now treated of as new, under the name of the phonic system. The Deva Nagari alphabet on the other hand and those modelled after it such as the Singhalese are still syllabic alphabets. Every consonant has a phonic breathing or vowel following its utterance; and these vowels or phonic breathings are always admitted to the consonant sounds in pairs, a *spiritus lenis* and a *spiritus asper*, a soft vowel sound and an aspirated one. And had this double power of the letters been expressed by some uniform letter as is done in the Hindustani alphabet or by a little accent, turned one way in one case and the other way in the other case, as it is in Greek printed books, it would have been a great beauty. But when we consider that the aspirated letters have in general forms of their own, bearing no resemblance to the same letters when unaspirated, we are tempted to ascribe some truth to the charge that the inventors of such alphabets wished them to be complicated, that the reading of books which at first are always the sacred books, to the exclusive knowledge of which they owed their pre-eminence, might be as inaccessible as possible to the common people. In the Singhalese language, as has been already stated, these aspirated letters do not play the important part which they do in the Pali and Sanskrit, nor are they given in the Ela alphabet, at all. Still they exist in the hodya, adding to the number about 14 of the worst characters in it, having in no case any resemblance to the 14 unaspirated letters which they follow, though they differ only in the more expulsive breathing with which the accompanying vowel is uttered. In the use of the Roman alphabet we get rid of them altogether by the simple introduction of the letter h between the consonant and the vowels which completes the syllabic letter. Thus the sounds which a crow emits according as it kaws less or more urgently are repre-

sented in Roman characters by the letters ká or khá which show at once the true composition of the sound and the relation of the two sounds to each other. In the Singhalese alphabet however they are represented thus* —— and —— in which the more complicated sound has the simpler symbol to express it, and though the sounds in so far as they are articulate are identical, the symbols have no resemblance except the vowel mark, which only shows that both terminate in a long a. Again the sound which one emits when he wishes to repudiate any statement passed upon him with less or more force is expressed in all its features in both cases by these Roman letters bá and bhá. But in Singhalese the same two sounds are expressed thus —— and —— which just as in the former case have no resemblance to each other, though one cannot fail to remark the almost identical resemblance between the letter for kha and that for ba, two articulations nevertheless formed at the opposite extremities of the vocal tube, and as distinct as possible.

A great advantage then in a philosophical point of view attaches to the universal use of one symbol such as h to indicate the aspiration. It is only needful to be remembered by Englishmen that this letter, thus used, possesses this value and this only; except of course when it follows s, in which case both taken together have the usual simple sound of sh as in shame. But it is particularly to be remembered that it never forms as in English a simple sound with t to produce the effect of the Greek theta as in the words this, that, death, &c.

The attached simple vowel or *spiritus lenis* which follows every consonant sound, in the oriental alphabets is more difficult to represent; for both, i and u, between which it lies, have a specific phonic value of their own, with which it is undesirable to interfere. As heard in Singhalese this universal vowel is generally the French e as heard in the article *le*. In English it is represented occasionally by all the vowels, as when we say "a mother bird flutters over her young." The oriental grammarians consider it as *a* short and consequently have no medial or final form for *a* short. The ordinary vocal or vowel stream of the voice however, on which consonants are articulated during ordinary speech, does not give so open a state of the organ as that which the letter a expresses, while that proper to the letter u is too close. The attached vowel is also still an aspirate though a soft one, and an audible breathing is heard to survive the voice just as in the French article *le*. I should therefore like to see it represented by an a with a little bit cut out, which, in italics and writing, would at once be an approach to u and serve to express the short, broken or escaping character of the sound."

On the whole, we cannot refrain from giving it as our verdict that, in the paper before us, every reasonable objection or difficulty is grappled with in a truly philosophical manner, and the whole subject brought out with a clearness and brevity seldom combined.

Mr. Capper's paper on the ravages of the Cocoa Nut beetle which comes next on the list, is strictly what its title would import of a practical nature. The cooroominea itself is a large black beetle of considerable strength, which commences its ravages in the plantations on the approach of darkness. They seldom attack a plant, the writer informs us, before it is 18 months old, and entering the green portion of the stem beneath the leaves, bore a passage for themselves, eating

* We regret that these blanks cannot be supplied, as no Singhalese letters are to be had in Calcutta.

they proceed down the centre of the tree. The manner in which they are extracted is thus described:—

"It is very rare indeed that more than one beetle is found attacking a plant at the same time, though a few cases are known where two or three have been removed from one hole. The ordinary method of extracting the insects from the cavities, followed by the natives, is by splitting open the stem from the hole downwards with a Cattie or large Knife, until the beetle can be taken out by the finger. This cutting open the young tree of course greatly disfigures it and must necessarily retard its growth, still this is deemed of far less consequence than the destruction of the insect, which if suffered to escape is sure to attack other plants and in the end multiply in numbers. An improvement has been made in this process of removal, by a gentleman owning tracts of Cocoanut trees on the Eastern Coast of the Island, where it appears the Cooroominea is also numerous, and this improvement consists in introducing down the aperture a long iron wire with a barbed end, and this barb or hook being driven down briskly enters the hard back of the insect and enables the operator to draw out the intruder without injury to the plant. The writer has seen as many as fifty of these beetles collected from a field of not more than ten acres during one morning. The finest and largest plants are generally selected in preference to others less vigorous of growth, indeed the Cooroominea seldom attacks any that are diminutive in size and of tender age."

The "Remarks on the collection of Statistical information in Ceylon," by the same gentleman, appear to be judicious; but as they are entirely of a local character, and have more of the nature of *suggestions* than *remarks*, we do not feel called on to notice them more particularly.

Last on our list we have Mr. Casie Chitty's letter respecting some ancient coins found at Calpentya—this, unaccompanied as it is by any drawing of the coins, cannot be considered very valuable, inasmuch as it would be impossible to identify similar coins by the description given. Our impression is, however, that if the writer of the letter would but inspect the Journal of the Bengal Asiatic Society, whilst under Mr. Prinsep's editorship, he would find an engraving, description, and translation of the inscriptions on the coins referred to.

In concluding our notice of this number, we have only to express a hope that many more of an equally interesting nature may issue from the Asiatic Society of Ceylon, and that the spirit of inquiry, which seems to be prevalent there, may continue to furnish fruit for the literary epicures of India and Europe, equally good in quality, and more abundant in quantity.

Letters to British Ship-owners, &c. on Manning the Navy; by M. F. Crisp. Calcutta, 1846.

The subject of these letters is, properly speaking, not Indian but British. Written, however, as they have been, in India, and issuing, as they now do, from our local press, they come fairly within the cognizance of our critical tribunal.

There can be no debate with any Briton respecting the general

character and importance of the object contemplated by these letters. It is, in its very nature, highly patriotic; and can never fail to touch a chord of lively sympathy in the heart of every lover of his country.

The continued existence of the "impressment" system in a *free* country, and that too, in connection with a service encircled with the halo of National glory and renown, is certainly one of the greatest of practical anomalies. To point out the evils and the remedies of this pernicious system, is the grand *leading design* of our author.

To improve the condition of the Royal navy and render it popular with seamen, has been the professed object of Monarchs and Statesmen from the time of Elizabeth downwards. How signally they have failed in its attainment, is a matter of history—as indisputable as it is melancholy and discreditable. Upwards of a century ago, in January 1727, we find George II. in a speech from the throne, recommending the increase and encouragement of seamen in the following generous and patriotic terms:—

"I think myself obliged to recommend to you a consideration of the greatest importance, and I should look upon it as a great happiness, if, at the beginning of my reign, I could see the foundation laid of so great and necessary a work as the increase and encouragement of our seamen in general, that they *may be invited, rather than compelled by force or violence, to enter into the service of their country, as oft as occasion shall require it; a consideration worthy the representatives of a people great and flourishing in trade and navigation.*"

Here is a specific royal warrant for the constitutional agitation of the great object which Mr. Crisp has so deeply at heart. It would appear that the portion of his Majesty's speech, now quoted, was hailed by the nation at large—as the harbinger of a new and better system of things. It even fired the Poetic Muse. No less a Minstrel than the celebrated author of the "Night Thoughts" took up the theme. There soon emanated from his lyre an ode, entitled "Ocean." Prefixed to this ode, was another, by way of preface, addressed to the King, together with an Essay on Lyric Poetry. Of that addressed to the King the following were the opening stanzas:—

Old ocean's praise
Demands my lays;
A truly British theme I sing;
A theme, so great
I dare complete,
And join with Ocean, ocean's King.

The Roman ode
Majestic flow'd
Its stream divinely clear and strong;
In sense and sound
Thebes roll'd profound
The torrent roar'd, and foam'd along.

Let Thebes nor Rome,
So fam'd, presume
To triumph o'er a northern isle;
Late time shall know
The North can glow,
If dread Augustus deign to smile.

The naval crown
Is all his own
Our fleet, if war or commerce call,
His will performs
Through waves and storms,
And rides in triumph round the ball.

In spite, however, of the royal recommendation, the joyous response of a nation's approval and the inciting strains of the Poetic Muse, we find, *nearly half a century* afterwards, the author of Rasselas and the Rambler referring to the proposed Reform as "a plan which humanity must lament that policy has not, *even yet*, been able, or willing, to carry into execution." What would Dr. Johnson, in one of his fits of Patriotism, have said, had he been alive now, and found, more than half a century later still, that, *even yet*, in the year 1846, the plan is one, which "policy has not been able, or willing to carry into execution?" We may imagine with what giant force he would express in words his patriotic indignation, and with what thundering emphasis cause the burden of his lamentation to resound throughout the land.

This leads us at once to the consideration of Mr. Crisp's endeavours. The great importance and highly praiseworthy nature of his object we have already admitted in terms the most unqualified. Many of his views are also sound; many of his arguments cogent; and his style is characterized by considerable force and energy. But with all this decidedly in his favour, there are sundry abatements and deductions, connected, alike with the subject matter, and tone of expression, which cannot fail in a great measure, to counterbalance the advantages.

First, though the letters do not extend beyond fifty pages of letter-press, they abound in repetitions, or reiterated statements of the same facts, arguments, and hypotheses. Such reiteration may have arisen from the letters having been written at different times and addressed to different parties. When published separately, after certain intervals of time, the irksomeness of the repetitions would be less felt, because the repetitions themselves would be less noticeable. But, when the whole of the letters are collected together as now, and placed in immediate juxtaposition, the frequent reduplication of the sense, conveyed in nearly similar terms, forcibly obtrudes itself on the attention, palls on the literary taste, and oppresses with a sensation of monotony and tediousness.

Secondly, the author has, rather unnecessarily, introduced his own views, or rather brief incidental expressions indicative of his own views, on the subject of Christianity, into the body of his remarks. We say unnecessarily;—not because Christianity may not, in the hands of one who has drunk deep of its spirit, be legitimately made to cast its hallowing mantle over any theme,—but because its introduction, in the manner in which our author has handled it, far from being essential to his argument, tends rather to detract from its credit, and to impair its force. From the expressions employed on this subject, the views of the writer appear to be not merely lame and inadequate, but clearly indicative of a total confusion of ideas, or perhaps, more accurately

still, a total misapprehension of the real nature, genius, or spirit of the Christian system. The very books which he names, as those which, in his estimation, would constitute a select library for seamen, point significantly to the same heterogeneousness of sentiments. They are the following:—"The Testament, Cobbet's Grammar, Carlyle on Hero Worship, and the Vestiges of Creation!" Now, the expression of views so crude, and so incongruous on the subject of Christianity, by one who steps forward as the public exposer of wrongs and grievances, is naturally calculated to repel the advances of many, who—in consequence of the ascendancy of the benevolent feelings in their nature,—would be the most likely to listen with interested attention to his representation.

Thirdly, in exposing abuses and corruptions, our author employs a style of language which is fitted to offend rather than convince, to exasperate rather than persuade. The very fact of a man's being an earnest Reformer, is a proof that he sees things with different eyes from those around him—that he has penetrated deeper into existing evils and therefore perceives them under forms of greater dilatation and malignity—that he is either less bound by the sinewy ties of inveterate prejudice, and blinding self-interest; or has more nerve and patriotism to wrench asunder the adamantine bands. In the fervour of his enthusiasm he is apt to forget that he himself is thus far ahead, while others are loitering carelessly and ingloriously far behind—apt, therefore, in his impatience at their slow snail-like pace, to launch out in terms of denunciation, in which sloth is confounded with criminality, prejudice with depravity, selfishness with deliberate treason, and legitimate though unanticipated consequences with premeditated sinister designs.

Fourthly, in pointing out remedies for the great and glaring evils which excite the righteous indignation of our author, he, unhappily for the cause which he advocates, mixes up some violent and extreme ones, with others that are judicious and commendable. This is to be regretted; because all who are averse to change, however beneficial, will be glad to seize on those extreme and violent proposals, in order to set aside the whole as revolutionary and tending to anarchy.

But, without dwelling farther on the subject, we would in conclusion thus briefly sum up, in perfect friendliness and good will, our parting advice to the author. Let him forthwith reduce his letters to almost a fourth of their present bulk—by omitting monotonous repetitions, by lopping off irrelevancies, by shunning personal invective and the attribution of unworthy motives, as well as by limiting his methods of reform to the safe, the sober, and the practical;—and then may he produce a pamphlet of truthfulness and energy enough, to rouse general attention towards a theme pre-eminently associated with all the elements of popularity and of patriotism.

The Circular Orders passed by the Nizamut Adalat for the Lower and Western Provinces, and communicated to the criminal authorities in the Bengal and Agra Provinces, by the registers of those courts, from 1796 *to* 1844 *inclusive, with notes and appendix, compiled by G. C. Cheap, Esq. B. C. S. Rushton and Co., Calcutta,* 1846.

This is a very useful book. A knowledge of the directions it contains, is indispensable to all who serve Government in the Mofussil, in the capacity of Police Officers. It embraces the whole of the unrepealed Circular Orders, passed by the Nizamut Adalat, from 1796 to 1844, and is therefore complete as a book of reference. The old quarto edition of the Circular Orders, which it supersedes, was about as much more costly in comparison, as it was deficient in arrangement. It contained all orders passed by the court up to 1837; and made no distinction between those in force and those annulled. It was supplied too with a very careless index, and was so bulky as to be hardly manageable. The present compilation on the contrary is small in size, and is wound up with an index as full, comprehensive and accurate, as it is possible to conceive. The binding, paper, and type, are all elegant. There are occasional defects in the typography, it is true, but these are very rare. We must point out one ludicrous blunder as an instance. Pages 33 and 34 in the appendix are verbatim reprints of pages 35 and 36. But slight drawbacks like these, by no means detract from the general character of the work; which might be safely recommended, not only to magistrates and their assistants, but to all who pretend to have any acquaintance with the internal management of the British provinces in India. Presenting as it does, at a single rapid glance, a connected survey of the whole of the orders passed by the highest criminal court in Bengal, it deserves the especial favor of the community; and should, we think, grace the shelves of every official gentleman in this country, who has a gold-mohur to spare. If any thing could enhance the value of the book, it is the meritorious motive of the compiler. Although prepared with great labor, and printed at his own risk, and at an enormous cost, it is not published for his own individual benefit. The profits are to be devoted to the support of an English school at Pabnah, originally established, "much to his credit," by a native of the name of Digumber Shaha; and at present upheld by voluntary subscriptions. Such generosity scarcely requires any laudatory comment. It speaks for itself. Mr. Cheap's zeal in the discharge of his public duties, and his desire of making others as zealous and efficient as himself, by affording them facilities for acquiring information, seem only to be surpassed by the liberality of his sentiments; and the munificent benevolence of his actions.

Report of the Committee appointed by Government in May 1844; *to inquire into the practicability of providing Calcutta with Wet Docks, capable of containing a part, or the whole, of the shipping frequenting the Port. Calcutta:* 1846.

THIS is a Report which we have perused with great and unfeigned pleasure. The extreme desirableness of the object is universally admitted; and the growing exigencies of our rapidly extending commerce point to its attainment as sooner or later inevitable. With such an immense commercial marine, constantly floating on the bosom of our magnificent river,—exposed at one season to the impetuous violence of the *bore*, or tremendous ocean-wave; at another, to the cataract force of the freshes; and at another still, to the resistless sweep of the hurricane,—it has often been a matter of wonder and surprize, that Calcutta should be so long bereft of the advantages of such a Naval Asylum as is to be found in properly constructed Wet Docks.

But it is not as a Refuge or protecting shelter from perpetually recurring casualties alone that Wet Docks are valuable. There are many other advantages, both on the score of convenience and economy, which must at once suggest themselves to every reflecting mind. On these, from their very obviousness, it is altogether unnecessary to dwell. We, therefore, at once turn to the Report now lying before us—a Report, whose opportune appearance we may hail as indicative of a determination in influential quarters to supply our metropolis, as speedily as possible, with its chiefest commercial desideratum.

Finding nothing in the Report but matter for commendation, our purpose was simply to furnish an epitome or digest of its leading contents. Even this slight trouble we soon found we had been spared by the admirable summary which so timeously appeared in the *Friend of India*. With that rare tact,—which is the joint product of sagacity and experience, and which in its maturer form becomes a finer sort of *rational instinct*,—the *Friend* has felicitously seized on those points which are at once the most essential as regards the practical object, and the most interesting as regards the popular mind:—

"The Wet Dock Report is a plain, business like, document, and appears well calculated to secure public confidence. Unlike many of the projects which have from time to time been laid before the public in India, the estimate of receipts is based on facts supplied by experience, and the only portion of it, on which there rests any uncertainty, is the cost of their construction. In this country, the ultimate expenditure is found in every instance to exceed by thirty, fifty, and sometimes a hundred per cent. the original calculation.

The project of a Wet Dock has been often propounded. The idea seems to have originated with General Watson, one of the most public spirited and enterprizing men; and one of the greatest benefactors whom India has ever possessed, and to whom the port of Calcutta was indebted for the introduction of Ship building. His plan embraced the union of Wet and Dry Docks, and he went to the expense of changing the course of Tolley's Nullah, in order to form a space, partly and mainly in its old bed, for his projected docks. In 1824, a committee was appointed by Government to investigate the subject, and a plan of Wet Docks to be constructed in Tolley's Nullah, drawn up by Major Shalch, was laid before it. That Committee met twice, then adjourned *sine die*, and, on account of the Burmese war, never reassembled again.

The loss of life and property in the gale of June 1842, drew the attention of Government anew to the importance of guarding against the effect of similar calamities, and of providing a remedy for the dangers to which the Shipping of Calcutta are constantly exposed while lying abreast of the town. A correspondence ensued between the Executive Government and the Marine Board, which, at the end of two years, led to the appointment of a Committee, to examine and report on the subject. The Committee consisted of four official and three non-official members; and at the end of two years more we have the following result of their labors.

The first question which engaged the attention of the Committee related to the doubts which had been suggested, as to the navigation of the Hugly remaining permanently open. It is known to every one who has looked into the Bengali Almanac, that, according to the sacred writings of the Hindus, the days of this noble river, which flows along the Metropolis of British India, are numbered, and that at the end of fifty-two years, it will altogether disappear. A rumour that this prophecy was likely to receive its fulfilment had been diffused abroad, and, as it was affirmed that the river was annually becoming more and more shallow, the Committee required the Twelve Branch Pilots to state whether from their observation and experience, any permanent obstruction of the Hugly was to be apprehended; and they reported that during the last quarter of a century, no permanent change in the channels had taken place, and no permanent interruption of the navigation need be feared, because new channels opened as the old ones closed. Having received this agreeable assurance, the Committee proceeded to discuss the site for the Docks. It was at first proposed to establish them down at Akra, and to connect the Custom House in Calcutta with that station, by a Railroad, eight miles long. But it was at length resolved to fix upon Kidderpore, in the neighbourhood of the spot selected more than half a century ago by General Watson for this object. The area of the docks is fixed at about 500 bighas of land, and the value of the ground has been estimated by Messrs. Burn and Co. in round figures at 5,50,000 Rs. The plan of the Committee embraces the construction of two Docks, Export and Import, capable of accommodating Two Hundred vessels of 400 tons each. The dimensions of each dock are to be, 2,000 yards in length and 140 in breadth, so as to allow two vessels to lie abreast. They are to be provided with a common entrance and a turning basin, which will communicate by locks with each of the docks, and to have an entrance lock with three pair of gates, leading to and from the river. The docks are, moreover, to be furnished with two ranges of godowns with iron roofs; a superintendent's house; as well as accommodations outside the walls for 5,000 of the crews of vessels, European and Native. Finally, they are to be connected with the Custom House in Calcutta by means of a Railway three miles and a half in length. The whole expense of these works has been estimated by Captain Goodwyn at Rs. 45,70,000.

Mr. Murray Gladstone, one of the members of the Committee, has estimated the revenue which may be expected in the shape of dock dues at Rs. 6,15,490. The calculation on which this estimate is founded; may, we believe, be fully depended on. The annual expense of the Dock establishment

and of the cost of keeping up the Railway, as well as the allowance for the wear and tear, or depreciation on the Capital of half a crore of Rupees, will amount to 1,64,776 Rs. which leaves for a dividend the sum of 4,50,000 Rs., or at the rate of Nine per cent. per annum.

The actual charges of shipping and landing for a vessel of 400 tons, in the river, are calculated by the Chamber of Commerce at 1,220 Rs. The Wharfage dues on the docks on the same cargo, as proposed by Mr. Gladstone, would be 1,625 Rs. making a difference against the use of the Docks of 405 Rs. On the other hand it has been assumed that a vessel of this burden is, on an average, *forty-five* days in port, that such a vessel in dock would load and unload in about *three weeks*, and thus a saving of twenty days may be expected, on an average, in every case. The daily expense of a vessel of this size when in port; including wages, provisions, interest on the value of the block, river insurance, and depreciation on wear and tear, is estimated at 68 Rs. The account will therefore stand thus:

Saving of 20 days at 68 Rs.	1360
Deduct extra cost of Docks, ...	400
Rs.	960

That is to say, upon this calculation there will be an actual saving on every such vessel of 960 Rs. while in port, by the use of the Docks; and the annual saving on 651 ships which frequent the Port, will be Rs. 6,24,960. In addition to this benefit, vessels will escape the losses arising from accidents, which in the Hugly are more numerous, and entail more expense, than in rivers not visited by the Bore, or by the Freshes. The Report says that the Bores have lately been much more severe than in former days, and this remark is fully corroborated by the experience of those who have lived for any length of time on the banks of the river. Twenty years ago, a Bore at Barrackpore during the rains was seldom expected. In the present year, it has entered the river without interruption from March onwards, and has been violent beyond all precedent. The docking system will also put an end to the pilfering of cargoes, so systematically pursued, by the Natives employed in conveying them to and from the shore, and which at the lowest computation is estimated at Five lakhs of Rupees a year.

The amount which will probably be saved to Government, in the Preventive Service and the Harbour Master's Department, has been estimated by the late Collector of Government Customs, at 1,78,000 Rs., and Government will be enabled to reduce the port charges to that extent, without any pecuniary loss.

The two great risks to which Wet Docks are exposed, are fire and disease. The former is to be avoided by carefully excluding all fire, which the Committee seem to think may be effected by incessant care and vigilance. Whether this will be effectual in the case of natives, so passionately attached to the habit of smoking, remains to be seen. A still greater danger, however, is to be apprehended from the prevalence of disease, in a situation so well adapted to create it. It is proposed to provide against this evil by "scouring tunnels, which, having their heads in Tolley's Nullah, may be filled at the top of high water in it, by sluices, closing when the tide in the Nullah begins to recede." The value of the Docks will depend in a great measure on the success of this method of scouring them. From the filth which must continually accumulate in them, they will be particularly exposed to the attack of disease, and should it once break out with virulence it will be the duty of Government at once to release all vessels coming into port from the obligation of using them; and when once in bad odour from this cause, they will hardly be able to recover their good name, and the whole project may thus prove abortive.

The success of the Docks depends altogether, as the Committee state, *on its being made compulsory on all ships and goods to pay the Dock dues.* With this aid, there can be little doubt that the project will yield a sufficient return for the capital employed. Supposing the expense of constructing them, to grow, as usual, under the hands of the architect, from 50 to 70,000,000 Rs. still the dividend will be equal to 6½ per cent., which is more than the average of Railway dividends in England, and will be sufficient to draw out the wealth of Capitalists at home to assist a scheme secured from loss by a legislative enactment, and by the interest of Government. If the payment of dock dues be not made compulsory, we very much question whether it would be a safe speculation. A vessel of four hundred tons, which from delay in obtaining freight or passengers, or any of the numerous contingencies by which vessels are detained in port, did not expect to leave it within a month and a half, would not be disposed to incur the loss of 400 Rs. by going into the docks. And, if the actual charges of shipping and landing on the one hand, and of Wharfage on the Docks on the other, are in proportion to the size and the freight of a ship, the noble vessels of 1200 and 1400 tons which visit our port during the winter, and which are seldom able to clear out under six weeks, would incur a loss of from 1,000 to 1,200 Rs. by being obliged to go into the docks. If, therefore, it be left optional with the consignees of vessels to avail themselves of the docks or not, it is scarcely to be supposed that a sufficient number will be found to make use of them, to afford a remunerating return on the capital expended in their construction.

The supplement to the Report, contains a correspondence between Mr. Simms and Col. Forbes, on the question of connecting the docks with the city, by an atmospheric Railway, or one worked by locomotive Engines. If, according to *Punch*, the atmospheric Rail derives its name from shooting through the atmosphere without encumbering the earth, there can be little doubt that it ought to have the preference. But as it must, equally with its competitor, pass along the ground, the direction in which it is planted becomes a question of importance, more especially as there is every probability of its passing close to the Fort, and injuring some of the most important streets of Calcutta – that is to say, it is to be conducted in a straight line from the Docks to the Custom House. But it must be obvious that if we are to have a rail from Calcutta to Mirzapore, running for a considerable distance, in the first instance, on the left bank of the river; it would be most advisable to connect the Docks with the terminus of that Rail in Calcutta which will probably be fixed in some central part of the town; and the Wet Dock Rail will thus avoid an inconvenient proximity to the Fort. But this matter has been wisely left in abeyance. Mr. Simms observes that the atmospheric system is still a debateable subject; and as the Rail will not be required before the Docks are ready for the shipping, which, if we are to judge from the time which has elapsed between the first mooting of this project by Government in 1842, and the publication of the present Report, will not be the case under eight or ten years, it would be a mere waste of time to bring this subject under discussion."

It is earnestly to be hoped that no insuperable obstacles may be found in the way of speedily realizing the contemplated design. There is a natural congruity in the order of events by which Calcutta,—the metropolis of British India and the commercial capital not of Bengal merely, but, if extent of traffic be considered, of the

Asiatic world,—should take the lead in this new career of improvement. It was not so in Great Britain. There, the example was not first set by London, the metropolis of the British Empire, though beyond all question "the first city in the world for its opulence, its commerce, and public spirit, and possessing within itself the powerful internal means of supporting docks and all other conveniences that trade and shipping may require, on the most extensive plans." No. The honor of being the first to construct wet docks was reserved for Liverpool, which, about a century and a half ago, was only a small and obscure fishing village, but has since risen to the rank of the second commercial town and port in the Empire. For this rapid and extraordinary rise it has been mainly indebted to its wet docks, which,—offering so much facility and convenience to the merchant in loading and unloading his ships without being "exposed to the risk of losing both ship and cargo in a rapid tide river,"—naturally attracted to itself a constantly increasing share of the commerce of the kingdom. It was in 1708, that an act of Parliament was obtained for the construction of the first wet dock, which laid the train of onward prosperity that has since converted the poor fishing village into a city distinguished for its magnificence and wealth. On the authority of official reports, we are informed, that "in the ten years ending with 1808, the number of ships that entered these (the Liverpool) docks, was 48,497, tonnage 4,954,201; and the *dock duties* received £329,566; and that, in the following ten years, ending in 1818, the number of ships was 60,200, the tonnage 6,375,560, and the amount of dock duties £666,438." Such was the enormous growth of shipping operations within the space of little more than a single century!—and it is a growth, which, so far from having reached its climax, holds out the prospect of a yet indefinite increase.

But striking, and even wonderful as was the success of the wet dock experiment at Liverpool, other parts of the United Kingdom were very slow to imitate or profit by the signal example. Even London was, in this respect, greatly behind many of the provincial towns. With the exception of what was achieved by the enterprize of two private ship builders, Messrs. Perry and Wells, London, for the long space of nearly a hundred years, kept strangely lagging behind. Notwithstanding, as has been well remarked, "the total inadequacy of legal quays, which subjected the merchants to incalculable losses and delays, and in many cases proved absolutely ruinous; notwithstanding the effect of the heavy, expensive, and fatal embarrassments experienced regularly on the arrival of the West India fleets, and the annual losses by plunder in the river, on West India produce, which alone, were calculated to amount to £150,000 to the proprietor, and £50,000 to the revenue, and *more than double* those sums, including other branches of commerce,—it was not till the year 1799, that prejudices and private interests were so far removed, as to enable the merchants concerned in the West India trade, to obtain an act of Parliament to carry into execution a plan of docks, quays, and warehouses, for the convenience of that trade, on the isle of Dogs." But,

when once the spell of apathy was fairly broken and the spirit of enterprize awakened, the "merchant princes" of the British metropolis acted with an energy and largeness of view, worthy of their high character and renown. The West India Docks were constructed at a cost of £1,200,000. Then followed the London docks, at a charge of £2,200,000. These were again succeeded by the East India and other docks, at an expenditure proportionally profuse.

Now then, once more, from the commercial metropolis of the West, do we, by a natural transition, turn to the commercial metropolis of the East, to express anew our sanguine hope, that, after the prolific and accumulated experience of the benefits connected with the wet dock system, we may be speedily privileged to witness the execution of a project, so well calculated to secure and promote the interests of commerce amongst us, reflect credit on the enterprise of our mercantile community, and redound to the honour of our British Indian Government.

Four Lectures on the advantages of a Classical Education, as an auxiliary to a Commercial Education. With a letter to Dr. Whewell upon the subject of his tract "on Liberal Education." —By Andrew Amos, Esq. Late Member of the Supreme Council of India; Recorder of Nottingham, Oxford, and Banbury; Auditor and Fellow of Trinity College, Cambridge, &c.: London. Bentley, 1846.

While the main body of the *Calcutta Review* is exclusively devoted to the treatment of questions relating to "India and the East," we have all along considered ourselves entitled, and indeed called on, in this department of *Miscellaneous Notices*, to cause to pass under Review all works of any consideration that issue from the Indian Press, or owe their origin to Indian or Indianized men. It is on this latter ground that the volume now before us claims our notice. Its author was for several years our fellow-citizen; and though the work before us was not composed in India, yet it is evident that many of the ideas expressed in it are of Indian origin. Mr. Amos did not, whilst amongst us, lay himself out, to use a homely expression, for literary reputation; but having had access to some small performances that he printed here for private circulation among his friends, we happened to be aware that he was given to classical studies.

In order that a fair estimate may be formed of the merits of this performance, it is needful to be borne in mind that the main portion of it is professedly addressed to school-boys, and is intended to urge upon *them* the duty of giving heed to classical studies. Now as Solon protested against his laws being judged of in the abstract, and claimed credit for them on the ground that they were the best that those for whom they were intended would receive, so in like manner it is quite

possible that a defence of classical education may be the best that those to whom it is addressed are capable of receiving, while yet it is not the best *per se*. This indeed is not only possible but necessary; for certainly the strongest arguments in favor of such an education are, from their very nature, inappreciable by the generality of boys; not so much on account of the immaturity of their understandings, as on account of the juvenility of their tastes. If we tell them for example of the pleasures and delights of holding converse with the sages of antiquity, and deriving lessons of instruction and warning from them, we shall find that they are generally incapable of estimating such pleasures, and cannot conceive that they are at all comparable to those that are at once derivable from the cricketing or the rowing match: or if we tell them of the mental discipline which is associated with the well directed study of the classics, we speak to them a language which is necessarily well-nigh unintelligible; and so with many others of what are in themselves the strongest arguments for a classical education. Every man of sense and sound judgement, would accordingly feel himself constrained to adopt a very different course of reasoning,—when he should be required to urge upon the boys of a classical school, the importance of making the most of their opportunities,—from what he would adopt were he consulted by an intelligent father as to the propriety of his sending his son to such a school. We do not find that Mr. Amos any where puts forward this distinction, or uses it as an apology for what some of his readers may regard as the defects of his performance; but we think it only fair to call attention to it in his behalf, and to request our readers to bear it in mind, if they should undertake the perusal of Mr. Amos's work.

But it must not be supposed, while we thus put forth a sort of apology for the work before us, that it is not well qualified to stand the test of criticism on its own merits. The argument in favor of a classical education is generally well put; the reasoning is admirably adapted to the capacities of those who are supposed to be addressed; and the whole is so enlivened with anecdotes and fragments of literary gossip, as to make the lectures not a little entertaining.

In almost every case in which men are led to the examination of existing institutions and prevalent practices, the difficulty is to steer the middle course between the Scylla and Charybdis of defending what is bad, or destroying what is good. Into one of these errors we suspect most of our writers on this important subject, have fallen. In *this* case, at all events, whatever some may think of our views on some other subjects, we are all for moderate measures. We would neither abolish classical education, nor would we make it exclusive; we would neither condemn every kind of classical education, nor would we advocate every kind of it. We believe that a course of classical education, *if well conducted*, would have advantages that no other course could have; but we believe also, that however well conducted, it would want advantages that might be enjoyed under another system; and although we are not Utopians, we think it not impossible to devise a system that might combine the advantages of the classical with those of what, for want of a better term, we may call the scientific system. Such an eclectic course of instruction would probably have the great merit, in addition to its securing the advantages of both systems, of avoiding the evils incidental to both. All will however depend upon the working of the plan. It is quite clear that if badly worked, it will yield just the opposite result to those that we have mentioned; and those educated under it will exhibit the advantages of neither, and the disadvantages of both the component systems. The *theory* is certainly all in favor of such a system as that which we advocate; for assuredly no sensible man would wish his son to be made a *mere* linguist, that is in other words, a mere pedant; nor would any one wish the "hope of his house" to be made a *mere* mathematician. God has given to man various faculties, and it would appear that for the eduction, (or education) of these, various pursuits were desirable. But we admit that the *practice* is very difficult, although we do not think it is to be despaired of.

It is highly probable that the cause of non-exclusively classical education, like many other good causes, has suffered from the incompetency of some who have endeavoured to reduce the system into practice. It is not to men who adopt such a course, merely from their felt incompetency to give a thoroughly classical education; and who think to bring down the under-loaded scale of classical attainments, by throwing a *little* mathematics in along with a *little* classics, that we can look for the character of the system being sustained. And perhaps there is no single man who can compete in classics with the first classical men, and in mathematics and science with the first mathematical and scientific men;—an Admirable Crichton could scarcely exist in our day. But the *division of labor* comes to the aid of the weakness of man. This principle is at the foundation of all our Universities, and has been already introduced into all our principal schools. And indeed in all these schools the very mixture for which we contend exists in name, though hardly in reality. Arithmetic, and a little Mathematics, with some smatterings of General Science, are taught, or are professed to be taught, in them all: yet we believe in all the great schools in England, the time devoted to these subjects is universally regarded by the boys, as so much subducted from their play. Every school-boy divides his time into two portions, devoted respectively to school business and to play; in our English schools the former means the classics; and he regards the time occupied by the Mathematical Master, as so much taken off from the latter of the two grand divisions. We have often wondered that at schools, many of whose scholars must be intended to continue their studies at Cambridge, where mathematics is all in all, such a state of feeling should be allowed to continue; for it is unquestionably in the power of the Masters to abolish it.

Mr. Amos's first argument in favor of the classical education of commercial men, is the influence that it will give them, when after having made their fortune, they shall become Members of

Parliament. This is perhaps the least felicitous argument in the whole book; and we suppose the juvenile commercialists to whom it is addressed, must have picked up, by anticipation, enough of professional knowledge to enable them to set the argument aside by the answer, that the risk is so great and the return is so uncertain, and at the best so slow, as to make the venture an unsafe one. But little better is the argument derived from the power that a Classical education invests its possessor withal, of reading the mottoes on the carriages of the nobility, and on the rings that are distributed by barristers on becoming Sergeants. Here again we suspect the answer of the young merchants would be, that the return, though less uncertain than in the former case, is too small to make the speculation a safe one.

Altogether, the most successful part of the work, to our thinking, is that in which the author answers the objection that the benefits of a classical education can be secured with much less labor by means of translations of the Classical authors. This is a subject which it is difficult to render palpable to those who have little acquaintance with the classical writings and their translations, and we think our author succeeds very happily in shewing the necessary inferiority of the latter to the former. We should like to give an extract from this portion of the work, but cannot find one short enough.

We have stated that one of the chief attractions of the work is the literary and miscellaneous gossip with which it abounds. We believe we shall best please our readers generally by giving some specimens of this, leaving those of them who are deliberating as to the education to be bestowed on their sons to consult with Mr. Amos through the medium of his own pages. Here is a picture of

A CALCUTTA BABU.

"I have been informed by persons who lived in the East Indies about fifty years ago, that there then flourished a very opulent native merchant, who commenced the world with the very slender fortune of *five cowries*. These are small white shells which pass throughout the East for money, (I have brought with me five cowries to show, as things are apt to make a stronger impression on the eyes than on the ears). The ships belonging to this merchant might be met with in all parts of the Indian ocean, and they might be immediately recognised by means of their flags, which bore on them the representation of *five cowries*, thereby indicating from what a small beginning their owner had risen to the possession of immense wealth. But in those days our native fellow subjects in the East had not the opportunities, which are now afforded them by the British Government, for receiving a classical, and, in all respects, a liberal education.* What do you suppose

* Lord Auckland and Lord Ellenborough have, I have no doubt most deservedly, received high honours from this country, on account of the victories achieved, *under their auspices*, (as a Roman would say,) by Anglo-Indian troops, over undisciplined barbarians. Lord Auckland, Sir Edward Ryan, Mr. W. W. Bird, and Mr. Macaulay, —all filling very high situations in India, and the three latter Presidents of the Board of Education.—have, within my own knowledge, by the encouragement of native education, been eminently instrumental in securing triumphs far more conducive than any to be reaped on the battle-field to the stability and glory of our Indian empire. They have obtained brilliant, and not less lasting than brilliant, successes, by prevailing over the ignorance, the immoralities, the prejudices, the crimes, and the aversion arising from difference of religion and colour throughout territories in which the subjects of England exceed by many millions the inhabitants of the dominant state. However dazzling the *éclat* of military success, obtained by brave but mercenary sepoys over the "*devota morti pectora liberæ*" yet reason appears to side with our immortal bard in affirming, that

"Peace has her victories
No less renown'd than war."

was the species of relaxation and indulgence which this merchant devised for a leisure hour? He used often to order a number of bags of gold and silver to be brought; and then rolling upon them, under them, and among them, called upon the crowd of his servants and dependants whom he had summoned for the occasion, to gladden his heart by their exclamations of envy and admiration!"

The following anecdote we may entitle:—

BISHOP: ARCHBISHOP-DRYAD: HAMADRYAD.

"When Benserede was attending a drawing-room of the Court of Louis XIV. he was asked by *Madame* what was the difference between a Dryad and a Hamadryad? But not being so versed in classical mythology as in modern literature, he was at a loss for a reply; so observing that on either side of Madame's chair were *papilioning* (to Anglicise a phrase of a modern French novelist) an Archbishop and a Bishop, he made answer, "The same difference that prevails between Bishops and Archbishops." It was afterwards a standing jest at Versailles, that this or that bishop was aspiring to be made a *Hamadryad*."

The following we should have made use of in our paper on *Sir William Jones* in our last No., had we had the good fortune to meet with Mr. Amos's work three months ago. It may be regarded now as a *pendant* to that article:—

SIR WILLIAM JONES.

"The book which I hold in my hands is a law-book, called Gilbert's Evidence—a book which has had its day, but is now seldom read. On the fly-leaf of this book is Sir William Jones's original manuscript of his version of the well-known Latin lines upon the best mode of appropriating the twenty-four hours of a day. It is to be found in that Pelion upon Ossa, Coke upon Littleton:—

"Sex horas somno, totidem des legibus æquis,
Quatuor orabis, des epulisque duas;
Quod superest ultrà sacris largire camœnis."

Lord Teignmouth, in his Life of Sir William Jones, writes, apparently with reference to a different manuscript, "On another scrap of paper the following lines appear: they were written by him in India, but at what period is not known."

"Sir E. Coke.

Six hours in sleep, in law's grave study six,
Four spend in prayer—the rest on nature fix."

"Rather:—

Seven hours to law, to soothing slumber seven,
Ten to the world allot, and *all* to Heaven."

In Mr. Macaulay's critical Essay, in which he reviews Croker's Life of Johnson, Sir W. Jones's version is quoted thus:—

"*Six* hours to law, to soothing slumber seven;
Ten to the world allot, and all to heaven."

Mr. Croker having mentioned that he had difficulty in understanding what Sir W. Jones meant to do with his twenty-fourth hour, Mr. Macaulay comments on his dulness of comprehension: He says that the point is a *wretched conceit*; when you expect the couplet to end with *one* to heaven, you are surprised by the ending "all to heaven," but that the couplet never, before Mr. Croker, perplexed man, woman, or child. You will, however, now see that Mr. Croker's perplexity, and Mr. Macaulay's strictures on Sir W. Jones's supposed conceit, are altogether founded on a wrong reading of *six* for *seven*,—not the first time that these numbers have been confounded."

The original manuscript, which you have here before you in Sir William Jones's handwriting, with all its emendations, stands thus:—

"E. C.

be six address'd;
Six hours to sleep allot, to law the same applied;
F Pray feast sweet claim
Pray four; feast two;—the rest the Muses claim the rest
the Muse claims all beside."

"W. J.

Seven hours to law; to soothing slumber seven;
Ten to the world allot; and all to Heaven.
1784."*

We must now bring this notice to a close. In addition to the four lectures, written for the purpose of being addressed to the boys of a commercial school, the volume contains a letter to Professor Whewell, and a collection of anecdotes "extracted from the MSS. of a deceased Fellow of a College." The former production is both pertinent to the subject of the volume, and necessary to supply those arguments in favor of classical education, and to make those distinctions in regard to the manner in which it ought to be conducted, which could not suitably be addressed to school-boys. In this letter there is much

* The book and manuscript mentioned in the text were given me by the Hon. Sir Henry Seton, now occupying the same judicial station which Sir W. Jones held in India. Often, after a day spent by Sir Henry in administering, as myself in making, laws for the subject millions of Great Britain in the East, he has compared his Westminster with my Eton reminiscences of the classics, over the festive board, near the banks of the Húghli, with the thermometer at 90 deg., and in such conversations we have entirely set aside all thoughts of that scourge of Europeans, the Indian cholera, at seasons when it might have appeared, like the sword of Damocles, to be suspended over us by a very fragile thread.

There is in the possession of the Right Hon. Sir E. Ryan a very interesting diary kept by Sir W. Jones, from the period of his wife leaving India, up to the very night before his death; and bearing, in the last entries, indications of severe malady. Two of the official clerks of Sir W. Jones are still alive: one of them is an East India Director. There are several interesting anecdotes relating to him that have never been published, and which rest on indisputable authority. Nor, perhaps, was a person of Lord Teignmouth's political views the most fit author to depicture in proper colours the man who, with the learning of the Greeks, imbibed their enthusiastic love of liberty, and who first conveyed to English ears the inspiring answer of one of their patriotic poets to the question, "What constitutes a state?"

that deserves commendation, and will repay perusal. As to the collection of anecdotes appended under the title of "Notes of the Table-talk of a combination room in the last century;" we are utterly at a loss to comprehend what they have to do here, or what led a man of Mr. Amos's good sense and good taste to insert them, and thereby to degrade a work on a subject so grave as that of the education of British Youth into a silly jest-book. It could not be their bearing upon his subject that induced him to append them, for nineteen out of every twenty have no such bearing; it could not be a desire to do honor to the memory of his deceased friend, for he himself admits that they have rather the opposite tendency.—We presume that the author's "better mind" has ere now recovered its sway, and that the second edition of the work will be set free from so unseemly an appendage.

C. Cornelii Taciti, de Situ, Moribus, Populisque Germaniæ, Libellus. Necnon Cn. Julii Agricolæ Vita. Quibus accedunt Notulæ Anglicæ, et Index Historicus et Geographicus, Cura Gulielmi C. Fyfe. Calcuttae, 1846.

So far as we know, this is the first edition of a Classical work that has issued from the Calcutta Press; and, as such, it ought to be received by us with all kind greetings. May it be followed by a long train of successors, until the typographers of our fair palatial city become worthy to be enumerated with the Aldi of Italy, the Elzevirs of Holland, the Baskervilles of England, and the Foulises of Scotland!

Tacitus is perhaps the only prose writer for whom scholars ever conceive a passion, such as it is generally deemed peculiar to poetry to excite; yet, like the love of oysters and of London porter, the love of Tacitus is an acquired taste. It is necessary to *learn* to like him; and the sooner the young scholar learns this, the better. Never has any historian, to our apprehension, so well succeeded in blending an accurate statement of facts with terse and well-timed moral reflections; and the abruptness, yet aptness, with which these latter are introduced, gives to every sentence almost the point of an epigram. We knew not how Tacitus could be better characterised than in that account which Milton gives of the Greek tragedians, when he styles them,

——— Teachers best
Of moral wisdom, with delight received,
In brief sententious precepts.

But it is not with Tacitus that we have to do; but with the Calcutta edition of his two celebrated tracts, the Manners of the Germans and the Life of Agricola. The first essential of a good edition of any Classical author is a pure text; and we have very much pleasure in stating that, having carefully read the whole of Mr. Fyfe's edition of the Germany, and compared it, in all passages on which we had any doubt, with the Elzevir edition of 1665, we are able to give it, with

the exception of a few typographical errata, our unqualified approbation. Some of these typographical inaccuracies we may mention; as for example *C.* 12 *consillium* and *consiliis*, occur instead of *concilium* and *conciliis*; in the first line of C. 15 *non* is omitted; in C. 20, we have *aedam* for *eadem*; in C. 21, *Mortalius* for *Mortalium*, in C. 25, *pecovis* for *pecoris*; in C. 37, *Imparatoris* for *Imperatoris*: and in C. 46, *Aliut* for *Aliud*. We suspect that the first of these inaccuracies is due to a want of "wide-awakeness" on the part of the editor; the others are clearly of that class of ills to which all those are heirs, whose works are printed by Bengali compositors. In pointing out these inaccuraries, we ought to state at the same time that ours is a copy received from the editor before the actual publication of the work, and that we understand that the edition will not go forth to the world without a table of errata, in which we presume they will be corrected.

Next to a pure text is good punctuation. This is true to some extent of all classical authors; but of Tacitus, most of all. Good punctuation is to him potentially a commentary. The displacement of a comma will often render a sentence puzzling even to a proficient, which otherwise were easy to a tyro. With Mr. Fyfe's punctuation generally, we are well pleased. Occasionally, we think the sentences are unnecessarily broken down by an exuberance of commas; and we do not see the propriety of marking with inverted commas speeches in the indirect or reported form. The established rule on this subject, (and we think it is a good one,) is to mark all *direct* speeches with inverted commas, but not *reported* speeches. As for example, we should use such commas in such a sentence as this. *I said to him, "Have you read the Calcutta Review?" And he answered, "Of course; every body has;"* but we should not use them if the sentence were put into this form;—*I asked him if he had read the Calcutta Review; and he answered, that not only he, but every person of taste and judgment, makes a point of reading it as soon as it appears.* Not only does Mr. Fyfe mark such sentences as the latter with the appropriate mark of quotation, but he even designates the reported *opinions* of individuals or nations in the same way; as for example;—*Ipse eorum opinionibus adcedo, qui "Germaniæ populos nullis aliis aliarum nationum connubiis infectos, propriam et sinceram et tantum sui similem gentem exstitisse", arbitrantur.* In a few instances, but a very few, commas are wanting where they ought to be. We may mention the following, in which probably the sin lies at the door of the compositors:—*Aleam quod mirere, sobrii inter se exercent.* Here there ought clearly to be a comma after *aleam*; or, better still, *quod mirere* should have been within a parenthesis.

Last of all, of an edition, "in usum juventutis," good explanatory notes are an essential requisite; and such notes, the edition before us supplies. In reading such a writer as Tacitus, probably no two scholars will find the same passages the most difficult; each will find difficulty in passages which seem to the other to present no difficulty at all. This undoubtedly is the reason why, in using annotated editions of the classics, we have often thought that they gave explanation where none was needed, and gave none where it was most needed. A practical teacher undoubtedly has the best opportunity of knowing what passages present difficulties in the way of boys; and he therefore is best able to prepare an edition for their use. Although therefore we find passages explained in Mr. Fyfe's notes which we should not have thought it necessary to explain, and others left unexplained which seem to us more difficult, yet on this point we must defer to the Teacher's experienced judgment. The notes are very brief; just such as a school-boy wants, to whom long dissertations are worse than useless. They almost always seem to us to present a correct view of the author's meaning, and are altogether very much as we think such notes ought to be. In justification of our use of the term *almost*, we may cite one or two instances in which the editor is more or less at fault. In C. 3, we have the following passage,—"terrent enim trepidantve, prout sonuit, acies,"—thus explained, "for they cause terror, or are frightened, according to the nature of the sound which proceeds from the army." Now, here, either the punctuation or the translation is at fault; for the former indicates that *acies* is plural, and the nominative to the verbs *terrent* and *trepidant*; while the latter makes it singular, and the nominative to *sonuit*. We doubt not that the punctuation is right and the translation erroneous; *acies* is the nominative to *terrent*, and *cantus* or *barditus* to *sonuit*. In a note on C. 4. we are told that "the words *inficere* and *corrumpere* do not always imply a change for the worse," and we are referred for confirmation to Virg. Georg. II. 466. Now that this may be the case with *inficere* we do not deny; but we do not think, that, in any classical author, *corrumpere* occurs without implying that, in the author's estimation, the change expressed by it was for the worse. If a man should say that a certain person *spoiled* his wine by mixing it with water, and if a member of the Temperance Society should argue that *spoil* must mean to *improve*, because wine mixed with water is much better, or at least much less bad, than pure wine, it is very evident that the teetotaller, whether sound or unsound in the moral, was altogether out in the philological, argument. Now it is just so in the case before us: the Roman writers may designate by the term *corruptio* a change which *we* should reckon an improvement, but we do not know any instance in which they use this or any cognate term to indicate aught else than depravation. Again, in C. 6 we are told "*Tela* are weapons; *arma* defensive armour." Now this statement is a good deal too general; *arma* is frequently used to signify both offensive and defensive armour; and sometimes, if we mistake not, exclusively the former; an instance of which, we think, occurs in C. 11. of the work before us, in which the author says "Honoratissimum adsensûs genus, est armis laudare." Here "Armis laudare" is synonimous with "frameas concutere" in the previous sentence; But *framea* was a weapon of of offence. In C. 24, we have the reading "Ea est in re pravâ pervicacia; ipsi fidem vocant:" and in a note the corresponding rendering, "such is their perseverance in an inveterate habit; and they themselves

call it honor." Here the rendering is in accordance with the text; but we suspect both are wrong. We have no authorities to which we can refer for confirmation or correction of our opinion, for we have no copy in which the circumflex is used to designate the ablative case; but we have little hesitation in giving it as our opinion that the reading should be "Ea est, in re, prava pervicacia." "Such is in reality their perverse obstinacy, they themselves. &c."

We have dwelt at much greater length upon this work, and have entered with much more minuteness into its merits and defects, than we should have felt justified in doing, but for the fact which we stated at the outset, that we believe it to be the first classical product of our local press. Notwithstanding the faults that we have pointed out or alluded to, we have much pleasure in declaring it to be a highly creditable performance, reflecting honor both on the Editor and on the Baptist Mission Press.

Catalogue of the Calcutta Public Library, Calcutta, 1846.

ALTHOUGH WE, (that is, the great WE of the *Review*) have written much for the edification of 'Friends at home,' in regard to the details of Indian Life, yet there has been little said of the manner in which *we*, (the small *we* of this notice, forming but a fractional portion of the more comprehensive pronoun,) habitually spend the leisure portion of our days, and sometimes a part of our nights. Be it known then unto all to whom these presents may come, that there are people in India who *read*, as well as people who shoot tigers, and people who talk scandal, and people who eat curry, and people who drive on the course. It must be confessed, however, that the means and appliances ordinarily available for the gratification of a literary taste are not very extensive. This is true of Calcutta, and doubly so of most other stations. Up to 1843, while there was some doubt as to the extent of literary property, and as to the applicability of the English Copyright law to this country, some Calcutta publishers were in the habit of regularly reprinting works of light reading as soon as possible after their arrival in India; and one publisher in particular carried on this trade to a large extent. The daily Newspapers also were in the habit of reprinting in their columns the serial works of the day. Mr. Sergeant Talfourd's act has definitively put a stop to this practice. Now we do not complain of this; for we are very strongly of opinion that that act did no more than justice to the authors of England. But it has also been perverted into an engine for injuring our reading community, not for the benefit of English Authors, but for that of a set of men who deserve no such benefit, since they positively refuse to reciprocate it; we mean the authors of America. A few days ago we had in our hands an American book, written by an American author, and printed by an American printer, with an English title page pasted in, and an English printer's

name on the reverse of it. It was also labelled on the back with the name of a respectable London publisher, but the damp of our Bengal atmosphere having softened the paste, this masque fell off, and disclosed the name of the New-York publisher below. Thus it appeared that the London publisher had lent himself to a stratagem to convert the American book into an English copy-right work, and so to impose an unjust tax on such knowledge as is to be derived from American sources. This publisher is one too, who, we understand, has stood up most pertinaciously for the rights that this copy-right Act has conferred on him; even to the extent, unless we have been misinformed, of preventing the publication in Calcutta of a series of poetical passages for the use of Schools, on the ground of its containing some extracts from works of which the copy-right is his property. In Calcutta we have two book-shops, better supplied with the English literature of the day, than probably any other establishments of the kind out of England; but, (why it should be, we cannot tell,) whereas we have bought books every where else that we have been, at the London publishing prices, our Calcutta Booksellers never take less than 25 per cent in addition, charging largely besides for those that are brought by Steam. We are told that this additional profit is necessary to compensate for the great expense of the establishments, the large accumulation of dead stock, and the waste incidental to the climate. We suppose this must be so; else we cannot doubt that, ere this, some of the London booksellers would have established houses here, and broken down the comparative monopoly that prevails in the trade.

All these circumstances go to show that a taste for reading here is not to be gratified, save at a considerable expense. To these circumstances are to be added the frequent migrations to which members of "the services," and many others also, are exposed. These render the possession of many books no inconsiderable inconvenience. Hence appears the importance of the book-clubs that have been formed at almost every station of importance in the Mofussil, and of the Public Library of Calcutta, whose Catalogue is now before us. A Brief History of the Library is prefixed to this Catalogue; and as every thing relating to the beginning of such institutions is interesting, and may be useful to those contemplating similar achievements, we shall transfer a considerable portion of it to our pages:—

"The Calcutta Public Library owes its origin to Mr. J. H. Stocqueler, late the Editor of the *Englishman* newspaper, who in August 1835, circulated an address* among the principal inhabitants of the city. The support

* The address referred to is as follows:—

"As considerable inconvenience is sustained by almost all classes of the community of Calcutta, owing to the absence of any thing like a General Library, combining the advantages of a Library of Reference and Resort with those of a Circulating Library, it is proposed to take measures for immediately establishing such an institution, upon a scale commensurate with the interest and wants of the reading population.

"From the inquiries that have been made, it is believed that such a Library, if based

promised to the proposed institution was very encouraging, for before the expiration of the month, the names of one hundred and thirty-six gentlemen were attached to Mr. Stocqueler's scheme. On the 31st August 1835 a public meeting was held at the Town Hall, when the Hon'ble Sir John Peter Grant, having taken the chair, observed, after some prefatory remarks:—

"I believe this is the only society of the same extent which has not a library of some description; at the Cape, at Bombay, they are better provided, and Madras has its Literary Society; but here in Calcutta, we are without the means of reading, except by purchasing books, from Humphrey Clinker up to Hume's History of England. This I think is a very great inconvenience, and we even have no means, except the expensive one I have just mentioned, of procuring books of light literature, which form the main reading of the greater part of the community; or those books, which no man would purchase or refer to, except for the purpose of seeking out some particular information or referring to some point. But the particular object we have in view, will be better developed by the Resolutions which I hope will meet with general approbation. They have been drawn up to meet the convenience of all classes of the community, by no means excepting those young men, natives of this country, who are most meritoriously pursuing their studies."

A large number of respectable and influential gentlemen took a part in the proceedings of the meeting, at which the establishment of the Library was determined upon. There were two subjects which disturbed the unanimity of its advocates. The first related to the circulation of the books, and the second was with reference to the creation of a body, in whom the property should be vested. A good deal of discussion ensued owing to these differences of opinion, and those, against whose view the questions were disposed of, withheld their support from the Institution.

The nucleus of the Library was formed by donations from private individuals, and by the transfer from the Library of the College of Fort William, of a valuable collection of books, consisting of 4,675 vols. by the Governor General, Lord (then Sir Charles) Metcalfe, on certain conditions.

upon broad and liberal principles, will receive very general support throughout the Metropolis. No establishment at present exists in any degree calculated to answer the purposes proposed to be attained by a Public Library, and hence the accumulation of expensive Book Clubs, and the continual disbursement of large sums in the purchase of works of ephemeral value.

"But to render a Public Library permanent, and every way worthy of the name it adopts, it is of the last importance that the spirit of exclusiveness be renounced and repudiated by all who may desire to share in its foundation. To use the words of an able speaker upon the occasion of the formation of a similar institution elsewhere, an Indian Public Library should be a 'mighty reservoir to *all* who burn with the thirst of knowledge. We should not ask the comer from what land he arrived, what tenets he professes: we should not mete his understanding by his creed, nor his worthiness by the lot which he fills in life: but of whatever country, of whatever desert he was born a denizen, before whatever shrine he was taught to bow to, whatever hue the northwind has bleached or the southern sun has mellowed his complexion, we should bid him to approach to drink and be filled.'

"In a word, the honourable task is proposed of diffusing a literary spirit amongst all classes, and creating means for its gratification: of opening a rich source of instruction and enjoyment TO ALL RANKS AND PROFESSIONS, subject only to that moral propriety and strict observance of decorum, without which no society can long remain respectable.

"To ensure the most complete success to the proposed institution, and to render it acceptable to all persons of whatever station, it is intended to establish two rates of admission; viz. five and three rupees per month, charging also a small entrance of two gold-mohurs to the former, in order to create a fund at the commencement, and granting to the first class subscribers sundry privileges that may not be desired by the second.

"It is requested that those who are favourable to the plan now submitted for consideration, will sign their names below; and as soon as a sufficient number shall appear upon the list, a meeting will be called to arrange the details and all necessary preliminaries."

The money received from the proprietary body enabled the Library to place itself on a basis such as to admit of an early commencement of operations, and it was accordingly declared *open* on the 21st March 1836. Among the Rules relative to the circulation of books, those with regard to the pecuniary deposits having proved unpopular, are in abeyance. Of the success of the Institution, however slowly secured, it is a sufficient proof to state, that whereas at its establishment there were only sixty-three Proprietors and five Subscribers, the present number of Proprietors is ninety-five, of whom thirteen are dead, and the number of Subscribers, during the last two years, averaged as follows:

1844-45—126, paying an average monthly subscription of nearly.....	Co.'s Rs.	623 8
1845-46—165, ...		821 0

The circulation of books has been as follows:—

	Works.	*Vols.*		*Works.*	*Vols.*
In 1836-37	1,794	3,402	In 1841-42	10,784	20,862
„ 1837-38	5,137	9,827	„ 1842-43	8,764	17,145
„ 1838-39	——	16,716	„ 1843-44	9,054	16,703
„ 1839-40	11,503	22,329	„ 1844-45	9,025	17,488
„ 1840-41	13,407	27,380	„ 1845-46	13,309	26,226

Of the books circulated annually, prose works of imagination and periodical literature form by far the largest proportion. The diminished circulation from 1841-42 was apparently owing to the location of the Library in the College of Fort William, from the latter part of July 1841 to beginning of June 1844. Since its removal to this (the Metcalfe) Hall in June 1844, the circulation will be found to have increased."

The incorporation of a portion of the library of Fort William College renders the Public Library of Calcutta very much superior to most similar institutions; which, depending generally on the monthly, or quarterly, or annual subscriptions of the readers, consist almost exclusively of the light and current literature of the day. In proof of this we may just select the titles of a few books from the first two pages of the Catalogue,—books which are probably not to be found in any other of the ordinary subscription libraries in the kingdom.

"Ainsworth on the Communion of Saints; and an arrow against Idolatry. Edin. 1788-9.

"Alberti Glossarium Græcum in Sacros Novi Fœderis libros. Lugd. Bat. 1735.

"Alkiblo, a disquisition upon worshiping towards the East. London 1740.

"Aristeus.—The Ancient History of the Septuagint (a spurious work). London 1685.

"Augsburg confession. Germ. and Lat. Jena. 1750.

"Augustini Opera (Benedictine edition) 9 vols. folio. Antwerp. 1700.

"—— De civitate Dei. fol. Basil. 1555.

"—————————— Translated by J. H. with the comments of Lud. Vives, folio, 1620.

" Babington's (Bp.) Works, folio. London 1637.

In these old books, the theological department is richer than any other; which we account for by the supposition that the literary and philosophical works of the College were made over mainly to the Asiatic Society.

It is not an easy matter to make a good catalogue of books; and when our Calcutta Library becomes as extensive as we hope it will become ere long, it will be necessary for its curators to issue a new and improved edition of the catalogue. At present the one before us is sufficient for all practical purposes; with the single exception that it wants an alphabetical index; which was in the old catalogue, and ought to be also in the new. This ought to be issued as an appendix. Take a single example illustrative of the necessity of such an index. We want to know if Lord Bacon's works are contained in the Library; and we turn to the table of contents; we find the following Heads under any one of which, for aught we can tell, his writings may be classed, viz., Divinity; Intellectual and Moral Philosophy; Law; Politics, Finance, Commerce, &c; Natural History, Gardening, Agriculture, &c; Medicine, Surgery, Chemistry, &c.; Arts and Sciences; Fine Arts; History; Prose Works of Imagination; Education; Miscellaneous; Latin and Greek. To all these departments may some or other of Bacon's writings be referred, and perhaps to others also. In the Catalogue before us they are actually classed under the department of Intellectual and Moral Philosophy. We do not find fault with this allocation, although some of the other departments we have cited might present an equally strong claim; but we do find fault that we have not got an Alphabetical index by a reference to which we might at once find the "local habitation" of our old friend. Bating this omission, the Catalogue is, in other respects, a good one, and is highly creditable to its compiler, Babu Peary Chand Mitra, the Librarian.

SANDERS AND CONES, TYPS., NO. 8, MISSION ROW.

NOTICE.

In order to get rid of a portion of their stores, the conductors of some of our leading periodicals at home have been in the habit of occasionally issuing a double number. With a view to the same end, we have deemed it proper, on the present occasion, to issue, not a double number, but a considerably larger number than our ordinary average, or indeed than any hitherto published. And that, at the close of three years, we should have been enabled, or rather constrained by the exuberance of our supplies, to take this step, is to us a matter of honest congratulation; and we hope it will prove equally so to our numerous and constantly increasing circle of readers. The grand design of the original projectors of the *Review*, was, to render it subservient to the promotion of the good of India, in all its varied interests and relationships. Already, on a variety of momentous subjects, has it been the medium of supplying a great mass of solid and well-authenticated information. And we cannot doubt, that, in the time to come, it is destined, in an augmenting ratio, to become the chosen vehicle, through which the friends of India, in different and widely distant parts of the Empire, shall be privileged to hold genial converse with each other, and with the public at large, on those themes which they may have made the favourite subjects of study and research, and the elucidation of which, in the form of elaborate Essays or Articles, in an extensively circulated periodical, is fitted to benefit and influence the minds of those who hold in their hands the future destinies of this magnificent Realm.

ERRATUM.

At the top of page 324, is the following sentence:—"According to the law, mokarori and istamorari tenures, held for more than twelve years before the permanent settlement, are not liable to an increase of jumma, *except when the zemindari is made Khas, in which case they are assessable according to the general rates of the district.*" The latter clause, here put into Italics, ought to be erased.

