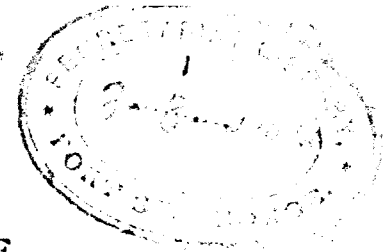


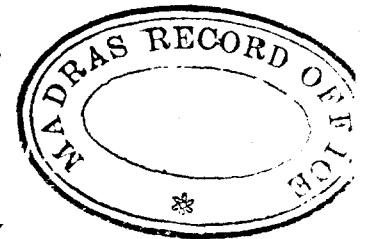
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July 1904.



No man who hath tasted learning but will confess the many ways of profiting by those who, not contented with stale receipts, are able to manage and set forth new positions to the world; and, were they but as the dust and cinders of our feet, so long as in that notion they may yet serve to polish and brighten the armoury of truth, even for that respect they were not utterly to be cast away.—MILTON.

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Art. I.—NOTICES OF EMINENT JUDGES OF THE HIGH COURT.

CHAPTER VI.

AFTER the terrible storm of the Sepoy Mutiny, which had shaken India to its very foundations, was completely quelled and peace restored to the country, it was deemed advisable to make a radical change in the old *régime*. Accordingly, the rule of the Honourable East India Company, which had just then completed its centenary,* was put an end to and the Crown took upon itself the direct government of the country. Opinions, however, differ as to whether this was a move in the right direction; but the fact is undeniable that the Company's rule had proved a remarkable success. The good old Company, to use the eloquent words† of Mr. Walter Scott Seton-Karr, "had found India in disorder, and had left it by God's providence a land of peace and prosperity and progress." But though the change was not urgently called for, it was ushered in by a noble and grand Proclamation which has been justly styled the Magna Charta of India. By it hopes were held out that the country would be governed and public offices bestowed without distinction of creed, colour, or caste. One very notable effect of the change was that the Sadar Courts which had all along existed side by side with the Supreme Court "as the Company's Courts," ceased to possess that character. They *ipso facto* became Crown's Courts, only that they were not actually established by Royal

* The rule of the East India Company ceased on the 2nd of August, 1858, although it was not till the 1st of November that the Queen's Proclamation announcing that fact was issued in India by Lord Canning. (See Lady Login's *Sir John Login and Duleep Singh*, p. 441).

† *Vide* his speech at the Haileybury Dinner, 20th May, 1890.

Charter. In this state of things it was thought desirable to amalgamate them with the Supreme Court. This union was solemnly made under a Statute, and the composite Court thus formed was given the name of *High Court*. As to the wisdom of the fusion of these Superior Courts, the very highest in the land, there could be no doubt. It was the fusion of law and equity, the object of which was to make them help each other in the matter of the administration of justice. In this respect India appears to have gone far ahead of England in the march of progress; for it was not till more than a decade after, that similar amalgamation took place in the latter country. This much longed-for union was effected by that great measure of legal reform, the Judicature Act. By that epoch-marking Act,* the Courts of Chancery, Queen's Bench, Common Pleas and Exchequer, and the Courts of Probate, Divorce and Admiralty were all merged, as it were, in one Court, called Her Majesty's Supreme Court of Judicature. Till then, "what," to use Lord Hale's language, "God had joined together, Man had put asunder"; and the sundering was so very wide that even Judges like Lord Eldon believed the separation to be part of the eternal fitness of things. This anomaly which was something worse than tyranny in legal procedure continued for a very long time until the happy idea struck the great Lord Chancellor, Selborne, of bringing about a re-union. This judicial union was celebrated with "pomp and circumstance," and, as a poet would have said, "all went merry as a marriage-bell." The opening of the Supreme Court of Justice was a grand affair. The Queen herself with the flower of her realm graced the occasion with her august presence, and the address† which Lord Selborne delivered at the grand assemblage was certainly a masterpiece of the oratorical art. Now, Common Law and Chancery are no longer, in King James' quaint language, "crossing and cuffing one another," but are like help-mates co-operating to one and the same end. Thus the state of things which God had designed had been restored in its primitive purity after a long and painful separation.

* *Vide* Stat. 36 and 37, Vict. c. 66, s. 4.

† See Law Reports for 1882.

The Supreme Court in England consists of two permanent divisions, called the High Court of Justice and the Court of Appeal,* which are quite analogous to the original and appellate sides of the High Court here. True it is, the division of labour still remains, special subjects being dealt with by particular branches of the High Court; but—and this is the essence of the reform—the principles upon which justice is administered in all the branches are now the same. The High Court of Justice in England is a Superior Court of Record, and it has had transferred to it the jurisdiction of all the above-mentioned Courts, and also of the Court of Common Pleas at Lancaster and the Court of Pleas at Durham. The London Court of Bankruptcy was united and consolidated with the Supreme Court of Judicature, and its jurisdiction transferred to the High Court of Justice by the Bankruptcy Act, 1883. The Court of Appeal is also a Court of Record. The Appellate Jurisdiction of the House of Lords is now governed by the Appellate Jurisdiction Act, 1875.† Thus, as things now stand, India and England agree materially in the organization of the courts of the last resort. Formerly, the guiding principle was separation; now, for a series of years it has been union, and as such it seems to have taken deep and firm root.

In view of the relative importance of the old Supreme Court as compared with the Sadar Diwani Adalat, its Chief was made the Chief of the new Court. Thus, Sir Barnes Peacock, who was the last Chief Justice of that Court, was appointed the first Chief Justice of the High Court, just as in the Supreme Executive Department, Lord Canning, who was the last Governor General under the Company's rule, became the first Viceroy under the Crown. The Puisnes of the late Supreme Court and the Senior Judge and other Judges of the late Sadar Courts became the Puisnes of the new Court, the judicial strength of which was further augmented by some new appointments. Thus the High Court bade fair to be a much stronger and better-constituted Court than the Courts which it replaced;

* See Stat. 36 and 37, Vict. c. 66, s. 4.

† *Vide The Principles of the Law of Personal Property*. By Joshua Williams, pp. 139, 140, 13th edition (1887.)

and as its then Chief was an officer of great ability, vast erudition and wide experience, it made a very brilliant beginning, and raised high hopes in the minds of the people that the change from the old state of things would prove a change for the better. Sir Barnes having first taken the helm of the Court and piloted it for a pretty long time with signal success, he is in every way entitled to have first notice taken of him amongst the eminent Judges of the High Court. The reputation achieved by him was of the highest order, and, judging by the light of experience of legal affairs in India, is not likely to be surpassed either in the near, or in the distant, future. The lofty eminence to which he exalted himself has not been reached by any of his successors, and, considering the average sort of men that are nowadays coming out to India to occupy the seat which he had so well adorned, there is very little probability of its being ever reached at all, thus practically leaving him alone in his pride of place where he sits sublime and

“ Holds solely sovereign sway and masterdom.”

Sir Barnes Peacock.—This most distinguished Judge was born in the year 1810. He was the third son of Lewis H. Peacock, a solicitor practising in Lincoln's Inn Fields. Having adopted his father's profession as his own, Peacock was entered at the Inner Temple when he was only eighteen years of age. He might have been called to the Bar in the usual time, but he, of his own will, postponed his call till he had been in practice as a special pleader some five or six years. In so doing, he acted very wisely, for theory without sufficient practical knowledge does not ensure success in any profession, far less in the profession of law. Thus, it was not till the year 1836 that the future Chief Justice was called to the Bar. He soon joined the Home Circuit, where, as might well have been expected, he presently got into practice. He readily obtained the name of a sound lawyer and made his mark at the Bar. He rose very high in the profession, and we have the authority of one of his successors on the High Court Bench, namely, Sir Comer Petheram, in saying that “his reputation for the most profound learning and for the deepest devotion to the interests

of his clients was second to none.” * Mr. Peacock made his chief reputation as one of the counsel for O'Connell in his appeal to the House of Lords, and it was a technical objection which he suggested that led the majority of the House to allow the appeal. But successful as his forensic career was, Mr. Peacock was not made a Queen's Counsel until 1850, when he was also elected a Benchet of his own Inn, the Inner Temple.

With the dawning of the year 1852, a new career was opened out to Mr. Peacock: he was appointed Legal Member of the Supreme Council at Calcutta in succession to Mr. Drinkwater Bethune who had not only distinguished himself in the grave deliberations of the Council, but had also gained a name in the Department of Education which no educated native would willingly let die. The new Law Member took his seat on the 2nd of June, and held it with much honour and credit till he was appointed to lead the Supreme Court, the highest Tribunal in the land. During the time Mr. Peacock was in the Council † he had given ample proof of his great worth and ability as a jurist. In that memorable period some of the most important Acts which grace the Indian Statute-Book were passed—Acts which have left, and must continue to leave, the deepest and most durable impression on the laws and institutions of the country. That great masterpiece of legislation which bids fair to be the prototype of the criminal laws of the whole civilized world, *viz.*, the famous Indian Penal Code, drafted as it had been by that really great man, Thomas Babington Macaulay, received the finishing touch at the practised hands of Peacock, and was passed into law under his auspices. Though an unusually loud hue and cry was raised against its author when

* See *The Englishman*, dated the 6th December, 1890.

† Like his famous predecessor Mr. Peacock was the Fourth Ordinary Member of Council; and what the duty of such Member was he has himself recorded in a minute, dated the 3rd November, 1859. There he says: “The duty of the Fourth Ordinary Member of Council (under the Act of 1833) was confined entirely to the subject of legislation; he had no power to sit or vote except at meetings for the purpose of making laws and regulations; and it was only by courtesy, and not by right, that he was allowed to see the papers or correspondence, or to be made acquainted with the deliberations of Government, upon any subject not immediately connected with legislation.” See Ilbert's *Government of India*, 1885 note, where the above Minute is quoted.

it first came out of his plastic hands, still Time, which unerringly shows what is good and what is bad, what is beneficial and what is injurious, has shown, beyond the shadow of a doubt, that no human institution could be more perfect. Following out the principle of his illustrious predecessor, the first and foremost of the picked band, Mr. Peacock set about codifying the rules and regulations relating to matters of procedure and prepared the Civil Procedure Code (Act viii of 1859) and the Criminal Procedure Code (Act xxv of 1861), which became part of the law of the land. Though nearly half a century has elapsed since these two codes came into existence, still no material alterations have been made in either of them, so that one might say without impropriety that if Mr. Peacock were to rise up from his grave, he would not find much difficulty in recognizing the dear old creations of his brain. Indeed, Peacock's labours in the field of legislation have borne very good and wholesome fruit, thereby testifying to his high excellence as a law-maker.

But not only did Mr. Peacock distinguish himself at the Bar and in the Council, he also distinguished himself on the Bench. Indeed, his reputation as a Judge seems to have eclipsed his reputation as an Advocate and Legislator. In the memorable year, 1859, he succeeded Sir James William Colvile as Chief Justice of the Calcutta Supreme Court, and was, as was usual in those days and has been ever since, decorated with the order of Knighthood. But the term of that Court was about to expire under an altered state of things, and in 1862 it was united with the Sadar Diwani Adalat, thereby giving rise to the High Court which is still in existence in its original integrity. In consideration of the Supreme Court having been the very highest Tribunal in British India, its Chief was made the Chief of the newly-constituted Court. Thus, Sir Barnes Peacock who, as we have already stated, was the last Chief Justice of the old Supreme Court, became the first Chief Justice of the High Court. He worked in the new Court with conspicuous ability, and although most of his colleagues were men of great parts and learning, still he, by his exceptional qualities, commanded respect from them all—a respect which he fully and richly deserved. As was very

well remarked by Mr. J. T. Woodroffe,* the late Advocate-General of Bengal, in his address to the full Court which had assembled to do honour to the memory of the great Judge on the mournful occasion of his death, "Sir Barnes Peacock was a Judge of the greatest learning, most complete integrity, and the most assiduous in his attention to the perfect discharge of his duty as a Judge." His legal acumen was simply wonderful, and, what is very rare in such cases, was associated with great industry. The "pipping" poet of *Lyrics and Lays* has well described him as

"P. Coccus of the subtle brain,
No subtler brain could be,
Of iron nerve and iron brain,
No labour doth he shirk,
But toils and works, and toils amain,
And makes the others work."

Indeed, his brilliant judgments clearly show that he was an ornament to the judicial service and was fit to take his place by the side of the greatest Judges that have adorned the Bench in England. Even in the Great Rent Case which was heard by all the fifteen Judges in June, 1865, although he was in the minority, he wrote a judgment which did ample credit to his profound knowledge of law, and sound logical head. Adverting to the very awkward position in which he was placed by the majority of his colleagues under the able leadership of Mr. Charles Binny Trevor, the witty poet, whom we have quoted above, thus winds up his Lay,—

"Of the great Rent Case the story
Full often will be told,
How Judge P. Coccus stood alone
By all his Brethren sold!"

In this way Sir Barnes continued to administer even-handed justice till 1870, when he resigned his high office and returned to the land which had given him birth. But his return was not a return to a life of ease and retirement, it was only a return to another sphere of action, though of a quite kindred nature. In the very year in which he landed on the shores of "merry old England," Sir Barnes was sworn a Privy Councillor, and, barely a couple of years after, that is,

* See *The Englishman*, dated the 6th December 1890.

in June, 1872, was appointed under the Act of 1871 a paid member of the Judicial Committee of the Privy Council. In his new sphere he, it is true, could not play the Coryphæus as he did in this country, some of his colleagues in that grand Aulic Council being in no way inferior to him in ability and learning; but in cases of appeal from this country his opinion was generally acted upon, as he brought to bear on the discussions in the Court his long Indian experience which his brother Judges did not pretend to. As a writer in the *Dictionary of National Biography* observes: "Here his great knowledge of Indian customs, his persevering industry, and his painstaking accuracy made him a specially useful member of the Court." Sir Barnes' tenure of office in the Judicial Committee was a long one, much longer than the extent of his judicial career in India, aye, it was nearly double. Old as he had become, he worked hard till the last few days of his life and died almost in harness. Indeed, he wore his years wonderfully and retained his strength of mind and body almost to the very end of his earthly existence. He was sitting to hear appeals only three days before his death, which took place from failure of the heart, at his house, 40, Cornwall Gardens, Kensington, on 3rd December 1890.*

Sir Barnes Peacock as a Judge considerably resembles the late Chief Justice of England, Lord Killowen, and the words which Sir W. Rann Kennedy, a brother Judge, used in describing the latter, might without much impropriety be applied to the former. He said:—"He was dignified without pompousness, quick without being irritable, and masterful without tyranny. He was scrupulously punctual. Suitors and hearers could not but be impressed by the manifest determination of the Lord Chief Justice to get at the truth and to do so without waste of time. If this was a fault, it was that of excessive zeal for despatch. When, occasionally, there were flashes of impatience, they were elicited by the exhibition, as he deemed it, of want of preparation or slovenliness, or verbosity on the part of the advocate before him. Even the youngest and most obscure practitioner could

always count upon the assiduous attention of the Lord Chief Justice to a pertinent and thoughtful argument."* Indeed, Sir Barnes was a model Judge and any one who aspires to gain a name in the judicial line would do well to take after him.

But not only was Sir Barnes Peacock an intellectual giant, he was also morally very strong. The severe clerical censure—*Bonus Jurista Macus Christa*—does not at all apply in his case. Though a lawyer in the strict sense of the term, he knew not what unreligiousness was. He was thoroughly honest, thoroughly straightforward, and thoroughly good. He was a first-rate advocate, first-rate Judge and first-rate gentleman. It is very much to be regretted that here in Bengal where he achieved such glorious trophies of peace, no arras or marble breathes with his grand old figure.

Sir Barnes was in person slight and short, an indifferent speaker, but possessing rare powers of memory and application. He was twice married, first, to Elizabeth, daughter of W. Fanning, Esquire, in 1835; and then, in 1870, Georgina, daughter of Major-General Showers, C. B. His eldest son, the first child borne him by his first wife, was Frederick Barnes Peacock, who rose to be Chief Secretary to the Government of Bengal. He survived his father only four years. Mr. F. Peacock, the late Chief Secretary's son, is a member of the English Bar and an advocate of the Calcutta High Court. He was Tagore Law Professor for 1898-99, and lectured on *The Law relating to Easements in British India*.

Sir Richard Couch.—This eminent member of the judicial service was born on the 4th of July 1817. He is the only son of Richard Couch, a Cornish captain in the merchant service, and as such was the darling of the family. Young Couch was educated at a private school at Acton and had also a private tutor who taught him at home. Couch did not, it seems, take any University degree. In fact, his scholastic career was anything but noteworthy. Having chosen the law † for his profession, Couch, while in his teens, was entered at the

* See *Encyclopædia Britannica*.

† When seventeen Couch was articled to a solicitor with whom he studied diligently for two years.

* See *London Times*, 4th December, 1890, and *Law Times*, 20th December, 1890.

Middle Temple, but it was not till the 15th January, 1841 that he was called to the Bar. He soon joined the Norfolk circuit, but got very little business for some time. Indeed, the first few years of his life at the Bar were all but gloomy. But Couch was not the man to sit idle; he readily conceived the idea of bringing out an edition of Sir William Blackstone's *Commentaries on the Laws of England*, and worked hard to carry it into practice. The result was that in 1844 he produced an edition* of that famous work, the well-earned reputation whereof has not waned with the lapse of years. True it is, there has been some improvement made on it, but the ground-work remains almost as it was when it first came out of the author's hands. Blackstone's is an honoured name, and as long as English law and English language exist on the face of the earth, it will continue to be honoured in the Republic of Law and Letters. Blackstone's *Commentaries* is not only a rich repertory of laws, its style also is quite admirable for its purity, elegance and gentlemanly *reteniré*, and no less a critic than C. J. Fox has pronounced a high panegyric on it. In a letter addressed to Mr. Trotter, Mr. Fox says: "You, of course, read Blackstone over and over again; and if so, pray tell me whether you agree with me in thinking his style of English the very best among our modern writers; always easy and intelligible, far more exact than Hume, and less studied and made up than Robertson."† Certain it is, the edition in which Mr. Couch‡ took part is not of much note, at any rate it cannot stand by the side of the well-known edition of Stephen, but for beginners it has some attraction and might be studied with advantage. Mr. Couch could not, it seems, do very well at the Bar, otherwise he

* Mr. Couch, however, did not edit the whole work, his labours being confined to the *third* book. The first book was edited by John F. Hargrave of Lincoln's Inn. In fact, this gentleman had the largest share in the preparation of this, the *twenty-first* edition, and also assisted Couch with notes to the Chapter on 'proceedings in the Courts of Equity, a subject which the latter was not well versed in. The whole edition was in four volumes and went by the name of *Chitty's Blackstone's Commentaries*.

† See Trotter's *Memoirs*.

‡ The very reverse of what has happened in the case of Blackstone has come to pass in the case of Couch. While the fame of the great Commentator has rendered his character as a Judge less conspicuous, the fame of the Indian Judge has, on the contrary, altogether thrown in the background the merit of his commentary, whatever it is.

would not have accepted the Recordership of Bedford which was offered him in 1858. By this time he had become a family man. Indeed, so far back as 1845, he married Anne, daughter of Mr. Richard Thomas Beck. Their wedded life was very happy and it continued so until it was dissolved by the death of the wife in 1898.

Mr. Couch held the Recordership with credit till 1862, when he was appointed a Puisne Judge of the newly-established High Court at Bombay. The newly-appointed Judge came out to India accompanied by his wife, and in due time and due form took his seat on the Bench. As he united strong common sense and industry with sound knowledge of law, it is no wonder that Couch proved a good Judge. Indeed, his reputation as a Judicial officer went on rising, and the result of it was that when the Chief Justiceship of the said Court fell vacant in 1866 by the retirement of Sir Matthew Sausse, he was promoted to it. Thus real merit was rewarded, and the public and the profession, with one voice approved of the choice which had been made by the Government of India and confirmed by Her Majesty in Council. On this occasion the new Chief Justice was decorated with the order of Knighthood. Sir Richard proved a good Chief as he had already proved a good Puisne, and in his time the Bombay Court well kept up the reputation, which it had acquired under its late Chiefs or rather Chief, as the tenure of office of Mr. West, the first Chief Justice, was very short. Sir Richard remained in Bombay till 1871 when, on the occasion of the resignation of Sir Barnes Peacock, he was appointed to take his place on the Bench of the Calcutta High Court, by far the highest Tribunal in all India. Sir Barnes was a master-mind and his Indian reputation in the Judicial line stands unsurpassed. Though Sir Richard was not quite equal to him in ability or learning, still there is no doubt that he did not prove an unworthy successor, and, as a matter of fact, did justice to the high office to which he had been exalted.

While Sir Richard Couch was doing the duties of Chief Justice at Calcutta, it became necessary for the Government of India to put Mulhar Rao, Gaekwar of Baroda, upon his

trial for the attempted murder of an English officer, Colonel Phayre, British Resident at his Court. As Sir Richard had long been in Bombay, no better man could be found to preside at the Commission for the trial of the Baroda Maharaja. Accordingly, he was appointed President.

Just after the conclusion of the great State trial, that is, on 5th April 1875, Sir Richard Couch resigned his high office and returned to his native country, where, in consideration of his wide Indian experience as a Judge, he was ere long sworn as a Privy Councillor. But it was not till 1881* that he, like his illustrious predecessor in the Calcutta Court, was appointed a paid member of the Judicial Committee of the Privy Council in succession to the Right Hon. Montague Bernard, resigned. He worked in that august Committee with his usual ability and learning till the close of the year 1901, when, owing to old age and the infirmities attending it, he retired into private life for good, his place in the Judicial Committee being taken by Sir John Winfield Bowser, the late Chief Justice of Ceylon. He is happily still in the land of the living and we heartily wish and pray that he may enjoy his *otium cum dignitate* for many years to come.

Sir Richard Garth.—Richard Lowndes, for that was the original name of this eminent Judge, was born at Lasham, Hants, on 11th March, 1820. His father, Rev. Richard Lowndes, took great pains to give him a proper education. While at Eton, young Lowndes in his fifteenth year changed his name to Garth, a name which has since become the patronymic in the family. After completing his earlier studies at that famous seminary, Garth joined Christ Church, Oxford, where he graduated B. A. in 1841, proceeding to M. A. three years later. In the full bloom of his youth Garth was a great athlete, and captained the Oxford Eleven in 1841-42. Having chosen the law for his profession, he was entered at Lincoln's Inn, where on the completion of the requisite term he was called to the Bar in 1848. He at once joined the Home Circuit, and, as luck would have it, speedily got into practice. By this time he had married Clara, daughter of William

Loftus Lowndes, Esquire, Q. C., who proved an excellent partner. Garth's success at the Bar was rewarded by his being appointed Benchet and Queen's Counsel in 1866. In this year, too, he ventured into the troubled waters of politics. As one of the Conservative members for Guildford he sat in Parliament till 1868, taking the House of Commons, apparently, rather as a stepping-stone or incident of his professional career than as an object of serious ambition. He had a large practice as a Queen's Counsel and had also rosy prospects of professional advancement at home; but he gave up both and consented to come out to India as Chief Justice of Bengal. This took place in 1875, and it was on the 26th day of June that he took his seat on the Bench of the High Court, which had been only recently vacated by Sir Richard Couch. On this occasion, he was decorated with the order of Knighthood. Sir Richard "brought to his new sphere of work not only a trained legal faculty and an intimate and extensive knowledge of law, but also those moral qualities,—a passion for justice, a hatred of oppression in any form, and an innate and radical independence of mind and judgment,—which are the notes of the great magistrates of England. Needless to say, success in the business of his Court was certain and easy to a justiciary so equipped. Learned, patient, courteous, and just, he gained the instant respect of the legal profession and confidence of the public. Indeed, it would hardly be too much to say that, during his term of service in India, the predominant feeling towards him of those whom business brought into daily contact with him, was one of affectionate and admiring regard—a feeling which had not been chilled or abated by seventeen years' absence."* At the time of his retirement from Indian service in 1886, another leading Calcutta daily, namely, *The Englishman*, observed that Sir Richard Garth had brought to his high post, the highest in the land, "many of the best judicial attributes— independence and earnestness of character, impartiality, patience and diligence. His long experience of English Courts, and his familiarity with the intricacies of English commercial law invested his opinion with well-deserved

* In the same year he was also made a Benchet of his Inn.

* See *The Statesman*, 25th March, 1903.

authority." "If his judicial decisions," the writer continued, "have not aimed, like those of some contemporary Chief Justices, at being historical as legal treatises, or at dazzling the reader with a laboured display of lore, they bear the mark of learning, patience and practical good sense, and they have, we believe, almost without exception passed safely through the critical ordeal of the Judicial Committee." Indeed, many of his judgments are regarded as leading decisions up to the present time; and it is certainly a matter of no small surprise that his services were not availed of in the august Committee* of the Privy Council as those of his predecessors were.

Sir Richard was a man of wide and heartfelt sympathy, and was on that account much esteemed by the natives of this country, while his charm of manner endeared him to all and showed him as the happy possessor of a most attractive personality. "In the departure of Sir Richard and Lady Garth," observed a writer at the time, "Calcutta society is losing two of its best friends. Nothing can be more important to a community so mixed, so varying, so easily excited as that of Calcutta, than that it should be headed by those whose lives and characters it respects, to whose judgment and taste in many small matters it defers, and whose general influence is in the right direction. During Sir Richard Garth's term of office, Calcutta has enjoyed that advantage in an eminent degree." And even after he had left India for good, he did not act upon the commonplace saying, "out of sight, out of mind," but continued to cherish the interests of this country at heart, and fought for it with his powerful pen. He championed the cause of the Bengal zamindars, and his able Minute on the subject shows how deeply and sincerely he felt for them. He was also one of the warmest friends of the "Congressmen," and nobly defended them in the pages of the *Law Magazine and Review* for February, 1895, against the "choice invective" of General Sir George Chesney, late member for Oxford city. He very pertinently observed that if the Congress had been in existence in 1857, there would have been no Sepoy Mutiny. He wrote a little book, called "A few plain Truths about India." The merit of this production

* He was after some delay made only a Privy Councillor.

is not to be estimated by its size. In fact, within a very narrow compass it has said a deal of good things which might be amplified into a big tome. "From his arrival in India to the time of his death," writes Mr. W. C. Bonnerjee, the leader of the Native Bar at Calcutta, now practising for some time before the Judicial Committee of the Privy Council, "Sir Richard devoted himself to the cause of India with a whole-heartedness seldom met with among European officials, and throughout this long period, commanded the esteem and devotion of the people, not only of Bengal but of the whole of India." He took part in presenting a memorial to the Secretary of State for India "for the separation of judicial and executive functions in the same officer which is now, and has been for some years, waiting disposal at the hands of the Viceroy. The improvement of the legal profession also received his consideration, and the Legal Practitioners' Act, 1879, was mainly, if not entirely, due to his initiative. . . . No important question affecting India escaped his attention, and he spoke and wrote on it with a knowledge and circumspection such as commanded the respect of independent and impartial persons. He was most anxious that appointments in India should be given to the most deserving, whether the candidate was European or Indian, and his own patronage was exercised on this principle. When, on his strong representation three additional Judges were sanctioned for the High Court of Calcutta, Sir Richard insisted that one of these should be a native of India, and he secured the appointment of Mr. Justice Chandra Madhab Ghose, who has added lustre to the Court."*

In the virtues of his private character, known only to those who saw him in the more retired scenes of life, Sir Richard Garth considerably resembled the great Commentator of the Laws of England, Sir William Blackstone: "He was a cheerful, agreeable and facetious companion. He was a faithful friend; an affectionate husband and parent; and a charitable benefactor to the poor; possessed of generosity, bounded by prudence and economy."

Sir Richard died on 23rd March 1902, full of years, though not full of honours commensurate with his real

*Vide *India* quoted in *The Bengalee*, 21st April, 1903.

sterling worth. Mr. William Garth, a distinguished member of the Calcutta Bar, is a son of his, a worthy son of a worthy father. Another son is the head manager of the vast estates of the Nawab of Dacca, the premier district in Eastern Bengal. An admirable full-size portrait * of the famous Chief Justice by John Collier hangs on the walls of the Chief Justice's Court.

Sir William Comer Petheram.—The subject of this short memoir was born in the year 1835. He was the son of William Petheram, a substantial gentleman of Pinhoe, Exeter, who gave him quite a liberal education. But there was nothing specially noteworthy in young Petheram's scholastic career: in fact, he could not raise himself above the ordinary run of students.

Having made choice of the law for his profession, Petheram was entered at the Middle Temple. While preparing himself for the profession, he married, in 1863, Isabel, the daughter of Major-General Sir William Congreve, second Baronet.

Mr. Petheram studied hard at the Temple, but was not called to the Bar until 1869. While busy with his law studies he brought out a little book on the Discovery of Evidence, in May, 1864. The book was styled "The Law and Practice relating to Discovery by Interrogatories under the Common Law Procedure Act, 1854." This little book, though written on the lines of Sir James Wigram's *Treatise on Discovery* which is the standard work on the subject, has a merit of its own and does credit to its author, young as he was at the time. On being duly called to the Bar, Mr. Petheram at once commenced practice and gradually rose in the profession. Mr. John Freeman Norris, who after him came out to India as a Puisne Judge of the High Court at Calcutta, learned business in his chambers, and, while both of them were in this "far country," showed considerable regard to his quondam "friend and guide" in law. Mr. Petheram ere long made his mark at the Bar and distinguished himself as an expert in cases involving complicated accounts. When his reputation as a lawyer became well-known, the Queen showed her appreciation of

* The portrait has on it 1887, the year following his retirement.

his merits by making him Q. C., an honour which is done to only a few select members of the Bar. This is what is technically called, "taking silk." Though this was undoubtedly a high honour, Mr. Petheram was destined to rise higher still. Before four years elapsed, after he had been let into the order of "Inner Barristers," he was offered the Chief Justiceship of the Allahabad High Court. The offer, tempting as it was, was no sooner made than accepted, and the fortunate recipient sailed for the East in 1884, and was decorated with the order of Knighthood. Sir Comer* was Chief Justice of the North-Western Provinces till 1886, when he was transferred to the Calcutta High Court in the same capacity on the retirement of Sir Richard Garth. The new Chief took his seat on the Bench at Calcutta on the 24th of March, receiving charge from his predecessor on that very day. He presided at the Metropolitan Court for a little over a decade, retiring on 21st October 1896. Both at Allahabad and at Calcutta, Sir Comer gained the esteem of the profession and the confidence of the public by his quick apprehension, strong common sense and keen desire to do substantial justice. He was, so to say, a matter-of-fact Judge and did not care much for the technicalities of law. Patience, which is a great virtue in a Judge, Sir Comer possessed in an eminent degree. He would not stop a counsel or a vakil in the midst of their arguments, but would patiently hear them as long as they chose to speak. In fact, he never gave any practitioner ground for complaining that he had not been heard in full. His dealings with the members of the profession were, so far as gentlemanliness went, all that could be wished. To be brief, a perfect gentleman as he was in his ordinary dealings, he showed himself in the very same light also in the solemn sanctuary of Justice of which he was the recognized High Priest. Practitioners, whatever their caste, colour or standing, he treated alike with uniform kindness, courtesy, and patience. During the pretty long period he occupied the first seat in the highest Tribunal in the land, he was seldom found to lose his temper. But though markedly kind and courteous in his general

* Sir Comer was the *third* Chief Justice of the Allahabad Court, his two predecessors in office being Sir Walter Morgan and Sir Robert Stewart, of whom the latter was, like him, a Queen's Counsel, which Sir Walter was not.

dealings, Sir Comer showed considerable independence in his dealings with "the Powers that be." He never forgot that he was the supreme head of the Judiciary, and if Government, going out of its way, proudly poached on his province, he was sure to resent it and try to keep his authority in its full integrity. But there was one very great defect in his otherwise spotless character, a defect, however, in respect whereof he does not stand alone, but shares with many eminent men of his cloth and calling. He had some pets whom he looked upon with a little too much favour, and, as ill luck would have it, they oftener gained than lost cases before him. In other respects, Sir Comer was an admirable Judge and justly earned general esteem.

But Sir Comer did not confine himself to his official functions, high and heavy as they were; he laboured much for the cause of education and also aided in the working of the varied machinery for the social and material advancement of the country. He was Vice-Chancellor of the Calcutta University for two successive years, and in that capacity did some good to the country in the matter of its intellectual advancement. He was also the President of the Bethune Society; in fact, the occasions were very few on which the good Chief Justice failed to join any movements that were set on foot for the greatest benefit of the greatest number. Thus, he rose to be a general favourite, and it is, therefore, no wonder that on the eve of his retirement from Indian service he met with such a splendid ovation at the hands of the Calcutta people in general. Never in the annals of the High Court, or of the Courts which it replaced, has any Judge been so highly honoured at the time of his departure from this country. Indeed, the case of Sir Comer Petheram stands almost unique. Even Sir Barnes Peacock, whose reputation as a judicial officer might well stand comparison with that of any Judge, ancient or modern, did not receive any such honour as was shown to Sir Comer. In the latter's case the time-honoured dictum of Homer in the matter was reversed, and the parting guest was given a far more splendid farewell than the incoming guest received a welcome. But though Sir Comer was highly honoured in the land of his adoption he was left in the lurch

in the land of his birth. He verily hoped that, like most of his predecessors in office, he would be made a member of the Judicial Committee of the Privy Council, but so far from this hope of his being realized, he was not even sworn in as a Privy Councillor. The cause, however, of this deliberate neglect on the part of the authorities in England might very probably be found in the fact that some of his judgments were reversed by the said Court of the last resort. But such a reason did not apply in the case of his immediate predecessor, Sir Richard Garth, whose judgments were as a rule upheld in final appeal, and yet he was only made a Privy Councillor and that after a long lapse of time.

Sir Comer Petheram, though he has long left this country, does not seem to have forgotten it. Like the late Sir Richard Garth, of happy memory, he now and then uses his pen in the interests of India and its people, and though denied the much-prized privilege of employing his rare good sense and wide Indian experience in the grand Palladium of Justice, he is exercising them in the only feasible way in which they can be utilized for the welfare of this down-trodden country.* He has the real good of this country at heart, and, whenever he gets a fit opportunity, comes forward to show it in his own quiet and unostentatious way. Would that he may live many, many years to come!

Sir Francis William Maclean.—The present Chief Justice was born on the 13th December 1844, a year memorable not only in the military annals of India but also in its journalistic literature.† He is the third son of the late Alexander Maclean, Barrow Hedges, Carshalton. Young Maclean was educated at Westminster School, a famous institution which has at times sent out some men ‡ who afterwards cut very notable figures in life. Having completed his earlier studies at school, Maclean entered Trinity College, Cambridge, where he graduated B. A. and M. A. in due course.

* In what way is India a "down-trodden" country? Editor *Calcutta Review*.

† The *Calcutta Review* was founded in this eventful year.

‡ Not to speak of others, both Warren Hastings, the first Governor-General of India, and Sir Elijah Impey, the first Chief Justice of the late Supreme Court at Calcutta, had received their early training in this renowned seminary.

His scholastic career being thus ended, Mr. Maclean lost no time in determining on his future mode of life and chose the law for his profession. He was, accordingly, entered at the Inner Temple, and on his completing the required terms, was called to the Bar. This took place when he had barely reached his four-and-twentieth year. He soon joined the bar and ere long got into business. His rise in the profession was rapid and his reputation as a sound lawyer became widely known, so that people did not wonder when in 1886 he was made a Queen's Counsel. By that time he had entered Parliament and had made a name in the House of Commons as the Liberal member for Mid Oxfordshire, Warwick. But he had been a little over a twelvemonth in that grand old Council of the people, when a change came over his political views, and from a Liberal, which he was at the outset of his public political career, he became a Liberal Unionist. Though this change was not violent, yet it was none the less a change.

In 1891 he resigned his seat in the House of Commons on being appointed Master in Lunacy. The mere name of this office might lead some to think that it was no better than a sinecure. But nothing could be further from the truth. As Mr. Sergeant Ballantyne very properly observes in respect of the Mastership in Lunacy, "This office was intended for lawyers of standing and experience."* Indeed, the very fact of his being appointed to that office shows that at that time Mr. Maclean was sufficiently high in the profession and had laid in a good stock of forensic experience; and if any further proof were wanting to corroborate it, it would be found in the fact that in the year following he was appointed a Bencher of his Temple, an office, or rather position, which carries with it evidence of legal learning and of forensic experience in its holder. But far greater honours were in store for Mr. Maclean. Before he had held the office of Master in Lunacy for five years, he was offered the highest judicial post in India, a post which he could very well accept without compromising his dignity and position, and accept it he did without hesitation. As a necessary

appanage to this prize appointment, the new Chief Justice was decorated with the order of Knighthood, an institution which reminds one of "The brave old days" of the gallant Knights Templar.

Sir Francis sailed for India, accompanied by Lady Maclean, and arrived during the long Dusserah vacation. He took his seat on the Bench on the 9th November, 1896, some twenty days after his predecessor, Sir Corner Petheram, had vacated it. Sir Francis began his career in India with his usual earnestness and the public and the profession were led to believe that he would try his utmost to regain for the High Court the prestige which it had lost in the estimation of the people. This belief they still cherish, and they have good reason for thinking that their hope will be realised, at least to a certain extent. Sir Francis's knowledge of the principles of law is deep, and he possesses the needful capacity for work, and always shows considerable anxiety to do justice. In fact, he possesses many of the qualities of a Judge, and if he is so minded, as he well appears to be, he can do an immense deal of good to the country in the high sphere in which he "sits sublime." But not only does he possess many of the qualities of a dispenser of even-handed justice, his dignified appearance also indicates that he was intended by Nature to figure as such. A man of portly presence, he seems a prince among his compeers, commanding respect. Thus, he looks a Justiciar in every sense of the term and the inner man is in sufficient keeping with the grand exterior. Sir Francis appears to entertain great regard for Sir Barnes Peacock who deservedly occupies the first place on the roll of Chief Justices of the High Court at Calcutta. This regard for a really great man is as it should be, and we verily hope that actuated by this noble feeling, our worthy Chief Justice will try to prove a fit successor of that great magistrate. Sir Francis has many years of office before him and we make bold to say that, should he take after that very distinguished Judge, he is sure to leave a name which the Indian people would not willingly let die.

But Sir Francis Maclean does not confine himself within the four walls of the High Court which he rules; when occasion

* See his "*Some Experiences of a Barrister's Life*," p. 47.

arises, he ventures out and makes himself serviceable in other ways. He worked hard in the late Famine Commission and his gratuitous services were rewarded by his being decorated with the Grand Order of the Knight Commander of the Indian Empire. This was in 1898, and later on, on the occasion of the coronation of the present King of England, His Majesty Edward VII, which His Excellency Lord Curzon celebrated with such dramatic effect at Delhi, bewitching the whole world by its unique pomp and magnificence, the Chief Justice was singled out from the whole Indian Judiciary and was awarded the *Kaiser-i-Hind* gold medal, an honour which fell to the lot of only a very select few. The important subject of education also receives due regard at his hands. Sir Francis was Vice-Chancellor of the Calcutta University for the years 1898 and 1899, and, while holding that high office, did ample justice to it by bringing his learning, good sense and experience, to bear upon the deep deliberations of the "Conscript Fathers" of the Senate House. Indeed, in whatever matter he puts his hand to, he works at it with a full heart, and, as it generally happens in such cases, receives due meed for his pains and exertions.

Charles Binny Trevor.—This prince of Civilian Judges was, like most of the Covenanted servants of the Old East India Company, a Haileybury man. He was born somewhere in the beginning of the last century, and was first educated at a private school. Having been intended for the Indian Service he was admitted into the East India Company's Institution, otherwise called Haileybury College, where, in the course of a couple of years, he received the final finishing touch to his training for the "heaven-born" service, as the Company's service was termed. He came out of that College in the beginning of 1831 and was appointed to the Bengal Civil Service on the 30th April of the year following; but he did not arrive in India until the 12th June.

Mr. Trevor began his official career as an assistant and rose rapidly in the service. On 7th March, 1837, he was appointed Joint Magistrate and Deputy Collector of Jessore. The

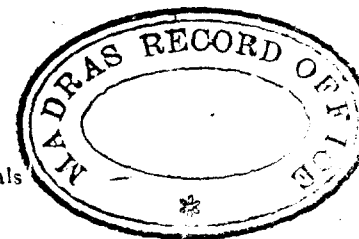
duties of his office, heavy as they were, did not, however, engross his attention; he was also in right good earnest in the matter of the improvement of popular education within the district. On 11th October of the same year, he joined the local committee for controlling the affairs of the school established at Jessore, and his powerful aid did much towards raising the condition of that institution. Mr. Trevor evidently did good work in Jessore, so that when he had been there as Joint Magistrate for a little over one year he was appointed to officiate as Magistrate and Collector of the District. But that appointment he held only for about four months when he was posted to Baraset in the District of 24-Parganas, as Joint Magistrate and Deputy Collector. Here at Baraset he remained a pretty long time and exerted himself to improve the material, moral, and intellectual condition of the sub-division. He founded a school which was very properly called after him. The school is still in existence, and though its founder has long since passed out of this world, his name is still held dear and is remembered with feelings of "thoughtful gratitude." From Joint Magistrate, Mr. Trevor became full Magistrate, in which capacity he served for a considerable period. But though a mere Magistrate, he was well up in law, both Indian and English. This was best shown by his being appointed Superintendent and Remembrancer of Legal Affairs in 1852, an office which is intended for persons versed in law, both in theory and practice. Mr. Trevor, as was expected, well acquitted himself of the duties of this office and the opinions which he gave from his place were as a rule implicitly acted upon by Government. Towards the close of the year 1855, Mr. Trevor was appointed an Acting Judge of the old Sadar Diwani Adalat. This appointment was soon followed by his being made an Extra Judge of the same Court, which office he held till the close of the year 1858, when he reverted to his substantive post of Legal Remembrancer. But before a few short months elapsed, he was appointed a *pucca* (permanent) Judge of the Sadar Courts. In this high and noble sphere he shone with considerable brilliancy and, though not the Chief, was no way inferior to any of his colleagues. When the Calcutta University was formed

under the provisions of Act II of 1857, Mr. Trevor was, in consideration of his varied learning, appointed one of the members thereof. His colleagues in the Council Board were the very best men then living in Bengal, while the Vice-Chancellorship was conferred upon no less a personage than Sir James William Colville, then Chief Justice of the Supreme Court.

While Mr. Trevor was dealing out even-handed justice in the Sadar Diwani Adalat, a change took place in the administration of the country. The rule of the old East India Company was put an end to and the Crown took upon itself the direct government of the country. As a necessary consequence of this change, the Supreme and the Sadar Courts were amalgamated and formed into the High Court which still exists in all its pristine dignity and grandeur. Mr. Trevor, like his colleagues, was transferred to the newly-formed Court, and they all took their seat on the first day of July, 1862. Sir Barnes Peacock, who was the Chief Justice of the old Supreme Court, was made the Chief Justice of the new Court, and as he was a man possessing vast learning, wide experience, and very strong common sense, Mr. Trevor found that his days of ruling the roost had been well-nigh numbered. But proud as he was of his own ability and legal lore, he would not budge an inch when he thought that he was right and that his Chief was wrong. Indeed, he was a man of strong convictions and would much rather run the risk of incurring the displeasure of his official superior than act against the dictates of reason and conscience. In the Great Rent Case which was heard by all the fifteen Judges of the Court—a spectacle which stands almost unique in the annals of the judiciary of this country—he boldly differed from the Chief Justice, and supported his judgment with such remarkable ability and wealth of learning that he succeeded in carrying most of his colleagues along with him, so that he won the day and came out of the grand intellectual tussle, as it were, with drums beating and colours flying. His judgment was certainly a splendid performance, and when he read it, which he did first of all, the whole Court was stilled into “a silence more eloquent than the loudest huzzahs.” The old witty poet who merrily sang his classic

Lay in honour of the solemn occasion thus describes the wonderful feat of the great Judge :—

“ Then first his Judgment Trevorus
Read out in language clear,
And such a silence then was kept
A pin's drop you might hear.
He cited many authors
As ancient as the hills,
And quoted from the history
Of India by Mills.
From long-forgotten Statutes
Read many a dreary line,
Which seemed to unprofessionals
Like throwing pearls to swine.
Read Manu's regulations
And many a puzzling clause,
And long and dismal doctrines
About the old rent laws.
Of *pykhast* and of *kondkast* ryots
The difference did define,
And pointed out the bearing of
Act X of '59.
Read the Decennial Settlement,
And Minutes by John Shore,
The law of ancient Soubahs,
And Heaven knows what more !
At last, when all grew weary,
And sleep proclaimed her reign,
Great Trevorus thought 'twas time enough
To close the lengthen'd strain.
And this is how the learned Judge
The Rent Case did decide—
He settled that a tenant
Who twelve years should abide
Upon his landlord's property,
Should have an owner's right
To share the rent and landlord
Should get it as he might.”



This was a very important point as it served to create anew a race of “bold peasantry” who had long ceased to be their “country's pride.” Indeed, the Great Rent Case marks an epoch in the history of land tenures in India, and as long as law and justice receive their due meed of praise, it will be remembered by the agricultural classes, the very backbone of

society, with the warmest feelings of gratitude for the great Judges who decided it in their favour.

Mr. Trevor was not only a very able and learned Judge, he also stood high in point of standing, so that when Sir Barnes was absent for about a month in August and September, 1865, he acted as his *locum tenens*. Indeed, he was only second to his Chief; but though second, he never failed to assert himself when a proper occasion presented itself. He was, so to say, a gallant knight throughout his long official career, and the lyrical Bard whom we have quoted above, was fully justified in describing him as one

"Of gentle blood and mien,
Through all his long career has he
A 'preux chevalier' been."

Thus the great Judge maintained his dignity and independence with commendable care and earned the regard and esteem of the profession and the public alike. But as old age came on apace, he longed for his dear native land and thus put a period to his long Indian career. He retired in the year 1867, and in him the country lost an able and experienced Judge, a firm and staunch advocate of native education, and a general well-wisher of the country of his adoption.

In the Judges' Library there is a full-length portrait of the Honourable Charles Binny Trevor in silent companionship with some of the well-known worthies of the Court.

John Paxton Norman.—Of the two members of the Bar who were newly appointed to the Calcutta High Court on its first establishment in 1862, John P. Norman was one, the other being Walter Morgan, who afterwards rose so very high in the official ladder. Mr. Norman was a barrister belonging to the Inner Temple. Before he came out to this country he was Reporter of Exchequer Cases in conjunction with Mr. E. T. Hurlstone who too was of the Inner Temple. The Reports cover the period from Easter Term, 19 Vict., to Hilary Vacation, 25 Vict., both inclusive, when the Right Honourable Sir Frederick Pollock, Knight, was Chief Baron. The Reports consist of seven volumes, of which the first appeared in 1857 and the last in 1882. When, in consequence of his Indian

appointment in the latter year, Mr. Norman was compelled to cut off his connection with Mr. Hurlstone in the matter of law-reporting, the latter joined with Mr. Coltman and brought down the Reports to 1865.

Mr. Norman took his seat on the Calcutta Bench on the very day the newly-formed High Court was opened for the first time; and it was not long before he made himself known by his deep and sound knowledge of case law, as well as of text law, more especially the former. As he was well up in the general principles of jurisprudence, he in a short time mastered the peculiar laws of the land and took a high place among his colleagues. He became a general favourite and his merits were also appreciated by Government. In 1864 he was appointed to officiate as Chief Justice, which high office he filled with credit from 12th April of that year to 13th February next. Not long after, the Great Rent Case came on for hearing, before all the fifteen Judges of the Court, and the judgment which Mr. Justice Norman wrote in that famous case was well worthy of his reputation for sound legal learning and good sense. He differed from the Chief Justice, Sir Barnes Peacock, and joined with Mr. Justice Trevor and others in deciding in favour of the ryot. How very highly Mr. Justice Norman was valued by the profession and the public for his sterling merits, as well as exemplary manners would appear from the words which the poet of the *Lay of the Great Rent Case* has used in speaking of him. "Pips," for that is the feigned name of the lyric Bard, says:—

"Now comes the kindly Normanus,
Erst Acting Chief was he,
No greater favourite anywhere
Than Normanus can be."

Indeed our hero was the best of men and one of the ablest of Judges. Sir Barnes Peacock had great regard for him and would have been very glad to have seen him raised to his place on the Bench, more especially as he (Mr. Norman) had officiated for him once more before his retirement in April 1870. In the same year Mr. Justice Norman officiated for Sir Barnes' successor, Sir Richard Couch, and while so acting fell by the hand of a ruffianly Mahomedan. He had only recently decided

a very important case, that of Ameer Khan, who had been convicted of an offence than which there is none graver in the whole range of criminal law, namely, treason. The accused, who was a very rich and powerful man, was defended by one of the greatest counsel that ever came out to India. Mr. Chisholm Anstey, for that was the name of the counsel, was a mighty champion in the religiously solemn arena of the Court, and whoever was fortunate enough to have engaged his services thought, and very justly, that he could not have placed his case in better hands. Speaking of him, Mr. Sergeant Ballantyne, no common judge in such matters, says: "His life was one tissue of vagaries, but he was a very able man. Indeed he was a genius."* Genius Mr. Anstey certainly was, and that circumstance sufficiently accounts for his eccentric character. Ameer Khan not only secured the services of the best counsel that could be then had in India, he also gave him a very able assistant in the person of Mr. Ingram. Thus, Mr. Justice Norman had a very hard and difficult task placed before him, but, it must be said to his credit, he performed it in a manner which no other Judge then living in India could have done better or even so well. His peculiar knowledge of case law stood him in good stead, and it was really a pleasure to see him fencing with consummate skill, and meeting the points raised by the counsel in a manner worthy of his reputation as a sound and well-read lawyer. In that case the Crown was represented by the Advocate-General, Mr. Joseph Graham, but the brunt of the battle was borne by the Standing Counsel, Mr. (afterwards Sir) Charles Gregory Paul.

Before that case † was brought to its close for all time to come, the violent hand of an assassin hurried the good Judge to an untimely grave. This melancholy event took place on the 21st September, 1871, and Calcutta was thrown into the deepest sorrow. It was some time before people recovered from the stupor into which they had fallen, when they began to guess the motive which had actuated the ruffian in committing that deed. The majority thought that Abdulla, for that was the

* See his *Experiences of a Barrister's Life*, Chap. XLV.

† The case was decided by Mr. Justice Norman in August 1870. The appeal was heard by Phear and Markby, J. J. in November next. But proceedings in the case, in one shape or other, went on dragging their slow length for some time after that.

villain's name, had been instigated by Ameer Khan's party, and it seemed that in this instance, as in many others, the voice of the people was the voice of God. The ruffian was caught red-handed, tried and was sentenced to suffer the extreme penalty of the law. The presiding Judge, who was no other than Mr. Paul* himself, in addressing the prisoner in the dock, spoke very feelingly of the Judge he had stabbed to death, and wondered as to what could have led him to lay violent hands upon such a "kind and good" soul. Indeed, the whole community deeply bewailed the loss.

The great deceased was, in addition to his duties in Court, President of the Faculty of Law, and, although he had very little leisure, held that post for three years with great credit to himself and advantage to the law-going public. On the 30th September the Syndicate in a body met in the Senate House and unanimously passed a resolution which shows what a worthy and valuable President he was. The resolution ran as follows: "Before proceeding to the business of the meeting the Syndicate desire to record their deep sorrow at the untimely end which has befallen the Honourable John Paxton Norman. As President of the Faculty of Law, and member of the Syndicate during the last three years, Mr. Norman took an active share in the councils of the University, and notwithstanding the laborious duties attendant upon his position in the High Court, he was ever foremost in promoting any measures which had for their object the moral and intellectual welfare of all classes of his fellow-subjects. His kindly and generous nature, his uprightness and conscientiousness in the discharge of duty, can never be forgotten by those who knew him, and through these noble qualities his memory will long survive in the heart of the people from whose midst he was cut off in the prime of his life." Needless to say that in voicing these noble sentiments the grave and reverend Seniors of the august Council of Education gave true and correct expression to the thoughts and feelings of the whole community.

* Mr. Paul officiated as a puisne from 30th November 1870 to 3rd December 1871.

Sir Walter Morgan.—Walter Morgan was born in the year 1821. He was the son of William Morgan, Esquire, and was educated at King's College, London. Having chosen the law for his profession, young Morgan was entered at the Middle Temple where on the completion of the required terms he was called to the Bar on 22nd November 1844.* He readily commenced practice, but like many a beginner his early days at the Bar were all but gloomy. His rise in the profession was very slow indeed, and he was thinking of taking to some other walk of life when suddenly he made up his mind to come out to India.

On coming to this country Mr. Morgan got himself admitted and enrolled as an Advocate of the late Supreme Court at Calcutta on 11th October 1851, and commenced practice. Here, too, he could not make his mark at the Bar, though he was known as a sound and well-read lawyer. In 1859 he was appointed Clerk to the Legislative Department. In his new sphere Mr. Morgan distinguished himself, so that when the High Court was formed at Calcutta in 1862, he was offered a Judgeship, which he accepted. On the first day of July he took his seat on the Bench along with his colleagues and commenced doing work in right good earnest. Being well versed in law and otherwise possessed of strong common sense, he ere long proved a good Judge and attracted the favourable notice of Government. Before he had been four years in the Calcutta Court, a new High Court was established for the North-Western Provinces, and as Mr. Morgan had earned fame by the due discharge of his judicial functions he was appointed Chief Justice of that Court. On this occasion he was, as usual in such cases, created a Knight. He presided in this Court till 1871, when he was promoted and sent to Madras as its second Chief Justice in succession to Sir Colley Harman Scotland. Both at Allahabad and at Madras Sir Walter Morgan won golden opinions and became a general favourite. While at Madras, Mr. (afterwards Sir) H. S. Cunningham, then Advocate-General of that Presidency, dedicated to him his *Digest of Hindu Law as administered*

* In this memorable year, the present Chief Justice, Sir Francis Maclean, as we have already stated, first saw the light.

in the Courts of the Madras Presidency. This was in 1877. Two years after, that is, in 1879, Sir Walter retired from Indian service and left for his native country, there to enjoy the pension which he had so well earned. "Mangnor the handsome," as the Indian bard has described him, was not only remarkable for his ability and legal lore, he was also a good soul and his heart was one of the kindest and best. The sanctity of friendship he observed with religious reverence. When he was in Calcutta he had entertained a high regard for Dwarka Nath Mitter, who afterwards rose so very high. Having heard, while at Madras, of the serious illness of that really good and great man, he, availing himself of the Christmas holidays, came to Calcutta and paid him a friendly visit at his Bhowanipur house. Being deeply affected by the pitiable condition of Dwarka Nath and apprehending that he was not likely to see him again on earth, he could not take leave of him without shedding a flood of tears. Surely, Sir Walter was an exemplary character, and in his case the truth of the golden precept of Goldsmith—"Handsome is that handsome does"—is realised to the very letter.

On his return to England Sir Walter Morgan was appointed Justice of the Peace for Somerset, in which capacity he did some good to his country. But he is better known in the land of his adoption than in the land of his birth.

Sir Louis Stuart Jackson.—Louis Jackson, as he was commonly called, was born in the year 1824. He was the son of the late Lieutenant-Colonel Henry George Jackson, R. A. Young Jackson was first educated at Trinity College, Dublin; and, as he was intended for the Indian Civil Service, afterwards passed into the Haileybury College, the rearing ground for Indian civilians. In that famous institution he studied for about two years (1841-42), during which he carried off a prize in classics, and, on being appointed "a writer" on the staff of the Bengal Civil Service, came out to India in 1843, reaching its shores on the 23rd of July. He began his official career as an Assistant, but before two years elapsed, was placed in charge of a sub-division and was located at Serampore, which had only recently come into the possession of the English by right

of purchase from its former owners, the Dutch. In 1847 Mr. Jackson's services were availed of by the Government of the Straits Settlements where he remained till 1850 when he reverted to Bengal. By this time Mr. Jackson had married Louisa Maria, daughter of the late Lieutenant-General Staveley, C. B. The union proved a happy one and the wedded couple coming to this country passed their days with "a joyousness that knew no remorse for the past or fear for the future."

As Mr. Jackson was a man of parts and learning and could also look labour in the face, he rapidly rose in the Service, and ultimately became a District Judge, in which capacity he served for several years in the important district of Rajshahye, the seat of some well-known Native Rajahs. When the Sepoy Mutiny was at its hottest, and also when Bengal was disturbed by Indigo and Rent agitations, Mr. Jackson was found quietly doing his duties in the Rajshahye and Nadia Courts respectively. Mr. Jackson, it is true, had got to the top of the Civil Service, but he was destined to rise higher still. On the establishment of the Calcutta High Court, he, like some of his civilian compeers, was made one of its Judges, and when that Court for the first time sat on the 1st of July 1862, he, along with the rest took his seat on the Bench of that Court. Mr. Jackson's tenure of office in that grand Tribunal was a long one, during which he officiated as Chief Justice for about a month in the latter half of the year 1878; and it was not till the 23rd June 1880, that he retired from it for good. Latterly, he ruled supreme in the Court, so much so that even his official superior, the Chief Justice, did not, as a rule, interfere with his doings which, unfortunately, sometimes wore an arbitrary character. The English Bar did not like him; and as for the native vakils, more especially the juniors, they stood almost in dread of him, and, if they could possibly avoid it, would be the last persons to appear in his Court. But with all his faults Mr. Jackson was an able and learned man. Though not very strong in law he possessed strong common sense which made amends for his deficiency in legal lore.* He was, besides, an excellent classical scholar

* Mr. Justice Jackson was President of the Faculty of Law for a portion of the year 1867.

and had great command over his mother-tongue. That such a man should have been honoured both by the Government of India and the Crown was not to be wondered at, and, as a matter of fact, while the Viceroy dubbed him C.I.E. in 1879, Her Majesty the Queen-Empress decorated him with the order of Knighthood in the year following. Sir Louis Stuart Jackson, as we have already stated, retired from the Indian Service in the middle of the year 1880. He enjoyed his well-earned pension for not less than ten years, and, at last, died in 1890 in Suffolk for which he was Justice of the Peace.

Sir George Campbell.—This remarkable man belonged to the well-known Clan Campbell of which His Grace the Duke of Argyle is the recognised Chief. George was born in 1824, the very year in which his colleague on the High Court Bench, Louis Stuart Jackson, also saw the light, though not in bleak Caledonia but in Emerald Erin. His father, Sir George Campbell, was a noted gentleman of Edenwood in Fifeshire. Young Campbell was first educated at St. Andrew's, but, as he was intended for the Indian Civil Service, afterwards passed into Haileybury College * where his training received its finishing touch. In September 1842, he embarked for the East, arriving in India on the 25th of December.

Mr. Campbell began his official career as Assistant Magistrate and Collector at Badaon in the North-Western Provinces. He rose rapidly in the Service and worked continuously till January, 1851, when, owing to ill-health, he left India for Europe on long furlough. During his three years' absence from the land of his choice, Mr. Campbell was called to the English Bar from the Middle Temple in 1854, and was appointed by his uncle (then Lord Chief Justice) associate of the Queen's Bench. By this time he had shown to the world his deep knowledge of India and its affairs by bringing out *Modern India*, in 1852, and *India, as it may be*, in the next year. The year that witnessed his call to the Bar also found him leading to the altar the partner of his life with whom he returned to India in June. He was again posted to the North-Western Provinces, but this time in a higher capacity,

* Campbell was a constant contributor to the *Haileybury Observer*. His student contemporaries in 1840 were John Strachey and Monier Williams.

namely, that of Magistrate and Collector of Azimghur in the Province of Benares. Not long after, the Sepoy Mutiny broke out. Mr. Campbell was Commissioner of the Cis-Sutlej States at the outset of the Mutiny. He was not exactly at his post, being then on leave on the snow-capped Himalayas. On the fall of Delhi he accompanied Greathed's column to Agra, where Grant took over the command, and was at the actions of Bulundshahr, Allygarh, and Agra. He then proceeded to Cawnpore, the scene of the terrible massacre, with Grant.

In 1858, after the Mutiny had been put down, Mr. Campbell was appointed Judicial Commissioner of Oude, and such was the versatility of his genius that it was not long before he showed signal proof of his judicial ability. He remained in that romantic land, * where were laid some of the best scenes of the first and foremost epic in Sanscrit, until 1862 † when Lord Elgin transferred him to the High Court at Calcutta as one of its Puisne Judges. This high post he held with credit until he was appointed Chief Commissioner of the Central Provinces. In the Great Rent Case, "Cambellus, thin and tall," as "Pips" tells of him, was one of the fifteen Judges who sat in it, and, though he agreed in the main with "great Trevorus," wrote a separate judgment which does credit to his legal knowledge, wide experience and logical head. His duties at the High Court not being especially heavy, Mr. Campbell was employed by the then Governor-General, Sir John Lawrence, "Jan Laurin" of the up-country people, on a special mission to Agra to enquire into the judicial system of the North-Western Provinces. His recommendations were the main foundation on which the new High Court was established for those Provinces. His legal investigations were embodied in "The Law applicable to the new Regulation Provinces of India, with Notes and Appendices," 1863. In 1865 he published "The Ethnology of India" and a pamphlet called "The Capital of India," with some particulars of the geography and climate

* While in Oude, Campbell introduced the new Indian Codes of Civil and Criminal Procedure and the Penal Code.

† Campbell, though appointed on 23rd July 1862, was not made *pucca* until 16th April next.

of the country, recommending Nassick * near Bombay as a suitable site for a new capital. In 1867 he left India; and on his return was appointed Chief Commissioner of the Central Provinces. In 1869 he brought out "The Irish Land Tenure," which was followed in the next year by a similar work "Tenure of Land in India." In recognition of his knowledge on various subjects the University of Oxford conferred upon the famous Indian official the Degree of D. C. L. on 22nd June, 1870.

In the beginning of the year 1871 he was raised to the Bengal throne which had been vacated by Sir William Grey. As a necessary appanage to this high office, Mr. Campbell was decorated with the order of Knighthood, and thus he proved a worthy son of a worthy father who had enjoyed similar honour for a considerable period. Sir George ruled Bengal with great ability. He was a very strong governor, and the three provinces over which he held sway showed signs of progress and improvement all round. The material condition of the country, however, did not engross his mind: he also gave proper attention to the all-important subject of education. He extended the village-school system of Sir John Peter Grant, and established competitive examinations for the admission of natives into the Bengal Service. A medical school founded for them at the metropolis bears his honoured name. He believed in technical and physical training rather than in legal and literary. Indeed, he set a much higher value upon the practical portion than upon the theoretical. He was really a mighty man in the best sense of the term. Like some great men, both in ancient and modern times, Sir George Campbell was remarkable for his "rugged directness and grim humour."

Having ruled the Bengal Presidency with vigour, seasoned with wisdom, for more than three years, Sir George left India for good in April, 1874. He had been created K.C.S.I. in May, 1873. Almost exactly a year after returning to England, the Ex-satrap of Bengal, who had shown masterly activity in

* So named from the reputed fact of the nose of King Ravana's sister having been cut clean by Lachsman, younger brother of Rama, the hero of Valmiki's grand epic, the Ramayana.

all the several stages he had already passed through in life, entered the House of Commons* as Liberal member for Kirkcaldy Burghs, and sat for that constituency all the remaining years of his earthly existence. His usual good fortune, however, did not follow him in this the last stage of his eventful career. He soon wearied the House, and, in fact, as a politician his failure was as complete as had been his success as an administrator in India. In 1876 Sir George Campbell published "A Handy Book on the Eastern Question." This was followed in 1879 by "Black and White: the Outcome of a visit to the United States"; and a pamphlet, "The Afghan Frontier." In 1887 he produced "The British Empire". This was probably the last important production that issued from his versatile pen. He died at Cairo on 18th February, 1892. In the year following appeared Campbell's "Memoirs of my Indian Career," edited by Sir Charles Bernard, his Indian secretary,—a very valuable book in two volumes, in which the pen of the great Anglo-Indian rarely strays far from administrative subjects.†

Shumbhoo Nath Pandit.—Shumbhoo Nath belonged to a Brahmin family which had its original seat in the "Happy Valley" of Cashmere, but which in course of time changed its abode and settled in the capital of the old Nawabs of Oude. Shumbhoo Nath's father, Sadasib Pandit, had come to Calcutta, where he got the appointment of Peshkar at the late Sadar Diwani Adalat, and it was here that the future Judge saw the light in the year of grace 1820. As the boy was rather of a weak and delicate frame of body he was early taken to Lucknow, where he spent a few years during which he learned Urdu and Persian under the guardianship of his maternal uncle. From Lucknow he was sent to the sacred city of Benares, where, in its classic shades, he studied Sanscrit, so very necessary to a Brahmin of the old orthodox type. At the age of fourteen young Shumbhoo Nath returned to the place of his birth and was admitted into the Oriental Seminary—at that time no unworthy rival of the Hindoo College.

* In the same year (1875) Sir George was appointed a Member of the Council of the Secretary of State for India.

† See *Memorials of old Haileybury College*.

Shumbhoo Nath remained in that well-known school till 1841, when owing to straitened circumstances he was in a manner compelled to leave it. Indeed, his father, true to the cold calculating instinct of an amla of the old class, thought that what the boy had already learned was quite sufficient for all practical purposes, and that the time was come when he should earn his own bread. Both the Head Master of the school and its proprietor gave him good certificates of character. Fortified with these testimonials, Shumbhoo Nath entered upon the wide arena of the world to fight the battle of life. Fortunately for him it was not long before he got the appointment of Assistant to the Record-Keeper of the Sadar Diwani Adalat on a pay of Rs. 20 per mensem. As Shumbhoo Nath made a virtue of industry he employed his leisure hours in translating vernacular records and other official papers, thereby adding a little to his pay, poor as it was. In 1842 he well acquitted himself at an examination held for the purpose of testing proficiency in the matter of translation, and was regarded as one possessing a fair knowledge of Persian, Hindi, and Bengali besides English. His talents and amiable manners soon attracted the notice of the eminent Sadar Judge, Sir Robert Barlow, who promoted him to a mohurrirship under him. In the midst of official drudgery, however, Shumbhoo Nath did not forget his favourite literature, to the charms of which he now joined, as if by way of contrast, the repulsiveness of law. The day he devoted to office work, but the night was at his command and he made the best use of it by holding silent solemn converse with the renowned denizens of the Republic of Letters and of Law. The sacred subject of religion, too, received its due share of his care and attention, and it is a well-known fact that, while serving as a mohurrir in the Execution Department, Shumbhoo Nath published a little *brochure*, "On the Being of God." He afterwards became President of the Bhowanipore Brahma Samaj, when Hurrish Chunder Mookerjee, the great journalist, and Annoda Prosad Banerjee, who ultimately rose to be Senior Government Pleader of the High Court, were among its active and esteemed members.

In 1846, Shumbhoo Nath in collaboration with his school friend, Bhowani Prosad Datta of the renowned Datta family

of Nimtolla, brought out an edition of Bacon's *Essays*, which received the approbation and praise of such a competent scholar and critic as Captain D. L. Richardson. This was soon followed by a legal leaflet—"The Law relating to the Execution of Decrees." This pamphlet attracted the favourable notice of the Sadar Judges and served to intensify and deepen the good will which Sir Robert Barlow had already shown towards him. At this time the post of *Mislkhan*, or Reader, having fallen vacant, Shumbhoo Nath, in view of the flattering reception his little pamphlet on law had met at the hands of the Judges, applied for it with the most sanguine hope of success, but what was his disappointment when Barlow, evidently from a paternal solicitude for the welfare of his *chela*, as he lovingly called him, declined to give him the coveted post, observing that "his lungs," which were then affected, "were not strong enough for the work." This sore disappointment, however, so far from acting as a damper on his spirits, gave a strong impetus to his study of law, which he now began to prosecute with redoubled energy, with a view to entering the Bar of the Sadar Courts. The time of examination was fast approaching, and when at last it came, Shumbhoo Nath, fortified with a very high testimonial of character and qualifications which the Registrar of the Sadar Diwani Adalat, Mr. Kirkpatrick, had been good enough to favour him with, appeared in it; and as good luck would have it, acquitted himself very creditably, and on the 16th of November 1848, obtained the *sunnud*, as the diploma was then called in common court parlance. Shortly after, he joined the Sadar Diwani Adalat, and, as he united good manners to natural ability and learning, rapidly rose in practice. He soon gained the confidence of the public, more especially of that important section thereof, namely, the muktyars, who held in their hands the thread of the destiny of the pleaders; and, as a matter of necessary consequence, briefs began to pour in, as it were, upon him, and, to speak the truth, such recognition he fully and richly deserved. The speeches which he made in Court were, it is true, generally short, but, as became a careful speaker like himself, they were always to the point, and, delivered as they were with grace, had a very telling effect. Both his

taste and judgment led him to give the preference to clear business-like statements and sound reasonings. He occasionally rose into great eloquence, but his ordinary style was calm, argumentative, and unostentatious. His handsome and commanding figure, his silvery voice and wonderfully correct intonation generally enhanced the effect of his eloquence and added much to its impressiveness. Another great feature of his oratory was the irresistible conviction it left upon the mind, of sincerity in the speaker. "At the Bar," observed a writer in the *Hindoo Patriot* shortly after his demise, "he was remarkable for his strong sense of justice, his thorough independence, his contempt for technical frivolities which so often impede the course of justice, and his hatred of oppression." "He never," continued the writer, "cared for mere technicalities of law and always shaped his arguments according to the broadest principles of equity and justice. He was an excellent criminal lawyer, and no pleader who was opposed to him could say that he broke a lance with a fairer or more candid antagonist." He never touched a dirty brief, and his scrupulous honesty was at once the beauty and strength of his character.

A pleader possessing such high forensic parts and real sterling honesty was sure to rise higher and higher still, and, accordingly, when on the 28th March 1853, Shumbhoo Nath was appointed Junior Government Pleader, both the profession and the public hailed it with universal satisfaction. Two years after, he was appointed to the chair of Regulation Law in the Law Department of the Presidency College, in succession to Mr. Theobald, Barrister-at-Law. Shumbhoo Nath did ample justice to the post thus conferred on him, and the portions of his lectures that were published contained clear and lucid expositions of the difficult and intricate Law of Landlord and Tenant, and of the fundamental and constitutional enactments of 1793, a year memorable in the revenue and judicial annals of Bengal. In 1861, Shumbhoo Nath was appointed to officiate as Senior Government Pleader in the place of Rama Prosad Roy, who had fallen seriously ill; and was afterwards confirmed in that appointment when that ailment ended so fatally. In the year following, the High Court was established and, thus, the

native pleaders of the late Sadar Diwani Adalat came into constant contact with English barristers in the discharge of their professional duties. In one important case it so happened that Shumbhoo Nath, as pleader for the respondent, had to measure strength with an eminent counsel who was retained for the appellant. The appeal was heard by no less a personage than Sir Barnes Peacock, the Chief Justice. Shumbhoo Nath so well and ably defended the interests of his client that that great Judge was deeply impressed with his ability, learning and eloquence, and it was probably this circumstance which more than any other led him to recommend Shumbhoo Nath for the Judgeship which, though it had been intended for Rama Prosad, the cruel hand of Death prevented him from holding. The good nominee, in view of the serious responsibilities which it imposed upon the native holder, at first hesitated to accept the offer, and it was not till he was encouraged by that sincere friend of the natives, Mr. (afterwards Sir) Ashley Eden, who observed that he should not lose such a glorious opportunity for opening out a high career of honour and distinction to his countrymen, that he gave his word of consent.

In due time the Royal Patent, conferring the high office on Shumbhoo Nath, came out, accompanied by a graceful letter from Sir Charles Wood (afterwards Lord Hallifax), in which that eminent Minister expressed his great satisfaction at being "able to place a Native of India in the highest judicial position in his own country with full confidence that he would ably and impartially discharge its duties." Although Shumbhoo Nath himself accepted the office with great diffidence, the public hailed it with universal satisfaction. Not one ungenerous remark emanated from any party, or appeared in the columns of any newspaper in regard to him, either as a Judge or as a man. Indeed, it seemed that he had no enemy. The pleaders entertained him at a dinner where everyone offered his sincere and heartfelt congratulations. The new Judge expressed his feelings in words choked by profuse streams of tears.

Mr. Justice Shumbhoo Nath was weighed in the balance and was found quite up to the mark. "The eyes of the public" observed the leading native paper of the day, the *Hindu Patriot*,

"the eyes of the public, not only of India but of England, were upon him and it redounded not only to his credit but to that of the nation to which he belonged that he passed the ordeal so successfully. His success on the Bench gave the best refutation to the calumny that the natives were not fit to be associated in the highest posts of the State with the rulers of the country 'On questions of fact,' says our lawyer friend, 'I do not believe he had his equal No amount of perjury and forgery was equal to cope with his strong common sense, and pleaders and advocates were often known to have thrown away their briefs in despair when their cases were bad ones and had been fixed for hearing before him'." And not only was Shumbhoo Nath a good Judge of fact, he was also sufficiently strong in law. His judicial career, short as it was, will long be remembered in this country for the active part he took with the Chief Justice in settling, once for all, certain vexed points of law.

Shumbhoo Nath's course of life was one continued tissue of triumphs. As a pleader he stood very high and was, perhaps, without a rival, when he left the Bar on being raised to the Bench; and as a Judge he administered justice according to equity and good conscience. His conduct on the Bench was simply admirable. He was patient in hearing, quite *au fait* in dealing with facts however complicate, expert at detecting the subtlest fallacies, and polite and courteous in his manner. Though raised to a very high eminence he knew not what pride was, and, as a matter of fact, was as simple as a child.

In the social circle, too, Shumbhoo Nath shone equally brilliant. He oftentimes mixed with his old friends and, while in their company, wholly forgot that he had risen far above them. Indeed, he had a deep regard for the sacred office of friendship and made the best use of it. He was liberal almost to a fault. His income as a Judge did not suffice to meet the demands of his hospitality and benevolence, he had oftentimes to draw on his old savings. In sooth, his heart was "open as the day to meeting charity;" and we have the very reliable authority of the *Hindoo Patriot* that the good Judge's private "charities to his poor relations and others, particularly of Bhowanipore, amounted to two thousand a month."

Shumbhoo Nath's judicial career was, as we have already stated, rather short. Before the year 1867 had advanced far, a huge carbuncle appeared on the lower part of his body, which, growing rapidly, took a very bad turn, and, at last, on the 6th June terminated his life. The melancholy news ran like wild fire from one end of the Town to the other and enveloped it in a gloom of sorrow. On the same day, the Chief Justice, Sir Barnes Peacock, announced the sad occurrence to all present in Court and in a short but pithy address, so well suited to the solemn occasion, expressed his deep sorrow for the great deceased, saying "that by the death of Mr. Justice Shumbhoo Nath, we have lost a very valuable friend and co-adjutor; and that, by his death the public and the Court have lost an upright, learned, and independent Judge." Eight days after, the Viceroy, on receipt of official intimation of the sad intelligence, expressed in Council sincere regret at the serious loss which the country had sustained. Thus passed away from this earth a remarkable character whose memory ought to be held in most grateful remembrance by all who take any interest in this country and its welfare. He has done us much good, the salutary effect of which is likely to last for many, many long years to come.

Sir John Budd Phear.—John B. Phear was born at East Stonham, Suffolk, on 9th February 1825. He was the eldest son of the Rev. J. Phear, Rector of East Stonham, and Catherine, eldest daughter of Samuel Budd of North Tawton. After receiving his education at home for a few years, young Phear entered Pembroke College, Cambridge, where he graduated B. A. in 1847, coming out as sixth Wrangler. Having thus shown considerable proficiency in mathematics, he was in the very same year appointed Fellow and Mathematical Lecturer at Clare College, Cambridge. This appointment, however, did not much interfere with his usual study, and, as a matter of fact, he obtained the Degree of M. A. in 1850, a year in which he wrote an elementary treatise on Mechanics. This was followed in 1852 by a similar treatise on Hydrostatics. The latter work was well adapted to those for whom it was specially written, and it was, therefore, no wonder that it soon became popular. But its popularity was not confined to the

British Isles, it was also selected as a Text-book in the University out here at Calcutta. But mathematical studies did not engross Mr. Phear's attention; he took to studying law, and in due time was called to the Bar in 1854. He practised for some time in England, and, as he had not much business in Court, employed his leisure in inditing a law book styled "A Treatise on Rights of Water, including Public and Private Rights in the Sea and Seashore," which appeared in London in 1859. Phear's was the second work on the subject, Woolrych "On Waters" having been published some years before. Both these treatises are referred to in *The Law relating to Waters*, by H. J. V. Coulson and H. A. Forbes, which appeared in 1880, and which is now the standard work on the subject.

Mr. Phear had only made his mark at the Bar when he was offered the appointment of a Puisne Judge of the High Court at Calcutta, which offer he accepted. He came out to this country and, on the 9th day of August 1864, took his seat on the Bench. In 1865, he married Emily, daughter of John Bolton of Burnley House in Stockwell.

As Mr. Phear was well conversant with the principles of Jurisprudence and was also endowed by nature with strong common sense and acute intellect, he soon proved a good Judge and his name as such spread far and wide. Not long after, the Great Rent Case came on for hearing and Mr. Phear was one of the fifteen Judges who tried it. He was certainly the junior of them all, but though last he was not the least. As the witty bard who sang of that Case in the classic strain of Macaulay says:—

"Now, making up the number,
Though last, not least is he,
With sparkling eyes and big black beard,
Ferus Barbatus see.
Of all those fifteen Brethren,
For wisdom far renowned,
Ferus Barbatus the last
Who came from English ground.
What though of all the junior,
Though last, not least is he;
The only Judge who wears a beard—
Ferus Barbatus see!"

Though in that celebrated case Mr. Phear agreed in the main with the decision of the majority, he wrote a separate judgment in which he showed his thorough mastery of the subject under consideration and deep and accurate knowledge of law, both Indian and English. He also stated very clearly the points on which he differed from the majority and supported his views in a way which did him immense credit. Indeed, Mr. Phear was an eminent Judge and some of his judgments have settled certain vexed questions of law and are looked upon and valued as precedents. Nobody doubts his learning, and, what is sometimes more useful than mere learning, common sense; but there are some who find fault with him as being a little too technical. The charge, however, is not absolutely without foundation. Technical Mr. Justice Phear was to a certain extent, in fact, a man of his acute intellect and strictly logical frame of mind could not but be so; but he was not technical to a fault, and, like the great orator, Edmund Burke, while he went on refining, also at the same time thought of proving that what he was driving at was the right view. Taking all things together, one cannot but say that Mr. Phear was an able and learned Judge; and although more than a quarter of a century has elapsed since he left the High Court, his judicial reputation still appears to be fresh in the minds of the profession and the public.

But pure judicial duties did not engross Mr. Phear's attention. He also directed his thoughts towards the all-important subject of education. He was President of the Bethune Society and took part in the working of the Institution which was established by Mr. Drinkwater Bethune and which still bears his honoured name. Mr. Phear also mixed in native society and endeared himself to all who came in contact with him by his amiable nature and other social virtues. Indeed, he was a notable character in the land and his absence from their midst was much felt by the Calcutta people.

Mr. Justice Phear retired from the Calcutta Bench on the 9th August 1876, about ten years after he had commenced sitting on it. He returned to England, but was not allowed to enjoy retirement long, for in the year following he was appointed Chief Justice of Ceylon, on which occasion

he was decorated with the order of Knighthood. But before he had held that post for a year he found himself in hot water with the Planters who could not make him connive at their somewhat arbitrary doings. The result was a very serious friction which, as days passed by, went on growing more and more painful until it reached a point when it was found that one party or the other must retire from the conflict. The state of affairs having taken such a bad turn, the Chief Justice gave up the appointment and returned for good to the land which had given him birth. This took place in the year 1879. At home, the Ex-chief did not suffer idleness to get hold of him. He commenced recording his knowledge and experience of the East, and the result was that in the year next following his retirement he brought out a work to which he gave the humble name of "The Aryan Village India and Ceylon." This little book was ere long followed by a work on "International Trade." Mr. Phear was also anxious to mix in politics; and to that end tried hard to enter the House of Commons, but his efforts in that direction were not crowned with success. The most that he could get in the way of making himself useful to his countrymen in the walk of public life was Chairmanship of Quarter Sessions, Devon. In the republic of letters and science, however, he was given a pretty high place as a mathematician and physicist and he was also made a F. G. S.

The last days of Mr. Phear's life were gloomy and painful. He lost his wife in 1897. This was a very severe shock to the good old man and he felt it so very keenly that it brought on dimness of eyesight which ultimately resulted in total blindness. In this way he lingered on for some years until death came to his relief.

Sir Arthur George Macpherson.—Arthur Macpherson was born on the 25th September 1828. He was the youngest son of Dr. Hugh Macpherson, and was educated first at Aberdeen and afterwards in the University of Edinburgh. Having chosen the law for his profession, young Macpherson was entered at the Inner Temple, at which he was called to the Bar in 1852. Soon after, he came out to this country and got himself admitted

and enrolled as an advocate of the late Supreme Court at Calcutta on the 22nd November of the same year. He at once commenced practice, but though a well-read lawyer, could not readily make his mark at the Bar. In this way he passed his professional life till 1862, when he was appointed Legislative Secretary to the Government of Bengal. In the year following he presided for some months in the Calcutta Small Cause Court as its chief and guide, after which he reverted to his former seat in the Bengal Secretariat. But it was not long before he was raised to the post of Legislative Secretary to the Government of India. This office he held till early in 1865, when he was appointed to officiate as a Puisne Judge of the High Court. The manner in which he discharged his judicial functions convinced the Governor-General that he had made a good selection, so that when a second opportunity presented itself His Excellency again appointed Mr. Macpherson to the vacant post, in which he was confirmed on the 1st day of August 1865.

Fully conversant as he was with the laws of the land as well as with English law, and endowed by nature with strong common sense, Mr. Macpherson proved a very good Judge and thus rose in the estimation of his colleagues, the profession, and the public. He remained on the Bench long enough to establish his claim to seniority, so that when Sir Richard Couch vacated the Chief Justiceship, and before his successor, Sir Richard Garth, was appointed, Mr. Macpherson held the office of Chief Justice from the 13th February to 25th June 1875. In point of fact, he was only second to his Chief as regards rank, and as regards seniority he probably had no equal. He held his seat on the Bench with credit till the 1st of October, 1877, when he retired from Indian service.

On his return to his native country, the Ex-Judge was not allowed to enjoy his retirement long. In 1879 he was appointed Legal Adviser to the Secretary of State for India, which office he held till 1882 when he was given the post of Judicial Secretary at the India Office. While holding this very important office, Mr. Macpherson brought out, in the year 1885, a very useful work for which he is best known, namely, "The Law of Mortgage in Bengal and the North-Western

Provinces of India." This work was not a mere commentary on the Transfer of Property Act (IV of 1882), but had a peculiar value of its own, and was, therefore, widely circulated. It has passed through several editions, the seventh and last edition being by Mr. John Molesworth Macpherson,* who like the great novelist, Thackeray, was an Asiatic by birth and like the subject of this memoir a barrister of the Inner Temple, and an advocate of the Calcutta High Court. While holding the Judicial Secretary's seat in the India Office, the late Indian Judge was invested with the order of the Knight Commander of the Indian Empire in 1889. He continued in the India Office till his death in 1893.

Sir Arthur's elder brother, Mr. William Macpherson, was also an advocate of the late Supreme Court at Calcutta. He was a very sound lawyer and was best known for his two most useful works on law, namely, "Law of Contract," and "Procedure of the Courts in India." Mr. Montriou used to say that he was a much better lawyer than his brother, Sir Arthur.

Sir William Markby.—William Markby, who is happily still alive, enjoying his well-earned pension, was born in the year 1829. His father, Rev. William Henry Markby, of whom he is the fourth son, was Rector of Duxford, Cambridge, while his mother, Sophia, was the daughter of a respectable gentleman of the name of John Randall. Young Markby was first educated at King Edward's School, Bury St. Edmunds, and afterwards at Merton College, Oxford, where he obtained a scholarship in 1846. This was followed by his obtaining a First Class in the Honour School of Mathematics in 1850, and, later on, by his graduating M. A. Having determined on his mode of life and adopted the law for his profession, Mr. Markby¹² was entered at the Middle Temple and on his completing the requisite terms was called to the Bar in 1856. He at once commenced practice and was slowly rising in the profession when in 1865 he was offered

* Besides editing his namesake's work on Mortgage, Mr. John M. Macpherson brought out "Lists of British Enactments in Force in Native States." This is a very big book consisting of six large volumes. Mr. Macpherson was Secretary to the Government of India in the Legislative Department.

the Recordship of Buckingham. The offer being tempting, and as Mr. Markby was more fitted for the dignified quietness and solemn silence of the Bench than the busy bustle and contention of the Bar, he made no hesitation in accepting it. But greater honour in that direction was awaiting him in the near future. The young Magistrate had hardly sat in the Buckingham Court for a couple of years when he was offered a far higher post, though not in the land of his birth. In 1866 when Sir Walter Morgan of the High Court at Calcutta was sent to the North-Western Provinces as the first Chief Justice of the newly-established High Court there, Mr. Markby, who had given general satisfaction by the discharge of his functions as Recorder of Buckingham, was appointed to the place so vacated by him at the Calcutta Court. Mr. Markby at once came to this country and took his seat on the Bench on the 19th of June. As the new Judge was well up in the general principles of Jurisprudence, which are almost the same in all civilised countries, and as he united in himself experience more or less in both the departments of law, it was no wonder that he soon proved a good Judge. Indeed, his reputation as a sound and well-read lawyer spread far and near. In this way Mr. Justice Markby worked in the Calcutta High Court for a considerable period and it was not until the 16th September 1878 that he retired from it for good and returned to his native country. His reputation as an excellent man of law having preceded him there, barely a twelvemonth had elapsed when the title of D. C. L. was conferred on him, and he was also appointed Fellow of Balliol College as well as of All Souls College.* But this was not all. He was appointed Reader in Indian Law in his own *Alma Mater* (Oxford), which office he held with credit from 1879 to 1900. The lectures which he delivered at Oxford on Indian Law, a subject which only a few Europeans are conversant with, have since been given to the world in book form. The work is of considerable merit and does much credit to its author. But the one

* While in India far higher honours were bestowed on Mr. Markby. In 1872 he was President of the Faculty of Arts, and in 1876 President of the Faculty of Law,—offices which show that he was held in esteem, not only as a good lawyer but also as a good scholar. And to crown all, he was given the chair of the Vice-Chancellor of the Calcutta University in the year just anterior to his retirement from India.

work for which he is best known and which has become a Text-book, so to say, both here and in England, is his *Elements of Law considered with Reference to General Principles of Jurisprudence*, which within a comparatively short time has passed through several editions, the sixth and latest appearing in 1896. We need not give our opinion as to the relative merits of this work and of Hall's *Jurisprudence* which seems to have been preferred to it, but in justice to the ex-Judge of our Court we ought to say that his work is better adapted to Indian students than Hall's.

Mr. Markby's tenure of office as Professor of Indian Law was signalized by his being decorated with the order of Knighthood. This took place in the year 1889. But this was not the only important event noticeable during that period, long as it was. In 1892 he was appointed Commissioner to inquire into the Administration of Justice in Trinidad and Tobago. As was his wont, Sir William made a thorough investigation of the subject and after he had done so wrote and submitted his Report which received the warm approbation of the authorities concerned.

As we have said above, Sir William occupied the chair of Law-Professor at Oxford till 1900. When he vacated it, it was offered to Mr. Ernest John Trevelyan, another retired Judge of the Calcutta High Court. Mr. Trevelyan is well up in the subject of Indian Law, and there can be no doubt that he will prove a worthy successor of Sir William.*

SHUMBHOO CHUNDER DEY.

* Sir Raymond West, formerly Judge of the Bombay High Court and joint author of a work on the Hindoo Law of Partition with Bübler, was Reader in Indian Law to the sister University of Cambridge. He was succeeded by Sir Roland Knyvet Wilson, Baronet, who is well-known for his excellent work on *Anglo-Muhammadan Law*.

Art. II.—ACROSS THE PELOPONNESUS.

VII.—ACRO-CORINTH.

ARRIVED at Corinth we lose no time in setting off for Acro-corinth. Very big and far off the great rock looms up through the afternoon glare. The streets of Corinth are sunny and the road deep in dust. The road runs for some four miles over the plain, rising very gradually till one is well past the site of old Corinth, where a poor village still stands on a gentle slope close under the citadel and where the modern town also stood till destroyed by an earthquake.

Then a steep ascent that grows steeper as one gets higher, and is aggravated by very vile reaches of "Turkish" road. Mercilessly hot work it is this afternoon, quite another sort of business to marching in the high grounds of central Peloponnesus. The line of battlements shows very finely even from a distance, extending along the whole length of the summit: as one gets up closer under the great rock, the sheer cliff topped by formidable walls looks absolutely unscaleable except on the side by which we have come up. A descent into a deep ditch, a scramble up the other side, and one is before the outer gate of the citadel, once doubtless connected with the road by a draw-bridge. The fortifications are extensive and complex; Venetian or Turkish work for the most part, as they now appear, but possibly on Hellenic foundations. Within the gates we find a most extraordinary jumble of ruined buildings. All Acro-corinth is now deserted and void of inhabitants; these ruins recall the time when not only the garrison but a large miscellaneous population had their homes here. Wheler, the first English traveller in Greece, who visited Acro-corinth along with the Frenchman Spon in 1675, thus describes what he saw: "This side of the Rock is well covered with houses. For not only those who still reside there, as well Turks as Christians, have their houses and families there, but for the most part, even those that dwell below in the town, have houses also in the castle where they keep all their best goods safe from the frequent, but very uncourteous, visits of the Corsairs:

and thither upon the least alarm, they come flocking with all they can bring with them" (Bk. 6, p. 441.)

It has not always been so easy to enter the iron-plated gate of the great fortress. Wheler was well received by the authorities, but at the beginning of this century in the uneasy years preceding the great up-rising, the Turks had grown suspicious, and neither Dodwell nor Leake could gain admission. Dodwell was enterprising enough to conduct a stealthy expedition to a neighbouring height and make sketches. Of this hill which is joined by a neck to Acro-corinth on the S. W. side, Leake says that it "may be regarded as the *λῆμμα*, or, eyesore, of the Acro-corinthus, especially with regard to modern war" (Morea. 3, p. 259). This explains the abandonment of Acro-corinth as a place of arms. It is difficult to realise the scale of Acro-corinth without actual sight of it. To most of us who are familiar enough with the name, but not otherwise forewarned, the reality comes as a revelation. It is a capital instance of the startling variance between experience and the impressions drawn from books. Nothing we ordinarily read of prepares us at all adequately for what we see. Indeed the mere sight from the plain is not enough; we must ascend laboriously our 1,200 feet or so to the gates, beat the boundaries of the fortifications within, then climb another 500 feet to the highest summit and see all Greece spread out like a map below us. This is no ordinary acropolis like that of Athens, or Mycenae or Argos, or even the Kadmeia, but a mighty fortified hill, with space enough atop for a considerable town. Wheler estimates the circumference of the walls at a couple of miles. It cannot be less. The surface is broken and uneven and very far from level. There are two conspicuous heights; that to the right, the lower, is covered with buildings, and crowned by an inner castle or keep; that to the left is the highest summit. It is already half-past four when we enter the outer line of walls and this highest point still towers a great way above us. Half an hour later after passing a second line and scrambling over a lot of rough ground, we have gained the real summit and are enjoying (in Wheler's phrase) "one of the most agreeable prospects this world could give us." Magnificent and

beautiful it certainly is, considered simply as a sublime prospect of mountain, sea and sky; but that makes only part, perhaps the lesser part, of the emotion with which we look forth from this commanding height. That which makes the view from Acro-corinthus unique is, as Leake notes, the number and character of the famous classical sites on which the eye successively rests, as the gaze sweeps northward from east to west, or southward back over the Peloponnesus. Freeman puts it well: "from the citadel of Corinth" he says "if all Hellas does not itself lie within our sight, yet all Hellas lies within sight, as it were by representation. Peloponnesus and Attica, the land north and south of the gulf, the shores of the two great confederacies, the mountains of Arkadia and Phokis, and the snowy head of Aitolian Korax, stand there as if to speak of lands north and south of them!" (Studies of Travel, p. 196.) Just below lies the Isthmus, seeming from this height a mere level strip between Corinth's two seas: the blue water bores in deep on either hand; one half believes that but a slight impulse would sweep it over the barrier altogether and unite the one expanse of rich azure with the other. The coast line which stretches away from the Isthmus on either hand is fretted into innumerable creeks and indentations with fantastic variety. Eastward the view ranges over the Aegean and its islands, taking in the whole length of the coast of Attica. Megara is there, and Salamis and Aegina: on a clear day you may even discern Athens (50 miles away) and the Acropolis rock, and Piræus, and the Bay of Phalerum; westward the Gulf of Corinth offers a not less enthralling spectacle, a beautiful lake in seeming, shut in by noble mountains that face each other in embattled array across its waters, long sweeping lines northward from beyond the snows of Aetolia to the heights of the Megarid; on the southern side a dense phalanx of crests and peaks rising out of the high lands of the Peloponnese. Due west you look into a vast sea of tossing ridges (behind which the sun is angrily setting), snow-crowned Cyllene overtopping all the rest. And turning again to the northern line of hills you know that back behind the further of the two great inlets that cut deep into the coast line lies Delphi, hidden in a recess of Parnassus whose topmost ridges form

the nearest stretch of heights to the left of the picture. Further east and almost directly opposite is the summit of Helicon also covered with snow. The ridge directly behind the Isthmus is Geraneia, and straight behind Geraneia, though you cannot see it for the mountains between, is Cithaeron. Close below you on the north side where ancient Corinth once sheltered beneath its protective citadel you can distinguish the seven columns of a Doric temple, which is almost the sole relic of the wealthiest and most luxurious of the cities of free Hellas. There were twelve when Wheeler saw them, the other five have since been appropriated as raw material by a local Turk, with a taste for building. These columns are plainly marked by their proportions as among the oldest remains in Greece. They are assigned to the 7th century B.C. and are thought to belong to a temple of Athena.

The rest of the buildings of Corinth, alike the Hellenic and the Roman city, have utterly vanished; this almost prehistoric sanctuary has outlived them all.

The military vicissitudes of Acro-corinthus have been curiously uneventful. The mighty stronghold has often enough changed hands, but always with one exception without a struggle. The one exception was when in 1459 after a siege of 14 months Mahomet II stormed the citadel from the high ground to the south-west the one accessible point. The ancient Greeks seem to have frankly accepted the rock as impregnable to assault; and, having regard to the great height of the rock, over 1,800 feet, and the almost perpendicular nature of the cliff, it is perhaps not so very remarkable. No single attack upon Acro-corinthus is recorded in Hellenic times.

When the independence of Hellas was lost at Chaeronea, Acro-corinthus received a Macedonian garrison, but there was no fight. It was thereafter known as one of "the fetters" of Greece and it is not wonderful that the masters of Hellas kept a tight hand on so formidable a fortress. The Macedonian garrison was more than once expelled and reinstated, but always on terms of capitulation or by starvation. So also in the modern struggle with the Turks. Acro-corinthus was three times bloodlessly yielded up between 1821 and 1823, twice by the Turks on surrender, and once merely abandoned by a cowardly Greek garrison.

Yet Acro-corinth has looked down on scenes of excitement and conflict. It was here at the Isthmus that the land defence concentrated after the fight at Thermopylæ: thousands of Greeks worked night and day to build a wall across the Isthmus, which should defy the attempt of the Persian armies to enter the Peloponnesus. Corinth must for the time have formed the head-quarters of the Greeks, and from where we are standing the whole busy scene might have been surveyed. Some slight traces of the wall then built are still discoverable. A very different scene was enacted under the shadow of the great rock in 146 B. C. Violence, rapine, massacre, the utmost license of war let loose upon the city of luxury and pleasure. By the orders of Mummius who routed the forces of the Achæan League in the neighbouring plain, Corinth was delivered over to the havoc of fire and pickaxe. This was the end of the Corinth of the Bacchiadæ and Periander, the city of the art and beauty and commerce of Hellas, long second only to Athens. The Corinth rebuilt a hundred years later, the Corinth of Paul's Epistles, was a Roman city.

But the afternoon wanes and there is little time to indulge in reflection—it is all too short merely to drink in all the details of this wonderful circle of pictures, softened and refined by the evening light. We have to hurry down by the way we came to avoid being overtaken by night before regaining our unromantic but needful shelter in modern Corinth. The dusk deepens as we cross the plain and it is dark before we reach the town.

Next day we stroll leisurely across the Isthmus, in the morning; take the train at Kalamaki on the further side of the canal—we are ferried across in a punt exactly like the ferry at Bablocke Hythe, well known to Oxford men—follow the coast between the mountains and the sea, along the cliff from which Theseus hurled Sciron, past Megara and Minoa to Eleusis; see what is left of the Hall of Mysteries and of the Greater and Lesser Propylæa, and the reliefs and bases found on the site; and so on to Athens by evening.

H. R. J.

Art. III.—THE METRICAL VERSIONS OF THE PSALMS.

THE OLD VERSION (STERNHOLD AND HOPKINS).

ENGLAND was not long in following her sister France in the production of the "Psalms of David" in a lyrical form,—and with a much more lasting and beneficial result. While in the one country they were the mere fashionable folly and plaything of the hour, in the other they sank deep down into the religious life of the nation and exerted for nearly two centuries a powerful influence over the minds of the English people.

Although the version we are now considering was the first which was published with any authority, and the first which at all became popular, specimens of very ancient versions still exist in the mother tongue. In the Library of Corpus College, Cambridge, there is a metrical version of S. Jerome's French Psalter done into verse about the reign of Henry II. or Richard I., there is also another translation, which bears a strong likeness to the one just mentioned, in the Bodleian Library at Oxford. This may indeed be a transcript by a later scribe—but no doubt of the same age—the handwriting telling us of the reign of Edward II.

In considering this subject of the Psalms in English verse, it may help us if we localize the chief translations that have been made.

Speaking roughly it may be said that four more or less successful efforts have been made in this direction. The Reformation Period the first, the Commonwealth the second, the Restoration the third, and the great Catholic Revival the fourth.

It is with the first—of Reformation birth—that we have now to do—the translation of Thomas Sternhold and John Hopkins—commonly called the Old Version. The names of these two versifiers are associated by some with feelings akin to veneration, while there are others who, with difficulty pronounce them without a smile, not perhaps of contempt, but something very much like it.

Thomas Sternhold is generally supposed to have been born in Hampshire, although the parish register of Awre, near Blakeney, Gloucestershire, bears a different testimony. The entry is between entries bearing date 1570 and 1580, and was, probably, though not quite certain, entered at that time:—"Let it be remembered for the honour of this parish of Awre, that from it first sounded out the Psalms of David in English metre by T. Sternhold and J. Hopkins. The former lived in an estate near Blakeney, called the Hayfield; the latter in an estate in the tything of Awre, called the Woodend." * He was educated at Winchester and Oxford and afterwards became groom of the Robes to Henry VIII. One, who evidently made light of Sternhold's powers, bears witness that "Henry VIII. for a few psalmes of David translated and turned into English metre by Sternhold made him groom of his privie chamber." †

We are also told that he so pleased the King—no easy matter when that King was Henry VIII.—either by "his diligent services, or his knack of rhyming" that his Majesty shewed him various kindnesses, and at his death bequeathed him a legacy of a hundred marks.

In later days the reward bestowed upon Sternhold for his versifications was called in question by a rival brother versifier. George Wither of Lincoln's Inn in 1623 published "*Hymnes and Songs of the Church*" by royal license. It was alleged against him that he had "indecently obtruded upon the divine calling," to which he indignantly replied, "I wonder what *divine calling* Hopkins and Sternhold had, more than I have that *their* metricall Psalmes may be allowed of rather than my Hymnes. Surely, that to have been *groomes of the privie chamber* were sufficient to qualify them, that possession (the law) which I am of may as well fitt me for what I have undertaken." ‡

At the death of Henry VIII., Edward VI., continued Sternhold in the Royal Household, and he in return dedicated his Psalms to the youthful and precocious King, in a fulsome and flattering Preface. Strype, however, says that Sternhold

* Miller's *Singers and Songs of the Church*, p. 49.

† Braithwaite. *English Gentleman*, p. 191, 1630.

‡ Scholler's *Purgatory* (1625), p. 40.

set and sung some of his Psalms to his organ, which music King Edward VI. sometimes hearing (for he was a gentleman of the privie chamber) was much delighted with them: this occasioned his dedication of them to the said King.*

He died in 1549, the very year in which 37 Psalms rendered by him were first published.

The principal co-adjutor of Sternhold in his versification of the Psalter was *John Hopkins*—others indeed contributed to this old version, but these two worthies share the praise or bear the brunt of adverse criticism which has fallen very freely from both friend and foe. Very little is known of Hopkins beyond his connection with the Psalms. He was a clergyman and schoolmaster in Suffolk, and a graduate of Oxford, like his fellow versifier. His name occurs in some Latin verses at the beginning of Fox's Book of Martyrs. Warton—who is very severe on both—has a small share of praise to bestow upon Hopkins—confessing that "he is rather a better poet than Sternhold" while another critic (Bayle) says he was "*Brittannicorum Poetarium sui temporis non infirmis.*"

Hopkins translated 58 of the Psalms forming the Old Version. Mr. Hastlewood, who took great pains to examine the distinct claims of the several contributors to this collection, has apportioned 28 to Norton, 25 to Kethe, 16 to Whyttingham, 43 to Sternhold, and 56 to Hopkins. John Pullain contributed 2, Robert Wisdome 1 and T. C. (Thomas Churchyard?) a different version of the 136.†

These lesser contributors, all distinguished in the Old Version by the initial letters of their names, deserve at this point a passing notice.

Among the most distinguished of these was *William of Whyttingham*, Dean of Durham. He is chiefly celebrated for his fanatical puritanism and for the sacrilegious way in which he destroyed the images of the saints in the Cathedral, desecrating the tombs of the ancient dead by using them as troughs for cattle. The grand image of S. Cuthbert, the plough

* *Ecclesiastical Memorials*, Vol. II., p. 136.

† Warton IV., p. 130 note.

boy saint of Durham, was destroyed by this poetical Dean. Warton sarcastically says "I must indulge the reader with a stanza or two of this dignified fanatic's poetry from his Creeds and his Decalogue." *

From the Athanasian Creed.

The Father GOD is GOD the Son,
GOD HOLY GHOST also.
Yet are there not three GODS in all,
But one GOD and no mo.

The Apostle's Creed is no better.

From thence shall he come for to judge,
All men both dead and quick.
I in the HOLY GHOST believe,
And Church that's Catholic.

The Ten Commandments are thus curiously closed :—

Nor his man's servant nor his maid,
Nor ox, nor asse of his.
Nor any other thing that to,
Thy neighbour proper is.

Although Dean Whyttingham's zeal and orthodoxy were no doubt perfect, his rhyme and expression certainly were not

The largest contributor to the Old Version, next to Hopkins, was *Thomas Norton*—a Bedfordshire man and a barrister. His Psalms come, most of them, at the close of the Book, having apparently been undertaken to supply the number wanted to make up the one hundred and fifty. This "forward and busy Calvinist" (Wood) translated twenty-eight Psalms.

William Kethe, who fled the country during the reign of Queen Mary and found a congenial home at Geneva, contributed seven Psalms. He is generally supposed to be the author of the popular version of the Old Hundredth "All people that on earth do dwell," but this is contradicted by the initials, J. H., prefixed to this Psalm in this version.

The letters R. W. prefixed to one Psalm in this Psalter are the initial letters of *Robert Wisdome*, who was appointed to an Irish Bishopric by Edward VI., fled the country on the accession of Queen Mary, and afterward returned to be made Archdeacon of Ely in the following reign. Strype says, Beside

* *History of English Poetry*, Vol. IV., p. 130.

other books, *Wisdome* penned a very godly and fruitful exposition upon certain Psalms of David; of which he translated some into English metre; there is one of them, and I think no more still remaining in our ordinary Singing Psalms—namely, the hundred and twenty-fifth. There are two versions of this Psalm, one signed R. W., the other W. K. (*William Kethe*).

Warton* considers that he is chiefly remarkable for his metrical prayer intended to be sung in the church against the Pope and the Turk of whom he seems to have conceived the most alarming apprehension. This is the first stanza :

Preserve us, LORD, by the Dear Word
From Pope and Turk, defend us Lord.
Which both would thrust out of Thy throne
Our LORD JESUS CHRIST, Thy dear Son.

The time for such a fanatical belief has long gone by and we no longer associate Christian Bishops with Turks and infidels. Archdeacon *Wisdome's* lines have not escaped criticism and ridicule. Richard Corbet, Bishop of Norwich in the reign of James I, whose ways were rather too free and easy for the sacredness of his office—if we may believe the many anecdotes that are related of him—wrote an epigram.

He wished to compose a puritanical poem and to further that end calls upon the shades of Robert *Wisdome* as the one most able to help him in his attempt. He, however, advises the quondam Archdeacon to steal silently back to his tomb in Carfax Church, Oxford, lest he should be discovered and maltreated by the Pope and Turk.

To the Ghost of Robert Wisdome
Thou once a body, now but ayre,
Arch-botcher of a Psalm and prayer,
From Carfax come :
And patch us up by a zealous lay
With an old ever and for ay
Or all and some.

Or such a spirit lend me
As may a hymne down send me
To purge my braine :
But Robert, looke behind thee
Lest Turk or Pope do find thee
And go to bed again.

History of English Poetry, Vol. IV.

George Wither glances at this Church solecism ("From Pope and Turk defend us Lord") when he says "My booke hymmes being allowed by authority are as fitt, I trust to keep company with David's Psalmes as Robert Wisdome's Turke and Pope and those other apocryphal songs and praises which the Stationers add to the Psalme Booke for their more advantage"*

And Sir Thomas Overbury in his Characters—no doubt speaking ironically, makes a precisian declare he "had rather heare one of Robert Wisdome's Psalmes than the best hymne a cherubin could sing."*

Thomas Churchyard is generally supposed to be the author of the 2nd version of the 136th Psalm. This translation has a refrain which is repeated after each verse. Here are the 20th and 21st verses,—

- 20 And Og (the Gyant large)
O Bashan King also
21 Whose land for heritage
He gave his people tho
For certainly
His mercies dure
Both firme and sure,
Eternally.

Churchyard was the author of 70 volumes in prose and verse and is supposed to be the Palamon of Spenser's *Colin Clout*

That sang so long until quite hoarse he grew.

He had a part in the writing of the *Mirror of Magistrates* and contributed the legend of Jane Shore to that work. In that legend the poor penitent is made to stand "with book in hand, and say S. David's Psalmes." Churchyard lived to a great age through the reigns of Henry VIII., Mary and Elizabeth and saw the accession of James I. to the English throne. Good Queen Bess gave our versifier a pension of eighteen-pence a day, who, however, was not paid regularly.

The initial "M" affixed to Psalms 131 and 132 "O LORD, I am not puffed in mind" and "Remember David's troubles Lord," has been supposed by Sir Egerton Brydges in his *Censura Literaria* to stand for *John Mardley*. Little is known about the

* Scholler's *Purgatory*, p. 35.

writer beyond the fact that he "turned 24 Psalms into English odes and made many religious essays." It is only in the older editions that these Psalms are attributed to Mardley—in the more modern ones Thomas Norton is put down as the author—the versifier who supplied most of the Psalms at the end of the book.

John Pullain—a native of Yorkshire and brought up at Oxford—is the author of Psalms 148 and 149 in the earlier editions, neither of which are retained in the later ones. He was an exile in Queen Mary's reign, but returned to be made Archdeacon of Colchester under Elizabeth.

It is time now that we return to Sternhold and the origin of the Psalter which bears his name.

It seems curious that the very same motive for its production is attributed to Sternhold that is attributed to Marot. Both are credited with serious thoughts on religion—the former, no doubt, owing such a disposition to his training and religious faith, being an enthusiast for the Reformation—the latter by some Providence of God having experienced what people are apt, now-a-days, to call "sudden conversion." Both these versifiers, too, being scandalized and much offended at the indecent songs which found favour at court undertook a metrical version of the Psalter as a means of reforming such abuses. Sternhold was very sanguine as to the effect of his version "thinking" says Anthony Wood "that the courtiers would sing them instead of their sonnets, but they did not, only some few excepted." There is a striking difference between the reception of the French poet's version and that of our own. Clement Marot was a real poet and his Psalms, on account of their poetical character and the tunes to which they were set, were enthusiastically received and sung at court—without, in the least, altering the courtier's manners or morals.

Thomas Sternhold was prosaic and rugged in his style, and hence his Psalms received little favour among the careless and pleasure seeking, but were at once adopted as an expression of religion and used as a part of religious worship.

It is perfectly true, as old Thomas Fuller declared, that the piety of these good men (Sternhold and Hopkins) was better than their poetry and they had drank deeper of Jordan than of

Helicon, in other words that literalness of translation was sacrificed to poetic fire and style. With regard to the Psalms themselves it is unnecessary to say that they are of unequal merit—the popularity of the few, such as “All people that on earth do dwell,” having lasted far beyond the time when psalm-singing was an expression of religious earnestness and enthusiasm,—while others are comical in their queer expression of ideas.

Let me here quote one or two verses, which with others have caused the psalms of Sternhold and Hopkins to become a proverbial designation for bad poetry, and prompted even John Wesley to describe their work as “the scandalous doggrel of Hopkins and Sternhold.”

Thomas Sternhold shall give us the first specimen. In the 78th Psalm, the 7th and 8th verses David describes in grand and majestic language the march of the eternal GOD before the Israelites when they left the land of Egypt “O GOD when Thou wentest forth before the people, when Thou wentest through the Wilderness. The earth shook, and the heavens dropped at the presence of GOD even as Sinai also was moved at the presence of GOD who is the GOD of Israel.” Here is the paraphrase which satisfied the English singer for nearly two centuries.

- 7 When thou didst march before thy folk
th' Egyptians from among
And brought 'st them through the wilderness
which was both wide and long
- 8 The earth did quake, the rain pour'd down,
heard were great claps of thunder ;
The mount Sinai shook in such sort,
as it would cleave in sunder
- 9 Thine heritage with drops of rain,
abundantly was washt :
And if so be it barren wext,
by thee it was refresht.
- 13 And though ye were as black as pots
Your true shall pass the Dove :
Whose wings and feathers seem to have
Silver and gold above.
- 17 God's armies is two millions,
of warriors good and strong :
The Lord also in Sinai,
is present them among.

Yet one more,—Psalm VII.

- 12 Except he change his mind, I dye,
for even as he should smite :
He whets his sword, his bow he bends,
Aiming where he may hit
- 13 And doth prepare his mortal darts
his arrows keen and sharp,
For them that do me persecute,
whilst he doth mischief warp
- 14 But lo, though he in travel be
of his devilish forecast :
And of his mischief once conceiv'd
yet brings forth nought at last.
- 15 He digs a ditch, and delves it deep
in hope to hurt his brother :
But he shall fall into the pit
that he digg'd up for other.

Let us now take one or two specimens of Hopkins' muse, which are just as curious as those of his colleague. In Psalm LXXVIII, an expression occurs twice which is far from poetic—although its meaning is plain. The psalmist had been speaking of the people of Israel, and of their religious apostacy, and he says in reference to God their leader.

- 10 For why? they would not keep with God
the covenant that was made :
Nor yet would walk or lead their lives.
according to *his trade*.
- 11 But put into oblivion
his counsel and his will
And all his words most magnifique
which he declared still.
- 37 For why? their hearts were nothing
to him, *nor to his trade*
Nor yet to keep or to perform
the covenant that was made.

To modern ears the mention of GOD'S trade seems almost blasphemous. John Hopkins, however, was too religious a man to use any phrase with that intention.

It might be noticed that in the edition of these Psalms, from which these extracts are taken, the note of interrogation is always printed backwards.

In Psalm LXX, 3rd verse, there is a phrase which even to this day is used as a slang expression. 'Let them for their reward be soon brought to shame, that cry over me There, There,' is thus put into metre.

- 3 Confound them that apply
and seek to work me shame
And at my harm, do laugh and cry
so, so, there goes the game.

One of the most extraordinary pieces of composition is found in the 11th and 12th verses of Psalm LXXIV. Its literalness of expression as applied to the great GOD tells us of the familiar way in which Jehovah—the great "I am"—was regarded in those early days of Reform. Our Prayer Book has it "O GOD, how long shall the adversary do this dishonour, how long shall the enemy blaspheme thy Name, for ever? Why withdrawest thou thy hand, why pluckest thou not thy right hand out of thy bosom to consume the enemy."

- 11 When wilt thou (LORD) once end this shame,
and cease thine enemies strong?
Shall they always blaspheme thy Name,
and rail on thee so long?
12 Why dost thou draw thine hand aback
and hide it in thy lap?
O pluck it out and be not slack
to give thy foes a rap.

Warton quotes the 54th verse of this Psalm as an early example of a contrivance which is sometimes met with in modern burlesque poetry—*i.e.* ending the lines in the middle of a word, *e.g.* :—

- And brought them out into the borders
of his holy lande :
Even to the mount which he had purchased
with his right hand.

This reading, however, was altered in later editions. In the one from which the extracts above have been taken (1653) a great improvement has been made.

- 54 And brought them out into the coasts
of his own holy land.
Even the Mount which he had got
by his strong arme and hand.

There were four editions of this Psalter, *viz.*, 1561, 1562, 1566 and 1567.

The oldest edition of this Version has the following title :—"Psalms of David in English metre by Thomas Sterneholde and others: conferred with the Ebrue, and in certain places corrected (as the sense of the Prophet requireth) and the Note joyned withall. Newly set fourthe and allowed according to the Order the Queene's Majestie's Munitions 1560."

"Imprinted at London by John Day dwelling over Aldersgate beneath S. Martins. These bokes are to be sold at his shop under the gate 1561."

In an edition bound up with the Bible bearing date 1599 there occurs the following additions to the Title "with apt notes to sing them withall. Set forth and allowed to be sung in all churches of the people together before and after morning and evening prayer; as also before and after sermon, and moreover in private houses for their godly solace and comfort, laying apart all ungodly songs and ballads, which tend onely to the nourishment of vice and corrupting of youth."

The melodies to which these Psalms were sung were adaptations from the French and German, given in the edition of 1562, and Anthony à Wood "says the poetry and music being admirable, and the best that was made and composed in these times, they were thought fit to be sung in Parochial Churches." *

This version is said (in the Title above) to have been "conferred with the Ebrue," but I am inclined to think, says Warton, that the translation was altogether made from the Vulgate text, either in Latin or English.

It is evident the prose Psalms of our Liturgy were chiefly consulted and copied, by the perpetual assumption of their words and combinations. †

With regard to the authority for using these Psalms in the service of the Church we have the following testimony :—

"Sternhold and Hopkins' Psalms were first introduced by the Puritans and afterwards continued by contrivance. But they never received any royal approbation, or parliamentary sanction notwithstanding it is said on the Title page "set forth

* *Athenae Oxoniensis* (1691), I., p. 62.
† *IV.*, 132.

and allowed to be sung in all churches." This is humorously attested by Sir John Brakenhead in his witty character of an Assembly man or Independent, who is made to tear the liturgy and burn the Book of Common Prayer; yet he has mercy (he adds) on Hopkins and Sternhold, because their metres are sung *without authority* (no statute, canon or injunction at all)—only like himself, first crept into private houses, and then into churches. Wither gravely confirms the same in the following paragraph from his *Scholler's Purgatory*. "By what publicke example did we sing David's Psalms in English meeter before the raigne of King Edward the Sixth? or by what *command* of the Church do we sing them as they are now in use? Verily by none. But tyme and Christian devotion have just brought forth that practice, and custome ripening it, long toleration hath in a manner fully authorized the same."

At the beginning of Elizabeth's reign our ecclesiastical reformation began to be placed on a solid and durable establishment. Those English Divines, who fled during Mary's reign, came back imbued with Geneva ideas endeavouring to abrogate solemn church services which they pronounced unevangelical, and contending that the metrical Psalms of David set to plain music were more suitable to the simplicity of the Gospel. Elizabeth was firm, however, and she and the Bishops, among whom was Archbishop Parker, objected that too much attention was already paid to German theology. No more concessions therefore were made to the "importunate partisans" of Geneva, and it was peremptorily decreed that the choral formalities should still be continued in the celebration of the Sacred offices. *

Strype, however, gives the following as an authority for singing the Metrical Psalms in Church. "This practice", he says, "was now authorized by virtue of the said proviso which ran in this tenor: Provided also that it shall be lawful for all men, as well in churches, chapels, oratories, or other places, to use openly any psalm or prayer taken out of the Bible, at any due time; not letting or omitting thereby the service, or any part thereof, mentioned in the said book." From hence it is

* Warton IV., p. 138.

that the title page of our present books, the hymns and psalms on metre carry these words "Set forth... ..after morning and evening prayer, and also before and after sermons, and, moreover, in private houses, for their godly solace and comfort".* Here is the rather fulsome Preface, prefixed to this version.

Preface (Dedication to Edward VI). Although, Mooste Noble Souereine the grosnesse of my witte dooeth not suffice to searche out the secret misteries hidden in the Book of Psalmes, whiche by the opinion of many learned menne, comprehendeth the effecte of the whole Bible, yet trustyng to the goodnesse of GOD whiche hath in his hande the Reie thereof, which shutteth and no man openeth, openeth, and no man shutteth, albeit I cannot giue to your Majestie great loaves thereof, or bryng into the Lordes Barne full handfulles to the entent that I wolde not appere in the harvest utterly idle and barain, beeyng warned with the example of the dire Figge tree, I am bolde to present unto your Majestie a few crummes, whiche I have picked up from under the LORDS boorde. And am gladde with the poore woman Ruth the Moabite, to come behynde and gather a few eares of corne after the reapers, tenderyng thanks to Almightye GOD, that hath appointed us such a King and Governour, that forbiddeth not laie-men to gather and lease in the Lordes Harvest, but rather commandeth the reapers to cast out of their handfulles emong us, that we may boldly gather without rebuke. Perceiving also, that your Majestie hath so searched the fountaines of the Scriptures, that yet beeyng young, you understand them better than many elders, the very meane to attain to the perfeicte government of this your realme, to GOD's glory, to the prosperity of the public wealthe, and to the comforte of all your Majestie's subjects. Seyng further that your tender and godly zeale dooeth more delight in the holy songes of veritie, than in any feigned Rimes of varietie, I am encouraged to trauail further in the said boke of Psalmes; trustyng that as your Grace taketh pleasure to hear their song some tymes of me, so ye will also delight not only to see and read therein yourself, but also to commande them to be sung to you of others, that as ye have the Psalm itself in your minde, so ye may judge myne endeavour

* *Ecclesiastical Memorials*, Vol. II., P. I, p. 135.

by your ear. And if I maie perceive your Majestie willing to accepte my will herein, where my dooyng is no thank worthie, and to favoure this my begynnyng, that my labour bee acceptable in performyng the residue, I shall endeavour myself with diligence, not onely to enter that which better learned ought more justly to dooe, but also to perfourme that without faulte whiche your Majestie will receive with justethanke.

The lorde of the yearthly Kinges,
give your grace daily encrease
of your godly requestes
in hym, withoute
whose gifte wee
have or can
obtain no,
thing.

We now pass on to the various contradictory opinions on this version.

Warton says, "To the disgrace of sacred music, sacred poetry, and our established worship, these Psalms still continue to be sung in the Church of England Whatever estimation in point of composition they may have attracted at their first appearance in a ruder age, and however instrumental they might have been at the infancy of the Reformation in weaning the minds of men from the papistic ritual, all these considerations can now no longer support even a specious argument for their being retained A work grave, serious, and even respectable for its poetry in the reign of Edward VI., at length, in a cultivated age has contracted the air of an absolute travestie."

Again,—“It is certain that this translation in its genuine and unsophisticated state, by ascertaining the signification of many radical words now, perhaps undeservedly, disused, and by displaying original modes of the English language, may justly be deemed no inconsiderable monument of our ancient literature, if not of our ancient poetry.”

He also testifies in another place: “Allowing for the state of our language in the middle of the sixteenth century, they appear to have been little qualified either by genius or accomplishments for poetical composition. It is for this reason that they have produced a translation utterly destitute of

elegance, spirit and propriety. The truth is that they undertook this work, not so much from an ambition of literary fame, or a consciousness of abilities, as for motives of piety, and in compliance with the cast of the times. I presume I am communicating no very new criticism when I observe that in every part of this translation we are disgusted with a languor of versification, and a want of common prosody. The most exalted effusion of thanksgiving, and the most sublime imageries of the divine majesty, are lowered by a coldness of conception, weakened by frigid interpolations, and disfigured by a poverty of phraseology.”

Dr. Brown says, “In the whole Book of Psalms as they are versified by Sternhold and his companions there are few stanzas which do not present expressions to excite the ridicule of some part of every congregation. This might well be abolished as it exposeth one of the noblest parts of divine service to contempt.” *

Sir John Hawkins observes that the early translation of the psalms into metre “was the work of men as well qualified for the undertaking as any that the times they lived in could furnish; and he deemed Fuller had not greatly erred in saying that ‘match these verses for their ages, they shall go abreast with the best poems of these times.’ ” †

Holland says, “Thomas Sternhold deserves the generous respect of every English Churchman, not only for what he did himself, but for what he must be considered the first in the country to set the example of doing; and if we cannot claim in honour of his memory any approach toward that ‘heaven of invention’ which is the highest aim of the original poet, let us not withhold from him the merit of having endeavoured to teach, not only the gifted, but the ‘common people’ to scale by ‘a ladder whose top reached unto heaven,’ heights more sublime and holy than those to which the Muse, not ‘endowed with inspiration’s wings’ could ever plume her flight.” ‡

James Montgomery :—“The translation of the Psalms by Sternhold and Hopkins and others, in the reign of Edward VIth.

* *Discourse on Poetry and Music*, p. 213.

† *History of Music*, Vol. III., p. 512.

‡ *Holland’s Psalmists of Great Britain*, p. 99.

with some slight improvements keeps its place to this day in many churches of the English establishment. The merit of faithful adherence to the original has been claimed for this version, and need not be denied, but it is the resemblance which the dead bear to the living; and to hold such a version forth (as some learned men have lately done) as a model of standard psalmody for the use of Christian congregations in the nineteenth century, surely betrays an affectation of singularity, or a deplorable defect of taste. A few nervous or pathetic stanzas may be found here and there, for it was impossible, in so long an adventure, to escape falling into a better way now and then."*

Bishop Horsley :—(of S. Asaph):—The metrical version of the old singing psalms by Sternhold and Hopkins is not (he says) what I believe it is now generally supposed to be, nothing better than an awkward versification of a former English translation; it was an original translation from the Hebrew text, earlier by many years than the prose translation in the Bible; and all that are in any degree paraphrastic, as all in verse to some degree must be, it is the best and most exact we have to put into the hands of the common people. The authors of this version considered the verse merely as a contrivance to assist the memory. They were little studious of their numbers, or the elegance of their diction, but they were solicitous to give the full and precise sense of the sacred text, according to the best of their judgment; and their judgment, with the exception of some few passages, was very good, and at the same time that they adhered scrupulously to the letter, they contrived to express it in such terms as, like the original, might point clearly the spiritual meaning. It was a change much for the worse, when the pedantry of pretenders to taste in literary composition thrust out this excellent translation from many of our churches, to make room for what still goes by the name of the New Version, that of Tate and Brady, which, in many places where the Old Version is just, accurate, and dignified by its simplicity, is careless and inadequate, and, in the poverty and littleness of its style, contemptible. The innovation, when it was first attempted, was opposed, though,

* *The Christian Psalmist* Introductory Essay, p. VI.

in the end, unsuccessfully, by the soundest divines, the most accomplished scholars, and the men of the truest taste, at that time, in the seat of authority in the Church of England.*

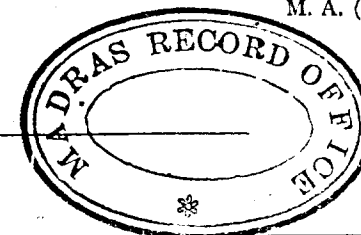
Thomas Campbell :—"With the best intentions, and the worst taste they degraded the spirit of Hebrew Psalmody by flat and homely phraseology, and mistaking vulgarity for simplicity, turned into bathos, what they found sublime."

Keble and other competent judges have valued the old version for its accuracy in representing the Hebrew original.

Lines on the Versions.—The following were found on the Fly-leaf of an old Greek Testament and Prayer Book, intended apparently as a kind of relish after "The whole booke of Psalmes; collected into English metre, with apt notes to sing them withall."

'When the Royal Psalmist strung his golden lyre,
GOD smiled upon him and he sung with fire;
The Voice of Music lent sublimer aid,
To breathing thoughts in burning words arrayed;
O what a fall is here when Brady palms
His limping doggel off for David's Psalms!
All sin alike; the same dull scrawnel grates
In Thomas Sternhold's, as in Nahum Tate's.
One with crude baldness sets the teeth on edge,
One creeps meandering girt with slimy sedge;
Unmeaning platitudes the sense impede,
As sluggish rivers with the noisome weed
Shall we who boast of Intellect refined,
Of social progress, and the march of mind
Still use such jargon in Jehovah's praise,
And shine in any but religious lays?
And shall men retrospect in time to come.
And own that with us sacred song is dumb?†

M. A. (Cambridge).



* *The Book of Psalms*, by Samuel Horsley, LL.D., Vol. I., Preface, p. XI.
† *Notes and Queries*, Vol. I., 1880 VIth series, p. 41.

Art. IV.—THE CONSOLIDATION OF THE BRITISH SUPREMACY IN CENTRAL INDIA.

THE history of the rise of the British Empire in India is full of many interesting facts. The foundation of the Empire was unconsciously laid by the merchants who landed on this continent. Coming in the wake of the Portuguese, the Dutch and the French, the English found the ground prepared for them. But it was not thought then that these very traders would one day become the paramount power on this vast continent and would be beloved and admired for their justice and their mode of governing this vast dependency. The British nation was called later on, by Napoleon, a "Nation of Shop-keepers" and this remark is justified when we consider the growth of the British Empire in India. The Central authority at Home was ever unwilling to add to their burden by undertaking the government of any lands in their possession. But it is to the individual members of that great and mighty nation that the present-day British Empire in India is due. It is to Clive, Warren Hastings, Wellesley, Hastings, Hardinge and Dalhousie, that the credit of raising England to the first grade of the European Powers is due. It is an uncontrovertible fact that had not England possessed India, she would not have been able to shine forth as she shines now. It is to a general, trained on the battle fields of India, that the saving of Europe from the oppression of a mighty commander, was due. That incident raised England to the highest position in Europe. Indeed England was feared and respected for her renowned fleet, but it was on the field of Waterloo that the British soldier showed his valour to the banded nations of Europe.

But even as it was, it is no wonder that the Indian Empire was not built in a day, but in a generation, yet it is to the credit of the nation that it was firmly established in a century. Since the battle of Plassey, the first battle which gave England a chance in India, to the Mutiny, scarcely more than a century had passed, and after the unfortunate

revolt the foundations of the British Empire were laid on still surer grounds. India is not a country,—it is a continent. It teems with many nations as well as with many countries, which are as dissimilar to one another in any and every respect, as possible. Had India offered a united opposition to the rising of the British power in India, as Northern India did on behalf of Porus, when Alexander came, the rise of the British Empire might have been arrested, for a few more centuries at least. Whether that would have been for good or not, is a different question. One nation after another rose and subdued the other and when its vitality was exhausted, it allowed itself to be subdued by others. The Kauravas became powerful and made the other nations bow to them, when the Pandavas again rose and annihilated their rivals. The fearful carnage of the Mahabharat on the bloody field of Kurukshetra resulted in a clear loss to India and when the Pandavas and other heroes passed away nothing but misrule was to be seen on this continent. It is related that even the wives of Shrikrishna were pillaged and ravaged by the robbers on their way to Hastinapur where Parikhiti reigned over a remnant of the great Pandavas' Empire.

Coming now to historical times we find Asoka, the great king of Magadha, whose edicts have been discovered at enormous distances from one another, indicating the extent of his empire, which seems to have been more in acreage than the contemporary Roman Empire of the West. But the name of his successor is not renowned. The Vikramaditya, of Ujjain, and Shalivan, of Southern India, were masters of wide empires, but their empires do not seem to have continued for many centuries. This is the greatest difference between the East and West. In the West the Roman Empire continued for many ages, while the Holy Roman Empire founded by Charlemagne, lasted, if latterly only in name, till the beginning of the present century (19th). The Mahomedan sway over India lasted continuously for about 1,000 years, but then it was never co-terminus with the present boundaries of India. Only the Moghal Empire shone with some splendour, but its magnificence began with Akbar and ended with his great grandson, Aurangzeb. The Marathas spread their sway over

India after the Moghals and from the former it was that the British succeeded in wresting India.

The minute study of the history of the Marathas would point out many striking similarities between their mode of government and the policy of the British Government. The supremacy of the Marathas was as far-reaching and as patent as of the present rulers of India. Not unlike the British, the Marathas kept their diplomatic agents at various Courts and they were entrusted with the same functions, as their modern prototypes. Their despatches which have now come to light by the efforts of Maratha scholars, reveal the same insight into political matters as is shown in the writings of Elphinstone, Munroe and Malcolm. From such a nation the British conquered India. The history of this struggle when it comes to be written by a scholar conversant with the facts of both sides, will be highly valuable and interesting. It is intended in the following pages to notice the struggle between the two nations for supremacy in that part of India which is now known as Central India.

The tract which is bounded on the north by Rajputana, on the east by the Jumna and the Ganges, on the south by the Amarkantak range and the modern Central Provinces and on the west by the Bombay Presidency, has been given the name of Central India by the early British administrators. It comprises three great countries of the ancient Aryavarta. The most prosperous and rich among them being Malava, while the other two—Chitrakuta and Amarkutana—were mere deserts. The Malava is now slightly changed to Malwa and the other two have been changed into Bundelkhand and Bhaghelkhand respectively, according to the names of the Rajput races, who migrated to those parts in early times. Malwa has been known for its richness of soil and its salubrious climate. It consists partly of table lands and partly of long undulating plains of rich black soil, which yield an exuberant crop of opium and wheat, and are known far and wide for their quality. The Memoir of Central India by Sir John Malcolm teems with a minute description of Central India, and its history, too, is very carefully disclosed by its learned and gallant author, to whom it fell to reorganise the administration

of this rich country. It was not rich when Malcolm saw it—it had yielded its riches to numerous hordes of plunderers but under a safe and peaceful Government it soon began to give splendid results. Within eight years of his having taking the administration of the Holkar State under British protection, Tantiya Jogh, the Minister of Indore, was able to raise the revenue of the State from 4 to 37 lacs of rupees.¹ This was not an exception but the rule. The Jahagirdar of Panth Pimploda, a Maratha Sirdar, who was given a grant of ten villages by the Peshwa Madhav Rao for services rendered at Panipat during the campaign of 1761, was content to lease his villages for odd Rs. 10,000 to local zamindars, but within ten years of the establishment of the British supremacy in Central India, the revenue of those 10 villages rose from Rs. 10,000 to Rs. 25,000.²

In the palmy days of the Maratha Empire, this land also yielded a large revenue. The well-known Ahalya Bai, of Indore, was able to collect and distribute enormous sums of money in charity which were raised from her dominions in Malwa. It was during the anarchy which prevailed in the days of Yeshwant Rao and his Pindari horde that the prosperity of Malwa became a thing of the past.³ The well-known firm of the Joghs was a prosperous concern in the days of Ahalya Bai at Maheshwar, but in the days of her vagabond successors its name had become a thing of the past.

This rich province of Malwa was conquered by Baji Rao I., who was accompanied by Malhar Rao Holkar, Ranoji Shinde and Paraji Pavar—persons who established separate States for themselves in the declining days of the Maratha Empire. Reserving a small portion for the Pavars, the newly conquered province was equally given under the spheres of influence of Holkar and Shinde. These two Chiefs, whose offices became hereditary, managed the areas under their sphere of influence according to the wishes of the Central Government at Poona. It was in the family of the Shinde that Mahadaji who came so much in contact with the early British administrators was

¹ *Lord Hastings, Rulers of India*, p. 174.

² *Family Papers*.

³ *Malcolm's Memoir*, Vol. I., p. 231.

born. His name and the name of the celebrated Nana Pharnavis are perhaps the best known to English readers.

During the early days of the last decade of the eighteenth century Nana and Mahadaji had raised the Maratha Empire to the glory of the pre-Panipat days ; and it speaks much for the wisdom of the former statesman that he had in those early days forecasted the probable rise of the English.¹ In his various letters to Mahadaji and Haider Alli, of Mysore, he again and again dwelt upon the far-reaching policy of these foreigners, and true patriot, as he was, he made a last attempt to overwhelm the English and to drive them out into the sea. But the selfishness of Mahadaji and the over activity of Haider, brought the plan to an inconclusive end, and with the death of Mahadaji in 1794, the Maratha Empire began to wane. Mahadaji's death was soon followed by that of Harripant Phadake, who was Nana's most trusted councillor and a very able general. Tukoji Holkar also passed away in 1797 and the Peshwa Madhav Rao II. himself died insane in 1798. With the sad crowding of these calamities Nana's hopes were doomed to failure. He himself led an ignominious life for two years more, having become a tool in the hands of various factions ; but it was clear that his great work was undone. Henceforth that rich country, Malwa, was condemned to ruin and many a battle was fought on its plains, only to disfigure its surface as well as its history.

With the weakening of the central authority at Poona there began a reign of terror in that part of Central India, which was known as Malwa.² He who was powerful at the time became a terror to the neighbouring Chiefs, and even the ordinary zamindars who were subdued by the Marathas, began to lay pretensions to sovereign rights and to huge areas. This putting forth of the claims by the zamindars had far-reaching results, when Sir John Malcolm settled Central India some eighteen years later. The throne of Holkar having become vacant, dissensions arose among the four sons of

¹ *Materials of the Maratha History*, Vol. VII. (in course of preparation). Edited by S. V. Athalje B.A.

² For the influence of the central Maratha authority,—see the present writer's paper in the *Calcutta Review* (October 1899) on the Marathas and Rohillas.

Tukoji Holkar and after all Yeshwant Rao succeeded in occupying the territory of Holkar.

The campaign of Khurda—the last memorable war carried on by the Marathas—had brought together all the Chiefs of the Maratha confederacy and the death of Madhav Rao, which followed soon after, opened a field for new intrigues. The son and successor of Mahadaji Dowlat Rao Scindia, remained at Poona to take into his hands the central authority, but he lacked the wisdom, strength, and forbearance of his great predecessor, whose unfulfilled wishes he wished, vainly enough, to carry into effect. The weak and childish Rai Baji was a mere puppet in his hands, but the invasion of Poona by Yeshwant Rao unsettled Dowlat Rao's plans and a new complexion was given to the whole history of the Marathas. The next sixteen years or so, from 1802 tell the tale of the building of a new Empire.

It was Warren Hastings who established the land power of the English Government in spite of the wishes of his superiors and the inevitable House of Commons, where he was arraigned for the fault of founding an Empire, which has now made England what it is to-day. It has been well and truly said that the British Empire in India has been built in spite of the House of Commons and if it is to be ever lost, it will be lost through the intervention of that august body. No less an authority than the present Viceroy of India, has given out as his deliberate opinion that he does not know what mischief that body would do to the establishment of the British influence in the Far East, before the House of Commons ceases to exist.¹ Aft the departure of Warren Hastings, Cornwallis was sent with a mission of peace. And he succeeded so far that he put a stop to the growth of the British Empire in India. But as the Maratha Empire began to wane, so a man of masterful genius, in the person of Lord Mornington, happened to be appointed at Calcutta and altogether a new turn of affairs was given to the history of India.

In the very year which proved to be of the death of Madhav Rao II., Mornington, who is better known as the Marquess of Wellesley, assumed the supreme command at Calcutta.

¹ *Problems of the Far East* (1st Edit.), Curzon, p. 424.

The Nizam's power had been crushed by the disastrous defeat he suffered at the hands of the Marathas, in the campaign of Kharda, and he tried to ally himself more and more with the rising English nation. The growth of the influence of the French at his Court was distasteful to the English and Wellesley succeeded in September 1798 in forcing a treaty upon the Nizam. The terms of the treaty made it incumbent upon the Nizam to keep a subsidiary force and to oust all the Frenchmen from his service. "The disbandment of the French force, the earliest triumph of the new Governor-General," says Hutton "was cordially approved at home."¹ The internecine struggle which shortly commenced in the Maratha Empire was neither conducive to the good management of the confederacy, nor was it distasteful to the English Company, which, under its new head, clearly perceived in it a coming opportunity. The Sikh power in the Punjab was at a distance from the English boundary. The only power which was to be crushed was that of Mysore. A joint expedition was started against Tippu, by the Marathas, the Nizam and the English. The former retired early in the strife, while the Nizam and the English succeeded in rasing Shrirangpattan to the ground. The Nizam was rewarded with a large slice of land from the newly-acquired territories, while the Marathas were denied share in the plunder. This was the first indication which Wellesley gave to the latter of their being lowered in the eyes of the English.²

¹ *Marquess of Wellesley (Rulers of India).*

² It has been generally held that Wellesley was the originator of the masterly scheme of forcing subsidiary forces on the Native Chiefs, a measure, which, above all others, gave such an easy and sure footing to the English, but the following treaty between Madhav Rao I. and Janoji Bhosali in 1766, reveals the original authors of the policy and it is not unlikely that Wellesley might have borrowed his policy from the Marathas.

Treaty of peace concluded between Madhav Rao I. and Devaji Pant, on behalf of Janoji Bhosali.

VI. The Bhosali should be ready to proceed with his army, whenever the Peshwa's Government would call him for aid.

V. The Bhosali should neither increase nor decrease his army without the orders of the Peshwa.

VII. The Bhosali should not cultivate friendship with the following, without the consent of the Peshwa's Government. The Emperor of Delhi, the Nawab of Oudh, the Rohillas, the English and the Nizam.

XII. The Peshwa should send an army to aid the Bhosali, in case the latter is attacked by enemies.

Such was the state of affairs in India, when the suicidal and ill-judged action of Yeshvant Rao Holkar, drove the notorious Rai Baji into the hands of the English at Bombay. The Marquess of Wellesley now knew that his opportunity had come. Fired by the spirit of the age, the Marquess of Wellesley had longed to emulate the career of Napoleon, (which was then at its height in Europe,) in India, and in his designs he was ably assisted by his brother who afterwards became the Duke of Wellington. Rai Baji signed a treaty of peace with the English in which, *inter alia*, he renounced all his claim of suzerainty over Central India. Wellesley now subdued the Shinde, who was attacked from the south by Sir Arthur Wellesley and from the north by Lord Lake, and then began to tackle Yeshvant Rao Holkar. But he had underrated the abilities of his adversary. This master of plunderers, Yeshvant Rao Holkar, had once said that his territory rested on his saddle and the acres absorbed by his innumerable cavalry were his lands.

Lord Lake was at first successful and appears to have taken Rampura, the northernmost Fort of the Holkar State, but for some unknown reason, he retired to Cawnpore and sent Colonel Monson on with five battalions of native infantry, some artillery and about 4,000 irregular horse to keep Holkar in check, but Holkar was not a person to be kept in check.¹

Holkar allowed Monson to advance to Mundissore—a few steps more towards his capital Indore from Rampura, and then, as a native ballad says, "drove him beyond the Jumna." Monson lost heavily near Kota, and having thrown his heavy artillery in the Chambal, made good his retreat and joined Lake at Cawnpore. Indeed, but for the invaluable help rendered by Zalim Singh, the well-known Regent of Kotah, Monson's force would have been completely annihilated. Yeshvant Rao then advanced to Bharatpur with him and having enjoyed the hospitality of the Jat Prince, whose friendship with the House of Holkar was traditional, marched on to Farukhabad. The Nawab of that place received him hospitably, but when the Maharaja was at supper he

¹ *Wellesley (Rulers of India)*, p. 101.

brought in a force of English into the fort,¹—thereupon the Maharaja made his way through the advancing army, and went to Lahore, where Ranjit Singh, with an army of 200,000 troops received him and the two generals and warriors met with mutual admiration. The English sent messengers to Ranjit Singh to say that they were defeated, and through the instrumentality of Ranjit Singh negotiations for peace were entered into with Yeshvant Rao. Yeshvant Rao thought it expedient to enter into a treaty with the British Government as he was at this time now far away from Malwa and his army was unwilling to fight its way back. The treaty was concluded on the Beos in December 1805 and Yeshvant Rao returned to his country safely.²

Allusion has been made to the prevailing of the reign of terror in Central India after the weakening of the central authority at Poona. On his return from the capital of the late Maratha Empire, Yeshvant Rao worked his revenge on Scinde by sacking his capital in Malwa, Ujjain. Shinde's army headed by the notorious Sarjerao Ghatge attacked Yeshvant Rao near Mhow, his camp in the later days of his life, and having defeated him, marched on to Indore his capital. With horrible cruelties he sacked the city and having secured what he wanted, went away. This is the only instance worth remembering as it relates to the two great Chiefs of Central India. But the miseries of the smaller Chiefs, such as the Pavars of Dhar and Devas, were beyond description. Yeshvant Rao annexed the two

¹ An original paper in the possession of the present writer, whose paternal great grandfather, Taantiya Jogh, was with Yeshvant Rao, on this occasion.

² In Aitchison's "Treaties, Engagements and Sanads," the narrative is quoted in a different light. Thus "In the war (between Yeshvant Rao and the English) which followed, Holkar was completely overthrown. He was pursued by Lord Lake across the Sutlej, whither he retired in the hopes of forming a combination with the Sikhs against the British Government and on 24th December 1805 he signed a treaty on the banks of the Beos by which he was stripped of a large portion of his territories." But a perusal of the Article No. 53 will reveal the fact that the above narrative savours more of political duplicity than of history. If, forsooth, Yeshvant Rao was completely overthrown why did the British Government engage to return to him his so-called ancient possessions of the Family of Holkar in the Deccan which had come into the hands of the English? A close perusal of the treaty will also reveal the fact that it was rather a triumph for Yeshvant Rao than for Lord Lake, if it is said that the former was at the mercy of the latter.

parganas of Taland Mandaval which belonged to the Pavars of Devas to his dominions. Along with them he also took possession of the jagir of the Khandekar which was given to the Brahmin Chief of that surname by Madhav Rao I. On representations being made at Poona, Dowlat Rao brought pressure to bear upon Holkar who subsequently released the jagir of the Brahmin Chief.¹ The Marathas had never interfered with the fiscal administration of the provinces which came under their rule, but left the local affairs in the hands of local men. Thus invariably the headman of the village or villages was made the chief subordinate officer under a head Maratha, and only a sort of tribute was levied from them. When the authority of the Marathas declined, these petty headmen, who were generally of the Rajput descent and hence were called Thakurs, began to defy the authority of the Marathas and for the realisation of the revenue of a village or a coterie of villages a regular army had to be maintained, and at no time was revenue ever realised without bloodshed of more or less serious nature. These Thakurs frequently built small forts in their villages and were alike a terror to the traveller or revenue collector in the beginning of the present century (19th). The existence of these Thakurs had very far-reaching results when Sir John Malcolm settled Central India. These Thakurs were regarded as reigning Princes and powers were given to them, which they had never enjoyed before. This reduced the authority and the weight of the Maratha States in India. But no less than the Marathas, they were foreigners to the country. They had either come to Malwa as officers of the Mogul Empire or had migrated to these rich lands for their wealth. The recognition of these Thakurs as rulers of the soil was a great injustice to the Maratha Chiefs who had employed them as mere revenue collectors on account of certain advantages they derived from them, for example, because of their earlier advent into the country they were more familiar with the rayats. Would it be justifiable if the large zamindars of Bengal were made to-morrow rulers with sovereign rights, by a foreign power and would it be liked by the English? Specific instances of these mistakes

¹ Family Papers (unpublished) of the Khandikar family.

and the hardships they caused will be shown later,—but the recognition of these petty chiefs, who had arrogated to themselves such powers as they possessed when the deliverance under the British came during the anarchy in Central India,—was a great blunder.

Sir John Malcolm has in his "Memoir of Central India" described the anarchy into which Central India was plunged before the battle of Mahidpur, but much of the blame must be attached to those short-sighted persons, who, having destroyed the central authority at Poona, did not proceed to follow its natural course. It was left to Lord Hastings to abolish the misrule in Central India and Rajputana. The atrocities committed by Holkar and Shinde in Rajputana, after the withdrawal of the British protection by Lord Cornwallis, are simply indescribable. The Rajput Princes under the ægis of the British Government under Wellesley, had defied the exorbitant demands of the Marathas, but later on they had to repay those demands with interest. The Maratha Chiefs in Malwa oppressed the Thakurs, who in their turn oppressed the rayats. Life had become unsafe throughout the country. The atrocities of Sarjerao Ghatge are remembered with horror to this day by the people.

The Pindaris who became a terror to the public during the first quarter of the present century had their origin with the Maratha army itself. They were a body meant and kept for plundering the opposing army, when it was totally defeated by the regular forces. This saved much trouble to the main army, giving it a well-earned rest after its main work was over. In the early days of the Maratha Empire regular watch was kept over the actions of the Pindaris and the booty brought by them was carefully divided. Although since the days of Panipat the Pindaris began to break loose from all law and government, yet at the battle of Kharda, with the Nizam, in 1795, the Pindaris showed themselves to be a part and parcel of the army and the booty brought in by them was equally appropriated by the Peshwa and the Pindaris. The battle of Kharda, however, was the last glorious strife fought by the Marathas, and with the passing away of Harripant, Mahadaji and Tukoji and with the succession of Babu Gokhale, Trimbakji, Dowlatrao,

Shinde and Yeshvant Rao Holkar, all system in the army was broken and the Pindaris became a lawless horde and among their ranks were to be found soldiers of fortune such as Amir Khan, Chitoo, and others. Not unlike the *thugs*, whose harrowing deeds are eloquently depicted by Colonel Meadows Taylor in his "Confessions of a Thug," the Pindaris included all castes and creeds and their conduct was not governed by any settled plans.

The early part of the present century, was one of shame to Indians and men, for many bad characters were born all over the country. If the notorious Trimbakji Dengala was supreme at Poona, Surjirao made his influence felt at Gwalior and Tulsabai was a very witch at Indore. Even at Bhopal, which was at this period a small chiefship, there was one Muridmahomed Khan about whom the present enlightened ruler of Bhopal records, that his very name causes fear and resentment among the Bhopalis, and when the citizens of Bhopal ever go to Sironji they stop in the way to strike five shoes at the place where that devil was buried.¹ All over the country, men of this stamp arose and when the English deliverance at last came in 1818, it was welcomed by the rich and the poor alike.

But the question might pertinently be asked, why did not the British undertake the settlement of Malwa and Rajputana in the days of Wellesley? Scindia was obliged to accept a subsidiary alliance by the treaty of Surge Aujan Gaom, Bhosali was awe-struck, and the Peshwa had become an ally of the English, while the weak Gaikwad had already placed himself under the protection of the English. The Rajput Chiefs had long lost their power of resistance and the matter would have been an easy one for the English, who would have been spared the loss of prestige which resulted from the hasty actions of Cornwallis and Barlow. But an answer to the dilemma will be found in the State papers of those times.² In one of the last letters written in India by General Wellesley, he said: "I hope to God we

¹ *History of Bhopal* by H. H. Shahajana Begum.

² *Kaye's Life of Malcolm*, Vol. II., p. 311.

shall be able to avoid a war with Scindia. Take my word for it, we are not now in a state to attempt the conquest of Malwa." Monson's hasty action proved the truth of these remarks. How alarming the position had become may be gathered from the following extract from Sir John Malcolm's letter to the Marquess of Wellesley.¹ He wrote: "Our situation is at present truly alarming. Holkar is at Ajmere and prepared to enter our provinces" (which as will be remembered he did afterwards). "Scindia (if Lord Cornwallis does not immediately comply with his demands for the restoration of Gohud and Gwalior) will perhaps not assist Holkar openly, but try to preserve a secret understanding with him, and remain neutral till he sees how affairs turn. This line will be a great advantage to the confederates, if we permit them to pursue it, as Scindia is everywhere tangible—Holkar nowhere." It would appear then that in such a state of affairs, the actions taken by Cornwallis and Barlow, in spite of the men of Sir John Malcolm's stamp, was the best suited for the occasion. Cornwallis permitted Scindia to occupy Gwalior and Gohud, while Barlow was obliged to surrender Tonk-Rampura, which was wrested from the Holkar, by the treaty concluded on the Beos, and the protection of the English granted to the Raja of Jeypore was also withdrawn. The latter was left to the mercy of Holkar, who lost no time in robbing this wealthy prince of much of his wealth. The arguments put forth by Sir George Barlow in taking this step have more of an advocate's skill in them than of a statesman's. Dilating upon this topic Kaye observes: "With regard to the latter (the Jeypore affair) it was contended by Sir George Barlow that the Raja of Jeypore had forfeited all claim to our protection by a flagrant breach of his engagements during the late war. Lake and Malcolm agreed that he had aided us, and in such a manner as to provoke the certain enmity of Holkar..... And when, after the final determination of the British Government had been communicated to Jeypore, and the Agent of that court waited on the Commander-in-Chief, and implored him and Malcolm to save the State from the ruin impending over it, urging that it was the first time that the British Government

¹ *Kaye's Life of Malcolm*, Vol. I., p. 330.

had ever abandoned an ally from motives of mere convenience, the truth of the remonstrance was felt by the British officers in the very depth of their hearts. 'This is the first measure of the kind,' wrote Malcolm, 'that the English have ever taken in India, and I trust in God it will be the last.'"¹

Matters continued in this strain when Lord Minto became Governor-General in 1807. Although his term of office was devoted to affairs of elsewhere than Central India, he first drew the attention of the home authorities to the unsatisfactory state prevailing in the central part of India. The system of subsidiary alliance, introduced by Wellesley into the relations between the Native States of India and the English Government, was, though very useful, accepted, and that too unwillingly, by Scindia alone in Malwa. The Holkar's Court where matters grew from bad to worse since the insanity of Yeshvant Rao in 1808, did not consent to the scheme and the Raja of Nagpur was as obstinate as ever. The British Government had, forgetting the early history of India, drawn an impossible line of neutrality and it resulted in utter failure, as at this time, as once afterwards when it was again resorted to. It is inconceivable that one part of this great continent should remain under good Government, and the other, contiguous to it, should be carrying on its existence in utter darkness and misrule. Even the slight misrule in Turkey arouses the conscience of all Europe and any misgovernment by the Asiatic Sultan is not tolerated. In the twelve years which followed Wellesley's administration, the British Government showed an utter disregard for the manner in which the Government of the Native States was carried out. It could not continue any longer. The British Government had to interfere. As shown in the beginning of this paper, although India consists of many countries and many nations the continent has been ever prosperous under one paramount power. The other kings were accustomed to bow their heads to the most powerful among them. India made her name in the days of Dharma Raja, Asoka, Akbar, but when there was no one power there was inactivity in the country, if not a state of strife.

¹ *Kaye's Life of Malcolm*, Vol. I., p. 358.

The misrule in the Native States began to trouble the British Provinces in the shape of the Pindaris. It was fortunate that the proper man had arrived at the right time, in the person of the Marquess of Hastings. At last in 1817 he induced the home authorities to sanction the extirpation of the Pindaris. Malcolm and others who had been sent to distant provinces in peaceful times were again called to the front. Negotiations were entered into with the Peshwa, the Scindia and the Nagpur Raja, in whose territories and that of Holkar, the Pindaris abounded. The Court of Holkar could not be negotiated with, because it was the home of the Pindaris, whose leader, the famous Amir Khan, carried considerable influence at this time with the Government, such as it was, of Holkar. His son-in-law, Gafur Khan—afterwards the Nawab of Javra—was in constant attendance upon the head of the Holkar State, the wily Tulsabai, while he himself was free to march his plundering hordes upon the ungarded princes of Rajputana. It was owing to the duplicity and treachery of this rascal, that, that beauty of the age—Krishna Kumari—had to empty the cup of poison in order to save her father and herself from ruin. And yet a jagir, half in extent of the territory of Holkar, was his reward!

During these days of turmoil and strife the petty States of Dhar, Dewas and Bhopal suffered very much. Their territories were at the constant mercies of the armies of Holkar, Shinde and Bhosali. The Panras had to give up their two districts of Jal and Mandaval to Holkar and these districts were never returned to them. They now form part of the territories of Javra which was also greatly carved out of the Holkar State after the battle of Mahidpur in 1818. The territories of Bhopal were ruthlessly attacked by the Raja of Nagpur, but were afterwards rescued by the troops of the Scindia. At Dhar the famous lady Minabai held her own against many foes and she used to occasionally receive some help from her kinsman, Dowlat Rao Shinde.

Such was the state of affairs in Central India, when in 1817, Lord Hastings undertook to annihilate the Pindaris. Action was taken in 1813 to reverse the unjust act regarding Bhopore and the protection of the British Government was

again extended to that principality. But perhaps by this time it had ceased to require it, as its chief oppressor Holkar had become weak owing to internecine disputes. But when in March 1816 Wazir Mahomed of Bhopal, "a young prince, whose power to sustain his position amid the troubles that surrounded him, appeared to be very doubtful," made an application for protection. "Lord Hastings being hampered in this matter by the Home authorities, had reluctantly to forego the great advantages which he saw must result from a treaty with that State, and was obliged to limit the answer to general sentiments and good will."¹ But as already stated, when the British Dominions were placed in jeopardy by the raids of the Pindaris, the Home authorities had to forego their obstinacy in their turn.

Lord Hastings tried to carry out his design, namely, the crushing of the Pindaris by a general co-operation; but he had prepared for the worst. Lord Hastings prepared four divisions of the army to march upon Central India—one from the south, the other from the west, and two roughly from the north, and of one of these divisions he himself took the command. Scindia was found wavering at this time, but when Hastings threatened him with reprisals, submitted and consented to enter into a treaty with the Government in modification of the one concluded in 1805; but the terms were not settled when hostilities broke out. Amir Khan was also approached, and "was offered a principality about Tonk, formed of the territories he had already acquired from Holkar, on condition that he would sell his artillery for five lakhs of rupees to the British Government." "Holkar was also approached and terms were proposed similar to those offered to Scindia, with the addition, however, that the independence of Amir Khan was to be re-acquired." The Court of Holkar was at this time practically non-existent. There was one man alone, Tantia Jogh, the present writer's great grandfather, who urged the acceptance of the offer, but he was suspected of being in secret understanding with the English,—really he knew something of the power of the English, and he had seen their armies in actual operations, when he had commanded a

¹ *Hastings (Rulers of India)*, p. 92.

battalion in the raid on Hindustan by Yeshvant Rao Holkar. He was kept under guard and was not released until after the battle of Mahidpur was fought and lost, when he was sent to negotiate peace.¹

The military measures which were taken by Lord Hastings and which are concisely described, in his life in the Rulers of India series, need not be described here. Suffice it to say, that with strategic skill, he forced Scindia to accept in November 1817 the terms proposed before and a triumph was thus secured without firing a shot. Amir Khan was also induced to keep aloof from the coming struggle with Holkar, but elsewhere the conquest had to be achieved by the force of arms. The Peshwa rose in revolt as also the Nagpur Raja, but their opposition was soon put down and an army under General Sir Thomas Hislop, accompanied by Sir John Malcolm, made its appearance in Central India to bring under submission the turbulent Court of Holkar. The proceedings of the Holkar army had begun to grow more suspicious, and emissaries having been received from the flying Rai Baji, the army moved from its camp in the north to effect a junction with the Peshwa's army on the Narbada. But it was overtaken by the English army near Mahidpur on the Shipra. A battle ensued which resulted in an utter annihilation of what had remained of the troops trained and seasoned in the campaigns of Yeshvant Rao. The territory of the Holkar was at the mercy of the British Government. Its boy ruler was a fugitive at Mundissor, a few miles off, and even the baggage of the Royal household fell into the hands of the English.²

The battle of Mahidpur forms a new epoch in the history of Central India. The anti-British party in the Holkar army disappeared. There remained only Krishnabai,³ the mother of Malhar Rao. She was a nonentity up to the time her more gifted rival Tulsabai was alive. But now she found herself to be the supreme personage in the State. She at once

¹ *Memoirs of Central India*, Vol. I.

² *The Kufiyat of the Holkar Family* (in Marathi).

³ English writers spell this name as Kesaribai, but according to the papers in the possession of the present writer the name ought to be as given in the text.

released Tantia Jogh from captivity and having appointed him Minister Plenipotentiary and Envoy Extraordinary, sent him on the 3rd of January 1818 to Sir John Malcolm, at Mundissore. The terms of peace proposed by the British Government were as follows: "The terms proposed were the confirmation of the engagements with Amir Khan, the cession to the Company of the claims of Holkar's Government upon the Rajput States, the cession to Zalim Singh, Raja of Kotah, of four districts formerly rented by him, the confirmation under the guarantee of the Company of his *Jaidad*, amounting to nearly four lakhs of rupees per annum, to Gufoor Khan and his heirs, on the condition of his maintaining a quota of horse, the cession of the tribute of Narsingarh, the cession to the Company of all Holkar's possessions within and to the south of the Santhpoora range of hills including Candish, Abu Ellora, and all his possessions in that quarter."¹ "In vain," says Kaye, "the Maratha envoy remonstrated against these hard conditions. In vain he pleaded that to strip his master of territory and to confer it on a servant, as was Amir Khan, was humiliating to him in the extreme; in vain he pleaded that the country which we had taken from him was the most ancient and the most cherished part of his dominions; in vain he pleaded that the war had not been provoked by the Holkar's Government, but by a council of Military Chiefs acting against the advice of the Ministers and in defiance of their authority, in vain he dwelt upon the tender years of the young prince and his claims upon the generosity of a great nation like the British." The British General was unyielding and the treaty was concluded on the 6th January 1818. Thus the great hindrance in the settlement of Central India was rooted out.

Few epochs have brought about more momentous changes in the history of a country than the one which includes the last two months of 1817, and the following two years. A glance at the Appendix added by Sir John Malcolm to his *Memoir of Central India* will show that during this period treaties of peace were concluded with Dowlat Rao Scindia (6th November 1817), Malhar Rao Holkar (6th January 1818), the Nawab of Bhopal (26th February 1818), the Raja of Kota (26th December 1817),

¹ *Kaye's Life*, Vol. II., p. 226.

Ameer Khan (15th November 1817), the State of Dhar (10th January 1819), and with several other States, such as Devas and a number of petty Chiefs or Thakurs who were mediatised and made independent of the Maratha States of Gwalior, Indore and Dhar. As early as 1805, Malcolm had advocated the dismemberment of the States in Central India. "Should we be completely successful," Sir John Malcolm wrote, "in the event of Yeshvant Rao provoking war, it would be most advisable to destroy altogether the power and independence of the Holkar family, the different branches of which might, on a general partition, be assigned moderate jagirs."¹ It was time to accomplish now, what could not take place then. "The period of trouble" which ended in Malwa after the battle of Mahidpur in 1818, was followed by the "period of settlement," which although begun then, was not ended, as a matter of fact, until after the Mutiny in 1857-8. Two divisions were made of the States then extant in Central India. One of these was a Prince like Scindia, in whose matters the British Government could not interfere, and the others were such as needed the interference of the British Government. In his memorable instructions to his subordinates, Sir John Malcolm says, "With the Courts of Holkar, Dhar, Devas, and almost all the petty Rajput States west of the Chambal, our relations are different. These have been raised from a weak and fallen condition to one of efficiency through our efforts. But though compelled at first to aid them in almost every settlement, we have, as they attained the power of acting for themselves, gradually withdrawn from minute interference on points connected with their internal administration, limiting ourselves to what is necessary for the maintenance of the public tranquillity."² And in order to show to what an extent the Chiefs had been weakened by the internal struggle and had become helpless, he observes, "there is so strong a feeling in the minds of the Princes and Chiefs above alluded to, and in those of all their officers, (from their Prime Minister down to the lowest Agent), of their actual dependence upon the British Government that it is almost impossible to make them

¹ *Kaye's Life*, Vol. I., p. 307.

² *Memoirs of Central India*, Vol. II., p. 372.

understand that they are, in the conduct of their internal administration, desired and expected to act independently of it." No wonder, then, that the period of settlement inaugurated by the British Government was hailed as a deliverance and light from heaven.

One of the cardinal points of British policy has been the protection of the weak from the oppression of the strong. With this end in view, it has been the policy of the Paramount Power to give its guarantee to the weak as regards their possessions and to assure them of the safety of their estates. The guarantee gives a right to the British Government to interfere, in order to enforce the maintenance by both the parties of the terms entered into by them. Thus there are some important jahagirdars who have been given the exclusive administration of their own lands, a right which, according to Malcolm, entitles them to decide all cases that are not capital.¹ The guaranteed Chiefs became international Sovereign Princes, dependent only on the British Government. Though this was a ready means of tranquilising Central India and establishing the British supremacy, and though perhaps it was the only means then possible of reducing the country to order, the creation of so many Sovereign States has not been, on the whole, to the good of the country. Besides it has annually produced a crop of disputes which come before the Government. And lastly in some cases the decisions which had been hasty and unjust, were based on imperfectly understood facts, and such decisions, at least, ought to be reconsidered.

Reference was made to the jahagir granted to the Khandekar family by the Peshwa Madhav Rao I. for services rendered in the campaign of 1761. It was a jahagir in all respects, although on a small scale, like the possessions of the Holkar and Scindia. But while the latter Chiefs were masters of huge areas, the former had only ten villages. A time came when the person who obtained the jahagir died, leaving two sons, who resided at Poona, apparently waiting for their opportunity to gain distinction at the court of the Pashavas,

¹ *Memoirs of Central India*, Vol. I., p. 459.

in which, however, they were not successful. They had appointed a *Kamasdar*, or Manager, who had leased these villages to different persons (among them the Zamindars of the District), who came to bid for various periods. It so happened that at Malcolm's time in 1821 one such lease, executed by the Zamindar of a certain amount of revenue, was still running. The local Political Agent, Captain Borthwick, in reporting to Sir John on the circumstances of the fief, with the view of obtaining confirmation thereof to the Jagirdar's grandsons, then minors, from the new Government, mentioned the amount and incidentally the parties who paid it and referred to the revenue as a *tribute*. Sir John forwarded the report to the Government of India for their sanction to the confirmation, which was given as a matter of course. The word *tribute*, but not the amount, alluded to in the Political Agent's report, occurs in the formal agreement entered into by Sir John with the Brahmin Sirdars, whom they call "the chiefs of Panth-Piploda," which they really were. Obviously the agreement in question, and for the matter of that the entire transaction of 1821, professes to "confirm" exactly what the Pashava had granted; and the Zamindars were in no sense more than a *party* to the transaction. Apart from the fact that the Jagirdars did not know English and were not only minors, but had also lost their *Kamasdar*, the usual *sanad* and its accompanying edict (the latter was addressed to the Zamindars and the other subjects) issued by the Political Agent in the vernacular, at any rate leave no doubt on this point which, if possible, is made still clearer in the endorsement in English recorded by himself at the top of the terms he subsequently mediated to regulate the conduct of each co-Jagirdar with that of the other. In spite of all this, however, and in spite of also the Pashava's *sanad* and the general practice in existence throughout the period, the mere superficial meaning of the word *tribute* in Sir John's Agreement and the incidental reference to the amount of the revenue in 1821 and to the Zamindars in Captain Borthwick's report were seized upon in 1870 suddenly to deprive the Jagirdars of their power to assess anything beyond that amount, and to declare the Zamindars, who had had no title from any Government,

past or present, to be the proprietors of the whole estate. Such cases are really to be enquired into and amended.

Apart from such exceptional cases the system of the guarantee has been most beneficial to individual persons. Such guarantees were given in various manners: "some being in the form of engagements between the superior states and the subordinate guaranteed by the British Government, either being *sanads* or deeds issued by the representatives of the British Government, either alone or conjointly with the ruler of the superior State, and others being orders or *parwanas* issued by the feudal lord to which the representative of the British Government attached his signature as guarantee."¹—And to illustrate the above remarks by a negative proof it is continued:—"With grants made by the superior Chiefs themselves, without the intervention of the British Government, there is, of course, no pretension to interfere." Moreover, it is also stated: "From the guarantee thus given no deviation was permitted. 'Where any circumstances,' says Sir John Malcolm, 'call for the interference of the British Government and an engagement or guarantee is given, no departure from that is permitted. It is indeed, by the maintenance of the impression that the signature and seal of the British officer is, to whomsoever granted, the completest of all securities for his rights, privileges or possessions, that our power over the multiplicity of States and chiefships depends and it is above all others a point upon which we can never with safety admit the slightest evasion, much less deviation.'" It will be a day of woe when the British Government will forget these injunctions given by the author of these intricate relations and this diplomacy is excellent as long as a careful watch is kept over it.

Sir John Malcolm had proposed the establishment of a Lieutenant-Governorship of Central India including Rajputana. But the proposal did not meet with the approval of the higher authorities and Sir John was posted to Central India as an informal Agent-in-Chief of the Governor-General. Residents were appointed with the Courts of Holkar, Scindia, and were respectively posted at Indore and Zanshi. For the

¹ Aitchison's *Treaties, Engagements and Sanads*, Vol. III. (1876), p. 398.

management of the minor chiefships and estates Political Agents were posted at Mahidpur and Ratlam and at Sehore for Bhopal. These personages kept very close relations with the Chiefs by correspondence in the vernaculars and were always ready to be of any service to anybody.¹ As directed by Malcolm these officers had to keep a strict eye over the internal affairs of the various States. The affairs of Scindia were already placed by Sir John Malcolm in the other category, namely, in which interference in internal affairs was not necessary. And even in the States in the second category, namely, in which interference was necessary, where there were men of ability, such as Tantiya Jogh at Indore and Bapuji Raghunath at Dhar, the necessity of interference had disappeared. It was not till after the battles of Maharajapur and Punnias were fought that interference in Scindia's State was possible. In all other States a minute supervision was exercised by the British officers. But it was not the rule then with officers to hold themselves aloof from the public, and the names of Malcolm, Sandys, Borthwick, commonly known as Bottle Sahib, Sir G. Wellesley, known as Bansary, are household words in Central India. It was after the Governor-Generalship of Lord W. Bentinck that the hand of the British officers was withdrawn, and when Lord Hardinge arrived that policy had to be reversed. The delineation of that period belongs to the second phase of the policy of the British towards Native States of India.

The settlement of Malwa by the British Government conferred a great boon on the Thakurs of Malwa. These petty Thakurs had to pay an annual tribute either to Scindia, Holkar or Pours of Dhar and Dewas. This so-called tribute was nothing but the same sort of land-tax as is levied by the British Government on the Zamindars of Lower Bengal or the Talukdars of Oudh. When the British officers came to Central India, these zamindars represented to them that the annual tax paid by them was not a tax but a sort of tribute, which they were obliged to pay to the Marathas for immunity from them. But these Thakurs had no civil or military jurisdiction

¹ The present writer has several such letters from Colonels Sandys, Borthwick, Sir C. M. Wade and others.

and at Ratlam, which is now raised to the status of a Sovereign State, for example, the Scindia's Kamavisdar (Deputy Collector) of Baranagore, which is a neighbouring town, used to share with the Thakur the *gadi* of the place and the house in which the former used to lodge during his occasional visit, is still known by the name of Hakim bada—the palace of the officer. And, moreover, all judicial cases, occurring in the districts managed by the Thakur of Ratlam were decided by the Kamavisdar of Baranagore. These refractory Thakurs, however, seldom used to pay their tax without a struggle and at every occasion of the collection of the tax, say after two or three years, a small army had to proceed from Baranagore to Ratlam. When Sir John Malcolm drew up the agreement between Scindia's general and Purbut Singh of Ratlam, he expressly laid down that "Scindia agrees never to send any troops into the country, or to interfere with the succession, or in its internal administration, in any way, whatever."¹ The British Government took upon itself to receive and transmit the tribute and thus any sort of communication between the superior Chief and the subordinate Thakur was prevented. This is but a typical example of what was done elsewhere. This did a great deal to pacify the country and the cultivators became sure of gathering in their crops.

To continue the case of Ratlam, the origin of that modern chiefship was not such as to warrant the action taken by the early officers of the British Government.

The founder of the Ratlam city and the State of that name was Ratan Singh,² who was the son of Mahesh Das. Mahesh Das was descended from a branch of the Jodhpur Maharanas and was given the fort of Jelorgad and the territory under it. He had several wives and to the eldest of them was born Ratan Singh in 1618. But from another beloved wife he had a son by name Kalyan Singh. The favour of the father fell on the latter and he was nominated by him as his successor. Ratan Singh could not stand this and he, accordingly, went to Delhi in the endeavour to make his

¹ *Malcolm's Memoir of Central India.*

² *Life of Ratan Singh, Founder of Ratlam*, by N. G. Shrisalhar (in Marathi).

fortune. This Ratan Singh appears to have been a remarkably fortunate man. It so happened one day, records the Hindi poet Kumbhakaran, that the Emperor Shahjahan was looking on at the fight of two elephants, one of which suddenly began to ascend the steps which led to the veranda where the Emperor was sitting. There was a great uproar in the crowd. On these stairs was standing Ratan Singh. He was warned by the public to run away from that place but intent as he was on showing his bravery, he at once leapt on the trunk of the elephant and placing his foot on its tusks, obtained the mastery over the animal. The Emperor's attention was thus directed to the young man and having inquired after him and having come to know of his lineage the Emperor induced his father to take him under his protection, and on the latter's death he ascended the *gad* of Jalorgad. In 1648, he received a summons from the Emperor to accompany the expedition to Balkha and he readily obeyed the command. For his valuable services in that campaign he obtained the following 12 districts in Malwa, *viz.*,—1 Dharad, 2 Badnavar, 3 Agar, 4 Kanada, 5 Alot, 6 Dagpadava, 7 Gadagucha, 8 Kothadi, 9 Ramagadia, 10 Jilrad (now in Sitamahu State), 11 Nahargad, and 12 Padhlia. He was to keep himself equipped with troops to assist the Emperor and when Aurangzeb marched on to Delhi with hostile intentions this tried warrior was commanded to join the General sent to oppose the column of Aurangzeb. A pitched battle was fought near Ujjain, in which he "fighting foremost fell." The poet, Jagajwan, writes that he received no less than 30 spear wounds and 80 sword cuts! He laid the foundation of his capital town, called after his name Ratlam, in Dhar district. His sons and successors weakened the State by founding separate chiefships, namely, Sailana in 1709, Sitaman, Muthan, Kachibadoda and Amba. Most of the above stated 12 districts were wrested by the Marathas and the above related branches were weakened by the smallness of their size. These so-called chiefships were of little consequence till Sir John Malcolm laid them on surer foundations, and now the state of Ratlam is foremost among them and enjoys an enlightened rule. Those who have been thus immeasurably

benefited by the action of Sir John, cherish his name even as though he were their founder.

During this memorable "period of settlement," three native statesmen came to the front. Zalim Singh, of Kota, Tantia Jogh, of Indore, and Bapuji Raghunath, of Dhar, are men of note, who might be recognised as the pioneers of modern native statesmen, such as Puruaiya, of Mysore, Raja Sir T. Madhav Rao, of Baroda, Sir Salar Jung, of Hyderabad, and Raja Sir Dinkar Rao, of Gwalior. Zalim Singh both benefited his master and himself by carving out a principality, the second is noted for his noble devotion to his master and his own disinterestedness, and the third but followed in the footsteps of the second.

A hereditary servant and relation of the Raja of Kotah, Zalim Singh fought with success against the Maharaja of Jeypore, who had evil designs on his master's State,¹ but some misunderstanding occurring between his master and himself he seceded and went to Oodeypore, which had been harassed by the Marathas. He was for a time successful, but the powerful army of Scindia soon defeated him and took him prisoner. He had before been invited by the son of his late master, who had now ascended the throne, to go to Kota and assume the management of affairs there. He induced the officers of Scindia's forces in Rajputana to allow him to go there, supported by their forces, on a promise of an increase in the annual tribute. The proposal having been accepted, Zalim Singh, with the general of Scindia's army, went to Kota where he was honourably received by the Raja and was immediately appointed Prime Minister. By degrees, and acting under the protection of the army of Scindia, he kept himself free from the suicidal war which was going on in and around Rajputana. By his admirable system of revenue management he raised the revenue of the State from four to forty lacs within a comparatively short period. This government was so good that Kota became an asylum for refugees. Persons threatened with loss of life readily ran to his court and he received them kindly and honourably, but he did not extend his protection to common criminals. When Colonel Monson

¹ Malcolm's *Memoir of Central India*, Vol. I., p. 397.

found himself obliged to flee before the conquering forces of Yeshvant Rao Holkar, Zalim Singh rendered him what help he could, and he also stayed the progress of Yeshvant Rao, in order to give breathing space to the former. But for Zalim Singh, Monson's column would have been annihilated. Zalim Singh proved of great use to the British Government in the settlement of Rajputana. By his tact, skill and diplomacy he really became the *de facto* ruler of Kota, and when, later, disputes arose between his representative and the real master of the State, the Government had to create a new chiefship for the former, entirely independent of Kota. "Bred to business," says Malcolm "he (Zalim Singh) was at once the farmer, the merchant, the minister. In every transaction his tone was that of fairness and moderation, and though he, no doubt from the first, cherished objects of the greatest ambition, these were never paraded, nor did good fortune (and the lives of few men offer a parallel of success so complete and uninterrupted) ever alter, or in the least disturb his equal course. He appears within a very short period of his first advancement to power, to have enjoyed the same character he does at this moment (1821); and while his territories were kept in the highest state of cultivation, the additions made to them were obtained, more by art, intrigue, accident, than by force." Zalim Singh died in 1824, leaving his son Madho Singh (who was as incapable as his father was able) to succeed him.¹

Vithal Mahadeo Kibe, better known in history as Tantia Jogh,² was born in a village in Khandesh about the year 1878. His parents, at the time of his birth, were reduced to poverty, and his only brother Balaji Naik had gone to Maheshwar, on the Narbada, the ancient capital of the Holkar family.³ Shortly after his birth, while he was an infant, his father died and his mother became a suttee, leaving her young son at the foot of a peepul tree. He was taken care of by some relations and at the early age of twelve he went to Maheshwar to join his brother who was an agent of the firm of

¹ Aitchison's *Treaties*, Vol. III., p. 135.

² Malcolm's *Report on Malwa*, Babu L. N. Ghosh, *Indian Chiefs*, Vol. II.

³ Family Papers (not printed).

Harrivant Jogh. He was at once employed by the Joghs and henceforth he was, owing to his master's name being Jogh, called Tantia (personal appellation) Jogh (which became his surname). He was appointed a clerk with the troops of Yeshvant Rao Holkar, but he soon left the pen for the sword and at the age of 17 joined the army of Yeshvant Rao Holkar as a subaltern. By degrees, by his valour, he rose to be a commandant of a corps and was known then as Colonel Tantia Jogh. He accompanied Yeshvant Rao in one of his expeditions to the north, but after the murder of the European officers he threatened to throw up his commission.¹ He had been attached to the Europeans—from the first, as he first joined the ranks under a European in Holkar's service. After the return of the army from Hindustan he carried his protest into effect and retired to Ujjain. Here he established a firm and afterwards a branch of the same at Indore. Henceforth he continued to supply money on interest to Yeshvant Rao and thus by trade he amassed enormous wealth, which has kept up the status of his family. After the death of Yeshvant Rao he again joined the Court of Holkar and being the principal creditor had to take personal interest in every matter. He had once to fly for his life to Kota, where he was received with open arms by the celebrated statesman Zalim Singh. Tantia was also the creditor of the Kota State and it was only some twenty years ago that his family received the money lent to that State. Zalim Singh sent him back to Indore and appointed 5,000 horse to protect him. He also conferred on him a jagir of one village giving an annual income of over Rs. 4,000. When peace was effected the contingent was withdrawn but the village is continued to this day. On his return to Indore, Tantia found himself an important man, and he continued to look to the benefit of the State. When at last the army under Sir T. Hislop came, he advised the Court party to submit to the English, but his advice was unheeded and the rabble soldiery clamoured for a battle. Tantia was kept under a guard. Owing to a hint from Amir Khan, who had ere this concluded a treaty with the English, Gufoor Khan kept aloof and the battle was fought

¹ Malcolm is wrong in saying that he left the Service.

and lost. As already related the Masahiba called Tantia and asked him to proceed to Mundissore. Tantia went there and concluded the treaty of 6th January 1818. Tantia did his utmost and but for his untiring zeal and extreme exertions, the Holkar Government would not have obtained such good terms as it eventually did. Sir John Malcolm related how Tantia conducted the negotiations in the following words of Tantia himself: "He trusted, he said, that the manner in which he negotiated the treaty would be considered in his master's favour. He had not omitted, he said, to defend and maintain the interests committed to him to the best of his ability; but he had not, at the same time, taken a proper view of the actual condition of his master and had submitted on all points when he saw me determined and where resistance was unavailing,"¹ and adds Sir John: "I deem it a justice to Tantia Jogh to state that his conduct has been as he has represented it."² Tantia Jogh went so far as to induce Sir John Malcolm to allow the Holkar Government to retain some ancestral lands south of the Satpura, but the counsel of General Briggs prevailed and both Malcolm and Tantia Jogh were disappointed. Yet he retained for his master the district in far off Bundelkhand and even Koonch was allowed to be continued to Bhima Bai, Yeshvant Rao's only daughter, who was known for her beauty and valour.

The services rendered by Tantia Jogh to the Holkar State after the peace was effected are simply innumerable.³ Within two years, the revenue rose from 4 to 17 lacs, and in five years it rose to 28 lacs, and within eight years in 1826, when he died, it rose to 34 lacs.⁴ And within the first two years the expenses of collection fell from 40 to 15 per cent. and deserted villages were repopulated.⁵ In recognition of his services Sir John Malcolm offered to confer upon him a jagir worth Rs. 1,50,000 annually under the guarantee of the British Government, but he thankfully declined the offer on the plea of the then reduced State of the Holkar Raj. None the less

¹ Papers relating to the Pindhari and Marathi war.

² *Memoir of General Briggs.*

³ Ghosh.

⁴ *History of Central India*, Vol. I.

⁵ *Marquess of Hastings* (Rulers of India), p. 174.

he was induced to accept a grant of two villages amounting in aggregate to Rs. 20,000 annually in perpetuity.¹ In commendation of his services the Marquis of Hastings wrote: "The good sense and experience of Tantia Jogh into whose hands the entire administration fell, have seconded my views and I have every reason to be satisfied with the conduct of the Court of Holkar, since the signature of the treaty." Sir John Malcolm in his testimonial to Tantia Jogh among other things, says: "From the date 3rd January 1818, that Tantia Jogh came into my camp to negotiate a peace, to the present moment, I have had uniform reason to be satisfied with his conduct. He has been the happy instrument of restoring to prosperity the ruined country of the Prince he serves. And with every loyal feeling towards the Holkar family, I am satisfied, that this Minister cherishes a sincere attachment to the English Government grounded on a very clear knowledge of its liberal views and policy." There also exists among the Family Papers a letter addressed to the son of Tantia Jogh after the death of the latter by Krishna Bai, the old Ma Sahiba, with her own seal and signature, in which it is expressly stated that "your father created the Holkar State." This is high praise from the lady who had herself seen the State in 1818. How Tantia Jogh proved himself generally useful to Sir John, will be seen from the constant reference which the latter makes to him in his report on Malwa. Tantia Jogh died in 1826, leaving his afterwards famous widow Rakhama Bai, (who was known for her philanthropy and who once more in 1844 saved the Holkar State from confiscation by the British Government,) and two daughters, the son of one of whom he adopted.

The minister of the third Maratha State in Central India, during "the period of trouble" and "the period of settlement" was Bapu Raghunath. In a printed memorial to the Honourable the Agent to the Governor-General in Central India the grandsons of Bapu Raghunath summarise his character thus: "During the first quarter of this century, the petitioner's grandfather, Bapu Raghunath, Dewan of Dhar State, while serving that principality, most faithfully rendered every

¹ *Malcolm's Report on Malwa*, p. 372.

assistance to the all-powerful English nation when the British troops entered Malwa. Indeed, it is a matter of history that his name is ever associated with most of the treaties and engagements in the Central India Agency, and that he for upwards of 27 years, laboured and struggled hard, and carried out the administration of the affairs of Dhar and its surrounding tributaries, mostly inhabited by the notorious Bheels and other warlike tribes, even at the risk of his life." In his report on Malwa Sir John Malcolm speaks of this statesman's services as follows: "The State of Dhar in 1817 could hardly be said to exist except in name as a Government. Its territories had been usurped or laid waste, the Regent Bai, with her minor son, were at the head of eight or ten thousand horse and foot and subsisted wholly upon plunder." And later on, it is continued, "a minor Prince, the adopted son of Meenah Bai, the widow of the late Raja, has given the same advantages, in carrying into execution economical reforms as with the State of Holkar; nor is the Minister, Bapu Raghunath, inferior to Tantia Jogh in zeal, or in a just appreciation of the generous policy of the British Government, which has restored the ruined fortunes of the Dhar family, and given it once more a rank and place among the rulers of Malwa." This statesman died in 1837, at the advanced age of 65, serving his master faithfully till the last.

After the departure of the Marquess of Hastings, the policy of his successors became one of neutrality and one of strict non-interference in the internal administration of Malwa States, even to their detriment. The result was that living became intolerable alike to the public and the ruler. If the ruler was oppressive and the public appealed to the Government for protection, appeal was unheeded, and this, indeed, continues to this day in a great measure. While on the other hand, if the ruler wanted the help of his ally, the British Government, to check the turbulent spirits among his subjects, the aid was refused. An illustration of this method soon took place at Indore.¹ In 1833 Malhar Rao died and after no proper Government for a few days, Hari Rao succeeded to the *gadi*

¹ *Sovereign Princes and Chiefs of Central India*, by Mackay, Vol. I. p. 80.

of Indore in April 1834. He was too weak and ignorant to govern and in the hands of his mean favourites his rule became oppressive. Therefore, in September 1835, a mob, headed by one Khandopant attacked the palace and but for the faithfulness of some attendants, would have taken prisoner the Maharaja himself. "At an early period of the attack," says the historian, "the Maharaja had applied to the Resident for aid, but it was refused on the ground that the engagement to maintain the internal tranquillity of the country depended on the condition that the measures of its Government were directly or indirectly the cause of disturbance, and because the grant of assistance would require a continual interference in the internal affairs of the State inconsistent with the position of Holkar and the policy of the British Government." So the Maharaja was left to his own devices. He wrongly suspected Rakhama Bai, the widow of Tantia Jogh, of having a hand in the conspiracy. Her villages were confiscated. She appealed to the Government to whose credit it must be acknowledged that, considering her claims on it as the widow of Tantia Jogh, it at once deputed Captain (afterwards Colonel) Borthwick to inquire into the matter along with the authorities of Scindia's Government.¹ The result of the inquiry was that Rakhama Bai was declared not guilty by the British authority, but the British Government postponed for ten long years the legitimate consequence of this issue, namely, the restoration to her of her villages confiscated by Hari Rao. Later on, in the reign of Hari Rao when his subjects appealed to the Government to free it from his misrule, the Government again declined to interfere, although it took scrupulous care to guard the relations between each different State and no sort of turmoil was allowed to exist.

But this policy had to be changed and it was altered by Lord Ellenborough. The administration of Scindia's territories was not in any way interfered with by the British Government and unlike the case at the Court of Holkar even its Resident was not allowed to stay at the capital. Like the Boer States of our own day, Scindia's State was an indepen-

¹ Printed Memorandum showing how the family of Tantia Jogh holds the guarantee of the British Government.

dent Sovereign State, under the paramountcy of the English, and the war which followed may be likened to the last great war waged by the English in this century. Matters had gone on at Gwalior quietly, but the childless death of Janakoji Rao soon gave rise to internal commotion. Scindia had kept a large army, which at this time desired to invade foreign territory. On having received this intelligence Lord Ellenborough marched an army into the Gwalior territory and defeated the disorganised forces of the latter, in two pitched battles, at Maharajpur, at which the Governor-General himself was present. Peace was soon restored and an adopted son was placed on the *gadi* at Gwalior. The unnecessary troops were disbanded and the increase of the army in future was prohibited.

Events took place about this time at Indore which also necessitated the interference of the British Government. In October 1843 Hari Rao died leaving an adopted son, who was placed on the throne with the concurrence of the British Government on 13th November of the same year. The Resident, invigorated by the new policy of the Governor-General, took the first opportunity of calling upon the Holkar Government to pass some such rule as would prevent the repetition of the *zulum* (oppression) which took place in the time of Hari Rao. Thereupon the Holkar Government recorded a resolution on the 20th November, to the effect that as a despatch has been received from the Resident, it is hereby enacted for further guidance that no interference whatever will be made in the grants of those persons, who have received such grants for services during the times of Yesbwant Rao and Malhar Rao. Unfortunately this adopted son of Hari Rao died after a short reign of some months. The State, then, naturally lapsed to the British Government. But it was not the latter's wish to confiscate the State and a young child from the Deccan, distantly related to the house of Holkar, was placed on the *gadi* at Indore. The services rendered by Rakhama Bai, the widow of Tantia Jogh, to the Holkar State, at this time were at least equal to those which were rendered by her illustrious husband. A Council of Regency with the Ma Sahiba as President, was formed to conduct the administration of the affairs of State, under the guidance of the Resident.

The question of having a supreme authority in Central India had been hanging fire since the days of Sir John Malcolm, and when after the annexation of Zanshi in the time of Lord Dalhousie the question of re-arranging the political department in Central India arose, the opportunity was taken to create the Resident at Indore, the Agent to the Governor-General for Central India, and since the 1st of April 1854, Sir R. N. C. Hamilton, the Resident at Indore, came to be known by the new title. The office of the Resident at Indore which was abolished then, has now been revived since the November of 1897. There were placed under the Agent to the Governor-General, one Resident, at Gwalior, and Political Agents—at Bhopawar, Agar, Sehore and Nowgaon in Bundelkhand. To this was added in the sixties a Political Agent at Sutna for Bhaghelkhand and lately the Agency at Agar has been transferred to Neemuch.

Since the time of Sir R. Hamilton matters have continued in a tranquil state, but the masterful and aggressive genius of the late Maharaja Tukoji Rao, of Indore, compelled the British Government to take some decisive action regarding its *protégés*. The great Mutiny had come and gone by, but it did not affect the supremacy of the British Government in Central India. Gwalior was, for a time lost to the British Government, but its ruler, advised by his able Dewan the late Raja Sir Dinkar Rao, had remained loyal to the British Government. The fidelity of the ruler of Indore was suspected, but as shown by Mr. Dickinson he was loyal to the core.¹ The small principality of Dhar was annexed by the British Government, but on a mandate coming from the Parliament, when the innocence of the young Chief of Dhar was proved, it was restored to the Native Chief. The strong wave of the Mutiny, left the British Government even stronger than before. As observed at the commencement of this paragraph, in 1878, the British Government collected, as far as it could, and published the names of those persons who had its guarantee. This eliminated any cause of further friction, except in very rare cases.

The Bandelkhand Agency was added to Central India in 1854. The relations between that part of the country and Central India are not bound together by any closer ties than

¹ *Last Counsels of an Unknown Counsellor*, by J. Dickinson.

their being counted as one in the eyes of the Political Department. As in Maharashtra, so in Bundelkhand an Empire was founded on the ruins of the Mogul Empire. But unlike the Maratha Empire it soon lost its importance.¹ It was founded by Champat Rai, and his son augmented its importance. But this very man had to call the aid of Baji Rao I., the second Peshawa. Baji Rao saved Chathesal from ruin. On his death-bed, Chathesal divided his kingdom in three parts, giving one part of the same to the Peshawa and the remaining two to his sons. Once having got a foothold, the Marathas began to extend their empire in that part of the country. All the Chiefs of Bundelkhand were subdued and had to pay tribute. By the Treaty of Basein Rai Baji waived his claim over Bundelkhand and in 1805 the British Government commenced to enter into separate treaties with the innumerable Chiefs of those parts. The Maratha officers at Zanshi, Banda and the offshoots of the former at Gulsarai, Jaloan, etc., found themselves independent and entered into separate alliances with the British Government. But later on most of these had to go, Zanshi, Banda and Jaloan disappeared in the time of Lord Dalhousie. There is nothing worth mentioning in the history of the Bundelkhand States which could throw any further light on the consolidation of the British supremacy in Central India.

Up to the Mutiny the larger Native States of India were regarded as allies of the British Government, but the policy of Lord Dalhousie made them feel that they were subordinates. When they gratefully accepted the *Sanad* of adoption granted by the Government of Lord Canning, they willingly submitted to the lowering of their former position—a step which was none the less inevitable as they had not been left in the possession of the means by which to support their former pretensions. In a return presented to the House of Parliament, in response to the order of the House of Lords, dated 16th June 1853, the Native States of India, including the Maratha States, are spoken of as Asiatic Powers!

This whole century marks the decline of the Native States, and apart from the question whether this decline has been for the good of the country or otherwise, it has been the result of their

¹ *Aitchison's Treaties*, Vol. IV., 1866.

own action. The justice of the British Government has made it, though it is an alien rule, dear to the heart of the people, who regarded it as a deliverance come from heaven. The Grand Darbar of Delhi in 1877 reduced the Native States to the position of Protected States, by which title no less an authority than Sir William Lee-Warner knows them. This has been the corner stone of the consolidation of the British supremacy in Central India, so indeed elsewhere in India.

The period brought under review has covered over three-quarters of a century. In the history of Central India one foreign Government has supplanted another, since the time of the great ruler of Malwa, the Vikramaditya. Not a trace has been left of the early rulers. First came the Mogul. They established their power and became owners of the soil.¹ In their wake and under their protection came some Rajputs, who once governed these parts. (Long before the Mogul occupation of Malwa, the Mahomedans of the Deccan had possession of Malwa.) On the ruins of the Mogul Empire was built the Maratha Empire.² The Marathas took Malwa under Baji Rao I. As was their wont, they did not introduce *rayatwari* system in the foreign parts which they conquered, but allowed the zamindari system. These zamindars were of various castes and of various powers. Some were Malvis, some were Rajputs. Some had the zamindari of only one village, while others extended their rights over large areas. Besides there was the Patel, who may be the zamindar of a village. The Marathas continued this system and by their military prowess enjoyed the revenue of the soil. In their wake came the English, who tranquillised the country, but, unlike the Marathas, the English did not take any part under their direct Government in Central India.

¹ It is a remarkable fact that nowhere in Native States the cultivators have any right in the land. In the annual report of the Central India Agency for 1868-69, Sir Henry Daly says "The one principle conspicuous in the new settlement (then carried on by Maharaja Holkar) is the denial of the cultivators' possession of beneficiary and hereditary rights in the land, and the assertion of the right of the State to deal, as it wills, with its tenure and revenue. This view was admitted by Sir John Malcolm as true of Malwa. In fact, in no Native State has the cultivator any hereditary right in land, though in practice dispossession is rare."

² Shivdignigaya (a Marathi History of Shivaji).

The good effects of the British rule can be nowhere seen to greater advantage than in Central India. Where there was turmoil and confusion, there is now peace and order. The decline of the influence of the Native States can also be viewed in both good and bad lights. Though they have lost their independent sovereign existence, limited to their own dominions, they have now become the members of a great empire and they have now the satisfaction of seeing their territory well governed. Without a supreme check these Oriental rulers would have ruled according to their whims, but having become members of a good and orderly Government, they cannot now act against the principles followed by all civilized Governments. The German Princes naturally gave up a part of their independence, to become an Empire of power and strength. Even man himself sacrifices his savage independence to become a member of a good society. These thoughts may console the Native States for the so-called loss of their irrational independence and liberty.

The third phase in the relations between the feudatory Native States and the British Government is alike gratifying to both. Lord Dufferin called upon the Native States to take a share in the part of defending the country. A loyal and hearty response was the result. The Imperial Service Troops are the lasting testimony of the high value of the British paramountcy over the Native States. No Government, which is not beloved, could have received such an ovation. The Marquess of Dufferin's able prototype, and in some respects disciple, Lord Curzon, has gone one step further and has claimed the rulers of the Native States to be a part and parcel of the British rule in India. He likened them, in a speech delivered at Gwalior at the end of 1897, to the British officers of the British territory and he inculcated on their minds the high ideal of the Oriental kings, namely, devotion to the welfare of their subjects. The territory and the people inhabiting it are not for the exploitation or the happiness of the Prince, who rules them, but the Prince should regard himself as a trustee to his subjects for their welfare. This is a noble ideal to be placed before the Princes and Chiefs of India. And, moreover, this great proconsul has enforced the lesson he

taught, by the deposition of the Maharaja of Bhartpur; and the Resolution on the subject of Native Chiefs' visits to Europe, has imposed a salutary check on the irresponsible behaviour of native rulers generally. They are now made to feel that, not unlike the men in service, they have to ask leave to visit any foreign country. These and other measures which may be taken in their wake, should teach the rulers of the Native States their duty, and Central India, with its innumerable territorial Chiefs, ought to feel proud of having become a part of the Great British Empire. The laying of the foundation of the British rule in Central India, which was begun under so very great difficulties by Sir John Malcolm, was enlarged and made deeper and firmer by Sir C. M. Wade and Sir R. N. C. Hamilton, and over which a structure was built by Sir Henry Daly, Sir Lepel Griffin and Colonel (now Sir) D. W. K. Barr, has now been made firm by the consolidation of the British supremacy in Central India.

MADHAV RAO VENAYEK KIBE.

Art. V.—THE BUILDING OF THE PRESENT FORT WILLIAM, CALCUTTA.

OLD Fort William is hardly even a memory in modern Calcutta ; the Fort William of to-day is the new fort which Clive planned, and Warren Hastings saw completed. The reason is that, of the original fort nothing remains except a few arches hidden away behind the Post Office buildings ; but Clive's fort is an ever present fact.

The guide books take pains to describe the details of its military configuration. It is, they tell us, an irregular octagon of which three sides look riverward and five landward. The dry ditch which surrounds it can be filled with water by a sluice from the river. Besides a sally port it has six great gateways of which two remain open day and night. Upon these gateways houses have been built for the Commander-in-Chief and the principal staff officers of the garrison. Within are long ranges of barracks, and magazines and wide parade grounds.

Fort William is the largest fortification in India and was in its day an excellent piece of military engineering. Its area is two square miles ; its full garrison, ten thousand men. Its ditches and ramparts, its piles of shot, and six hundred guns are a perpetual wonder to the stranger from the country. But the ordinary citizen who trudges round it afoot, or skims round it on his bicycle, cares for none of these things. To him the fort suggests thoughts of golf, football, cricket, hockey, races, anything rather than military defence ; for the common which forms the glacis of the fort is the play-ground of Calcutta. Yet the fort, when first constructed, was regarded as a work of necessary defence and still claims consideration as a visible monument to the provision of Clive and a felt source of strength to the government of the country.

Among the most pressing questions which the English had to consider on their return to Calcutta in 1757 was their urgent need of fortifications. Left to themselves Governor Drake and his Council would probably have discussed and

delayed the business for years and finally reconstructed the old fort in a cheap form. In May, Captain Robert Barker actually proposed to revive a plan of defence suggested in 1753, and to make a new fort to cover the Park, our modern Dalhousie Square. At the request of the Governor he examined the ground eastward of the factory, and was of opinion that with a little expense a proper spot might be cleared to the distance of about six hundred yards sufficient for a fort and an esplanade. Captain Barker was ordered to prepare a plan, but the execution of it was suspended till it had been approved by Captain John Brohier, who had been for seven years Engineer to the Company at Madras and Fort St. David and had now been placed in charge of the work in Bengal. In July Brohier arrived, and, after taking a cursory survey of the place, proposed the building of a hexagonal citadel to the south of the old Dock. Three of the sides were to flank the river, and the fortifications were to be erected in earth cased with brick work rising to the height of four feet above high water mark. Extensive works were to be carried from the citadel right round the town to some point above the Portuguese and Armenian Churches. On this line the houses were to be demolished for the space of at least five hundred yards, and the owners were to be compensated by being granted building sites in the Park which was to be laid out in streets. These proposals were in their turn considered by the Committee of Fortifications and orders were actually given to demolish all the houses south of the Dock and the Park.

In August, when Clive returned to Calcutta from setting Mir Jafar on the throne of Bengal, he swept away all these cobweb schemes, and laid down the lines of the present fort. A large portion of the site selected for the new citadel was covered with thick tiger jungle which could be easily cut down. But on the edge of the waste by the river side was the village of Govindpur founded two hundred years earlier by the Setts and Bysacks, the pilgrim fathers of Calcutta. For two hundred years the shrine of Govindji had stood at this spot. It was now necessary to remove the tutelary deity to a habitation in the north of Calcutta, whither the whole colony migrated. The houses were valued as equitably as possible ; compensation

was given to the dislodged residents, and other lands assigned them.

The English entered upon their first great public work in India with a light heart, with no prevision of the magnitude or expense of the undertaking. The experiences of the next twenty years were costly but instructive. The English lost much money and time, but they learnt something of the way to deal with Indian labourers and contractors, and of the organisation of a military engineering department.

Their first difficulties were with the labourers. When Captain Brohier began the work at the end of October 1757, he proposed to import twelve hundred men from Cassimbazar to dig trenches, while four thousand or five thousand others were to be employed in ramming the ground, clearing away the rubbish, filling up holes, bringing in brushwood, and in helping bricklayers. Arrangements were to be made for paying the artificers and workmen in copper coin instead of shells. But these proposals did not bear much fruit. Work was plentiful at that time in Calcutta, and labour scarce. The inhabitants paid more than the Company allowed. Hence the Committee of Works had great trouble in finding men. From Patna, Clive urged vigorous proceedings. Bengal, he wrote, is exposed for want of a fortification. Yet the works go on slowly. At such a time no private workmen should be allowed. Money must not be spared. It is poor economy to save a few pence and lose the necessary labourers. Should Calcutta fall into the hands of an enemy a second time, it would be an eternal disgrace.

At the beginning of the year 1758 an order was passed forbidding private persons to employ labour, a coercive measure which failed to produce any radical improvement in the labour supply, and which had to be repeated more than once. In September 1761, the Engineer represented that he was in great want of artificers and that the dilatory manner of carrying on the works would greatly enhance the expense. In March 1762, the Engineer renewed his complaint of being in constant want of workmen, whereupon the Government empowered him to seize all the Calcutta bricklayers. In May 1766, the Engineer reported that of a thousand bricklayers formerly in

the Company's service all but twenty-three were seduced by private persons who gave greater wages. The Committee of Works accordingly resolved upon the following regulations: that the price of labour should be determined by what was paid by the Company, and that if any person paid more, he should forfeit the Company's protection; that all artificers should be registered; that no person should be allowed to employ any artificers without special permission; and that if any artificers were found working without a certificate, they should be severely punished and obliged to work for five days on the fortifications at half pay. These regulations were never fully enforced. In 1768 the Engineer twice complained of the difficulty of procuring labour, and the Government again ordered that no person whatever residing within the Company's limits, or under their protection, should commence new buildings of any kind in or about Calcutta until they should think proper to revoke such order, and that all persons having buildings in hand should register their buildings and workmen in the office of the Collector-General of Calcutta, and further that all workmen not registered should be seized for the service of the public works. In January 1770, these orders were renewed and published by beat of drum. At this time there were about four thousand men employed on the works of whom about seven hundred were artificers such as carpenters, sawyers, smiths, brassworkers, painters, leathermen and caulkers. In April 1770, the number of artificers and workmen employed on the new fort amounted to about 6,500, and in June to upwards of 10,000. But these numbers were not long maintained. In March 1771, the Engineer complains that not more than three thousand or four thousand men have been granted him for the last seven months. Without another five thousand men he declares that it will be impossible to finish the cunettes and ditches and the great sluice before the rainy season, yet if these works are retarded the health of the garrison must suffer.

The Committee of Works was also greatly perplexed as to the best way of procuring the necessary materials and oscillated between the alternatives of manufacturing them on the spot or taking them from contractors. At the outset

everything was left to the Engineer who decided on getting his bricks and beams from contractors. But two inconveniences very soon showed themselves. The contractors began to defraud the Company and even so failed to provide a sufficiency of materials. In 1760 it was stated that the native agents "had an opportunity of getting, by false charges, fifty per cent. at least, upon the materials furnished." In August 1762, it was represented that "the merchants would not contract for more than one-eighth of the necessary quantity of bricks for the ensuing season." The Government consequently appointed a Superintendent of brick-making on behalf of the Company, and agreed to allow him a premium of twelve annas per thousand on large, and of four annas per thousand on small, bricks. They also gave him authority to collect all the brick-makers and prohibit making of bricks by every other person on pain of confiscation. The post of Superintendent of the brick manufactory thus constituted proved to be most lucrative and to produce at times as much as the income of the Chief Engineer. In October 1763, the Committee of Works seems to have changed its mind as to the desirability of manufacturing bricks, for it reported that in its opinion the best mode of supplying materials for the new fort was by contract for bricks. On the other hand the Select Committee, in February 1766, taking into consideration the exorbitant profits charged upon timbers for the new works, and the inconveniences attending the mode of providing chunam, resolved that the Company's chunam and timbers should be provided by the country government, and that only the prime cost and the charges of cutting down and carriage should be paid for them. In February 1767, the Committee of Works having been directed to take the management of the Company's brick kilns into their hands determined upon a trial of providing bricks by contract. They succeeded beyond their expectations. The terms of the contract were for 240 lacs of bricks at five Arcot rupees per thousand, to be delivered at the fort *ghat* by the last day of June 1768, free of all charges; by which nearly a lac of rupees would be saved. In April, the Committee of Works was definitely of opinion that the completion of the new fort should be by contract as the cheapest

and most expeditious method, and as this was entirely approved of by the Council, contracts were ordered to be prepared for the counterscarp and other works. The Government seems to have expected that the contractors would soon finish the work; but it was much mistaken. A year later the Committee of Works reported that the works would shortly be at a stand for want of lime, that the cost of labour for filling up earth was extravagantly high, and that they therefore proposed to carry on that work under their own immediate inspection. Till this year the ordinary monthly wage of the Calcutta labourer had been two rupees and twelve annas. It was now advanced to three rupees a month. From this time onwards almost all the materials and stores wanted for the fortifications were provided by contract. This really seems to have been the best method available at the time, though, of course, it was not without its disadvantages. The contractors worked very slowly. More often than not the merchants failed in their contracts. If the defaulters were Europeans or were resident in Calcutta the Government could exact a penalty, though it generally refrained from doing so in consequence of extenuating circumstances. But if the defaulter was a landholder outside Calcutta it does not appear that the Calcutta Government had at that time any legal remedy in its power against him. It could only apply to the Resident at Murshidabad and direct him to use his influence with the Muhammadan Government to recover the penalty.

It would be a long story to tell of the various vicissitudes which occurred in the supervision of the works. The plans originally traced out by the master hand of Clive were left to Captain Brohier to execute. He talked much but did little. In May 1759, when Clive was again in Calcutta, he found that hardly any progress had been made. But his presence infused energy, and in four months the *enceinte*, the ravelins, and the covered way were completed. As soon, however, as his back was turned, the works again flagged. The authorities in England looked with disfavour on the project. In 1758 they had declared that the engineer must confine the works to a contracted plan and avoid great designs. They, therefore, ordered him to construct such fortifications only as might be defended

against any enemy by a reasonable number of men, not more than one thousand. The next year they complained that the estimate for the new fort was enormous, that half the Company's capital would be buried in stone walls, and that their servants seemed so thoroughly possessed with military ideas as to forget that their employers were merchants and trade their principal object. And as soon as Clive left Bengal, Holwell, who acted for a short time as Governor, joined in the outcry. He was sure that six hundred thousand pounds sterling would not be sufficient to complete the fort on Captain Brohier's extensive plan. When completed the works would answer no end, unless a garrison was kept sufficient for the defence. But if the Company were to be at the expense of so large a garrison, the works would be useless, because such a force would always enable us to take the field, and we could never be under the necessity of retiring to fortifications. He had before objected to the unbounded expense of the works, but had always been given to understand that Captain Brohier's powers were independent of the Governor and Council. He now found that this was not the case. He hoped that the body of the place, ravelins and glacis might be finished before the rainy season of 1760. When these were completed a stop should be put to the outworks till further orders. It is clear that Holwell, though a worthy servant of the Company, was not a man of great ability, and certainly not a military genius. Yet the Court of Directors adopting his suggestion wrote out at once to stop the outworks. Meanwhile Governor Holwell, always on the watch for malpractices, had discovered that serious frauds were being committed by those employed on the new fort. A bribe of eighty thousand rupees was sent him to induce him to suppress the evidence, but Holwell paid the sum into the treasury and continued his enquiries. From them he concluded that the Company must have been plundered of a third of the whole sum spent on the work, although he could only prove frauds to the amount of some four lacs of rupees. False returns had been made in the numbers of the labourers and gross overcharges in the materials. Peculation and every form of abuse flourished. Labourers who only appeared a roll call in the morning, and who worked all day elsewhere

turned up at night to receive pay. The money changers refused to give the men the proper value of the copper coinage. Contractors made large fortunes. Captain Brohier, who was accused of embezzling large sums of money, was arrested, but was afterwards set at liberty. He offered to pay Rs. 76,000 for what he considered the defalcations of his servants in order to vindicate his character. But in the end, on the night of the 29th and 30th July, he escaped from Calcutta. A Committee subsequently investigated the frauds in connection with the new fortifications. The overcharges were stated to amount to Rs. 2,17,586, from February 1759, to February 1760; and to Rs. 1,27,178, from April 1760 to the following November. The investigations of the Committee were not very satisfactory as many of the most important papers were not forthcoming. The Court of Directors could not forbear remarking that it was very extraordinary that Captain Brohier should evade all searches to recover him, especially when he was no further off than Chinsurah. Could he have been secured they might have got to the bottom of this iniquitous affair, but, of course, he never was.

The two Engineers who succeeded Brohier simply tried to carry out the original plans. The first of them, Amphlet, was a novice at engineering, but he found that most of his difficulties arose out of the disorder which had hitherto prevailed. He introduced stringent regulations. The seven or eight thousand men employed in the works were divided into hundreds, and each hundred was placed under an overseer. A European was appointed to every thousand. Sentries were placed over all the stores and at all the gates. The immediate consequence of these reforms was that nearly all the men deserted. In the following October Amphlet resigned his post and was succeeded by Lieutenant Polier. A regular engineering establishment was now formed consisting of Polier, whose annual allowance was, as Engineer, 4,000 current rupees, and, as Captain Lieutenant, five shillings a day with an addition of four Arcot rupees; of one Sub-Engineer on five shillings a day with an addition of four Arcot rupees; together with Practitioners on four shillings and ten pence a day, and volunteers on eighty rupees a month. In 1763 the Engineer was ordered to complete

the outworks on the north side of the fort and instructed to get bricklayers and carpenters from Dacca and Cassimbazar. In September 1764, as he was proceeding to carry out plans for the construction of an artillery yard, armoury and officers' apartments and quarters he was superseded by an order from the Court and Captain Heming Martin took his place. The establishment was re-organised and enlarged so as to include besides the Chief Engineer, two Sub-Directors, four Sub-Engineers, and six Practitioner Engineers.

Martin had not been many months in charge of the fortifications when he submitted a report strongly condemning all that had been done in the past, and recommending that the fortifications should be as far as possible reduced to more moderate dimensions. He had traced the new fort from its foundation, and considered that it was by no means equal to its European reputation. It was not half finished, progress having lately been confined to the outworks on the north. There was not a sixth part of the bricklayers necessary to complete the body of the work. The fortifications looked as if they had already sustained a severe siege. The ramparts, sloping the wrong way, allowed the rain to wash down the parapets and choke the drains, so that the water not finding any proper channels made its way through rat-holes and other cavities, and at last collecting behind the revetment burst it through. In several places the bricks might be taken out singly with finger and thumb. Two years ago ten feet of earth had been added to the flanks and bastions, but not a foot was now left. The magazines stood exposed several feet above the top of the parapet. So defective were the drains and sluices, that it took eight days to drain the ditch, and three spring tides to fill it. The intention of the Government appeared to be to provide a safe retreat for its servants and property. If so, a work of far inferior strength would always be sufficient in India. If the original scheme of the works was carried out, they would be quite disproportionate to any garrison which could be found in India, and a force capable of manning them would be better employed in the field. To an unfinished fortification like Fort William extensive outworks were like fine clothes to a weak body. For a much less expense than the

fausse braye alone had cost, the body of the place could have been completed with counterforts and proper revetments. It was of course too late now to propose any essential reformation, but still something might be done to cut down the expense, if Government would take care to appoint properly qualified engineers.

These recommendations had the advantage of coinciding with the views of the home Government, which though on safety bent, always had a frugal mind. So the order went forth that the plan of the new fort should be retrenched, and that till the body of the place was completed no fresh works were to be begun. To this order, however, there was one important exception. The waters of the Hugli at that time flowed close up to the fort with no intervening strand; and it seemed that the river instead of being driven back would actually wash away the works on the west face. To prevent further encroachment rows of piles were driven against the bank at the cost of over 6,00,000 of Arcot rupees. For three and-a-half years Captain Martin was left to carry out his policy of retrenchment and strict economy. In November 1767, a resolution was passed directing that the works should be inspected every week by a member of the Council, and this in the end led to the reversal of Martin's policy. In May 1768, Colonel Smith after visiting the fort drew up a minute strongly condemning the listless way in which Martin was proceeding. Though a strong place of defence was urgently needed, no progress had been made since 1765. So rich a place as Calcutta, he argued, must be protected. "Consider the great wealth and flourishing state of commerce in your opulent town of Calcutta. Remember that in the course of next year we may expect to have half a million sterling in our treasury and that at certain periods of every year we have a very considerable investment deposited at the presidency until the despatch of our ships for Europe. These are additional and very strong arguments for our completing with all expedition such a fortification as may prove in time of danger a safe repository for the Company's treasures and effects as well as a sure asylum to the persons and properties of those who live under our protection." Martin of course replied that outworks to a fortress of the extent and

capacity of the new fort were superfluous, and that he was of opinion that a rampart, bastions, wet ditch, and covert way, were defences sufficient for that part of the world. But the Government, agreeing this time with the military critics, ordered ravelins to be constructed to cover each of the land gates and a counter guard to the south demi-bastion. On the 20th July 1768, the Board, after calling Captain Martin before them, and interrogating him on the subject, concluded that he had not advanced one single argument in support of his objections to the construction of ravelins, of sufficient weight to induce them to alter their intentions; and, being confirmed in their opinion by the concurring sentiments of Colonel Smith, Major Polier, and Captain Watson, they repeated their orders to the Engineer to prepare for the work directly. In November Martin, now a Lieutenant-Colonel, resigned the Company's service and obtained leave to proceed to Europe.

He was succeeded in February 1769 by Lieutenant-Colonel Archibald Campbell. Under him the works were at last reduced to system and order. Engineer's books were opened to record every important transaction, the military stores were carefully surveyed and exact returns drawn up, and a plan and state of the fort was prepared. Finally, in March 1771, the organisation of the Company's engineering establishment was completed by the abolition of the old Committee of Works and the appointment of a Military Committee consisting of the Governor and four other Councillors to control the Chief Engineer, the Military Store Keeper, the Naval Store Keeper, the Master Attendant, the Military Paymaster General, and the Pay-Master to the works.

On the 17th December 1772, Lieutenant-Colonel Campbell resigned his post and was succeeded by Major James Lillyman, who was not only a skilful engineer and an indefatigable worker but was also well acquainted with the plans which had been adopted for completing the fort. The new Chief Engineer was very properly anxious to finish the work; but fate was against him. A heavy day's rain on the 1st September 1773 which brought down the face of the rampart at two or three points in the fortification revealed the fact that the containing walls were everywhere insufficient. "The facing of

the rampart," the Engineer reported, "is only one foot thick from top to bottom, and as such a wall is capable of supporting little or no pressure of earth, it has an extraordinary slope given, but this is not sufficient to remedy the defect of so thin a wall, in a country like this, subject to such heavy rains. In dry weather the earth has little or no pressure, but in the rains, at this season, the water insinuates itself behind the walls, and swells the earth, and the facing being too thin to bear any extraordinary pressure, down it comes. It is not easy to conceive why such a method of finishing the ramparts should have been preferred at the time it was carried into execution, but it seems to me that the Engineer must have been hurried to get the rampart up and the body of the place enclosed, or that he must have been in want of materials, and, if so, he certainly took a most expeditious method for a temporary defence, but that was all. Another circumstance leads me to think it must have been the case or he would have constructed casemates in the curtains, an instance of a fort of the extent of this, I may venture to affirm, is not to be found in Europe where the curtains are totally free of casemates as they are here. In the gorge of each bastion there are five casemates, making in the whole twenty, and those are all there within the body of the place. When the facing of the curtains gives way, it would add greatly to the strength of the place, in case of a siege to build casemates, as the revetment must be rebuilt at any rate, when that happens, and ought to be made a permanent work. It may be imagined I am striking out work for myself, but whoever will examine into the state of the place I am speaking of must soon be convinced of its utility, and as such I think it my duty to mention it at this time".

Lillyman's representations were, however, not much attended to till October, 1774, when the new Governor-General and the new Council asked the Chief Engineer to lay before them without delay an account of "the present state of the fortifications and buildings in Fort William," together with "an estimate for the application of six lacs of rupees to those parts of the work which are most urgent and necessary," and a further estimate for finishing the whole business. It appears

from the report submitted in the following month that both in the outworks and in the body of the place much remained to be done. Of the outworks the Forde ravelin was finished with the exception of platforms, but the Clive, Pocock, Vansittart and Smith ravelins, the Verelst and Cartier counterguards, and the Argyll and Conway redoubts were all in an unfinished state. The sluice to the south of the flag staff was completed, but not the other sluice on the north nor the place of arms between the two sluices and the glacis. As for the body of the place the report gives a long list of desiderata: an interior retaining wall for the rampart, a large powder magazine, for each of the gates, a disperse magazine, two small bastions on the *fausse braye* to flank the right and left faces of the Argyle and Conway redoubts, four faces of the redans next the river to be rebuilt, guard houses and office houses for all except the Clive and Plassey gates, two draw bridges for each of the main gateways, workshops for laboratory stores and for the armoury artificers and stores, barracks and kitchens for the European officers of a brigade, and wells sunk to supply them with water. Barracks and kitchens too, for the soldiers which had been already begun, before the inside of the Plassey gate and raised to the spring of the arches in 1773, remained unfinished. There were also wanted a granary for provisions, a mint, a treasury house, and public offices and apartments for the civil and military officers belonging to the Honourable Company. Upon this report the Council remarked that the works most immediately requisite for the accommodation of the garrison were the military storehouses and barracks before the Plassey gate, and these buildings, together with the Vansittart ravelin, the redans by the river, and the draw bridges and sluices were ordered to be taken in hand immediately and completed. But Lillyman did not live to carry out these orders. On the 28th December death freed him from his wearisome task. The post of Chief Engineer was held by Major Fortnam with the rank of lieutenant-colonel till the end of 1776 when he was superseded by Colonel Henry Watson. To him Calcutta owes numerous public improvements, and, not the least, the completion of her citadel and of the surrounding esplanade.

After nearly a quarter of a century the works at the new Fort William were finished at the total cost of two millions sterling. By 1781 the fortifications were in order and the storehouses fit for use. On the 24th December of that year there was a general discharge of the guns of the fort in honour of the surrender of Negapatam. In the following year during the months of March, April and May the new granaries were stored with rice and paddy "by order of the Governor-General and Council under the inspection and charge of John Belli agent for providing victualling stores" as the existing inscription testifies. At the same time Watson was ordered to make a road from the Court House to Surman's bridge at Kidderpore our modern Old Court House Street and Red Road. It only remained to make a further road from Surman's bridge to Chowringhee and to clear and level the common round the fort.

A letter from Watson to the Government dealing with these points may still be read with interest.

TO THE HON'BLE WARREN HASTINGS, ESQ.,
Governor-General, and Council.

FORT WILLIAM, 14th March 1782.

SIR,—As I am persuaded the intentions of the Board to keep the Esplanade clean and free from Incroachments can never be completely fulfilled without enclosing it with some sort of Pailing or Fence, I therefore take the liberty to observe that the Company have now in store under my charge a very considerable quantity of Hill Bamboos which were purchased in the year 1778 for Facines, and as a great part of them are at present entirely decayed and the whole must soon be in the same situation if not removed from the Stacks in which they are now deposited, I do not believe they can be applied to a more advantageous purpose than that of contributing to make the fence before mentioned, and this may be readily completed without any further expense to the Company than that of employing a part of the Gran Sticks (also in store and under my charge) as posts for it, for which they are well adapted. As the great road leading to Surman's Bridge must soon become a principal object of attention

among other Improvements, I am induced to take the liberty of offering my best services to render it both durable and commodious for a moderate sum ; for which purpose I propose to employ all the broken bricks and coarse sourky now in my possession at the Dock Yard, within the Fort, and upon the Esplanade, the former I offer at half price or three rupees twelve annas per thousand, and the latter I do not intend to charge more than the full value of the bricks or seven rupees eight annas per thousand. I propose further not to employ more than twenty carts daily in transporting the bricks and sourky.

If this mode should be approved by the Board I shall think it incumbent upon me to accept of Company's Bonds in payment. The total expense of making the road I cannot well estimate at present, but after one month's work I shall be able to ascertain the exact sum it will cost. I am, with great respect, Sir, Your most obedient and most faithful servant, Henry Watson.

C. R. WILSON.

Art. VI.—RAI SARAT CHANDRA DAS BAHADUR'S TIBETAN DICTIONARY.*

THE dictionary which I have been asked to notice in the following article possesses a particular interest at the present time, when Tibet and all connected with it has been brought more to the notice of the general public than it has ever been before, and when, as the results of the present Mission, it may be expected that our knowledge of that mysterious and hitherto little known country will become much more general, and in view of our future intercourse will have a practical as well as a scientific value.

The dictionary represents the work of ten years, from 1889 to 1899, during which time Rai Sarat Chandra Das, Bahadur, C.I.E., was specially deputed for its compilation by the Government of Bengal, and it then underwent revision for rather more than another two years, by the Rev. Graham Sandberg and the Rev. A. W. Heyde, and was finally completed in March 1902.

Its origin, as the author tells us in his preface, was due to a passage by Csoma de Körös in the preface of his Tibetan-English Dictionary published in 1834, which is as follows : "When there shall be more interest taken for Buddhism (which has much in common with the spirit of true Christianity) and for diffusing Christian and European knowledge throughout the most eastern parts of Asia the Tibetan Dictionary may be much improved, enlarged and illustrated by the addition of Sanskrit terms."

I would here observe, in passing, that whatever Buddhism "in its pure form may have in common with the spirit of true Christianity" the form which that religion has assumed in Tibet, into which has been incorporated the pre-existing worship of countless demons and aboriginal deities, all more or less terrible and monstrous in form and malignant in character, has little or nothing in common with Christianity.

* A Tibetan-English Dictionary with Sanskrit Synonyms. By Sarat Chandra Das, Rai Bahadur, C.I.E. Revised and edited under the orders of the Government of Bengal by Graham Sandberg, B.A., and A. William Heyde. Calcutta : Published at the Bengal Secretariat Book Depot, 1902.

The connection between Sanskrit and the literary form of the Tibetan language arises from the fact that all the original literature of Tibet is of Sanskrit origin, being translations from Sanskrit works taken from Bengal, Magadha, Gangetic or Central India, Kashmir and Nepal, commencing from the seventh century.

Rai Sarat Chandra Das brought the passage referred to above, to the notice of Sir Alfred Croft, who was then Director of Public Instruction in Bengal, and "explained to him the necessity of compiling a Tibetan-English Dictionary on the lines indicated by Csoma de Kőrös for the use of Tibetan students and particularly to assist European scholars in the thorough exploration of the vast literature of Tibet." I have given this quotation in the author's own words, as they show with what object the Dictionary was undertaken and in what respect it was intended to be an advance on the dictionaries then in existence. It is therefore in no way detracting from the results obtained to say, that, although a vast amount of fresh matter relating to the spoken and current language has been added both by the author himself and by the revisers, the dictionary is, in the main, what it proposed and undertook to be a dictionary of the literary language.

As such, it is a complete success, and reflects the greatest credit on the erudition and continued labours of both the author and the revisers. Its 1,351 pages contain, besides the explanation of the words and copious examples of their use taken from all the known Tibetan classical works, an immense amount of information on the subjects—religious, philosophical or historical, which the words involve, some of the explanations being quite encyclopædic in their character.

As the revisers tell us in their preface "The author and the revisers have endeavoured by widening the sources of their quotations to show how extensive a field is covered by mediæval and modern Tibetan writers. Geography, history, biography, political government, accounts, astrology are all represented."

But this very completeness of literary language renders the dictionary the less fitted for the use of the student of current Tibetan, as there is no distinguishing mark to guide

him as to which word is in use and will be understood in the current language, and which is of purely literary use.

To any one not acquainted with Tibetan this may appear to be a small matter, probably only involving the use of a high-flown or pedantic word, where a simpler one would have been better. But this is not the case. The literary language of Tibet, which, if it ever was the current and vulgar language of the country, is the language of the middle ages from the seventh century onwards, when the translations were made, is almost unintelligible at the present day. The English of Chaucer bears a much closer resemblance to modern English than does literary Tibetan to modern Tibetan. A better analogy of its relation would be to compare the English of Langland, or Norman-French, with current English. This entire distinction between the literary and the spoken language is such a fundamental characteristic of the Tibetan language that the following passage which I have translated from the Rev. A. Desgodins' Grammar of Spoken Tibetan* is of interest on the point, as it carries the full weight of his knowledge and long experience. Speaking of the early translators and writers who formed the literary language from the seventh century of our era onwards, he says: "They have formed for Tibet a sacred language. This language has never been understood except by those who have made a special study of it; it has not penetrated into the usage of the people, who have preserved their own dialects and their own *patois*, leaving to rare scholars, lamas or laymen, the care of reading, understanding, and explaining, if they are able, the sacred books. These scholars themselves never speak as their books are written, and if any one were to speak this language to them, either they would not understand him, or they would say 'One writes in that way but speaks quite differently.'"

It is therefore from the literary point of view that the present dictionary has mainly been compiled. The following extract from the author's preface will further illustrate its scope. "Babu Sarat Chandra Das has brought with him four dictionaries of the classical Tibetan; one of these

* Essai de Grammaire Thibétaine pour la langue parlée. Par A. Desgodins, Hongkong Imprimerie de Nazareth, 1899.

being a well-known Tibetan-Sanskrit Dictionary, compiled from a large number of named Tibetan, as well as standard Sanskrit works, and dating from the 13th century A.D., and another being a Sanskrit-Tibetan Dictionary which explains the tantric portions of the Buddhist Scriptures. The external arrangement of the dictionary will be as follows. The Tibetan words will be placed first in alphabetical order; next their accepted Sanskrit equivalents; next the English rendering of the Tibetan terms; then will follow what will be a special and valuable feature of the new dictionary. The meaning of each technical term is to be illustrated by extracts, with exact references from Sanskrit-Buddhist and Tibetan works. Further, it is proposed that Babu Sarat Chandra Das should include in the dictionary words of modern Tibetan which were not known to Csoma or Jaschke. The materials which he has amassed during his two journeys to, and residence in, Tibet give him exceptional facilities for making the work complete."

The revisers have also introduced a number of colloquial words and phrases belonging to the Central and Eastern speech. "Other additions have been short paragraphs on the mythological pantheon of Tibet and Mongolia, together with an attempt to give exact information on zoological and geographical points."

There have been dictionaries of the Tibetan language in Tibetan from a very early date, and the language has also been the study of European scholars since Giorgi's "Alphabetum Tibetanum" was published in Rome in 1762, which was compiled by the Capuchin Friars who were settled in Lhasa in the early half of the eighteenth century, two of whom Francisco Orazio della Penna and Cassian di Macerata sent home the materials which they had collected. The Tibetan characters in that dictionary were engraved. The next dictionary was published at Serampur in 1826 by the Rev. John Marshman at the expense of the East India Company, and Tibetan types were used for the first time. This second dictionary was also due to an Italian missionary, though his name is unknown, whose manuscripts came into the hands of Father Schroeter, a missionary in Bengal, who transcribed the Italian into English.

The next dictionary, that of Alexander Csoma de Körös, which was published in 1834, also owed its appearance to

the liberality of the East India Company. In 1841, Professor Schmidt published a Tibetan dictionary at St. Petersburg. This was mainly founded on that of Csoma de Körös, with the addition of a number of Mongolian words. And in 1881, the Rev. H. A. Jäschke published his Dictionary which has been the standard dictionary of Tibetan up to the appearance of the present one. That dictionary was compiled from the materials which he and his colleagues in the Moravian Mission at Kyelong in British Lahoul had been engaged in collecting since 1857. This dictionary was published in England, and was also produced at the expense of Government, to whose liberality, it will thus be seen, all the existing Tibetan dictionaries in the English language are due.

Tibetan literature commenced with the introduction into that country of the art of writing about the year 650 A.D., by Thon-mi Sambhota, the minister of King Srong Tsan Gampo. This king, who, on his marriage with a Chinese and a Nepalese wife about the year 641, A.D., both of which countries were then Buddhist, embraced the Buddhist religion and sent his minister Thon-mi Sambhota to India to bring copies of all the principal Buddhist books from there. For the purpose of translating these scriptures into Tibetan, Thon-mi Sambhota adopted the form of Sanskrit character then prevalent in Magadha and the north of India, which, with certain modifications in form and with the addition of some new letters for sounds which the Sanskrit and Indian languages do not contain, became the Tibetan alphabet. It is probable that for a long time all books were in manuscript, before the art of printing was employed, though we do not at present know at what date it was first employed. Tibetan books are not printed with type, but are xylographs, or wood-blocks, each page being carved, as a separate wood-cut. These wood blocks are necessarily bulky, and consequently the printing houses, most of which are attached to some of the larger monasteries, occupy a great deal of storage space, and the larger books can as a rule only be obtained from them and are generally printed to order.

The two principal religious books of Tibet are the "Kan-gyur" ("Bka-agyur") which is in 108 volumes

of about a thousand pages each, and the "Tan-gyur," which is a commentary on the Kan-gyur and runs to 250, equally bulky volumes. Almost every monastery and many well-to-do private houses have a copy of the former, but the latter is rarely found, being too expensive and its reading by the lamas not being essential to salvation, or to the Buddhist ritual.

Besides the above there are of course innumerable others, all on more or less religious subjects, on the lives and sayings of various saints, and former Dalai Lamas, of which perhaps the best known is the Lubum or "The Hundred Thousand Songs" of Mi-la-ra-pa, a mendicant saint who lived at the end of the eleventh and beginning of the twelfth centuries, and spent his life in wanderings through the country.

Jäschke divided Tibetan literature into two periods. The first, which he calls the period of translations, begins from the invention of the Tibetan alphabet in the middle of the seventh century, and which, as its name implies, was entirely occupied with the translation of religious works from the Sanskrit. The second period commenced in the eleventh century, when the Tibetans began to write original compositions of their own. It was in this period that Milaraspa wrote his "Hundred Thousand Songs," and numerous other lives and sayings of saints were written. The matter of this period was of a historical or legendary kind. To these two periods Rai Sarat Chandra Das adds a third, beginning from the early part of the eighteenth century, with the establishment of Chinese suzerainty over Tibet. During this later period the subject-matter of the literature is much more general and extensive, and, as has been already noticed with regard to the references given in the dictionary, comprises a variety of subjects. The method of obtaining a copy of a book in Tibet is so strange to European ideas of book purchase that the following account, for which I am indebted to Mr. Ekai Kawa Gochi, a Japanese monk, who went to Tibet disguised as a Tibetan monk with the object of obtaining copies of Buddhist religious works for his University in Japan, and who spent more than a year in such disguise in the monastery of Sera, one of the three great monasteries near Lhasa, until he was discovered

and had to leave the country. He was, however, able to bring the large collection of books that he had made while there away with him and was good enough to let me see them, when on his way through Darjeeling.

To get a book printed verbal application has to be made to the monastery which contains the wood blocks and printing press, and a scarf is presented with the request.

The price is then arranged, which varies according to the quality of the paper on which the book is to be printed. The person who orders the book can either have the paper supplied by the press, or if he prefers, can supply his own paper, in which case the charge is for printing only. This charge is the wages of the printer which are usually one *tanka* a day (6 annas) and food, or two *tankas* (12 annas) without food. The printer works from about 8 A.M. to 4 P.M. (which would satisfy the advocates of the eight-hours day) and one printer can print about 200 pages a day. The general rule, however, is for the press to supply the paper, in which case the usual rate is 2 *tankas* (12 annas) per 50 pages. Mr. Ekai Kawa Gochi informed me that one has to count the pages carefully to see that all the pages of the book are supplied and none omitted; a form of fraud which, fortunately, the non-Tibetan mind has never been led to associate with publishing.

The method of printing, too, is peculiar. The wood block having been inked by a hand roller the page to be printed is laid upon it and is pressed down on to it by the use of another hand roller. It is then taken off and left to dry, and when dry the other side of the leaf is laid on the wood block of the page that follows, and a similar process gone through, when both sides of the paper are printed.

Tibetan books are not bound, but the loose sheets are laid in their order one above another and are then wrapped up in a cloth bundle, which is usually placed between two stout wooden boards, forming the cover of the book round which is tied a leather thong to keep them together, which is untied and the covers taken off when the book is required to be opened.

But we have wandered rather far from our starting point, the Tibetan Dictionary, and had better return.

This we cannot do better than by a tribute of admiration for the ten years continuous labour of the compiler, with the vast amount of reference and research which they have involved, and for the judgment and ability of the revisers, both in their revision of the text, and in the extra matter which they have themselves added, and by congratulation to them both on the efficient work which has been the outcome of their labours, and which will remain for many years to come, the standard dictionary of literary Tibetan.

E. H. WALSH.

Art. VII.—THE FUNCTION OF THE COLLEGE PROFESSOR IN INDIA.

ἐν τῷ ἔργῳ τὸ εἶναι.

UNDOUBTEDLY one principal result of the Universities Bill is to increase the responsibilities of the men engaged in the teaching work of the colleges. It gives them a new prominence, for it embodies the principle that a preponderant share in the practical management of a university is rightly entrusted to the men who actually do the work of university education. This new prominence necessarily carries with it new obligations, not only for those who are actually taking part in the work of university organization and control, but for all who are anywhere teaching in the colleges. Education men as a class will be on their trial in a new sense. The responsibility, which has always of course existed, has now been definitely recognised and asserted. More than that, it is implicitly recognised that education men as such have in past years had too small a share in the general business of university government, and that they are to have an ampler share henceforth. This does enlarge the responsibility of education men, and the larger responsibility will bring new duties. How are they going to meet them? An enquiry into the work and duties of professors in Indian colleges is very apposite to the present time; and it is no idle speculation. For is there any accepted theory about the work of college professors in India that might serve for practical guidance beyond the limits of bare routine? Are there any clear ideas as to what their position implies, what are the ends for which they are appointed, what are the specific functions they are expected to discharge? It does not much help to say they are appointed to teach in colleges, because as a matter of fact they do a great deal of other work besides teaching, and some have even denied that they do any teaching at all. If we say they are lecturers and their work in Bengal is defined by the Examination regulations of the Calcutta University, this is even less

satisfactory. For few would be willing to admit that examinations fix the whole extent of the education that Indian colleges try to give, and the whole tendency of opinion at the present time is to repudiate any such limitation and to extend the aims of education far beyond the lecture-room. We find, moreover, that college professors examine for the university, set examination papers, serve on Boards of Studies, take an active share in university administration, write text-books, deliver popular lectures, work independently in laboratories, and even sometimes express opinions on educational subjects. Custom and practical expediency doubtless determine here as elsewhere what they should do or not do; and doubtless again there are rightly variations and exceptions. At the same time the question does remain and may be asked, what is more properly the function of a professor in an Indian college; what firstly is the particular work that he is placed in the college to do; and secondly is there further any useful function that he is intended to discharge more widely in relation to society at large.

It will be convenient to consider first how the duties of the college professor have been conceived up to the present time, as far as can be gathered from existing practice and the system prevailing usually at colleges in Bengal. Of course any statement made in a general form will be untrue of some professors, and even of some colleges; but certain broad generalizations will be approximately true. Then it will be well to go on to consider what changes of view, if any, are involved in the Universities Bill, interpreted in the light of the Report of the Universities Commission and the Government Resolution on Education published in March of this year.

It is plain at starting that, broadly speaking, the main business of the ordinary college professor has hitherto been assumed to be lecturing. The work of every college has been regulated by a carefully adjusted schedule of lectures, or routine, in accordance with which three or four lectures, a day has been the ordinary day's work of the lecturer, and four or five lectures a day has been the ordinary day's work of the student. When a professor joins a college staff, he is referred to the college routine and therein finds the share in the scheme

allotted to him. His work has then been to attend a class-room or class-rooms at stated hours (usually as far as possible consecutive) and put in the prescribed number of lectures in such manner as has seemed good to him. Men occasionally lecture for four or even five hours in one day; but it is now pretty generally recognised, at least in Government colleges, that three lectures, an hour long each, is the most that as a rule it is advisable to ask of a lecturer in India. This has been and is, in India, the main function of the professor within the college, the solid core, though by no means the whole extent, of his ordinary routine work. As such it is by no means the light and trivial task that the unthinking suppose it to be. There appears to be a widespread impression that the college professor, especially in Government colleges, is a gentleman who lives in permanent enjoyment of a large amount of leisure. He is supposed by his fellow countrymen in India, after a morning of luxurious trifling, to drive down to a college, there to spend two or three hours in a stuffy class-room (the only drawback to the enviable felicity of his lot), and, this done, to be free once more to give the rest of his day to amusement or repose. This pleasantly imagined scheme of life, very different from the reality, is due partly to a strange inability under which Englishmen in India seem to labour, to form any conception of the nature and demands of educational work, partly to a mistaken, though perhaps natural, assimilation of work in an education department to other departmental work. Official work in India consists mainly of office work and inspection. Therefore an educational *officer* either attends an office or inspects. The college (which does indeed centre round an office) is by an easy transference of ideas assimilated to the office, while an inspector of schools plainly inspects. Consequently when an educational officer is neither "in office" nor "inspecting" anything, it is inconceivable that he has any work to do at all. Other colleges are very like Government colleges and are worked by the same methods. So it comes about that teachers in India instead of being thought of as among the most hard-worked and harassed of mankind come to be viewed as a lightly tasked class of men, who for a handsome wage do ordinarily a very inadequate day's work.

Popular misconception does not, of course, alter facts; yet indirectly popular opinion counts for something and all are insensibly more or less affected by it. This is not a wholesome state of opinion, and it is really expedient that juster ideas should prevail among us of a teacher's duties and labours. Although in India the main function of the professor may be to lecture, the main portion of his work is not usually done in the lecture-room. Lectures, if they are to have any real value for those who listen to them, must usually be specially prepared. It may safely be said that in the case of most teachers every lecture requires preparation; and this is true of all subjects, though not to the same extent. It may be laid down as a broad principle that if a lecturer adjusts his lectures to the special requirements of his students, every lecturer in every subject whatever will require some preparation; and if the average time required be estimated as approximately equal to the length of time taken up by the lecture in delivery, the estimate will be rather below than above the actual requirements of the case. In certain subjects, especially in literature, in which special books have to be studied and different books are set from year to year, the time required is often much greater. Further to prepare a carefully co-ordinated *course* of lectures in any subject requires concentration of mind and freedom from other work—requires really such a free time as is afforded by vacations. A new course of lectures naturally involves most labour; but even a repeated course requires some labour, if freshness is to be maintained, and this is true even when the lectures are comparatively elementary. When a course is more advanced, constant revision is necessary, in order to keep pace with advances made in the subject. The work required for the preparation of several concurrent lecture courses, averaging three hours lecturing a day for the larger part of the year, is anything but a negligible quantity.

But pure lecture work, though the main work is not, and has not been, the whole work of the college professor in Bengal. There has been a certain amount of other work of a laborious kind directly connected with teaching in the form of college examinations and class exercises. The large size of classes has in many cases precluded any effective system of

class exercises. The labour involved in looking over frequent batches of papers from classes of from fifty to a hundred is obviously excessive. But Test Examinations held once a year for all classes in all subjects is a widely established custom. Class papers have sometimes been set in particular classes at the discretion of individual teachers. In some colleges attempts have been made, especially of late, to set class papers at regular intervals, weekly, fortnightly, monthly. In the students' interest this is undoubtedly the ideal; but with a limited staff and unlimited classes such a system is very difficult to carry out with consistency and thoroughness. The burden of labour—of a peculiarly wearisome character—may easily become too grievous to be borne, and harm the teacher more than it benefits the taught. For it has further to be kept in mind that it is not enough to set class papers, nor even to mark and correct them. Errors must be brought home to the class—and not collectively but individually. To make a class exercise of use, the student must be shown where he is wrong and taught how to do better. Every class paper then must be carefully corrected and returned to the writer in order that he may know what his mistakes are. Further in order that he may know how to avoid mistakes in the future, the teacher must "go over" the paper with him, at least along with the rest of the class, since it will not usually be possible to find time to take each student separately. The burden of this sort of work soon becomes indefinitely great, and may easily become overwhelming.

In addition to these forms of direct teaching work, there have been other claims from their students which many, if not all, professors have always recognised. Students ply their teachers with particular difficulties or "doubts." Students ask for testimonials, recommendations, introductions. Students pay calls of ceremony or friendship. Professors preside at students' meetings, or take practical interest in students' games. Even as things are, the time and energies of the average professor are very fairly taken up during term time with the ordinary routine work of his college.

Outside this ordinary routine work of his college and the claims involved in his relations to his students, the college

professor must usually further take upon himself some share of the examining work of the university. How great the total burden of this work is, may be estimated readily enough by considering the diversity of subjects in which candidates are examined for the various Calcutta examinations and the vast numbers of candidates in the ordinary Arts Examinations. It is true that this examination work is no part of a professor's necessary duties and that the work is paid for by the university. But the work has to be done, and if college professors do not do the bulk of it, it is not easy to see how it would be done at all. Practically it is work incumbent on professors as a class though the share of the individual is largely left to his own discretion. The work is of two kinds, setting papers and examining papers. The latter bulks more largely and is more laborious. How great and wearing the work of examining papers for the F.A. or B.A. Examinations in Arts is, only those know adequately who have been through the mill. But even the dullest imagination can realize in part the wearisomeness, the deadly monotony, the distressing effort involved in reading over and correcting many hundred answers to the same series of questions. The biggest examinations come just at the beginning of the hot weather (March-April) so that the discomfort of hot nights and hotter days is added to the strain of severe and unattractive work. It is no exaggeration to say that the weeks taken up by the work involved in looking over answer papers in the Calcutta F.A. and B.A. Examinations are a real servitude of a grievous character, and sometimes become one hideous and protracted nightmare, which leaves the victim a physical and mental wreck. The fee which the examiner ultimately receives is hardly earned. And as the burden of this work must be borne by certain individuals in the class of professors, account must be taken of this burden in estimating the work which professors as a class are called upon to do.

Besides this examining of papers, again, there is the work of setting papers. Less of this falls to the active professors now-a-days since a rule was passed by the Senate a few years back that no teacher should set a paper in any subject which he taught. Opinions differ as to the wisdom of the rule

and undoubtedly it prevents the men best qualified to set papers from doing the work. Its effect is to limit the amount of this work falling to university teachers. Yet some of it does, and as this also is necessary work, it must be counted as work which professors do in discharge of their proper function. The work of setting papers is less laborious than looking over answer papers and far more amusing. But it is also peculiarly responsible work, requiring concentration of mind and freedom from distracting influences. It is not work which can satisfactorily be done in odd hours snatched from the routine of ordinary work. It is fairly easy to set papers in a subject familiar to the paper-setter: it is never easy to set good papers. The peculiar limitations imposed by the Calcutta regulations do not make the task easier, but the difficulties they make are of a mechanical nature. The true difficulty of setting papers is the difficulty of all art, the difficulty of doing things well. A good paper is one that is a really efficient test. Many circumstances in India combine to make a really efficient test difficult to secure. The most serious is the known ease with which Indian students commit words to memory. No paper is a good paper for Indian students which does not defeat the practice of getting words by heart without understanding them. This can be done, but it is not easy to do. How difficult it is, is only discovered by the actual attempt to set such papers in a literary subject, which shall at the same time cover the subject fairly and give due importance to the more valuable parts of it. Thus regarded an examination paper becomes truly a work of art on which time and thought must be expended, if it is to have worth. There is yet a higher view which may be taken of examination papers. They should not only test teaching, but themselves contribute to the teaching. The examination is not to be conceived of as something separate and apart from teaching. It is a part, and an important part, of the whole educative process, and that paper has failed of a possible usefulness which does not bring out some special aspect of the subject and suggest some enquiry which may bear fruit in an intelligent mind.

So far only the more ordinary degree examinations have been considered and the work involved in them. But there is

the higher work of the university also. The ordinary college professor may at any time be called upon to examine for the M.A. or set papers for the Premchand Roychand Studentship. This brings us face to face with another and very different aspect of the function of the Indian college professor. So far we have considered him only as a teacher of elements and an examiner in comparatively elementary subjects. But the claims of the M.A. Examinations and the Premchand Roychand Studentship remind us that he is, as he is called, a "professor," and is credited therefore with science or scholarship enough to test efficiency in the more advanced parts of his subject. He is even more; he is the accepted representative, as his title implies, of some particular branch of learning. The greater part of his teaching is elementary; he may have no M.A. class, perhaps not even an Honour class in his subject, and yet as a professor of that subject it is assumed that he is a person so erudite, one who has attained so complete a mastery of his subject, that at any time he is competent to undertake any of the most difficult tasks associated with proficiency in it. For in India, as elsewhere, we find that in spite of a certain obscurity of his character, due to an unfavourable environment, our "professor" has a wider duty to fulfil in relation to the community at large over and beyond the more precise and definite duties he owes to the university for which he examines and the college in which he teaches. He is, we find in the end, expected to discharge in some degree the functions of the scholar and the man of science. He is certainly a toil-worn teacher of elements (Mr. Morison implies that he is a schoolmaster who has mistaken his vocation); he is an examiner at twelve annas the half paper; he is a Calcutta M.A. waiting for something better to turn up; he is a missionary fishing for souls; he is an educational officer regulated by departmental rescripts—but also, if we look far enough, he really is, as he is called a "Professor" of Mathematics, or of Literature, or Physiology or Physics, of Logic or of Sanitary Science; that is, he is one who has carried study and research in some one or more of these, or other, branches of knowledge to such a point, that he may be regarded as a competent authority therein; one to

whom others less instructed may resort for guidance, and who by his independent labours is either a leader of thought himself or as a faithful student presses closely in the track of leaders of thought elsewhere. This function in default of a better name may, perhaps, be called the representation of learning; and in some sense our Indian professor may, in addition to his other functions, be said to "represent" learning.

But if this last view of our professor be true—and it really is no more, than to say that a professor in India is to be thought of as a "professor" elsewhere, in France, or England, or Australia—it is at once apparent that we must revise and readjust our conception of his function and labours, and in any final estimate we make of him and his works we must allow scope for the obligations of this representation of learning. Our professor has not only to lecture to Pass classes, to examine for the B.A., to preside at students' debating-clubs and participate, actively or by sympathy, in their sports, but he has also to read and study, to think and write on his own account, in order, as we say, to keep himself 'up-to-date' in his subject, to bear himself as a not altogether unworthy minister in the precincts of the temple of learning. When we look to his relation to the university and the ends for which a university exists, we must come to see that this representation of learning is not the least important, or least exacting, of the functions of the Indian college professor. All universities, besides teaching, desire to encourage the higher learning. Calcutta even takes the advancement of learning as its motto. There is no other organized body to represent the higher learning in Calcutta than that which can be gleaned from the ranks of the college professors. It is, therefore, in all views expedient and necessary to emphasize this highest function among the functions of the Indian college professor.

But the implications of this function must not be overlooked. We do as a matter of fact find a good deal of the actual administrative business and the educational control of the university carried on by college professors. To attend meetings of the Senate, to sit on educational committees, to do the work of Boards of Studies, are among the recognised

functions of college professors. In our estimate of their work we must allow time for this. We must also allow leisure, legitimate, laborious leisure for the less palpable, but not less valuable or exacting side of their professional function—leisure for study and research.

All this belongs to the function of the college professor as already practically recognised, if not always sufficiently remembered and kept in view in speaking of educational work in India and devising schemes for the improvement of collegiate education. We have now to consider what differences in our standpoint is made by the Universities Bill and its implications. The first and most obvious implication of the Universities Bill is surely to confirm and bring into relief those aspects of the Indian professor's functions last considered—his functions as a representative of learning and as one having a responsible share in the control and management of a university. By its provision that two-fifths of the members of the Syndicate and the Senate shall be persons engaged in the teaching work of the university, the Bill recognises that teachers are as a class the persons best qualified to conduct the business of a university, and consequently have a reasonable claim to a decisive voice in its counsels. By its enunciation, or re-affirmation, of the right of the universities to found university professorships, it recognises the importance in a university of the special representation of learning. But until special university professorships are founded, which is not likely to be very soon—not at least on any adequate scale—this function of representing the sciences must be discharged—adequately or inadequately—by ordinary college professors. We may take it, then, that it will still be among the functions which professors in colleges as a body are expected to discharge, to carry the study of their special subject beyond the point required by the duty of teaching up to the standard of the ordinary Calcutta degrees. That it will still be their duty to be students in the highest sense, to maintain a living and active interest in the advance of their special subject and keep abreast of the times. This will be as much a duty in the future as in the past. The only difference which the Universities Bill makes in this respect is to bring this duty into greater prominence.

But the Universities Bill, it has been said, is only a preliminary to the transformation of university education as a living process from within. It is the re-adjustment of the external machinery which is to make possible the intrinsic reform of education itself. To see how the reforms which are contemplated affect the work of university teachers we must go to the Report of the Universities Commission. What is there mainly indicated is the need for the vitalizing of the educational work of the colleges in all its aspects. It is nothing less than the infusing of a new spirit into the actual educational work carried on under the direction of the university. If effect is to be given to the recommendations of the Commission, the whole character of the teaching must be renewed from within, the very type of the education given must be transformed. The recommendations, if they do not always quite clearly enjoin the necessity, indicate plainly enough the expediency, of closer ties between teachers and taught. They point to the educational efficacy of a real collegiate life; a life in which the members of a college should form a community, single and distinct, united by common work and common interests, a life not limited to the impersonal intercourse of the lecture-room, but continued throughout the day and extending to all the concerns of daily life, physical, intellectual and moral. Students as far as is compatible with the habits and prejudices of the country are to live together in hostels; resident professors, either lodged in the hostel precincts, or living close at hand in their own houses, are to regulate and supervise this common life of students, enter sympathetically into students' studies and amusements, and take a close interest in all that concerns their welfare. Not the passing of examinations, but the formation of character is to be recognised as the true educational end. How great a transformation of existing facts, and even of existing aims, this involves, those acquainted with the colleges in Bengal best know; and those who know will not fail to recognise the greatness and the difficulty of the task, the far-reaching character of the responsibility involved for those who have to carry the transformation into effect. The instruments by means of which these deep and vital changes in the character of

higher education in India are to be carried out—if carried out—are the professors in Indian colleges. It is impossible to exaggerate the urgency of the call now made to them for new and more unsparing efforts, the gravity and multiplicity of the claims which even a partial realization of this ideal will make for them. If the work of a professor in an Indian college has been exacting hitherto, it will be more exacting in the future; it will be so exacting that it is a little difficult to see how, without reinforcement in numbers and some modification of the older claims, it will be humanly possible for professors to cope with the various and competing claims of their position.

The position of a professor in an Indian college has in fact already in the past been in some respects one of special difficulty—it is likely to be so still more in the future. As in every department of public life so in education we in India labour under the disadvantage of undermanning in the higher ranks and imperfect division of labour. One has to do the work of ten. Naturally he can only do it imperfectly, in a summary and makeshift fashion. This is a misfortune in every department of life. In education it is fatal. Now I think I have shown that a professor in an Indian college, as things are, has to combine a number of functions, which easily become conflicting, as lecturer, examiner, university administrator, and pillar of learning. Not that these functions are not combined by teachers elsewhere, but I do not think they are usually combined so promiscuously and so exactly. In England and other countries the work is distributed among more and, possibly, more capable, hands. The teacher in India is too often wrestling with tasks that are too heavy or too hard for him. The dilemma so often is, either he must do them, or they are not done at all. Some consequently are done at too great a strain and cost to the doer; some are done perfunctorily.

It is of practical importance to realize that this will be certainly still more the case in the immediate future. The advantage of recognising the fact early is, that, although the fact of the burden cannot be altered, the weight of the burden may be somewhat lightened by judicious foresight. The

acuteness of the conflict will be specially felt between the two aspects of the professor's duties which are most emphasized in the contemplated reforms, his function as professor and his function as college tutor. The militant educational reformer, as voiced by the Report of the Universities Commission, demands that he should take a more close and personal interest in his students. He is not only to lecture to them for so many hours a day, but to be their guide, counsellor and friend at all hours and in all relations. Now this is an exacting duty, and leaves not much leisure for other things, while the work of a college session is in full swing. On the other hand as soon as the new Senates are constituted the whole organization of the Calcutta University needs to be re-considered—and for a time the work of overhauling curricula and passing regulations under critical review will make exacting demands not only upon the men actually appointed to the new Senate, but upon all engaged in university teaching and interested therefore in the results to be achieved. We may expect a period of the most energetic and varied academical activity. Again if teaching is to be vitalized, and if, in particular, a better system of teaching English is to be devised and put in practice, a large amount of energetic thinking and discussing is required before the best conclusions can be reached. This again makes demands in another department of a severe and responsible character on all university teachers possessed of relevant experience or capable of independent thought. How are all the demands of this "new day" to be met, even allowing for a natural and probable amount of division of labour? The harvest is ready, but truly the labourers are few.

The chief hope must be that the rank and file of teachers in the colleges will realize the greatness of the occasion and rise to its demands, so far at least as to make a great and practically unanimous effort to meet the claims now made upon them, whether new claims, or old claims presented in a more insistent form. Without an acceptance of higher ideals, on the part of teachers and a willing spirit of effort and self-sacrifice the hope of effective educational reform is certainly small. This must come from within.

But something may also be done from outside, and mainly by the diffusion of right opinions about education and the teacher's work. To teachers as to soldiers and doctors and clergymen must be given their due share of consideration and respect; the peculiar character of their work must be recognised, the special demands it makes, and the special conditions of its success. If you fill up the teacher's life with routine work, you will not get the best work out of him. A teacher is a student released from leading strings. But he is always a student; his life as a teacher springs from his life as a student, and is renewed by a constant return to study. It is wise in imposing work on him to leave room for this return to the vital sources of his usefulness.

Moreover certain quite practical consequences follow from these considerations. One is the justification and expediency of long vacations. This has not yet been sufficiently recognised in India. A long break in the routine of the colleges is demanded by the conditions of professorial life in India not less but more than in Europe. The longest continuous vacations at present customary are those of Allahabad and the Punjab, about eleven weeks in each case. Calcutta, which should lead, is badly off with a hot weather vacation of eight or nine weeks, or even less. I contend that the long vacation of an Indian University should not be less than three full calendar months, and might with advantage be four. Moreover, the present time does, I conceive, bring with it fresh and urgent reasons for insisting on this necessity of a long vacation of increased length. If the inner transformation of the educational work of the colleges is really to be carried out, as some of us hope and believe it may be—the daily work of the educator will become more exacting and exhausting than ever before. While the college is in full working, it must be altogether absorbing, leaving neither time nor strength for work outside the immediate daily life of the college. Now such special effort and absorption will be possible, I conceive, through eight months of the year, with only small intermission. It will not be possible longer. Besides, as should appear from what I have said already, the professor wants a clear time in which to work for the university as an

examiner; he wants even more a clear time in which to work in the interests of learning itself. The acceptance of the principle of a four months' break, would at a stroke relieve a large part of the difficulties I foresee, and as regards Calcutta, would remove certain features of the existing academical system which I cannot but regard as a reproach to it.*

Next we might find some help in further division of labour. I have throughout so far treated "professor" as synonymous with lecturer, or teacher in a college. This is as a matter of fact the actual case in Bengal. At the present time every teacher in a college (with some few exceptions) is a professor. But this need not be the case, nor was it always so. Now although there is no fixed line of separation among the functions of the professor as I have sketched them, I conceive that the higher function of representing learning belongs more peculiarly to the professor as such. He who merely lectures in a college is more appropriately called a lecturer. Some professors we must have, but it is not good to have too many. To call all who lecture in colleges "professors" indiscriminately is simply to take away any efficacy or meaning the title might have. The distinction is at least worth considering, and the point has this much practical relevance here, that if our ideas of the respective functions of lecturers and professors were cleared up somewhat, it would at least be feasible to distribute functions between them on some reasonable principle. We should here again be effecting something towards tiding over the difficulties

* At the present time Second and Fourth Year students leave the colleges as soon as they have paid the university fees which admit them to the F.A. and B.A. examinations. This is early in January. From that time till the hot-weather vacation (which begins towards the end of April), the colleges in Bengal are without two of their ordinary four classes. Meanwhile the absent F.A. and B.A. candidates are working up for the examinations (for the most part on wrong principles). Further when the examinations come, certain of the more important colleges are closed, because the college buildings are wanted as examination "centres." This means that for three or four weeks the work of these colleges is broken into and stopped. All these inconveniences might be avoided by closing the colleges for the hot-weather vacation immediately before the examinations are held, and instituting a long vacation of from three to four months. All four classes should then continue their work to the end of the session. The examinations could be held in March as now. The vacation might be from the first week in March to the first week in July; or between any dates and for any length of time, that seemed most expedient, taking the beginning of March and the middle of July as the limit of choice on either side.

of transition, and saving our professors from being drowned in the rising flood of educational zeal.

Something also might be done towards tiding us over the transition time before us by some clearer definition of the proper aims and methods of teaching work in Indian colleges. At the present time there is much compromise in the method pursued, and some confusion of aim. The first point to settle is one which comes plainly into view, when Mr. Morison says that "our Indian colleges are really schools." There is some truth in this assertion, but it requires qualification to make it square with the actual facts in Bengal. It would be more accurate to say that Indian colleges, "ought to be schools, but are trying very hard to be colleges." Now if it were once fairly admitted that our colleges *are* schools, and if we definitely told our professors that they were schoolmasters, we should certainly greatly simplify our educational problem and be in a fair way to give consistency to our teaching methods. But we should have no colleges, and then what becomes of our university? A university, which has no higher aims than to examine schoolboys, is an even greater anomaly than any which now exists. At present our colleges are striving to be colleges, and until "provision on a perfectly fresh foundation for higher studies" is made, it is, I conceive, on the whole expedient, that they should continue so to strive. Neither the Calcutta University, nor any other university, can afford to let go the collegiate ideal.

If this be granted the ground is cleared for definite conclusions on my present point. If we want colleges in Bengal, and if, till we have others, our present colleges are to be thought of as colleges and not schools, we must make our choice decisively for the methods and aims suitable to colleges as distinct from schools. Broadly speaking the method of the school is class teaching, the method of the college is lecturing. Now it is quite true, and this is no doubt part of what Mr. Morison means, that the method of class teaching would be better suited for the majority of the students who at the present time make up our college classes. But if we must keep our colleges as colleges, in any improvement we try to make in the teaching, we must aim rather in the direction of

what suits the college than what suits the school. In pressing the claims of better teaching, we must beware of going too far in the direction of class teaching. If we want to make our teaching more real, it must rather be by supplementing our lectures with tutorial help, that is, by personal advice and assistance to the individual student. We must contrive that the teacher may take his pupils, singly or a few together, personally; at intervals, shorter or longer, according to the numbers of his classes. To make this practicable, we must lessen the numbers of lectures delivered. It is pretty well established that our students are over-lectured. Therefore the first practical reform in teaching is to lessen the number of lectures; and the second is to make provision for separate and individual tuition in the manner just described. It involves a complete revision of our time-bills and the inner arrangement of our colleges—but a re-arrangement, which I believe to be perfectly practicable.

It is of vital importance to clear up ideas and settle this question of method for the reason with which I started, the danger of overtasking our teachers out of all reason. We have seen that our college lecturers have already somewhat incompatible functions to discharge towards college and university; we must not expect them to be schoolmasters too. We have come to a turning point and must choose decisively between alternative methods. If we do not, and merely heap upon our teachers burden upon burden, the only outcome of the attempt to improve the teaching in our colleges must be to overwhelm the existing staffs with work, and so by a natural reaction bring the whole endeavour to nothing.

As to the right aim of our college teaching, it is sufficiently clear from the considerations passed in review, that it is to be education in the fullest sense, and that no narrow definition of the end will suffice us. Training for the higher purposes of life, liberal education, the making of scholars and gentlemen, are general definitions of the end, more or less apt. What the more special determination of the end should be, having regard to the special and peculiar conditions under which this higher education work is being done in India, is a question still to be asked. It is too important and too

difficult to be introduced at the close of this paper. Yet two things are evident. Firstly, that there are differences in the circumstances in India which must give a special direction to the aim of higher education in India. No doubt the end of education in India is ultimately the same as the end of education elsewhere, but it also takes on a special character from the difference of the conditions. Secondly, that until the ultimate end has been thus specifically determined, we cannot really be certain that we are moving in the right direction. It is only when viewed in relation to this end that we can be sure whether any particular method or measure is right or wrong. This then remains to be done. For it does not seem to me to have been ever quite fully reasoned out, and the uncertainty that prevails as to what precisely we are trying to do in Indian colleges seems to be a natural result of this want of first principles.

To gather up the results of the line of thought so far pursued. We have found that besides his more particular work within the college, the college teacher in India has a wider duty to fulfil as professor, a duty to learning and science itself. His more definite work in his college we find to be education in the fullest and most pregnant sense of the word, not merely lecturing, nor intellectual training, but training in the widest sense, culminating in the formation of character. How the educational aim may be more specifically defined, having regard to the peculiar conditions of the problem of education in India, we have not discovered as yet, but have only found the need of some more special definition, before we can be certain that we are working in the right way. But we see that the measures of reform now beginning involve a heightening of the demands upon the educator both in number and insistence. We, therefore, see the need for clearer views as to the conditions and requirements of the teachers' work, and with a view to meeting these conditions and requirements better I have suggested the practical expediency—

- (1) of a distinction of the work of professors and lecturers ;
- (2) of the reduction of the number of lectures in colleges and the introduction of tutorial work ;
- (3) of the institution of a long vacation of not less than three months.

But even if these aids are forthcoming in the near future—and I am confident that sooner or later they must come—it remains, as I said at first, that the chief hope of the present lies with the teachers themselves, in their clear perception of the significance of the present time, in their ready response to the claims it makes upon them. It rests with them, individually man by man, and collectively as a class, to determine whether the "new day" has dawned or no. The educational situation to-day opens up great hopes, great possibilities. But it is all possibility as yet, not actual attainment. There is no easy way to success, no short and simple expedient. The way lies through work and patience, effort and perseverance. And this much is clear also that what needs to be done cannot be achieved by the workers in an everyday mood or by routine work only. It can only be achieved by special thought, special purpose, special effort. The opportunity is great, and calls greatly to us ; it must be greatly met.

J. H. R.

SUMMARY OF ANNUAL REPORTS.

REPORT ON THE ADMINISTRATION OF THE PUNJAB AND ITS DEPENDENCIES for 1902-1903. Government Press, Lahore.

THIS is a full and elaborate Report, with a large Skeleton Map of the Punjab and surrounding countries to illustrate it.

During the year there have been no noteworthy changes in the Administration, and Sir Charles Rivaz, K.C.S.I., has held the office of Lieutenant-Governor.

The area square miles is 97,272. Population, 20,306,252. Land Revenue Collections, Rs. 2,30,53,119.

The native States of the Punjab are arranged for the purpose of supervision into four groups, as follows:—(1) The Phulkián States comprising the States of Patiala, Jind and Nábha, for which a separate Political Agent was appointed on the 16th of January 1901; (2) the States of Kapurthala, Mandi, Máler Kotla, Faridkot and Suket in the Political charge of the Commissioner of Julundur; (3) the States of Sirmúr, Kalsia, Pataudi, Loháru, and Dujána in the Political charge of the Commissioner of Delhi; and (4) the States of Biláspur, Basbahr, Nálágarh, Keonthal and the numerous other small States in the Simla Hills which are in the charge of the Superintendent of Hill States, Simla.

The Patiala State continues to be administered by the Council of Regency, as the Maharaja is only 11 years of age. His uncle, the Kour Sahib, was invested at the Delhi Durbar with the K.C.S.I. In the Mandi State the Rája, who died at the age of 57, was succeeded by his illegitimate son. The expenditure of the State during the year exceeded the income by about Rs. 20,000, the excess being due to the Rája's illness and death, on which an expenditure of Rs. 32,800 was incurred.

The State of Biláspur seems to have a curious ruler. At the close of last year the Rája had been called upon to give his assent to certain conditions. To these he at first gave a positive refusal, which was, however, subsequently withdrawn, and an unconditional acceptance of the conditions was then submitted in writing. At his special request he was allowed to retain as Wazír, Lála Hari Chand, who had been appointed by him six months previously. At the conclusion of these negotiations, the Rája was granted permission to spend two months in making a tour in India, but at the end of this period he went to his house at Benares, and has not since returned to his State, in which, during the past year, he has not spent more than a month. From Benares he has submitted several representations regarding his treatment, practically withdrawing his acceptance of the conditions imposed on him, refusing to return to the State, and, at the same time, complaining of the action of Lála Hari Chand, whom he would now have it understood was appointed Wazír by the orders of Government. The condition of the State under that Wazír was satisfactory, but the settlement with the jágírdárs remains to be effected.

During the year there was scarcity in Hissar where the harvest was bad, and about 2,000 people at the beginning of the year were in receipt of relief, but famine conditions were never reached, and direct relief was stopped in November.

The object of the Land Alienation Act now in force is to stop by direct legislative prohibition the alienation of land by peasants to the money lending classes. Its importance cannot be over estimated, for not only is the political and economic future of the Punjab (which is mainly a province of peasant proprietors), likely to be largely affected by its successful working, but it is a novel experiment in legislation which, if successful in the Punjab, may be adopted in some other parts of India.

A detachment of the Government Survey has been at work during the past year in various districts and has done good work.

One of the most interesting parts of this Report is the account of the formation of colonies on Government Canals.

The land on which they are founded was originally waste and belonged to Government. Irrigation turned these wastes into valuable property and the land has been parcelled out among selected colonists.

There was more crime in 1902 than in 1901, but less than in 1900. The figures for 1901 showed a decrease in crime generally and this decrease was accounted for by good agricultural conditions as well as by the effects of the special measures taken in 1900 for the repression of dakaiti. A number of circumstances in the year now under review were calculated to result in the increase of crime. Unfavourable agricultural conditions and the severe and widespread plague. Under these circumstances it cannot be said that the rise in crime in 1902 is due to any defects in the Police working, and it is satisfactory to see that there is a decrease in the number of murders.

The total value of the trade of the Province during the year was £18,300,000, the imports exceeding exports by about £2,400,000 sterling. The sum invested in Punjab Canals is just under 7 millions, on which interest at 11·3 per cent. was earned as the net result of the year's working after deducting expenditure from income. The area irrigated was over 5½ million acres. The Chenab Canal, the largest of all, which has cost £1,830,621, gave a return of 21·13 on this capital.

The average birth-rate in 1902 was 43·8. This rate is 8·4 per 1,000 higher than in 1901 and 3·8 higher than the average for the previous five years. As regards the birth-rates registered in the different Provinces of India in 1902, the Punjab stands third on the list.

The death-rate was 44·1, which was the highest Provincial rate recorded in India for the year. The prevalence of plague in some districts and of fever in others was responsible for this unusually high mortality. The excessive figure of 103·9 *per mille* was recorded in the district of Ludhiāna.

The deaths recorded as caused by fever are more than half of the total number of deaths. Taking the Province as a whole, the fever mortality was fairly normal when compared

with the previous five years, but in 5 out of the 7 districts of the Delhi Division the mortality was distinctly high. In Hissar and in Delhi there were outbreaks of cerebro-spinal fever.

The Punjab has since 1897 been suffering from bubonic plague. It has been noticed that the disease usually reaches its climax in March and dies down in the hot weather. The epidemic, which reached its climax in March 1902, was very severe and widespread, both cases and deaths recorded being more than twenty-three times those of all the four previous outbreaks put together.

18,994 male and 594 female convicts were admitted into jail during the year. Of these 51 were Christians (Europeans 1, Eurasians 9, and Native Christians 41), 12,889 Muhammadans, and 6,648 Hindus, the ratio *per mille* of each denomination of the free population being—Christian 0·77, Muhammadans 0·19, and Hindus and Sikhs 0·71.

When we come to education we find the number of Public Institutions was 3,230 with 193,529 pupils, and of these 238 were in Native States with 14,610 pupils, and 2,992 in British Territory with 178,919 pupils. Taking Public and Private Institutions together, there is an increase of 74 schools and 1,383 pupils in Native States; institutions in British Territory have increased by 36, while the pupils have fallen by 2,244.

The number of girls under instruction has risen by 85 in Native States, and is now 1,760; and in British Territory by 2,369, the number being 27,069 against 24,700 last year. There are 17 Colleges and 351 Secondary Schools.

Concerning Literature and the Press, the total number of books catalogued during 1902 is 1,233, or 29 more than the previous year. Urdu continues to have the largest number of publications, and Punjabi comes next.

There were 193 newspapers published in the Punjab and the N.-W. Frontier Province during the year 1902. Of these 40 were published in English, 143 in Urdu, 6 in Hindi, 3 in Gurmukhi, and one in Gurmukhi and Urdu.

A sum of Rs. 49,132 was expended on works of preservation, repairs and restoration of historical and archæological buildings during the year.

A special case of private enterprise in the matter of archæology was the erection, at his own expense, by Pandit Bánke Rái of Delhi, of four marble tablets, bearing the inscription in *Nāgri* transcript and translations in English, Hindi and Urdu round the "Iron Pillar" at the "Qutb" near Delhi.

REPORT ON PLAGUE IN THE PUNJAB from 1st October 1901 to 30th September 1902, being the Fifth Season of Plague in the Province.

REPORT ON PLAGUE AND INOCULATION IN THE PUNJAB from 1st October 1902 to 30th September 1903, being the Sixth Season of Plague in the Province, by Major E. Wilkinson, F.R.C.S., Eng., D.P.H., Camb., Chief Plague Medical Officer, Punjab. Lahore: Government Press.

THE Reports now under review cover the Plague history of the Punjab during the two years 1901-02 and 1902-03.

When Sir Charles Rivaz assumed the Lieutenant-Governorship of the Punjab in March 1902, it was feared that the Province had "still to experience the full force of the calamity with which it had been visited."

This fear has, unfortunately, been realised. By the end of 1900-01 the Punjab had had 14,573 Plague cases and 8,394 deaths, and the disease was established only in parts of Jullundur, Hoshiárpur, Siálkot, Gurdáspur, Ludhiána, Ambala and Ferozepore. The number of infected districts rose in the following year to 16, and again in 1902-03 to 21, while the number of reported plague cases and deaths, which for 1900-01 had been 9,908 and 5,542 respectively, rose in 1901-02 to 267,581 cases with 174,041 deaths and in 1902-03 to 325,747 cases with 195,141 deaths. By the end of 1902-03 the total number of plague deaths registered in the Province amounted to 377,576 and the whole Province was infected, except certain tracts on its borders.

The severity of the epidemic in certain districts, as well as the rapidity of its spread in recent years, can be judged

from the following figures relating to districts which have suffered most, viz. :—

No.	DISTRICT.	Number of villages and towns.	PARTICULARS REGARDING EPIDEMIC BEFORE 1901-02.		OUTBREAKS OF 1901-03.				Total number of plague deaths.	Population according to the Census of 1901.	Percentage of total plague deaths to population.
			Years in which infected.	Total number of plague deaths reported.	Number of villages and towns infected.	Plague deaths reported ed, 1901-02.	Number of villages and towns infected.	Plague deaths reported ed, 1902-03.			
1	Jullundur	1,226	1897-1901	4,132	673	18,959	714	25,229	48,320	917,587	5.2
2	Hoshiárpur	2,128	"	872	463	12,500	844	19,355	32,727	989,782	3.3
3	Siálkot	2,355	1900-1901	1,857	933	34,137	383	14,355	50,349	1,083,909	4.6
4	Gurdáspur	2,255	"	1,436	765	16,479	259	5,164	23,079	940,334	2.4
5	Ambala	1,725	"	47	404	22,762	187	6,318	29,127	815,880	3.5
6	Ludhiána	869	"	33	665	48,028	173	4,929	52,990	673,097	7.8
7	Ferozepore	1,511	"	13	91	6,342	230	7,895	14,250	958,072	1.4
8	Gujranwála	1,205	"	..	60	2,244	720	45,456	47,700	756,797	6.3
9	Lahore	1,540	"	..	411	9,400	759	25,652	35,052	1,162,109	3.0
10	Amritsar	1,047	"	..	60	1,837	563	27,891	29,729	1,023,828	2.9

In dealing with plague the measure on which most reliance has been and must be placed is evacuation. The value of this has already been established and the Reports for 1901-03 contain further evidence in its favour. It is by adopting this measure the people can best help themselves.

Disinfection ranks next to evacuation as a measure of practical importance, but its value is very much less. The

people do not desire to have their houses disinfected chemically by the official agency maintained for the purpose, and they will not give the measure an adequate trial. They object to the gangs going in and turning out their houses. It was found possible to disinfect chemically, by official agency, in 1901-02 only 148 villages completely and 116 partially, and in 1902-03 only 15,503 rooms. These numbers form so very small a percentage of the total number of infected villages and rooms that the disinfection performed can have produced no appreciable effect upon the spread of plague.

In place of chemical disinfection, desiccation has lately been offered to the people as a valuable measure. Desiccating stoves were used in the latter part of the 1902-03 epidemic and 15,214 were desiccated by the plague staff. The reports under review do not contain exact information and statistics from which the value of the operation can be exactly gauged, but the general experience of the officers who have been concerned in working desiccators is very much in their favour.

The distinctive feature of the plague measures adopted in 1902-03 was an attempt to protect the people by very extensive anti-plague inoculations,—unfortunately a new inoculating fluid was introduced which resulted in a deplorable calamity at Mulkowal in Gujrat. On the 30th of October 1902, 19 persons were inoculated with the contents of one bottle of this fluid and all of them contracted tetanus and died.

The tetanus was not due to any carelessness on the part of the inoculating officer and there is no doubt the fluid had been contaminated before it reached the Punjab. This disaster caused the immediate cessation of all inoculations until the arrival of a supply of the old fluid.

The effects of the severe epidemics through which the Punjab has passed have not been so immediately apparent or disturbing as might have been expected. But it must not for this reason be supposed that they will not be very serious. Plague operations involve a large recurring expenditure, and plague has already led to a large increase of crime, while trade, agriculture, education, recruiting and other interests are bound to suffer in the considerable tracts of country

which have lately lost a large proportion of their population. Large numbers of those who have died have been in the prime of life, and the proportion of women who have died is in excess of the proportion which females bear to males in the population of the Punjab, which, according to the last Census, was 852 females to every 1,000 males.

The employment of certain medical men from home does not seem to have been altogether a success, for the Lieutenant-Governor regrets to have to place on record the fact that a certain number of the 37 doctors sent out from England for the operation proved entirely unfit for the work. One was returned from the Punjab on the day after he reached the Province; 3 others were suspended about the middle of October, and the services of these were dispensed with; and another had to be released from his engagement in February 1903. The majority of the Medical men engaged in England gave satisfaction in every way, but it is unfortunate that the system under which selections were made rendered it possible to admit such men as those who proved unsatisfactory, and whose character and conduct soon became so notorious that they were not only useless as inoculating officers, but also a hindrance to the success of the operations in the districts to which they were posted.

The people of the Punjab have a reputation for sturdy independence, which was fully supported by the bearing of the inhabitants of districts infected with plague during the year under report. Even in districts which suffered most severely from the ravages of plague, the people were not easily aroused from their fatalistic attitude. In most places the disease was looked upon as a visitation of Providence, to which human resistance was considered to be useless, and in some cases—especially by Muhammadans—as impious. An increased devotion to religious exercises was observed among some communities, and in many instances villages trusted to the charms and incantations of their spiritual advisers in preference to the counsel of Government officials, often with disastrous results to themselves.

In only a few instances did anything of the nature of a panic occur, and only among Hindus. The contrast between

Hindus and Muhammadans in this respect has been noticed by several district officers, it having been mentioned that while the Hindus in some instances fled, leaving their sick unattended and their dead to be disposed of by others, the Muhammadans prided themselves on their devotion to their plague-stricken brethren, and made it a point of honour to attend the funerals of those who died of plague.

The attitude of the people towards inoculation in certain districts will be evident from what has just been reported. Speaking generally, it may be said that before plague began to spread widely and after its decline, the demand for inoculation was small in all districts, and it was only great in those districts which suffered severely from plague.

Until the people became familiar with inoculation all sorts of objections were raised against it, and the most absurd rumours prevailed as to its evil effects. Some of the objections were reasonable enough, such, for instance, as the discomfort produced by inoculation during the hot weather, or as the inability of the very poor to afford the two or three days' enforced idleness following the operation. The rumours as to the ill effects of inoculation, which ranged from sudden death to impotency, had no foundation in fact, and would seem to have been the outcome of thoughtlessness or malice. No objections were raised on religious grounds to inoculation *per se*, though it was, of course, objected to by those persons already referred to, who regarded all attempts to protect themselves from a heaven-sent pestilence as impious.

Muhammadans as a rule resorted less freely to inoculation than did Hindus; this being partly due to their more fatalistic ideas and partly to the objection of certain classes to permit their women to be inoculated by men, though it will appear from that section of the report which deals with the Ambala District that in one instance when arrangements were made for a Lady Doctor to inoculate purdah women, the women preferred to be inoculated by the Medical Officer of the district.

The extent to which people accepted European medical treatment was so small as to be negligible. With very few

exceptions plague patients and their friends preferred the treatment of *Hakims* and *Vaids*, though in a few places, in which Medical Officers were well known to the people and had obtained their confidence, their advice and treatment were sought for and appreciated.

REPORT OF THE HONORARY COMMITTEE FOR THE MANAGEMENT OF THE ZOOLOGICAL GARDEN, CALCUTTA, for the year 1902-1903.

DURING the past year some handsome donations have been given to the Calcutta Zoological Garden, *viz.*, Rs. 12,031 from the Maharaja Manindra Nath Nundy of Cassimbazar—being the entire cost of re-building the Sarnamoyi House: Rs. 2,582 from the Mahasi of Dumraon, on account of repairing the Dumraon House: a further sum of Rs. 2,000 in addition to the Rs. 10,000 of last year, given by the Maharaja Surya Kanta Acharya of Mymensingh, for the construction of an open air enclosure for the exercise of the larger carnivorous animals, behind the Burdwan House: Rs. 2,000, given by Babu Dhunput Singh Nowlakha: Rs. 2,000 from Babu Kishen Lal Burman Khettry, and Rs. 500 from Seth Manna Lal Parruck.

The donations and subscriptions amount to Rs. 21,450, as against Rs. 20,691 in the previous year.

The number of visitors was 203,589—21,000 more than last year.

The receipts, too, were Rs. 1,000 more than the previous year—the total sum being Rs. 15,615.

The charges for feeding the animals were Rs. 12,195 against Rs. 14,372 last year.

The additions to the collections of animals during the year were 95 Mammals, 76 Birds, and 32 Reptiles. These included one Lion, 7 Tigers, 3 Elephants, 7 Leopards, 9 Monkeys, and 9 Bears.

For the information of the curious we may note that the number of visitors at one anna during the year was 196,354; those at 4 annas, 5,262, and at one rupee, 1,973.

CRITICAL NOTICES.

BRETZL (DR. H.) BOTANISCHE FORSCHUNGEN DES ALEXANDER-ZUGES. Leipzig, 1903.

SHOULD anyone be tempted to read this book by the strangeness of its title (*The Botanical Research of Alexander's Campaign*) he will be amply repaid. The researches in question were those made by the General Staff of Alexander the Great during his invasion of India, and form some of the earliest known contributions to plant-geography. The Greeks had already penetrated into Africa along the Nile, and into Asia as far as Persia, and found wonders enough in the plant-world there, but India, with its banyans and mangroves, had still surprises in store for them. The long halt made by the army at Taxila gave leisure to the Staff to write their scientific reports. These documents were stored up at Babylon in the archives of Alexander's world-empire, and we know from Strabo that Patrocles had access to them when he wrote his monograph on the Caspian Sea, now unhappily lost. The only surviving work that shows unmistakable signs of being founded on these records is the *History of Plants* of Theophrastus, an analysis of which, as far as it concerns India, is the main object of Dr. Bretzl's work. The author, by his own confession, has not visited India, but he knows what can be known from European collections, has travelled in North Africa, and has the literature of his subject at his fingers' ends. Perhaps the most interesting chapter in the book relates to the *Banyan* tree, and shows with what scientific accuracy Theophrastus wrote, though before the days of Science as we are pleased to think.

A HANDBOOK OF THE ORDINARY DIALECT OF THE TAMIL LANGUAGE (7th Edition), by the Rev. G. U. Pope, D.D., Balliol College, Oxford. Oxford: Clarendon Press.

THE latest issue of this standard work calls for, and admits of, little criticism. It retains all the admirable lucidity and

carefully graduated instructional method of the editions which have preceded it during its half-century of existence, and in this (the final) issue are embodied the results of nearly twenty years' teaching. To all modern students of Tamil Dr. Pope's Handbook is a veritable "Vade Mecum" while, as regards typography, few will be disposed on perusal to quarrel with the author's claim that the present volume will prove to be "one of the correctest works in a foreign character ever issued from the English Press."

A DIALOGUE, by A. H. Gilkes, Master of Dulwich College. Longmans, Green and Company.

MR. GILKES introduces us again to his modern Socrates, the simple, unpretentious, honest, exasperating logician with whom we are familiar from the same author's "The thing that hath been." On this occasion Mr. Smith only "wants to know, you know" the meaning of unity in religious matters, and has no less than four bishops to fail to make it clear to him in a post-prandial discussion. Mr. Smith's method is adequately Socratic, and the bishops respond with an engaging lack of logical perception. But Mr. Smith is not so successful as his great prototype with regard to the constructive process, and it comes to us with something of a shock that after the admirable manner in which his spiritual disciples bore their heckling, they should be represented as taking so petty a mundane revenge.

EVELINA, OR THE HISTORY OF A YOUNG LADY'S ENTRANCE INTO THE WORLD, by Fanny Burney. London: George Bell and Sons. 1904.

THE first edition of *Evelina* was published anonymously in 1778. The present edition, with Introduction and Notes by Annie Raine Ellis, editor of the *Early Diary of Fanny Burney*, was first published in Bohn's *Novelist's Library* in 1881, and is now issued in the *York Library*. It is enough to say that it is clearly printed on excellent paper—and bound in an attractive cover—and so bound that it remains open without any effort on the part of the reader.

RULERS OF KINGS, by Gertrude Atherton. London : Macmillan & Co.

MRS. ATHERTON'S new story is a study in psychology—a contrast between the atrophying worship of the Past, and its convulsions, as represented by an Austrian Archduchess, and the life-giving worship of the Present and Future, and the Realities of Human Life, as distinguished from its shams. This attitude of mind is represented by the son of an American Multi-Millionaire. The book, therefore, is a complex study. It is also a daring experiment, as the authoress endeavours to describe the action of living kings in certain imaginary circumstances;—whether she succeeds or not, we leave her readers to decide.

THE ADVENTURES OF ELIZABETH IN RUGEN, by the author of *Elizabeth and her German Garden*. Macmillan and Co.

THIS is a description of a driving tour round the German island of Rügen, and is written with the author's wonted charm and vivacity. All her characters are well defined, and after reading the book we know and love them all. The scenery described is unfamiliar to most people, but it is touched in so artistically that it gives one all the feeling of long acquaintance. The moralising is so happily superficial that it does not offend, while there are shrewd critical passages scattered about the pages of the book. The Professor is a delightful study, though we quite agree that there are points about his expansive geniality which might now and again annoy a wife. August and Gertrud are very like life, and make an excellent foil to the more imaginative characters. Altogether a book to read with much pleasure, and to be grateful for, in these days of morbid introspection and displeasing realism.

THE EXPLORATION OF TIBET : ITS HISTORY AND PARTICULARS from 1623 to 1904, by Graham Sandberg, B.A. Calcutta : Thacker, Spink and Co.

THIS opportune book has reached us just as we are going to press—and so a detailed review must be postponed until our October number. However, in order to give the reader

an idea of its scope, we copy here the heading of its chapters. *Introduction.* (i) Geographical Stand-point, (ii) Political Stand-point. *Chapter i.* The Mediæval Travellers who did not enter Tibet—The Travellers in Tibet of the Seventeenth Century : Andrada, Grueber and D'Orville. *Chapter ii.* The Capuchin Friars reach Lhasa and settle there—Particulars of the two Missions. *Chapter iii.* Ippolito Desideri and Samuel Van Des Putte. *Chapter iv.* Cassiano Beligatti's Journey to Lhasa—The Third Capuchin Settlement in Tibet—Final Collapse of the Mission. *Chapter v.* Englishmen enter Tibet—George Bogle—Messrs. Turner and Saunders—Thomas Moorcroft—Thomas Manning—Moorcroft's Second Journey and Doubtful Fate. *Chapter vi.* Fathers Huc and Gabet—The Brothers Strachey—Dr. Thomson—Sir Joseph Hooker in the Himalayas. *Chapter vii.* Explorations under officers of the Survey of India—Captain Montgomerie and his Corps of Pundits—Tracing the Yeru Tsangp in Central Tibet. *Chapter viii.* The Bhutia School at Darjeeling—Sarat Chandra Das—The Four Journeys of Pryhevsky—The Great Tour of the Pundit A. K. *Chapter xi.* A Visit to Lhasa by Ugyen Gyatsho—Messrs. Carey and Dalgleish in Northern Tibet—Mr. Rockhill's First Journey. *Chapter x.* Explorers during the Nineties—Mons. Bonvalot—W. W. Rockhill—Captain Boner—Dutreuil de Rhins—Mr. and Mrs. Littledale—Major Wellby—Miss Taylor—The Russian Exploring Parties—Koylov—Sven Hedin, etc. *Chapter xi.* The Dihang and Irawadi Controversy—Mr. Needham's Adventures. *Chapter xii.* Escorted British Missions in Tibet—Mr. White's First Mission—the Mission to Kamba Jong—Military Expedition to Gyantse. There is also a map of Tibet and a Plan of Lhasa.

ACKNOWLEDGMENTS.

- The Sacred Books of the East*, edited by Max Müller. Vol. XLVIII.
The Vedānta Sātras, with the Commentary of Rāmānuga
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- A Dialogue*, by A. H. Gilkes. Master of Dulwich College. London, Longmans Green and Co.
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- Notes on Etymologies of Hindi Rural Words*, by Paul Whalley, M.A. London, David Nutt.
- Rulers of Kings*, by Gertrude Atherton. London, Macmillan and Co.
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