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1950

The Last Phase of The Southern Poligar War of 1799-1801

The Campaign against the Marudu Brothers of Sivaganga

(May-October 1801)

BY

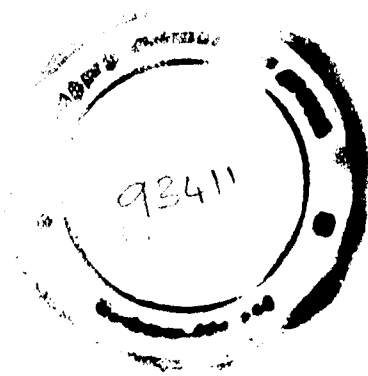
PROF. C. S. SRINIVASACHARI, M.A.

I

The refugees from the fort of Panchalamkurichi which was stormed by the English troops in May 1801, only after nearly four months of strenuous campaigning, retreated, in a well-ordered and compact formation and numbering about two thousand men, to Sivaganga where the ruling Marudu Brothers had also risen in revolt against the British and gathered a fighting force amounting to nearly 20,000 men.

Vellai Marudu, the elder of these famous brothers, was a great hunter a very "Nimrod" and had always provided good sporting facilities for his European guests.

Of the Brothers, Welsh thus writes :— "Of the two Marudoos, so frequently mentioned in this narrative, the elder brother was called Wella, or Velli Murdoo, but he had nothing to do with the management of the country. He was a great sportsman, and gave up his whole time to hunting and shooting. Being a man of uncommon stature and strength, his chief delight was to encounter the monsters of the woods ; and it was even said, that he could bend a common Arcot rupee with his fingers. Unencumbered with the cares or trappings of government, he led a sort of wandering life ; and occasionally visited his European neighbours at Tanjore, Trichinopoly and Madura, by whom he was much esteemed. If any one wanted game, a message sent to Velli Murdoo was sure to procure it, or if he wished to partake in the sports of the field Velli Murdoo was the man to conduct him to the spot, and to insure his success, as well as to watch over his safety. Did a royal tiger appear, while his guest was surrounded by hardy and powerful pikemen Velli Murdoo was the first to meet the monster and despatch him. A life such as this, although it may appear idle



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and insignificant to those accustomed to the safety of a well-regulated country, was very far from being without its usefulness in a district overrun with jungle, and infested by beasts of prey. The minor game was, however, politely decoyed or driven in front of his European friend, who might thus with less danger kill hogs, elks, deer, peafowl, in abundance. From this Oriental Nimrod I had received many marks of attention and kindness, when stationed at Madura in the year 1795 and then one of the youngest subalterns in the place; a pretty certain proof of his disinterestedness.

"The Cheena Murdoo was a portly, handsome and affable man of the kindest manners and most easy access; and though ruling over a people to whom his very nod was a law, he lived in an open palace without a single guard; indeed, when I visited him in February 1795, every man who chose to come in, had free ingress and egress, while every voice called down the blessing of the Almighty upon the father of his people. From a merely casual visit, when passing through his country, he became my friend, and during my continuance at Madura, never failed to send me presents of fine rice and fruit; particularly a large rough-skinned orange, remarkably sweet, which I have never met with in such perfection in any other part of India. It was he also, who first taught me to throw the spear, and hurl the *collery* stick, a weapon scarcely known elsewhere, but in a skilful hand, capable of being thrown to a certainty to any distance within one hundred yards. Yet this very man, I was afterwards destined by the fortune of war, to chase like a wild beast; to see badly wounded, and captured by common peons; then lingering with a fractured thigh in prison; and lastly, to behold him with his gallant brother, and no less gallant son, surrounded by their principal adherents, hanging in chains on a common gibbet".

II

The younger brother, Chinna Marudu, was the real ruler of the Sivaganga country and had his headquarters at Siruvayal, now a small train-halt station in the Ramnad District. The Brothers had usurped power many years before this date from the nominal ruler of Sivaganga who happened to be a woman, and they had taken the title of Pandyan Rajas and had openly assumed sovereign power without any attempt at concealment or conventional disguise of their status. The Nawab of the Carnatic had dispossessed them of their territories, of course with the assistance of the Company's troops under Colonel Stewart, but shortly afterwards, in consideration of a handsome bribe that he received, re-

instated them as rulers. As the stipulated tribute was not paid regularly by them, the Company's Government which naturally attached great value to the due collection of the tribute which had been assigned to them, instituted an inquisition into the title by which the Brothers claimed and exercised ruling powers.

It was at the time when the Marudus were greatly perturbed by the Company's investigation into their very title to power and were collecting troops to meet any possible contingency of an English invasion, that the refugees from Pānchālamkurichi of whose bravery and heroic resistance they had a very high opinion, arrived in their midst.

The Marudus had an army of about 20,000 men ready to take the field, all armed with muskets, matchlocks or spears. They appealed to the Tondaiman Raja of Pudukottai to join them against the foreign whites, and even threatened to ravage his country with fire and sword, in case he refused, which threat they could have easily carried out as the British troops in the country were not then in a position to effectively protect his dominion.

The Tondaiman, however, persuaded by Colonel Blackburne, Resident at Tanjore, persisted in his refusal; and he also declined to remain neutral at least, as the Marudus desired this alternative attitude on his part. In his zeal to help the British, he postponed his own marriage and was so expeditious that in four days he joined Colonel Innes at Nattam, with 3,000 men and at the same time gave up the fort of Tirumayam, his only strong fort, to serve as a military depot for the British forces. Colonel Blackburne, the Resident at Tanjore, who had taken part in previous wars with the Poligars was mainly instrumental in keeping the Tondaiman firm in the English cause.

The Marudus defended themselves with great valour, and when shut up in their jungle fort of Kalaiyarkoil, contrived to resist for five months the whole British force that could be brought against them. Superior equipment and discipline gave the British the final victory; and the fort was at last stormed.

The Marudus who escaped were hunted out and hanged. The fate of the Oomai Dorai, the last and bravest and most formidable of the Pānchālamkurichi chiefs, was intertwined with that of the Marudus. A sympathetic picture of the two valiant brothers is given by Welsh who had known them as hospitable and refined gentlemen in the years before the war.

The narrative of the operations for the defeat of the Marudus, has been taken from the account of Captain James Welsh who participated in this, as well as in the previous Pānchālamkurichi campaigns and kept a regular and accurate day-to-day journal of the various movements and operations of the British.

III

A. Operations upto the securing of Siruvayal in July 1801

On May 26th, two days after the storming of Pānchālamkurichi, a body of English troops marched to Nagalapur and on hearing that a large body of the Marudu troops were investing Kamudi marched to the place, routed the attackers and relieved it.

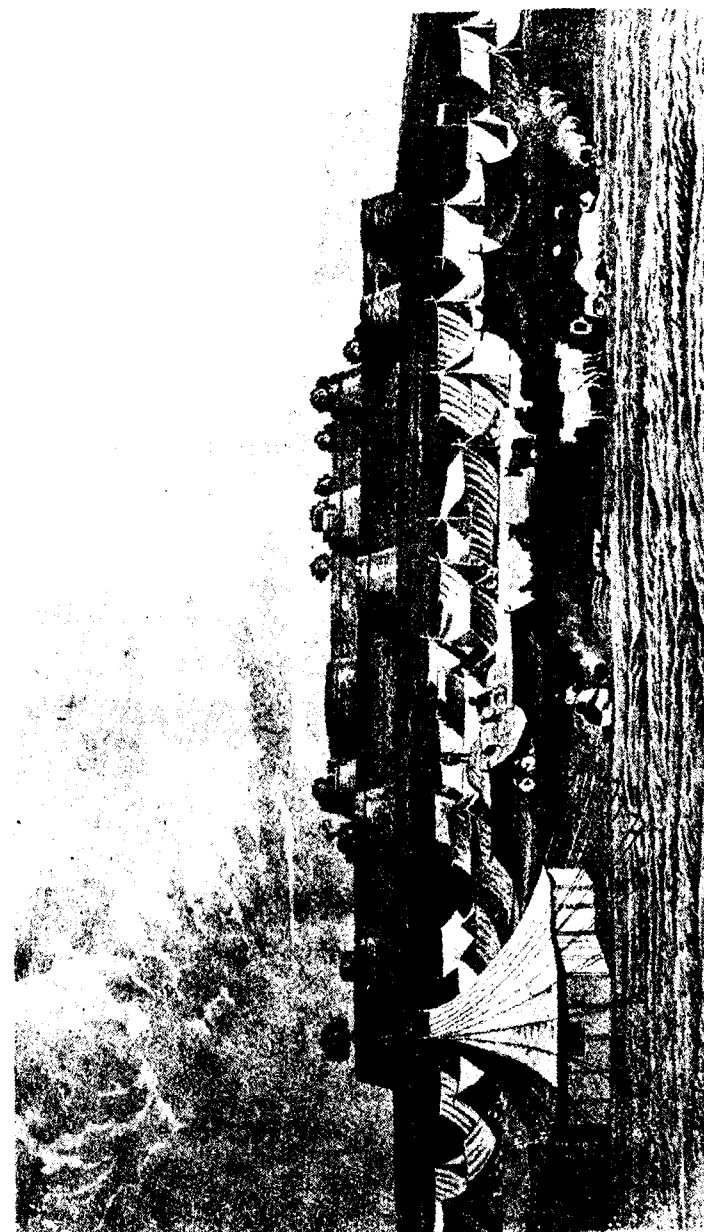
On the 2nd June, the forces of the Marudus appeared near Tiruppuvanam and opened fire on the rear guard of the English troops which had reached that place; but no mischief was done except that an alert was given at night.

On the 4th June, an English detachment returning to camp was attacked by the enemy in some strength about 3 miles off; they were, however, very cautious and could not be tackled, as they had the advantage of the English infantry in speed and as the ground did not admit of their pursuit by the cavalry.

On the 7th June, when the English forces marched to Tirupachethi, they were continually harrassed on the march by the enemy who tried to gain a high bank which completely commanded the road that the English had to take. This the enemy secured after routing an English party that was sent to hold the position. This reverse was followed by the rout of a second body of English troops who however rallied and ultimately succeeded in compelling the retreat of the enemy.

On the 10th June, after three easy marches, the English troops were again set upon by the enemy who possessed themselves of a bank and annoyed the English line therefrom and were forced only after a severe struggle, to withdraw from that bank, as well as from a smaller one behind it. Undaunted, the Poligar troops made a dash against the first bank and regained possession of it; and another of their parties rushed into the bed of the river and piked a few of the English troops; and then their whole body rushed across the river bed and attacked the English rear-guard on the other side which was only saved from destruction by a timely reinforcement.

When the English encamped near Parthibanur, both their ground and their situation were extremely irksome, the former



Fort of Kamudi (Comery).

— From Welsh's Military Reminiscences

unsafe on account of the surrounding jungle and the latter because the swarming enemy troops could have forced themselves through a tank bed covered with jungle shrubs behind the British rear and penetrated into their line. "Little was the rest and short were the slumbers of the head-quarters that night."

The next march of the English was to Paramakudi (now the headquarters of a taluk in the Ramnad District) which the Marudus had taken possession of in due form and near which their army was assembled on the northern side of the river Vaigai.

June 12. The English next marched to Chattamaram, nearly 12 miles further, on the same bank of the river, being impeded by the firing of some of Marudus' and Kattabomma's men and rendered unable "to return the compliment", the situation only improving when the army got further from Marudus' jurisdiction into the territory of the Ramnad chief.

Two days later, the English troops reached Ramnad to get information from Colonel Martinz, a very remarkable character who had been long resident there, regarding the approaching campaign against the Marudus.

June 22. The English then marched to Kamudi about 20 miles from Ramnad where was a strong stone fort of a circular shape, with two encircling walls, one higher than the other and each equipped with six round bastions. After several days were passed here, the troops at last marched into the Marudu country and reached Tirukoshtiyur, a temple town, near which the enemy troops were seen in large numbers, evidently to obstruct the English reinforcement from joining. They hung on the rear of the advancing reinforcing body and had to be driven off with some effort, which cost a few men. Some of the men of the Tondaiman of Pudukottai who were to act as pioneers for the cutting of a passage through the Siruvayal jungle, accompanied the reinforcement.

July 24. From here the British troops marched towards Okkur near which the enemy attacked their rear-guard, and were then dislodged from a neighbouring village they had occupied; both that village and another were burnt down by the English to prevent the enemy from securing possession of them and annoying the English march. Further march from this place was very difficult, as both sides of the route were lined by high banks and flanked by thick jungle and clumps of palmyra trees and well suited for both annoyance and defence. The enemy had to be driven

from bank to bank as the English forces advanced; but they displayed a continuous and sustained resistance. After a grilling march that occupied all the day till 3 in the afternoon the English reached, and took possession of a strong line of banks, facing Siruvayal. The English position was strong and covered the banks and formed a kind of pentagon so as to prevent the enemy from operating in the night.

Thus Siruvayal, the headquarters of the Marudus, was occupied on the 30th July, after the English captured a little battery that had been erected in the middle of the northern side of a high bank running east and then north, the whole line swarming with their fighting men. They were forced to retreat, abandoning the four guns mounted on their battery and set fire to all the houses in the place, leaving only burning ruins for the English to take. The English march into Siruvayal town from their position of the previous evening, though it covered a distance of less than three miles was so strenuous that it occupied six hours. The enemy could well have put up a sturdy defence of Siruvayal as it had a thick hedge all round it and every house in it could have been defended.

Welsh thus observed:—"The Murdoo's palace and that of Shevatatamby, were conspicuous for neatness more than grandeur, and though small, were extremely solid and well built. The streets one of which had an avenue in it, were broad and regular and the whole town claimed a superiority over any I had ever seen in India."

IV

B. Cutting a road through the Siruvayal Jungle

Now began the most arduous phase of the English operations, viz. the cutting of a road through the most impenetrable and thickest of jungles that stretched between Siruvayal and Kalayarkoil where the Marudus retreated

The English operations commenced on the 31st July, with about 2000 pioneers from the Tondaiman country working under cover provided by 200 Europeans, besides a body of Malay riflemen and equipped with two 6-pounder guns. The whole of that day was occupied in cutting a road of a mile and a half in length into the jungle, the enemy opposing only once and running off after being fired on. The next day (1st August) saw the cutting of $\frac{3}{4}$ of a mile of the road, after much firing on both sides. On the third day (2nd August) the enemy attacked very fiercely the

flanking parties of the covering English guard that had advanced to the head of the cut road; and even the Malay riflemen could not stand their ground against their attack. Consequently this day 600 yards of the road, about $\frac{1}{3}$ rd of a mile, could be cut.

The fourth day (3rd August) the enemy threw up a breast-work equipped with a small gun in front of the road and kept up a brisk fire the whole day, but did little damage as their muskets were of little avail in the thickest of the jungle. That evening, an uncle of Udaya Tevar, the English *protégé* for the Chiefship of Sivaganga, who held a post of confidence under the Marudus escaped to the English camp and gave Colonel Agnew, the commander, "much useful information respecting the state of the country and the mode of intended operations."

4th August. The English working party found the enemy troops posted in force in a trench, and giving a heavy fire. But they were quickly charged and routed. Besides the main enemy body, other parties posted round the English encampment began fire, but left off firing after their main post got routed. All the principal chiefs except Vellai Marudu, seem to have been in the field that day. The English foraging party brought in an abundance of supplies; but only $2\frac{1}{2}$ furlongs of the road could be cut.

5th August. The jungle got thicker and harder to cut; and though there was but little opposition this day, only 2 furlongs' length of road could be cut.

6th August. This day the enemy obstructed the cutting operations from a sheltered post which they had scooped out behind a high bank; and their four guns were all directed on the cutting party. They defended this post with great resolution, killing and wounding many. They always contrived to drag away their dead and wounded except only when they were closely pursued. This unusual strain made possible only the cutting of just over a furlong this day.

7th August. The enemy continued firing from this post till the bank was stormed and taken in the flank, but succeeded in carrying off all their guns, as well as all their killed and wounded. Any pursuit of them was impossible in the impenetrable jungle. Only 350 yards of road was cut that day.

8th August. The enemy reoccupied the post from which they were driven the previous day and the bank was found again raised, hedged and defended. It had to be attacked again on the flank on the right side and taken. The pagoda of Kālaiyārkoil

was this day visible to the covering party who returned to camp after seeing to the cutting of 500 yards.

9th August. This day the English reoccupied the bank which was a square of 30 yards and themselves fortified it so as to use it as a post for themselves. By the evening it was built into a fairly useful redoubt for 300 men and 3 guns. From the top of a tamarind tree on the bank both Kālaiyārkōil and Siruvayal were visible to the eye.

13th August. The new redoubt was defended by a body of 100 Europeans and 200 sepoys. Reinforcements from Captain Blackburne were approaching from Arantangi on the north-east.

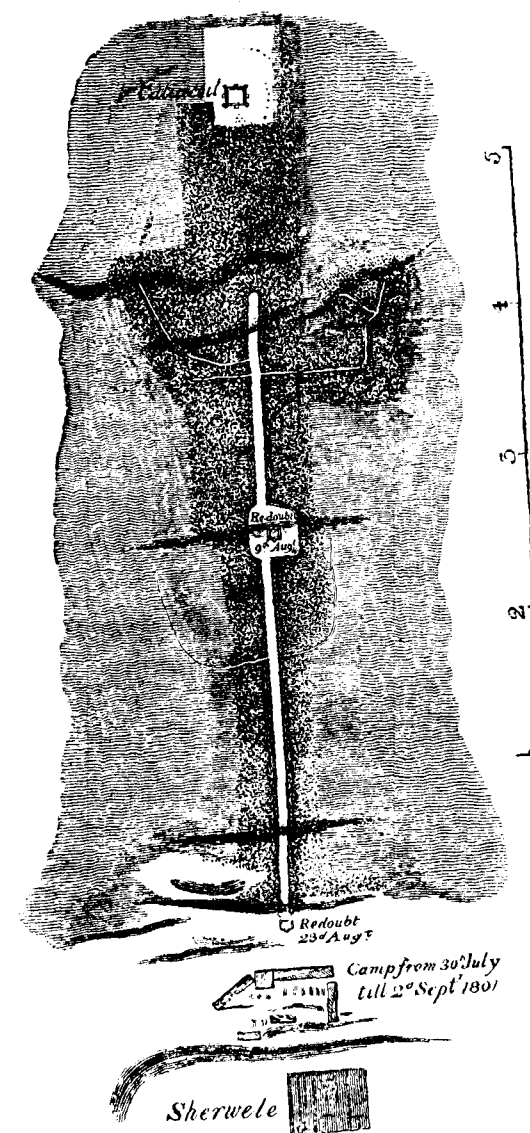
11th August. The foraging party brought in an abundance of supplies and the working party encountered no opposition. Nearly 2 furlongs of the road was cut, and now the distance to the pagoda of Kālaiyārkōil was estimated to be $1\frac{1}{2}$ miles.

12th August. A good deal of firing was directed by the enemy at the English pickets, but without doing much injury. Two furlongs' length of road was cut.

13th August. The foraging party which was accompanied by the troops of Ettayapuram, was attacked on the march; but when the Europeans made a charge, the enemy became cautious and directed their attack on the Ettayapuram men only who however showed great grit and steadiness and repulsed all the charges, firing effectively with the English ammunition served out to them. The enemy losses on this day were nearly 200 killed and wounded. Barely a little over a furlong of the road was cut, as the jungle was getting much thicker and the trees much harder.

14th August. The working party cut 350 yards and saw distinctly the Kālaiyārkōil pagoda which was only about one mile distant.

15th August. This day the enemy brought three guns to bear upon the head of the road from an invisible position and also kept up a constant fire of musketry, matchlocks and *jingalls* from both the flanks and the rear as well, and in consequence the working party could not at all function that day; and, along with the covering party, had to retreat to the redoubt erected in the middle of the road. They could not return to the first camp at the Siruvayal and of the road, until they were relieved by another party at the redoubt, because the enemy gun fire proceeded from a spot to its right.



Operations in the Siruvayal Jungle to build a road to Kalayarkoil.

— From Welsh's Military Reminiscences.

16th August. The English perceived that the bank from which the enemy had fired on the previous day was strongly fortified and that only a few could advance on it at a time, as it was a high bank sloped down with a thick abbatis and with thorns scattered in front. The road cutting work was thus completely impeded.

17th August. A column of the working party which was divided into two, cut a small road to the right of the main pathway, of about 1200 yards in length, and the other column kept up a constant common fire on the enemy until the former returned to camp.

18th August. Both the working and covering parties followed the small road on the right made on the preceding day and cut a further 500 yards of it after which, when they had to cross a bank, they were exposed to a sudden and heavy fire from which the officer commanding the party, Colonel Innes, had a narrow escape.

19th August. The English now made an attempt to capture the enemy's guns, and, pursuing the route of the previous day, occupied a new bank where they posted a gun. The enemy fired several *sarabogies* (park guns for firing salutes etc., but not used in war) evidently for assembling their whole force. Suddenly after a while, they opened a tremendous fire all round the English post, while not even one of them could be descried from the latter. But ascertaining that they were operating on the right flank, the English party formed their men into a column four deep, facing outwards with a gun on each flank and occupying the whole road. The body thus formed commenced firing when the enemy had approached within ten yards — the infantry sitting on the ground saving many lives. The enemy fire ceased after a time; but so very quickly had they moved round, that the danger of their covering on the English working party had to be averted by a retrograde movement of the latter that saved them just at the nick of time. Colonel Agnew was naturally much disappointed at this unexpected development as he had hoped to have the enemy guns from their invisible battery easily captured.

20th August. The working party was not sent out at all this day; but the redoubt on the road was guarded; and only a foraging party was sent out.

21st August. But little work was done, except that another smaller road to the left of the main path was cut, opposite to the

one cut out on the right. At this time there was a heavy down-pour of rain.

23rd August. Colonel Innes went over to Tirumayam, the depot for the British, for bringing supplies, and taking letters which were for the first time despatched from the field since the army began its march from Okkur 25 days previously.

A redoubt was constructed at the commencement of the road from Siruvayal into the jungle for keeping up communication with the second redoubt in the middle of the road; and the main camp was removed 600 yards nearer the Siruvayal pagoda which had meanwhile been carefully fortified and had its wings extended backwards so as to form a parallelogram, having the village for one face exactly in the rear of the centre.

24th August. Some ground was cleared round the redoubt in the middle of the road.

25th August. The enemy now made an attack on this redoubt from both sides as well as from the rear and front, in the road itself. They kept up a heavy fire on it and fired also on the working party on its return to camp.

26th-27th August. Two working parties now operated again in the jungle; and the supplies convoyed by Colonel Innes from Tirumayam were reinforced at Tirupattur.

28th August. The fort of Tirupattur was secured before the enemy could arrive at the place.

29th August. The convoying troops of Colonel Innes reached the village of Pattimangalam after overcoming several skirmishing enemy parties on the way.

30th August. Since the march from Pattimangalam was the last stage during which the enemy could prevent the junction of the reinforcements with the main camp, their men lined every bank and point of eminence and their attacks were so persistent and continuous that on either side of the march-route of the English, "one party was no sooner beaten than another appeared." The English now began to suspect that the Pāñchālamkurichi Poligar chiefs were either absent from the Marudus' forces or had been destroyed in the previous actions. The English had not only to protect a very large convoy of provisions against the enemy troops who had perfect knowledge of the terrain, but also to safeguard the person and camp of Udaya Tevar, the new zamindar whom they had undertaken to set up.

From daylight till past noon the march to Siruvayal lasted. The burden of watch and attack fell to the Scotch brigade which formed the advanced guard of the troops. The enemy fired their guns skilfully, carefully keeping them out of English reach and at the same time plied them most vigorously, but as their balls were made of pewter, they did not hit severely.

After reaching Siruvayal, Udaya Tevar paid a ceremonial visit to Colonel Agnew. The latter now resolved to quit Siruvayal, without further prosecuting the attempt to reach Kālayārkōil from this side and thus abandoned the labours of an entire month which had cost so many lives and widespread disease and sickness in camp.

31st August-1st September. The working party thereupon destroyed all the outcome of their thirty-two days' handwork in the jungle, and this they fully accomplished; they demolished all the redoubts and burnt all the brushwood in their neighbourhood.

2nd September. The whole force now marched back to Okkur from which it had first proceeded in the end of June.

V

C. Further Operations

Near Okkur, on S.S.W. was the large village of Sholavaram with a pagoda surrounded by a perfect wall and the ruins of an adjoining mud fort. Nearby was the famous village of Nālukōttai from whose headmen the Marava chief of Sivaganga got the tradition sanction which was necessary for their installation in the samasthanam. This sanction was now got for Udaya Tevar; and the Shōlavaram pagoda was also garrisoned and strengthened.

3rd September. Nothing important occurred for about a week, except an occasional skirmish or two with straggling bodies of the enemy.

12th September. Udaya Tēvar was formally installed by Colonel Agnew as the Zamindar of Sivaganga, after the necessary religious ceremonies had been performed at the pagoda on Sholavaram. The abundant rains which now fell filled up the tanks and produced lush green grass all over the ground; and this factor indicated, in the popular mind, the showering of divine favour on the English *protège*.

On the 17th September, a party moved up first to Mēlur, the route in the final stage being covered by sheets of water and growing paddy crops. From here the men waded through mud and

water, dragging the guns themselves where the cattle were insufficient, till they reached Singapidary about $4\frac{1}{2}$ miles from Piramalai. A faint-hearted attack on the hill temple of Piramalai was stayed for a while by a volley of musket shot from the enemy troops inside; but a cavalry charge with galloper guns turned the scale; and the temple came into English possession.

The detachment returned from Piramalai to the camp at Okkur (21st September); and strong body of troops was sent to garrison the captured temple.

Piramalai was a solid stone fort "embracing the declivity of a rocky projection, nearly perpendicular, from a rugged and lofty mountain; it had two entire walls, and a fortified pettah outside the whole; each of the two outer places was completely commanded by the walls of the inner one, which was forty feet high, and perfectly impenetrable, being cut out of the solid rock, with a mere parapet of stone, added above the *terre plein*. There are tanks of water within each wall, and a fine spring from the rocks in the upper fort, with many strong and capital buildings in the choultry form, in both forts; and one in particular in the upper so connected with the rock, as not only to command both forts, but every part of the pettah also, and a most interesting and extensive view of the country for thirty miles round." From this spot one could distinctly see the pagodas of Kunnakkudi, Kālayārkoil and Tirukkōshtiyur, the Mēlur hills and Anaimalai near Madura, but not Sikandarmalai. (Tirupparankunram) and Alagiri.

Welsh continues:—"The mountain, or Pigeon Hill, as its name signifies, is immensely high and rugged, and craggy to such a degree, that I do not think any man could climb to the summit; the fort is, indeed, so situated under a projecting precipice, that little harm could be done by an enemy, even bold enough to creep to the extremity; still there are three bluff-rocks, or large masses of stone, a short way up, from whence sharp-shooters might annoy the garrison of the lower fort and pettah; which, though perfectly accessible from the upper gate, appears tenable by twenty or thirty men. Yet, were an enemy even desperate enough to attack this party, and overpower them, they might still follow their opponents under cover to the very gate, and if that were shut, being in security behind a thin wall of about twenty feet high, most injudiciously built on the interior, and connecting it with the rocks, they might then burn the back entrance, or even demolish the wall; this is a crisis, however, never likely to happen to any party of British troops."

September 27th. (Reverting to the operations against Kālayārkoil) The bulk of the English forces now prepared to make a new dash on Kālayārkoil. Three days later a detachment was sent to march by the old road to Siruvayal and then proceed through the road cut in the jungle to Kālayārkoil. Thus the English forces proceeded in three distinct bodies and by distinct routes towards Kālayārkoil which was reached only after enemy attacks had been dispersed in two places.

The pagoda of Kālayārkoil was a very large one "surrounded by a strong stone wall, about eighteen feet in height, and forming one angle of the fort, which was nearly dismantled." Welsh narrates the final attack as follows:—"The enemy seemed quite disheartened and bewildered, by our different attacks at the same moment, and hardly a soul appeared during the remainder of the day. We found here twentyone guns, mostly mounted, and a great quantity of stores; there were also many articles of European furniture, and amongst them, two clocks and several pier glasses. The fort had been well built and was extensive; but the town, covered by a thick hedge only, formed one face of it, and contained many excellent houses. It had, indeed, never been a place of very great strength; but our local information was never such as could be relied upon, and no European in the camp knew anything about the state of the country. I had myself, to my shame be it mentioned, actually passed through it, a few months before, and been entertained by Wella Murdoo in his place at Sherewelee; but had not then the slightest idea of ever again entering it much less as a foe.

October 3. A division proceeded, through Kālayārkoil to Mangalam through a road cut in the jungle, after demolishing a barrier on the skirt of the jungle which was intended to defend the the approach from Ramnad.

While Major Macaulay who had succeeded Colonel Agnew was waiting for orders from Madras, the headmen of dozens of villages came in to take cowle from Udayar Tevar and brought the news that the Marudus had disbanded their forces and had hidden themselves with only 200 followers in the Shangrapoy jungles.

VI

The Sequel

Welsh's words show the miserable and unjust fate of the heroes. "What followed afterwards, was indeed, of little importance, the enemy nowhere making head against us; parties were sent to

hunt them down in the different jungles, and I had the bad luck to be in full pursuit of one of the Murdoos, for whom a large reward was advertised, when a few of our ally peons fired at, wounded, and took him, close to our party; thus depriving us of about ten thousand pagodas, or four thousand pounds sterling. In a few days both the Murdoos, with their families, Catabomia Naig, Dalawai Pillay, and the Dumb Brother, were all taken and the men all hanged excepting Doraswamy, the youngest son of Cheena Murdoo, and Dalawai Pillay, who being of less consequence, were transported for life to Prince of Wales' Island, with seventy of their devoted followers; and thus ended this most harassing warfare, in which the expenditure of life had been profuse, and the result anything but honourable to the survivors."

Shortly after the campaign ended, Welsh was in command at Tuticorin where all the rebels sentenced to transportation for life were sent for embarkation; and he had "the melancholy satisfaction of lightening the chains of Doraswamy, the younger and only surviving son of my poor quondam friend Cheena Murdoo, a youth of about fifteen, condemned to perpetual banishment. With a mild and dignified resignation, this amiable young man bore his cruel fate without a murmur; but such was the melancholy expression in his fine countenance, that it was impossible to see and not commiserate him. As he was consigned to my personal charge, to connive at his escape was impossible; but being under the same roof with me, in the large fortified factory, I was enabled to free him from his ignominious fetters, and separate him from the mass of his former menials."

"Never shall I forget the day, when, on the wharf at Tuticorin, I consigned my charge over the Lieutenant Rockhead. I still seem to see the combination of affection and despair which marked the fine countenance of my young friend Doraswamy, as I handed him into the boat; and the manly and silent misery, which his companions in affliction displayed on quitting their dear native land for ever."

Mark the tragic sequel:—When Welsh landed in 1818 at Penang he received a sudden visit from a miserable decrepit old man: who, when, without the most distant recollection of his person or countenance, I demanded his name and business, looked for some time in my face, the tears ran down his furrowed cheek, and at length he uttered the word "Dora Swamy!" It came like a dagger to my heart; the conviction was instantaneous.

"The casual hearing of my name had revived his affection, and I much fear, the mistaken hope, that an advancement in rank might

afford me the means of lessening of his misery. He even entreated me to be the bearer of letters to his surviving family, but this I understood was contrary to the existing orders; since, though I found the Governor, the late Colonel Bannerman, my former commanding officer, kind and considerate, it did not appear to rest with him, and I was compelled to decline. Let me however, in conclusion, express a hope that this narrative may fall into the hands of some kind-hearted Director of that honourable Company, which I served so long, and be the means of alleviating if not entirely removing the sufferings of an innocent man; the country being now completely settled, and no chance of any ill effects, as regards state policy, likely to accrue from such a compassionate measure."

Thus ended the last phase of the heroic resistance of the Marudus which formed a fitting sequel to the hard campaigning that the Pānchālamkurichi warriors subjected the British to.

Some Political Philosophers of Ancient South India *

BY

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It is true that ancient India had no Herodotus or Thucydides but it did have many Aristotles and Platos of different hues and colours, of different depths and intensity, not indeed in the same philosophical garb, in which these Greeks presented themselves and dressed their thoughts and ideals but men who gave more practical suggestions that were of better use for their times. We have a long line of philosophers of this description beginning from the times of Śukra and his famous work the Śukranīti, Kauṭalya with his Arthaśāstra, and Kāmandaka who wrote an epitome of this wise treatise down to our own day and if we choose to dig from the mines of our Vedic and Epic lore, we would find that India had reached great heights of political philosophy even in times of yore, many thousands of years before the Christian era. The famous Gītā supposed to have been a series of instructions from Lord Kṛṣṇa to the Pāṇḍavas during the Mahābhārata war is nothing but a political treatise on the military side. Small wonder then that it was left to a man like Megasthenes, a Greek, of great parts who had been fitted with ambassadorial rank in the court of Chandragupta Maurya to admire the politics of Kauṭalya and record it in his commentary.

The wealth of many of these Indian philosophers has been to a large extent properly appraised by scholars both Indian and foreign in times gone by. But there lived a group of thinkers at about the same time and perhaps a few centuries later in the southern part of this vast country who were doing similar service to the public men of their day with their political maxims and instructions very much in the same way as their confreres of the north. To these men not enough justice has yet been done by orientalists and historians, though it was to them in a particular sense that they left their writings to be known and made known.

From a host of such men nine persons may well be said to typify the philosophy of their school and for that reason may well

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be considered as the 'navaratna' who went to adorn political science in the south as it was understood and practised in their day. They are all in the first place poets of a very high order and given honoured places in the august court of Tamil literature. They among a few others constitute what is called the Augustan age in Tamil literary history, often styled as the age of the Śāṅgam.

The nine philosophical poets with whom this paper proposes to deal are Ālattūrkiḷār, Āvūrmūlamkiḷār, Ūnpottipaṣunkuḍayār, Kāvīrīpūmpaṭṭinattu Kārikannār, Neṭṭimayār, Kudapulaviyanār, Piśiranthaiyār, Kapilar and Nakkīrar.

The name Ālattūrkiḷār as that of Āvūrmūlamkiḷār is not the real name of the poet. They refer most probably to the place of their birth. Places with these names do exist to this day in south India as both Ālattūr and Ālanthūr in modern South Arcot and Chingleput districts and Āvūr in the modern Trichinopoly districts of the Madras Presidency, though this alone may not be evidence enough to call them as the native places of these men. This aside, the poet of Ālattūr was undoubtedly a great observer of nature, a person of much good sense, upright and just and endowed with much natural intelligence. In a Śāṅgam anthology called Kuruntogai,¹ consisting of short verses, he compares the cry of a bird called *Kanantil* to a warning issued to an army of the approaching enemy. The commentator tells us that this was a large-sized bird which was found always in groups.

In all the numerous anthologies pertaining to the Śāṅgam period, his are only seven short poems, all of which refer to two Chola kings Kiḷlivalavan and Nalankiḷi and these few poems have made him sufficiently famous, since through them he shows his great eye for nature and his understanding of the royal office with its responsibilities. Perhaps few poets of the age have excelled him in his fearless righteousness.

The Chola king Nalankiḷi is considered as the son of Karikāla the great² and was trained from the beginning in the art of war. The tragedy of the war of succession had begun to cast its shadow over the incipient Chola empire even in the days of Karikāla, who is said to have literally burnt his leg in an attempt to escape from his foes. A contemporary poet, Kōvūrkiḷār sings of Nalankiḷi with a bit of understandable exaggeration in the following way "The two umbrella (of the Pāṇḍya and the Cēra) follow thy peerless

1. Kuruntogai (Ed. Swaminatha Iyer), No. 350.

2. K. A. N. Śāstri: Colas, I, p. 46.

umbrella which is raised aloft resplendent in the sky like the full moon. Ambitious of fair fame thou wouldst stay nowhere but in thy victorious camp. Thy elephants chafe, whose tusks are blunt with battering the walls of thy enemies' forts. Eager for fight thy soldiers, who wear anklets, make nothing of marching through wide stretches of forests to reach the enemy country. Thy war steeds starting from the Eastern sea stay not till the waves of the western ocean wash their hoofs; in fine the kings of the North keep watch with sleepless eyes, as they dread the possibility of their marching against them".³ This along with many other poems⁴ undoubtedly give us the indication that this king was in a way monarch of all he surveyed, that he defeated and killed his rival, Nedunkiḷi on the field of Kāriyāru and gave in succession to the great ruler Kiḷlivalavan an undisputed mastery over the entire southern region.

This ruler Kiḷlivalavan is sung in eighteen verses by ten different poets all of whom emphasise his greatness and importance and offer him useful advice. One from a little known poet, Vellaikkudi Nakanār, deserves to be quoted in extenso as it gives a summary of what a king ought to be.⁵ As an example the following translations of Pope may be read:

"Let me speak out to this rich country's king! Be easy of access at fitting time, as though the Lord of Justice sat to hear and right decree. Such kings have rain in their dominions at their will. The clouds thick gather round the sun and rest in vault of heaven. So let thy canopy of state challenge the sky, and spread around not gloom but peaceful shade. Let all thy victories be the toiling ploughman's gain. Kings get the blame, whether rains fail or copious flow, and lack the praise: such is the usage of the world. If thou hast marked and known this well reject the wily counsels of malicious men. Lighten the load of those who till the soil. The dwellers in the land protect. If thou do this thy stubborn foes shall slowly bend beneath thy feet".⁶

In one of the poems attributed to Ālathūrkiḷār, he is represented as giving advice to this ruler to give up his siege of Karur, the capital of the Cērās because of the shame that would attach to his conquest of a weak ruler like the Cērā king.⁷ The poet also advises

3. Puram 31 in Kanakasabhai's Trans, Tamils 1800 years ago, p. 73.

4. The Puram alone consists of 14 verses concerning him.

5. Puram 35.

6. Rev. G. U. Pope: IA. XXIX, pp. 251-52.

7. Puram 36.

him against false pretences. There is no doubt that Killiṭaḷavan was, after Karikāla, the greatest Chola king of the Śaṅgam time. We are therefore surprisingly pleased to come across a poet like Āvūrmulamkiḷār advising him against unseemly pretensions and unnecessary assumptions in his behaviour with others.⁸

The Śaṅgam poets give endless exhortations to the reigning kings of their times about justice being the basis of good administration. The expression of Nakkīrar

“அறநெறி முத்தறையரசின் கொற்றம்”⁹

exactly means this; and explaining the same he says that a king should never waver from justice because one is his friend and another is his foe and must deal out to everyone justly according as he deserves without any reference to personal prejudices.¹⁰ He must neither fear nor fondle and quotes the sun and the moon as good comparisons for the fearlessness and the amiability which a good king ought to show towards his subjects according to the varying demands of time and circumstances.¹¹ A whole treatise could be written on the nature of fearlessness and amiability which the poet expects of the just king and the aptness of the comparison here instituted. The sun and the moon are heavenly bodies not belonging to the earth; yet they are indispensable necessities for the earth to live. Such is the conception of the poet with regard to the position of the king in his realm; a kind of philosophical abstraction is here contemplated, in the kingdom, yet not of it. Thus it would appear that long before political writers brought in the comparison between the sun and the moon in their discussions on medieval politics in Europe, Tamil poets in the south of India had brought in this conception for the exemplification of a better thesis and in a way more apt.

Though war in ancient India was a matter of common occurrence and an event in which not only the king and his army but all and sundry took a real interest, we do not fail to come across poets who deprecate violence as such. Such is a song in the Śaṅgam collections which urges peace between Nalankiḷi and Nedunkiḷi, both presumably sons of Karikāla the great. In Kanakasabhai's translation it reads as under:

“He (Nedunkiḷi) does not wear the white flower of the palm. He does not wear the garland of the dark-boughed margosa. Thy

8. Puṇam 40, l. 9.

9. Puṇam 55.

10. Purananuru (U. V. Swaminatha Iyer), p. 140.

11. Puṇam 55.

garland is a wreath of the ār, and so is that of him who wages war with thee. If either of you loses the battle, it is your house that loses; in the nature of things, it is impossible that both of you win. Your action, therefore, forebodes no good to your race; this strife will rejoice other kings who like you ride on pennaned chariots”.¹²

Another beautiful poem translated by Rev. Pope rings a similar note,¹³ and many more of this type can be found in the Śaṅgam collections. It is here that the poet Kārikkannār of Kāveri-pūmpaṭṭinam is to be mentioned for his effort to induce peace between the warring Colās and the Pāṇḍyās. In a long poem of exhortation¹⁴ he tells them, that their mutual fight is bound to give a handle to the foreign invader who may envelope both of them under his rule. Many other poets sing on the ethics of war and they tell the kings, that if fight they must, they must never try to win by treachery,¹⁵ and in no case put the civil population into trouble. The poet Neṭṭimaiyār exhorts that a king should invade the enemy country only after giving due notice for the evacuation of the Brahmans, women, children, sick men and cows.¹⁶

As against war, the duty of the king to protect his realm is set forth in great relief in the poems of this age. Thus the poet Kudapulaviyanār says that the first duty of the king is improvement of cultivation, and that he should create a plentiful supply of food in his kingdom.¹⁷ His famous line

“உண்டி கொடுத்தோர் உயிர் கொடுத்தோரே”

meaning “he who gives food gives life” is a common quotation still repeated often by the Tamil speaking people. Relevant to this subject, the question of taxation is taken up. Piṣi-rāntaiyār, another poet of this age, instructs the Pāṇḍyā king Arivuḍai nambi to be moderate in his taxation and gives as his argument that moderate taxes keep the treasury full and the people contented, while immoderate taxes soon leave the coffer empty and the people discontented. He further illustrates his point by bringing in the example of an elephant which is kept and fed at proper intervals and another which is allowed to roam freely over fields ripe for the harvest in search of food.¹⁸ The elephant roams, and destroys very much more than it eats. Though it seems to enjoy

12. Puṇam 45; Kanakasabhai, p. 73. The palm and margosa are the Cera and Pandya emblems respectively.

13. IA. XXVIII, p. 29.

14. Puṇam 58.

15. Puṇam 8.

16. Puṇam 9.

17. Puṇam 18.

18. Puṇam 184.

for a while, soon the day dawns when there is nothing to eat and both the elephant and the people are unhappy. Surely, this is a comparison totally original and wholly instructive.

A last point in this subject is the emphasis laid by these poets on charity. The great poet Kapilar tells the Cērā king Kaṇṇungo Āliyāḍhan that no limit can be set on the charity which a king ought to give for "he who gives in unrestrained charity protects the world".¹⁹ Another poet Paṣungudaiyār institutes a beautiful comparison in illustration of this. "If the heavens should stop their rain saying that they have rained enough and if land should refuse yield saying that it has yielded enough that would mean the end of life".²⁰ That a king should ever help poverty to overcome its wants cannot perhaps be better put. Nor do the poets want that charity should be indiscriminate, as is clear from the statement of Āvūr Muḷamkilār, who instructs the king to be good to the good and bad to the bad.²¹ In another context, the same poet counsels the king to be decisive and not inconvenience poor people.

One could multiply the ideas set by these poets. The poets here referred to did not try to imprison pure philosophy within the charmed ring of their poems, much less did they sing away in philosophy. Poetry and philosophy have never a natural combination; essentially they aim at different ideals, the one at pure pleasure and the other at pure reason. But it is possible to cull out the truths that seem to be common to them and weave a philosophy around them. Several political ideals are here set forth all of which can be summed up under two heads, justice and benignity, which ought to be at the foundation of any good government. One more political ideal, which completes the group of these fundamental necessities of good government and that is the freedom of expression or speech to offer constructive suggestions to the government. The poets of old traversed the length and breadth of the country eager to give their opinions to the king and he for his part was always eager to receive them. There is no doubt that the same was the relation between them and the royal ministers. The poem Patirrupattu in fact describes the poet Kapilar as "one who made the royal assembly bow to his advice".²² A code of fundamental political ideals did exist in South India in the period of the Śaṅgam as also exponents of these ideals. Well may we call these men political philosophers of ancient South India.

19. Puṇam 8.

20. Puṇam 203.

21. Puṇam 178.

22. Patirrupattu 85.

Kalamina and Kala of India, CA. 650 A. D.

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I. ST. THOMAS'S BURIAL PLACE

In ancient documents dating from about 200 A.D. to 1293 six places are found mentioned as the burial-sites of St. Thomas' body, as distinct from the six places of subsequent depositions of his bones: (1) in the west (1st cent.), (2) in Edessa (modern Urfa in upper Iraq, 232-3 A.D.), (3) in Chios Island west of Asia Minor (ca. 1144 A.D.), (4) in Ortona St. Thomas Church, in Central Italy's eastern part (in 1258), (5) in Goa St. Thomas Church, (Mylapore bones of 1522), and (6) in Mylapore Church, near Madras (bones of 1523 A.D.).

The places of first burial of the body are:—

1. A tomb of the former kings, on a mountain¹ in the kingdom of Mazdai (a king with this regular *Old-Persian* name), which was

1. This mountain in the kingdom of Mazdai appears as the Little Mount or St. Thomas Mount, both S.W. of San Thome in Mylapore, where, from the 13th century, the body of St. Thomas or of a Muslim saint has been said to have been buried in the first century (in 68 A.D. acc. to Mylapore, or in 72 acc. to Malabar), or (in the case of the Muslim) in some year between 622 and 1293 A.D.

W. Germann (*Die Kirche der Thomaschristen*, 1877, pp. 272-3, quoting *Novus Orbis*, p. 95, and referring to Raulin, 385) says: (After Sept. 22, 1500 A.D., the date of Cabral's arrival in Calicut, while he was in Cochin lading his ships), he "evaded the danger" (from the Zamorin's fleet's attack on them) "they came to a certain Island where the body of St. Thomas rests. The chief of this island received the Christians very honourably and gave to ours relics of the holy body in token of friendship".

Which island was this? Cabral evaded the Zamorin's ships by "gaining the high seas and making use of a north wind, which the enemy, accustomed to hug the coasts, did not know". It was the N.E. Monsoon wind of October and subsequent months. So the island could not have been Mylapore, and before 1523 and 1522, when St. Thomas' bones and other relics were taken out from two St. Thomas tombs opened by the Portuguese in those two years, there were no relics of St. Thomas there capable of being presented to Cabral (1500 A.D.) or others. Was Barbosa then (1500) with Cabral, or with

distant only about a day's journey by bullock-cart from the kingdom of Gundaphar (or Gudnaphar) "King of the Indians", and of his brother Gad, identified by modern historians with the Parthian king Gudaphara (= Gk. Gondophares, A.D. 19 to ca. 55) of Taxila, in the Panjab, and Guda or Gadana, a relative of Gudaphara. King Mazdai was probably a Viceroy under Gudnaphar. The mountain, the royal dynasty's tomb there, and the above three royal names are mentioned in the Syriac *Acts of Judas Thomas*, of A.D. 200-220. If the identification of Gudnaphar and Gad with the Taxila king Gudaphara and his relative Guda or Gadana mentioned in contemporary coin-legends is accepted, St. Thomas' (temporary) burial tomb on a mountain must have been in the Taxila region in North Panjab, and not in Mylapore far away in E. India.

The above Acts says that in king Mazdai's life-time itself the royal tomb of the saint was opened by him; but he could not find the bones in it as they had been "secretly removed by the brethren to the west". This first removal was not to Edessa far to the N.W. of Taxila, because it was in or shortly after 232-3 A.D. that the bones were obtained (by a merchant as St. Sphrem says about 363 A.D.) from "the princes of India, to whom the Roman Emperor Alexander Severus wrote at the request of the Christians of Edessa", when he conquered it in 232-3 A.D. These particulars within quotation marks are mentioned in the Latin work *Passio Thomae* of ca. 500 A.D. The first transfer of the Apostle's bones 'to the

his uncle at Cannanore? Barbosa the historian came in 1500 with P. A. Cabral.

The only island to which the north wind could take Cabral's ships from Cochin was the Maldiv group S.W. of Cochin. And we are fairly sure that "the two Islands Male and Female, lying about 30 miles distant from one another, (where) the people are all baptized Christians", described by Marco Polo (ca. 1293) are the Male-dives and the Lacca-dives, though Marmadit where (and in Ceylon and Socotra) Elias, Metropolitan of Damascus (A.D. 893) locates a Bishop "subject to Persia", may not be the Maldives, but Marma-goa in Goa.

How, and when, did the tradition arise that St. Thomas' body rested in the Maldives? Was it an undecayed body like the two (in Edessa, not elsewhere) of St. Thomas, mentioned by Mar John III (ca. 1122) and by Bp. Eschilinus (*floruit* 1370), or like the undecayed hand or arm and finger of St. Thomas still shown in Italy? Preservation of dead bodies of human beings was practised in the East, among the Mongols, for instance. See *Marco Polo*, Vol. I, 1903. St. Xavier's body is still preserved in Goa, we know. The body of Alexander the Great was preserved for some time in honey.

west' was probably to the palace² or the Church of King Gudnaphar who had already been converted to Christianity by the Saint (say in ca. 32 A.D., or in ca. 40 A.D. according to Sir John Marshall's *Guide to Taxila*, Calcutta, 1918, p. 21). King Mazdai it was, who had St. Thomas killed by his (four) soldiers with spears, and "the brethren", i.e. the St. Thomas Christians in Gudnaphar's and Mazdai's territories had therefore reason to fear that the tomb and the bones of "the Hebrew sorcerer who had bewitched Mazdai's queen, his son and others" (i.e. made them Christians) would not be safe on the Apostle's enemy's mountain. So they removed them "secretly" to the capital of Gundaphar to the west of Mazdai's mountain.

2. The other place of first (permanent) burial in India is our *Calamina*, a town of India in the easternmost part of Parthia, which extended "from the Tigris to the Indus", and had the river Jhelum in it. This Calamina we shall deal with at some length in the sequel. It could not have been Mylapore on the east coast of South India, but was probably the second site (to the west) mentioned above, in para 3, 1. 4.

3. The third place of original burial of St. Thomas' body is said to be Mylapore, the actual site of one tomb being called San Thome (= St. Thomas). It seems that the site was called by this very name by Friar Jordanus (1321-27 A.D.) who said he was going south from Thana north of Bombay to Quilon (in Travancore) and to "St. Thomas", evidently the tomb-site since called

2. Latin *Passio Thomae* (ca. 500 A.D.) gives the name of Gundaphar's city as Eliophorum. This may be the truncated form of the Taxillan Prakrit corruption of Sanskrit Taksha-*śilāpuram* (= the city of Taxila), the name of Gondophorus' city. *Śilāpuram* or its Taxillan vernacular form, heard by the author of the *Passio* (6th century), or other Europeans could become Eliophorum, which occurs also in the Latin text of the Mozarabic Breviary.

in the early part of that 6th cent. Cosmas (ca. 525) found multitudes of Christians in N.W. India—in the Hun empire of Mihira-Gula, whom he calls "Gollas". From those Christians, or those who had visited them, the author of the *Passio* could get the name of the ancient capital city, and some other details he has included in his book—e.g., (1) that in Sandaruk, the city in which St. Thomas first landed on his way to the mouth of the Indus, "there is still the see of St. Thomas there", (2) that to meet King Mazdai St. Thomas went (from Gundaphar's kingdom) to "Superior India", i.e. India up the river Indus. He converted Sandaruk into Andrapolis; so to him *Śilāpuram* could be *Ilāpuram*, or *Eliophorum*, a *lu Latin*. See note 19.

He mentions also "Mount Gazi" of Eliophorum, which may be Mount Hathial of Taxila. *Hathi* of Hathial could become Gazi in the Latin author's mouth.

San Thome, by the Portuguese (after 1498). This tomb is on the sea-shore, and not on a mountain, nor to the west of a mountain as was the case in the description given in the Syriac Acts (200-220) cited above. The two mounts (St. Thomas Mount and the Little Mount) near the Mylapore tomb are respectively 5 miles and 2 miles S. W. of the San Thome tomb now inside the San Thome Cathedral. Neither was it in the easternmost part of Parthia as St. Isidore said in ca. 630 (see *infra*).

4. Besides the above there was another St. Thomas tomb in San Thome, opened in 1522. Its contents are in Gao. See No. 5 of para 1 above. No. 3 above in San Thome was opened in 1523, its contents being in San Thome Cathedral, No. 6 of para 1 above. See note 24.

5. The big tomb of St. Thomas and his priest in Tiruvāncode church yard, South Travancore, See Note 16.

6. The Maldiv tomb of 1500 A.D., in Note 1, paras 2 ff.

And although the Alexandrians,³ the Arabs, and the East Syrian Christians (Nestorian and pre-Nestorian) of Iraq and Iran, and also China and Italy had commercial or ecclesiastical relations with South India by sea in the early centuries, no mention⁴ of St. Thomas' work, death, or tombs in Mylapore, or pilgrimages thereto is found in their documents so far discovered, the earliest definite mention of a Mylapore tomb, miracles, and pilgrimages being by Marco Polo in 1293. See his *Travels*, Vol. II, Bk. 3, Ch. 18, and 17. The mention of St. Thomas' burial in Mahluph, by Mar Solomon, Metropolitan of Basrah (ca. 1222), is not decisive as the

3. The name Muziris for the most ancient Malabar port and emporium cannot be derived from Tamil. Was it a Misri port?, i.e. a port of the people of Misr = Egypt. Sala-Misri is the Malayalam name of a kind of foreign tuber (of the plant *Orchis Mascula*?). The name means salep of Misr, Egypt. *Thaleb Misri* is its Arabic name. Ptolemy of Egypt (ca. 140) mentions (before Islam was founded) Muziris, and other localities in Malabar. So Muziris cannot be from the Arabic word Musrik denoting non-Muslims, infidels.

4. Arab travellers mention Betumah, which is wrongly interpreted as Baith-Toma, i.e. the house of Thomas, and identified with Mylapore. Col. Gerini says it is *Tamus*, or *Tamarus promontorium* of Strabo, Mela, etc., commonly called *Samara* after the fifth century. The Malays call it *Tamasak* and the Chinese *Tan-ma-hsi*. See his *Researches on Ptolemy's Geography of Eastern Asia*, Asiatic Society Monographs, Vol. I, London, 1909, p. 199. In his Synoptical Map in that volume Betumah is marked east of Singapore, as the S.E. extremity of the Malaya Peninsula.

MSS. (known till 1925 to Dr. J. Leveen of the British Museum) differ in their texts thus:—

"Thomas was from Jerusalem, of the tribe of Judah. He taught the Parthians, Medes and Indians, and because he baptised the daughter" (no, the wife, son and sister, says the Acts of 200-220) "of the king of the Indians" (viz. King Mazdai, and not Gundaphar) "he stabbed him with a spear" (no, his soldiers did it), "and he died. Habban the merchant" (no, Khabin), "brought his body" (wrong, for bones), "and laid it in Edessa, the blessed city of our Lord. Others say that he was buried in Mahluph, a city in the land of the Indians".—Vide his *Book of the Bee* in Syriac.

The variant readings are:—

(a) "He taught in India, and Sind, and Persia".

(b) "He was buried in India". These are found in the Oxford MS. of the *Book of the Bee*. Was Muhluph in the original MS. by Mar Solomon? None can say. His contemporary, the Syrian Mar Jesu-sab, Bishop of Soba or Nisibis near Edessa (in office A.D. 1190-1222 and later), says vaguely like the Oxford MS. thus: "Besides, we too have the corpse of Saint Thomas the Apostle in India", because the body was buried on Mazdai's mountain in some part of India as the Syriac Acts told the Bishop. Other ancient Syriac works also mention India vaguely,

e.g. (i) *The Doctrine of Addai*, ca. 200.

(ii) *The Doctrine of the Apostles*, ca. 260.

(iii) *St. Ephrem's Hymns*, ca. 363, well-known to the Bishop.

This Bishop had probably died before Mar Gregorius Bar-Hebraeus (b. 1226, d. 1286), the most notable of Syriac authors, wrote (a) in his *Syriac Chronicle* that St. Thomas' "body was buried at Calmania" (in India), and "thence translated to Edessa", and (b) in *Horreum Mysteriorum* that "Thomas preached to the Parthians, Medes, and Indians, and was killed at Calamina and his body" (i.e. his bones) "was translated to Edessa". Bar-Hebraeus⁵ the well-read historian, and a contemporary of Marco

5. Bar-Hebraeus or Ab'l-Faraj (1226-86), Maphrian or Catholicus of the Monophysite church, wrote several works in Syriac and Arabic. Born at Malatiah on the Upper Euphrates, he was made bishop of Gūbās near it in 1246. In 1253 he was bishop of Aleppo; in 1264 he was made Maphrian. His great historical work is the *Chronicle* in Syriac, the first part of which deals with secular events from the creation downwards, the 2nd mainly with the patriarchate of Antioch, and the 3rd with the eastern half of the Syrian church.

Polo who in 1293 heard several diverse particulars about the Mylapore tomb, the Muslim *havarian* or St. Thomas buried in it, and the Muslim and Christian pilgrimages to the tomb, had chances of hearing the same details from pilgrims or others who had been to Mylapore or to Malabar. And he must have read also the Edessene works the *Acts* and the *Preaching of the Holy Apostles*,⁶ and other Syriac writings, and Church documents (the liturgies, calendars, breviaries, martyrologies, &c.), and found in them a mountain of India or Calamina alone mentioned as the place of the Apostle's burial. Yet he did not reject Calamina in favour of Mylapore, or assert that the two are identical. Even the Malabar Syriac liturgy, the Catholics' *Dukhrana Office* for the octave of St. Thomas, and other Malabar Syriac records have not dared to give Mylapore⁷ or even Calamina definitely as the burial place of St. Thomas.

II. CALAMINA, KALAMINE

The earliest known datable mention of Calamina, (Latin form) seems to be by St. Isidore⁸ of Seville in Spain, who died in 636 A.D. In that voluminous writer's *De Ortu et Obitu Patrum* ("of doubtful authenticity"?) we find:

"Therefore, this Thomas preached to the Parthians and the Medes, up to the furthest eastern part (*ad extremam orientalem plagam*) and there preached the gospel" (to the Indians also, by implication) "and suffered martyrdom. Indeed, being pierced with a lance, he died at Calamina, a town of India, and was honourably buried there on the 12th before the Kalends of January" (= December 21).

In his *Etymologiarum Liber* the same author says: "From the frontiers of India as far as Mesopotamia (this land) is generally called Parthia. On account of the unconquered strength of the

6. *The Preaching of the Apostles* is different from the *Doctrine of the Apostles* (ca. 260 A.D.).

7. Of the Malabar syriac office Fr. Bernard the reputed Malabar church historian says: "The Divine Office for the feast of July 3rd is the most ancient and appears to have been composed by the Indian Prelates of the first or second century". A (Tamil) St. Thomas "*Charitam*" (= History) finished in 72 A.D. is also said to exist. But no copy of it has yet been discovered, nor has evidence of its existence at any time been adduced so far.

8. Isidorus Hispalensis (ca 570-636), Spanish encyclopedist and historian, was famous as a doughty opponent of the Arians. He was ordained bishop in 609. His chief work is *originum sive etymologiarum libri XX* (between 622 and 633). *De ortu ac obitu patrum qui Scriptura laudibus efferuntur*, from which we have quoted, is said to be "of doubtful authenticity" in *Ency. Brit.*, 1946. If so is it earlier or later than ca. 630? See IV, end.

Parthians" whose rule had ended in 222 A.D., four centuries before Isidore) "both Assyria and other neighbouring regions changed their names to that of Parthia. There are, therefore, in it Arachosia (= modern Kandahar), Parthia, Assyria, Media and Persia, which being united to one another begin from the river Indus and are enclosed by the Tigris. They are mountainous and rugged, having the rivers Hydaspes" (= Sanskrit Vitastā modern Jhelum, about 100 miles to the east of even the Indus given by him as the boundary) "and Arbis".

Two centuries before Isidore, Orosius (d. 417) wrote (in *Hist. Lib. 1.2*) to the same effect thus: "From the river Indus, which is in the East, as far as the river Tigris, which is in the West these are the regions: Aracosia (= modern Kandahar), Parthia, Assyria, and Media. They are mountainous and rugged. . . . the chief rivers. . . Hydaspes (= the Jhelum, east of the Indus) are in the middle of these" (i.e. between Mount Caucasus, the northern boundary, and the Southern Arabian Sea and the Persian Gulf). "In these there are 32 tribes. But generally the country is called Parthia, although Holy Scripture calls the whole Media".

St. Isidore (or a Pseudo-Isidore?), we see, locates Calamina in India in the furthest eastern part of Parthia where there was not only the Indus but also the Jhelum, about 100 miles to the east of it. By the furthest eastern part he did not mean the easternmost (Mylapore or other) parts of India proper, or of Asia with China as the extreme oriental region. And no document prior to the 13th century — (not even the Malabar Catholic Syriac *Office* for the 8 days' *dukhrana* (= remembrance) of St. Thomas, alleged⁹ to have been composed in Malabar in the 1st or 2nd century) — expressly mentions Mylapore, or even Coromandel or Chola¹⁰ or Betuma as the burial place of St. Thomas.

9. See note 7.

10. According to Malabar Christian tradition, which is not found recorded in any form, wholly or partly, before the 13th century, St. Thomas came to build a palace for the Chola King whose Hindu name is not found mentioned, though in the Syriac *Acts* of 200-220 he is Gundaphar, whom scholars have identified with Gudaphara, the Parthian King (19—ca. 60 A.D.) of N.W. India.

Recently Malabar writers began to admit that, as authoritative historians say, St. Thomas went to N.W. India on his first missionary journey, and add that thereafter he came to South India along with Habban in 50 A.D. or 52 A.D. etc. from there direct, or after returning to Jerusalem, and built a palace for the Chola King. Those writers have nothing to say about the palace built for Gudnaphar, or about Habban's accompanying him to Gundaphar's city also, except that the *Acts* (200-220) is wrong, and the Malabar tradition is right.

The Latin work *Passio Thomae* (ca. 500 A.D.) says without mentioning the name Sandaruk (probably Alek-Sander-uk, i.e. Alexandria among the Oritae, founded by Alexander the Great in Baluchistan, west of the river Hab, on his way back from India), that "there is there the see of St. Thomas to this day" (i.e. even in ca. 500), and adds that after meeting King Gundaphar of the Indians, and effecting miraculous cures St. Thomas went to "Superior India" — "*profectus est autem Apostolus ad Indiam superiorem per revelationem*", "i.e. further to the north, or to the south, or to the east", says Medlycott in his *Thomas*, 1905, p. 258. Why not even to the west?

To the author of the *Passio* South India could never have been superior India. On the other hand N.W. India of Gondophares, through which the Jhelum and the Indus flowed as St. Isidore (d. 636), and Orosius (d. 417) said (see *ante*), was superior India. We may infer, therefore, that Isidore meant the superior part of India as the scene of St. Thomas' preaching and martyrdom.

Another pre-Marco-Poline record (which is not of distant Europe, but of Syria) speaks of it as "interior India", which cannot be South India or its east coast, where the "Muslim — St. Thomas tomb" was in existence in 1293 A.D. That document, a British Museum Syriac MS. of 874 A.D., says: "The Apostle Thomas preached in India Interior, and taught and baptized and conferred the imposition of hands for the priesthood. He also baptized the daughter" (no, the queen, son, and daughter-in-law) "of the King of the Indians" (Mazdai, as the Acts says). "But they slew him with spears¹¹ in Kalimaiya¹² (or Kalimiya). His body was brought to Edessa and there it rests". (Body is found used instead of bones in several documents. So also head for skull). The W. Asian or Persian author who wrote as above in Syriac could not possibly describe Mylapore as situated in 'interior India'. Even in the wrong Geography of Ptolemy (ca. 140) it was not in the interior of his 'India intra Gangem', i.e. India on this side of the Ganges.

11. "Berumhe" is the word in the Syriac MS. It means "with spears". But some wrongly translated it as 'by Brahmins'. It was Dr. Leveen of the British Museum who found out the mistake and corrected it. The Brahmin murderer or murderers of St. Thomas figured in Malabar tradition not before the above mistaken reading and translation. The Brahmin priest very probably reflects the "Sun-temple priest" of the Latin *Passio*, brought to Malabar by the Portuguese.

12. See note 28, para 2.

Authors of Latin and Syriac records mentioning Calamina (like Isidore of ca. 630, who knew Greek also, or a Pseudo-Isidore, and the author of the Syriac MS. of 874, who too probably knew Greek as many Syrians knew in the early centuries) might probably have got the name from Greek records, several of which have survived. Medlycott has cited them in his *India and the Apostle Thomas*, 1905. Some of them were possibly written by Syrian authors themselves. The specification "Superior India" found in the Latin *Passio* (ca. 500) was perhaps borrowed from the Syrians who were not far from N.W. India, or the Greeks who were scattered in all parts of the Parthian empire from B.C. 248 to A.D. 222, acc. to Wm. S. Haas, *Iran*, N.Y., 1946, p. 17).

Some Greek passages mentioning Calamina as the burial place of St. Thomas are given below:—

1. Pseudo-Hippolytus says: "And Thomas preached to the Parthians, Medes, Persians, Hyrcanians, Bactrians, and Magians, and was thrust through in the four members of his body with a pine spear at Kalamênê, the city of India, and was buried there". Real Hippolytus who lived and wrote in Rome died in ca. 139. But the date of the above Pseudo-Hippolytus is not known.

In this passage *Parthians* are the hardy, warlike people of Parthia, a small district to the S.E. of the Caspian Sea. The *Medes* were in Media S.E. of Lake Urmia. *Persians* were originally the people of Parsua, west of late Urmia, but the name came to be applied to all in Persia. *Hyrcanians* were in Hyrcan, S.E. of the Caspian. *Bactrians* were those in Bactria, N. Afghanistan, between the Hindukush and the Oxus. *Magians* were the Magi (Priests), a name "derived from a Median tribe, which is identical with the Median priestly caste, or had, like the Brahmins in India, the privilege of supplying the members of the priestly profession", as W.S. Haas says in *Iran*, N.Y., 1946, p. 17.

The 2nd extract *infra* has Germans, wrongly for Karmanians, those of Kerman in the middle of East Persia. If Magians therein are not the Magi (*ante*), but Margians, these people were the inhabitants of Margiana on the river Margub (Murghab), chiefly residing in the Oasis of Merv, which has preserved the name (Margiana).

In the above extract we find the Parthians and the Medes of St. Isidore's statement (*ante*, § II) given prominence; spearing and burial in the Indian town called Calamina too are reflected. Perhaps both Isidore and Pseudo-Hippolytus borrowed those details

from some other source or sources, probably in Greek or Syriac of one of the early centuries.

Pseudo-Hippolytus, like several other writers (some cited below), explains as it were the term Parthians used by Isidore by adding Persians, Hyrcanians, Bactrians, and Magians to his indefinite "Parthians and Medes", a stereotyped expression used often in the Old Testament¹³ in the form the "the Medes and the Persians". "The law of the Medes and Persians" has become a well-known idiom in English and some other European languages.

2. Pseudo-Dorotheus' statement is:—"Thomas the Apostle having preached the Gospel to the Parthians, Medes, Persians, Germans" (ought to be Karmanians), "Bactrians and Magians, suffered martyrdom at Kalamite (wrong for Kalamine), a city of India so named". Since *n* and *t* (small) of Greek are not easily distinguishable in cursive script there is Kalamite here as a wrong reading. Real Dorotheus, Bishop of Tyre, is said to have flourished at the end of the 3rd century.

3. An anonymous Greek author says: "Thomas the Apostle, as the tradition of the elders discloses, preached the Gospel of Christ to the Parthians and Medes, the Persians and Germans" (wrong, for Carmanians), "the Hyrcanians and Bactrians; he fell asleep in the city of Kalamine in India". (This Greek writer's works were published with those of Oecumenius, Bishop of Trikka in Thessaly, about 990 A.D.).

4. In the same century (the 13th) as the Iraqi Bar-Hebraeus' (1226-86 A.D.) who points to "Calamina away (not far) from a mountain of India which the Apostle ascended" — "*in montem Indiae ascendit*", as well as the century of Marco Polo's Muslim, Gobi, and Christian contemporaries of 1293 A.D. in Mylapore, of whom the Muslims asserted that a Nubian Saracen *avariyan* (saint) lay buried in the tomb there, which the Christians assigned to St. Thomas, a Greek MS. recorded that "Thomas the Apostle, as has been handed down to us, preached the gospel of the Lord to the Parthians, Medes, Persians, Carmanians, Hyrcanians, Bactrians, and the Magi. He fell asleep in the city

13. In the New Testament too we find in the Acts of the Apostles (1st cent.) Parthia and Media linked together: ch. 2 "Parthians, Medes, Elamites, residents of Mesopotamia visitors from Rome, Jews and proselytes, Cretans and Arabs", in Jerusalem heard in their own "foreign languages" whatever the Spirit prompted them to utter" (verses 9-11, and 4).

of Kalamina of India." Here too we find Isidore's Parthians and Medes expanded to include almost all the peoples of the Parthian empire of the days of St. Thomas, the Parthian King Gundaphar (Gudaphara), and (his Viceroy, or Satrap ?) King Mazdai (bearing a regular *Old-Persian*¹⁴ name). In Bar Hebraeus' list there are "Indians" expressly mentioned, over and above "the Parthians, Medes, Persians, Carmani, Bactrians and Magi", although in St. Isidore's statement (§ II *supra*) "Indians" are only implied in the expression "he died at Calamina, a town of India", which must naturally have had Indians in it, who too certainly heard St. Thomas' preaching to the Parthians in the town and its neighbourhood.

Early in the same 13th century in which we find the Mylapore tomb mentioned for the first time in known documents as a Muslim saint's tomb and St. Thomas's tomb, the "Constable of Armenia", i.e. the general of the army, wrote in 1248 to Henry de Lucignan, King of Cyprus, a report in which occurs this passage:

"But in the land of India where the Blessed St. Thomas preached and made converts" (unlike other parts of the Orient where the "Cham" (= the Khan) restored his Christian subjects to liberty and forbade under severe penalties that any one should offend them in deed or words), "there is yet a certain Christian king, who was much oppressed by other Saracen kings, his neighbours, who waged against him a rude and relentless war, until the Tartars came to those parts, and then he submitted to obey them, and joining arms with them, he so attacked his enemies the Saracens that he conquered a good part of the Indies", *Vide F. Bergson's Relations des Voyages en Tartarie*, Paris, 1634, pp. 303-4.

This land of India where St. Thomas preached and made converts, and where there were Muslim kings, and which the Tartars,¹⁵ invaded and conquered in or before 1248 could not be South India. The Constable did not visit the Southern part of India, but the Christians and churches in Casrat and Canguth (= Kashgar and Tangut, near N.W. India) and perhaps also in that part of India. There was in 1248 no St. Thomas tomb or his bones there, because the bones of St. Thomas had been taken in or shortly

14. Not only Mazdai, but also Vizan and Manashar, the names of his son and daughter-in-law are Old-Persian, acc. to Dr. F. C. Burkitt.

15. The Constable's letter of 1248 falls in the reign of Nazir-ud-din (1246-63) in India, and recalls probably the invasion of India and capture of Lahor in 1241 by the Mongol hordes, though he speaks of the "Tartars".

after 232-3 A.D. to Edessa, and were in Chios in 1248, though there was a Christian king and Christian somewhere there, and possibly their church was called a St. Thomas Church. He heard of the king, and his troubles; and as from the ancient Armenian translation of the Syriac Acts, or from N.W. Indian tradition he knew that St. Thomas preached and died in N.W. India of Kings Gundaphar and Mazdai he could describe that Indian Christian king's and the Saracens' and Tartars' region of India as "India where the Blessed St. Thomas preached and made conversats".

The undated Greek documents (1 to 3) cited above are supposed by Bishop Medlycott (in *Thomas in India*, 1905, p. 161) to be of 650-750 A.D. And Fr. Hosten, S.J., says (in *Antiquities*, 1936, p. 306) that "We find Calamina again in a series of Greek lists of the Apostles, all anonymous, the dates of which may by and by be found to be respectably ancient; we find it in Syrian and Latin works, and Latin martyrologies of the 9th and 10th centuries, the authors of which we may safely think did not suddenly agree to invent it, but copied it, as conscientious historians cannot help doing, from earlier materials". (Medlycott does not cite Isidore of Seville, d. 636).

Of such materials the only one that contains the shortest list of peoples (Parthians and Medes alone, with Indians of Calamina implied) is St. Isidore's statement cited supra in this §. We may, therefore, regard it as one of the earliest, non-extravagant documents mentioning Calamina. As we come down the centuries we find Germany, South India, Ceylon, Malacca, China, etc., and even Brazil in America added to the sober, modest, list of regions evangelized by St. Thomas; we find also Qantaria (in *Ethiopic Acts of Thomas* = Gandhara), Mylapore (1293 A.D.), St. Thomas Mount S.W. of Mylapore, Tiruvāmkōdu in South Travancore,¹⁶ Karmania¹⁷ north of Makran in S.E. Persia, Kalayamuttūr near the

16. The big tomb in the southern yard of the "Tarisā" (= Syrian Christian) church (pre-Portuguese) at Tiruvāmkōtu was, until the last generation, assigned by the parishioners to St. Thomas and a priest who came with him to that place from Mylapore along with the first century ancestors of the "Tarisas" there. St. Thomas brought them there to escape persecution. Such was the Tiruvāmkōdu tradition. But the present generation wisely or not, from it the death and burial of St. Thomas in their parish. In course of time will his death and burial in Mylapore too be omitted from the South Indian tradition?

17. Karmania in Persia was first suggested by W. R. Philipps in *The Indian Antiquary*, and in 1912 or so Fr. Dahlmann, S.J., of the University, Tokyo, did the same in a book of his. Both these Catholic were thus

Palni Hills N.E. of Travancore-Cochin and west of Madura¹⁸ and one or two other localities¹⁹ mentioned in the course of the centuries from say 500 A.D. down to the 20th century. We find also a plethora of speculations on the identity and interpretation²⁰ of Calamina from the 17th to 20th century.

disallowing South India's claim dating allegedly from 50 A.D. or 51, 52, 52-3, 67, 78, or 84 acc. to Malabar versions of the tradition, not found recorded in the first 12 centuries, or dating at least from 1293 when Marco Polo was told that the Muslims asserted that the Mylapore tomb was of a Saracen Muslim saint from Nubia.

18. *Kalyamuttūr* (= Kalamina) was suggested recently by Mr. A. Balakrishna Pillai, M.A., of Travancore, the author of numerous articles in *The Hindu* of Madras and other papers and Journals, on historical topics. The two names have Kala-m in common, that is all.

19. Iotha (a nominative of Iothabis) is mentioned as the place of where St. Thomas is buried (in a list of burial places of the 12) in Codex Fuldensis, the famous MS. of the Diatessaron, written for, and corrected by Victor, Bishop of Capua, in 546. The entry for Thomas is *Thomas-in-India-civitate Iothabis*.

This cannot be a reference to Calamina or Mylapore. Probably it is Iorha, i.e. Syriac URHA = Edessa, where the bones of St. Thomas have been since 232-3, or shortly after.

In about 500 Eliophorum is mentioned in the *Passio*. (See note 2). It cannot be Ma-ilaipuram (= Mylapore) as the author has only "superior India" as St. Thomas' place of death and burial. Dr. Medlycott says in his *India and ... Thomas*, 1905, p. 258, that "The Latin expression 'superior', used above, is susceptible of various meanings, and can equally be applied whether the Apostle proceeded further to the north, or to the south, or to the east" (or even to the west); "it is a generic form of expression, therefore inconclusive for the purpose of indicating the direction taken. But the recital in the (Syriac) text, first given, is somewhat more definite—'whither our Lord told him'. This further corroborates the idea that up till then Thomas had not entered that particular section of India to which by revelation he had been directed to proceed", "to erect a palatial building in India" (p. 251) for Gundaphar.

But the Lord's telling or revelation here is not "the vision-admonitions he received of his future destination to India" (*ibid.* p. 251), before St. Thomas met Habban outside India, i.e. in W. Asia, but a much later admonition received after his arrival and work in the cities and villages in Gundaphar's kingdom in India, and before his journey in a bullock cart to Mazdai's kingdom where he was martyred. This admonition is in Acts II and III and not in Act I of the Syriac text, which says: "And the Apostle went forth to go whither our Lord had told him" (while he was as'een in Gundaphar's city). "And he came near the second milestone" from the city. See the end of Act II, and the opening of Act III in Syriac and in Greek.

20. Fr. A. Kircher, S.J., in 1667, seems to be the first to regard Calamina as a descriptive word, or a mere statement of a circumstance, and to interpret it as such. He said (wrongly, of course), that Calamina was Tamil *Calurmina*, meaning 'on the stone'. But there is, or was no such Tamil expression. On the stone is kallin-mel (கல்லின் மேல்) in Tamil. Perhaps he meant

But confining ourselves to the earliest mention (by St. Isidore) of Calamina as a town situated in India of the Indus-Jhelum region in the easternmost part of the Parthian empire which lasted until 222 A.D., we may suppose that the definite place-name Calamina²¹ or one of its other forms was obtained by the Church of Edessa in or shortly after 232-3 A.D., when the bones of St. Thomas came, as a result of Emperor Alexander Severus' letter asking for the relics, to the "Princes of India" (as the Latin *Passio*, of about 500 A.D. definitely informs us). Several princes of Parthian India had to be addressed probably because Edessa could not tell Severus which particular king of that easternmost part of the then recently (in 222 A.D.) ended Parthian empire had St. Thomas' tomb in his territory. The decade A.D. 222 to 232-3 must naturally have been a nebulous transition period, only very vaguely known to Edessa (called "Edessa of the Parthians" in olden times), situated far away in the N.W. corner of that Empire.

We may suppose that it was a Greek form of the Indian name (perhaps Kalawan) that was taken to Edessa by Severus's agent (named Khabin in some records). For Dr. William S. Haas of the Iranian Institute and School for Asiatic studies in New York since 1943, says (in his book *Iran*, N.Y., 1946, p. 17), of the Parthian empire (248 B.C. to 222 A.D.) that "The court and the upper classes were deeply imbued with Greek culture, and the fact that the inscriptions on the Parthian coins" (even in N.W. India) "are Greek²² is in itself sufficient proof of the Greek influences", and we may add: even in "Edessa of the Parthians".²³

Kallin-mel-nintu (കല്ലിൻ മേൽ നിன்று) meaning from the top of the stone, in Malayalam.

21. We recall that in about 500 A.D. the author of the *Passio* mentioned the definite place-name Eliophorum, though not Calamina. See notes 2 and 19.

After 394 A.D. a lady pilgrim Etheria or Egeria from Spain, St. Isidore's land (636), visited the large and handsome church of new design, and the martyrdom of St. Thomas at Edessa and read there portions of the (Greek) Acts of the saint. Did Etheria hear the name Calamina while there, and take it to Spain? "Large colonies of Eastern Christians existed in Gaul (North of Spain) from the early ages down to the times of Gregory of Tours" in France, d. 593-4. See Madlycott's *Thomas*, 1905, pp. 108, 247. Did the name Calamina reach Gaul, Tours, Vienna, Lyons, etc., in France through those colonists?

22. Coins of Gudaphara and other Indo-Parthian kings also have legends in Kharoshi script, derived from Aramaic Syriac. An Aramaic inscription in Aramaic script was discovered in Taxila, the capital of Parthian India. Another was discovered at Laghman once the westernmost limit of India.

23. Dr. F. C. Burkitt, of Cambridge, says in his article St. Thomas, in *Ency. Brit.*, 1946, and in a previous edition, that the tradition (recorded by

III. CALAMINA MISPLACED

Without knowing that Calamina was in the 7th century (or earlier, or later?) definitely specified by St. Isidore (or a pseudo-Isidore?) as a town situated in Parthian India, several disinterested authors like W. R. Philips (1903), and others with vested interests, or a strong belief, like some South Indian authors whose tradition has located the St. Thomas tomb in Mylapore, whither they and their ancestors since some past unascertained period (before or after 1293) have been going on pilgrimage (like the Christians and Muslims of 1293 A.D. mentioned by Marco Polo in his Book III, ch. 18), have attempted to identify Calamina, or to establish that it is Mylapore itself, or one of the two Mounts near it, or some other locality or region (Coromandel) related to Mylapore.

The list below presents only a few specimens of the ingenious identifications and interpretations of Calamina.

1. Calamina is the ancient city of Mylapore submerged in the sea; so the name has not survived. This implies that when Calamina was about to be engulfed the bones of St. Thomas were rescued and deposited in the brick-and-granite-slab tomb opened by the Portuguese in 1523.²⁴ That hypothetical removal must be

Origen in 228-31 A.D., and in the *Clementine Recognitions* of about 250) about St. Thomas' preaching in Parthia arose because Edessa was in ancient times called "Edessa of the Parthians". Why, N.W. India too was India 'of the Parthians.' Mylapore was not Parthian. In the above article Dr. Burkitt refers to an article of mine on St. Thomas in South India (1927).

24. In 1522 the Portuguese opened another St. Thomas tomb in Mylapore, and strangely enough, took out his entire "white" skeleton, which is now preserved in Goa. Col. Yule says: "The Portuguese ignored the ancient translation of the Saint's remains to Edessa, and in 1522, under the Viceroyalty of Duarte Menezes, a commission was sent to Mailapur, or San Thome as they called it, to search for the body. The narrative states circumstantially that the Apostle's bones were found, besides those of the King" (viz. the Chola King) "whom he had converted etc. The supposed relics were transferred to Goa, where they are still preserved in the Church of St. Thomas in that city. The question appears to have become" (by 1903 A.D.) "a party one among Romanists in India, in connection with other differences, and I see that the authorities now ruling the Catholics at Madras are strong in disparagement of the special sanctity of the localities, and of the whole story connecting St. Thomas with Mailapur".—*Vide Marco Polo*, Vol. II, 1903, Bk. 3, p. 358. St. Thomas' skeleton was "white", while the converted Chola King's was "black". Had black people black bones in the first century, and white people white bones? Do bones remain entire and undecayed underground for about 1500 years (from 68 or 72 A.D. to 1522)?

F. A. D'Cruz, a Catholic of Mylapore says: "Catholics who venerate

supposed to have been effected before 232-3 A.D. in which year, or shortly after it, the bones were conveyed to Edessa.

Camoens' *Lusiads*, 1572, says :

"Here rose the potent city, Meliapor
Naméd, in olden times rich, vast, and grand :

* * * *

In those past ages stood she far from shore,
When to declare glad tidings over the land,
Thomé came preaching, after he had trod
A thousand regions taught to know his God."

—(Burton's translation, canto X, 109).

Ptolemy (ca. 140) mentions Maliarpha (= Mylapore) and not Kalamine. So Mylapore was in existence in 140 A.D.

"St. Thomas in the Sea" near Mylapore is an expression used by Johannes de Hese in his *Itinerary* first printed in 1499, and by an anonymous writer, probably a Flemish traveller, who visited Cochin in 1502, and Quilon in 1503, but did not go to Mylapore. But Barbosa, their contemporary, did not know of St. Thomas as in the sea²⁵ near Mylapore. The anonymous writer adds that "for a fortnight about the time of his festival" (in July) "the sea may be passed on foot" by those who visit his tomb. This "sea" was probably the very broad but shallow lake-like portion of the mouth of the Adyar Rivar, between the Little Mount and the Sea, and only about a furlong south of the tomb. That portion is practically a gulf of the sea, and visitors from the south could probably wade across it in the rainless festival month of July. But the tomb was not, and is not, on one of the small islands in that Adyar gulf (as St. Thomas' bones had been on the Island of Chios west of Asia

the tomb are not compelled to believe in its genuineness; and they know well that it is a question of evidence and that they may be mistaken as to the fact. They regard it, in any case, in the light of a memorial, whereby the saint is remembered and honoured. If miracles are said to have occurred in connection with the reputed tomb or relics, Catholics understand again that here also it is a question of evidence, and that, if genuine, they are the result of faith excited by the memorial of the saint, whose intercession had been implored by clients for Divine interposition on their behalf". See his *St. Thomas, the Apostle in India*, 2nd ed. 1929, pp. 112-113.

25. The Malabar Catholic Syriac Office of St. Thomas, alleged but not proved, to be of the 1st-2nd cent. says: "Holy Apostle Thomas, who established your burial place on the sea-shore, pray to the most high Lord," "And Thomas was pierced with a lance in the country of India near the sea-shore", i.e. on one of the two inland Mounts to the S.W. of San Thome, which is "on the sea-shore".

Minor in ca. 1144 A.D.); and it was never in any sea, unless we accept as true the story that the first tomb was in submerged Mylapore. See III, supra.

Calamina is mentioned by the author of the Italian work *Nuovo Viaggio* (pub. 1762 A.D.) as a city existing in Portuguese times (i.e. after 1498) and not as one engulfed by the sea after St. Thomas' burial there. The author says: "There was at other times a town called Calamina (which has been destroyed in the war between the French and the Portuguese), in which the Christians of the Malabar coast say that St. Thomas was martyred by the infidels. This town was built on the ruins of another called Betuma (see note 4) that is to say, the town of St. Thomas". No such Calamina is known. The author probably assumed that San Thome or some place near it was Calamina, e.g. Chinnamalai where Malabar says St. Thomas was killed by an "Emprân" Brahmin. The "Song of 1601" says so; but its existence prior to 1892 has not been proved yet. See No 11 *infra* for Galmona.

2. *Carmana*, modern Karmān in the east of Persia, was in 1903 held to be Calamina by W. R. Philipps (in the *Indian Antiquary*) "from a geographical, an ethnical, and indeed as it seems to me, from every point of view". But he was then ignorant of St. Isidore's having located it in *Parthian India* some 1300 years before.

3. *Calama* on the seaboard of Gedrosia (= Baluchistan) is Calamina, said Gutschmid. (But Sandaruk where St. Thomas landed before coming to the mouth of the Indus, may be located in Baluchistan as probably identical with the ancient Alexandria (*Alek-sander-uk*) in that province).

4. *Kalah-elmina* (= in Syriac the port of "Kalah of Isho-Yahb, 650-60, A.D., in the vicinity of India") is Calamina, "a fictitious name", said Dr. Medlycott in 1905 in his *India and Thomas*, and asked (on p. 98), "What place is there in India, other than

Let us note that from 1293 to the 16th-17th century Mylapore and Malabar said that a Govi's arrow, and not a Brahmin priest's 'lance' caused the Apostle's death accidentally. But by a complete *volte face* they now say that an Emprân Brahmin killed him deliberately!!

According to the Office St. Thomas' tomb was on the seashore, and not in the sea, or on an island. While on the island of Chios (since about 1144) it could be said to be in the sea. While in "Ortona a Mare" (= Ortona on the sea) in Italy's eastern littoral (ever since Friday, 6th September 1258) St. Thomas has been "on the sea" and he is on the Adriatic sea there even today.

Mylapore which has ever set forth a claim to it?" But which year is there before 1293 A.D. in which *even* Mylapore is *definitely* recorded as having set forth a claim to the tomb? What about Calamina definitely located in *Parthian* India, which fact Dr. Medlycot did not know, or refute. It must be noted too that he located Kalah far far away as "Qalah of the Malay Peninsula, somewhat to the north of Penang". See his *Thomas in India*, 1905, p. 159.

5. *Cholamandalam* is Calamina, said Yule and Burnell in their *Hobson-Jobson*. Coromandel, a small village on the coast north of Madras, from which, supposedly, the Coromandel coast took its name, is Calamina, said Dr. Maclean in his *Manual of Administration of the Madras Presidency*. But Coromandel is from Chola-mandal (-am), which means the Chola King's region (= Ptolemy's *Sora*, ca. 140), and occurs as Koromandel in the ancient Pali book *Milindapanha* (= King Menander's questions), of early first century.²⁶ See *Cam. Hist. of India*, Vol. I, 1922, p. 212. Besides, the real name of the above village is Karumanal (= black sand), கருமணல்²⁷

6. *Calamina*, a (hypothetical) ancient town at the foot of St. Thomas Mount is Calamina of the Roman Breviary, Martyrology, etc., said Rev. James Doyle in *Catholic Encyclopedia*, Vol. 8, p. 382. St. Thomas, he says, was martyred there, but buried in Mylapore (5 miles N.E. of that Mount).

7. *Kurumandala* (= the realm of the ancient Kurus, cousins of the Pandavas of the Puranas) is Calamina, acc. to Tod.

26. *Milinda-panha*, 359, has the following: 'As a shipowner who has become wealthy by constantly levying freight in some seaport town, will be able to traverse the high seas, and go to Vanga or Takkola, or China, or Sovira, or Surat, or Alexandria, or the Koromandel coast, or Further India, or any other place where ships do congregate'.

27. This Karumanal (= Black Sand) is by some regarded as the Black Island on which Abbot Zadoi's "monastery of St. Thomas (in India)" was situated, in ca. 390. But that island was south of Baith Katraye, the country of the Katars, the Arabian region on the west coast of the Persian gulf, facing the islands of Bahrain. An island south of Katar, still retaining the old name, marked in maps, cannot be on the Madras coast. See Dr. A. Mingana's *Early Spread of Christianity in India*, 1926, pp. 18-21. We may note also that "India" above need not necessarily be our India. For in that century, in 345 A.D., the author of the Latin work *Itinerarium Alexandri* said that "India is a vast country, a continuation (eastwards) of Egypt and Ethiopia". In about 360 Rufinus the Latin historian designated south Arabia as "Citerior India adherent to Ethiopia". See this *Journal* for Aug. 1947, and Aug. 1948 for pseudo-Indias west of real India. Also April, 1950.

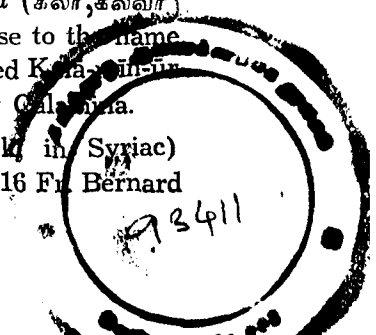
8. *Calur-mina*, supposed by Fr. A. Kircher, S.J. (1667 A.D.) to mean "on the stone", acc. to the *wrong* form and sense personally mentioned to him about 1664 by Fr. Peter Paul Godinho of Cochin, then in Rome, is Calamina. *Kallin-mēl*, or *Kallin-mēlē* (கல்லின்மேல், கல்லின்மேலே) must be the correct form. Baldaeus too has given that Tamil word for 'on the stone' as the original of Calamina. See his *Description* in Ch. XX of Churchill's *Voyages*, Vol. III, 575; also *Hough's Christianity in India*, I, 39, Note 3, and my article in *Indian Antiquary*, 1924, pp. 93-7. The stone here is the miraculous stone slab cross with Pahlavi inscription dug up by the Portuguese in 1547 from St. Thomas Mount, and soon supposed to have been set up by St. Thomas, and to have been embraced by him while dying. But that stone slab is not of the first century.

9. *Callalmelnina* (= "ex rupe, ex saxo", from the rock) became Calamina, said Fra. Paulinus a S. Bartholomew in his *India Orientalis Christiana*, Rome 1794. The real word for *ex rupe* is *Kallinmelninṭu* (கல்லின்மேல் நின்று). In the same book he had said that *Malanina* (= "ex monte", from the mountain) became Calamina. See *ibid* pp. 134-5. The real word is *malaiyilninṭu* (மலையிலில் நின்று). The Friar has also thrown out this challenge: "And let those who deny the derivation of Calamina from this Indian word, show us in India, Persia or Syria the town of Calamina".

Fra. Paulinus could with more show of reason suggest that Calamina is a form derived from Greek *Kalamos*, or Latin *Calamus* meaning reed, which he could identify with the Coromandel reed *cholam* (சோளம், found in *Cholamandalam*=the reed-realm). It is *Sorghum vulgare* of the botanists. There are indeed the Greek derivatives *Kalaminos*, *Kalamine*, and *Kalaminon* in the three genders. In Latin we have *Calamina* as in "Calaminae insulae", floating islands in Lydia mentioned by Pliny. Or, he could, pedantically, derive Calamina from the Sanskrit word *kālamīnam* (காலமீனம்) for a field of *kalamā*, a species of rice plant, and assume that such rice was plentiful in Mylapore in the first century.

10. *Kalā mīn* (= the fish called *Ktlā* or *Kalavā* (கலா, கலவா) sold at Mylapore in the first century or later gave rise to the name Calamina. Fine speculation! One author has suggested *Kalā mīn* (கலாமீனம்), the kala-fish-village as the original of Calamina.

11. *Galmona* (= Galma-ona = a rocky hillock in Syria) became Calamina said Fr. Stephen in 1906, and in 1916 Fr. Bernard J. 6



the reputed Church historian of Malabar repeated it in his *History* of the St. Thomas Christians, in Malayalam. But no Syriac document of considerable antiquity appears to have employed that name for Mylapore, or the Little mount.²⁸

Besides it implies that St. Thomas was buried on the Little Mount, which is against the best approved version of the Malabar tradition found in the Malayalam "Song of 1601 A.D." by one Thomas (a Rampān?) of Travancore, 48th in descent from the Rampān (= monk) Thomas II, a direct Travancore disciple of St. Thomas, who (the disciple) is alleged to have finished in 72 A.D. a (Tamil) "*Charitam*" (= History) of St. Thomas. Thomas' Song of 1601 is alleged by the bard himself to be a summary of that *Charitam*. But neither the *Song* nor the *Charitam* has yet been proved to be genuine or authentic, although an Italian translation of the Song²⁹ was published in Rome in 1938.

28. In 1652 Patriarch Ahattalla wrote from the east coast of India a Syriac letter to the St. Thomas Christians of Malabar, which said: "Those (= the Portuguese) whose custom it is to perturb the upright" (= orthodox?) "have detained me in custody in Calamina". Assemani (*Bibl. Ori.* III, pars. 2, p. 461) says the letter was written from Mylapore. "It could be that there was a place near Mylapore called *Calamina*, or Mylapore itself was known by that name. It could also be that this was only the view of Ahattalla or of those from whom he accepted it", adds Fr. Dr. Placid, C.D., in his *St. Thomas in South India*, Trichinopoly, 1940, p. 14.

Did Ahattalla give the name in Syriac exactly as *Calamina*? The Syriac form found in the MS. of 874 A.D. is *Kalimaiya* or *Kalimiya* (with *ya*) as in this article; and that of Bar-Hebraeus is *Kalamina* in the Latin and English translations. *Calamina* was St. Isidore's Latin form; and *Kalaminē* the Greek form. *Na* and *ya* in Syriac are almost alike in old MSS. Hence *Kalamina* could be wrongly read and copied as *Kalamiya*. Fr. Thomas Arayathināl, M.O.L., of Travancore, says "8th and 9th century MSS. are written in Estrangela characters. In that script medial *ya* and *na* are similar. The only difference is that *na*'s head tops a little higher. *Na* medial is often mistaken for *ya*, and *vice-versa*". — (His letter dated 19th Aug. 1950). Sir John de Maundeville (1322-56) seems to be the only European who departs from the Latin and Greek forms and uses *Calamye* (the Syriac form with *ya* found in the MS. of 874, which could preferably be read as *Kalimaina* or *Kalimina* with *na*).

Did Ahattalla write *Galmona* (= Little Mount) in his Syriac letter, which Assemani read as *Galamona*, *Calamina*?

29. Fr. Heras, S.J., Bombay, unsuspectingly accepted the "Song of 1601" as genuine and authentic (in his *The two Apostles of India*, Trichinopoly, 1944, p. 42), except for "later legends, which evidently were not in the original" (written in the 1st cent. by Thomas Rampān II, a disciple of St. Thomas), one of these legends being the reference "to the king Chola Perumal of the Tamilnadu; it is a repetition of the story of Gondophares of *The Acts of Judas Thomas*", which story like other European historians,

IV. PARTHIAN-INDIAN CALAMINA

Isidore and the early Greek documents cited in § II *supra* cannot be regarded as having conspired to locate St. Thomas' tomb in a part of Parthia (Persia), in which he preached, and thereby nullify Indian, Persian, Syrian, and other documents which in those days *presumably* asserted that St. Thomas was killed and buried in South India, or in Mylapore. No such documents of the first 12 centuries, i.e. prior to Bar-Hebraeus' *explicit* mention of *Calamina* (between 1246 and '86), and Marco Polo's *probable* reference to Mylapore (in 1293) have yet come to light.

Those that have actually been discovered do not explicitly, or probably, refer to Mylapore, or South India, or Coromandel, or Chola, or Galmona. The earliest of such documents prior to Isidore and the Greek records, viz. (a) the Syriac Acts (200-220), (b) Origen's tradition (228-31 A.D.), and later on, the *Clementine Recognitions* (ca. 250) assign respectively (a) India of the Kings Gundaphar and Mazdai, (b) Parthia, and (c) Parthia to St. Thomas' labours and martyrdom. And we know that in the days of St. Thomas and the Parthian Indian King Gudaphara (= Gondophares in Greek) the Panjab and neighbouring parts of N.W. India were under Parthian rule. So there is no contradiction between the documents mentioned.

Fr. H. Heras, of Bombay, therefore, assures us that "An apparent contradiction in the early writers who speak about the mission of the Apostle St. Thomas is the greatest proof of the historicity of the mission of St. Thomas in India". *Vide* his *Two Apostles of India*, 1944, p. 1. But relying upon the *unproved* Malayalam "Song of 1601" he brings St. Thomas out of Parthian India of the N.W. "in a cart or chariot" (as the Acts says), and describes him, *conjecturally*, as "following on the wake of his great protectors the Parthians" (of N.W. India); "and since the latter proceeded

he regards as authentic. Fr. Heras speaks of "the late Mylapore tradition", as later legend interpolated. Probably he means the tradition found recorded after the Portuguese had discovered in 1522 and 1523 *two* St. Thomas tombs and *two* sets of St. Thomas' bones (one preserved in Goa, and the other in Mylapore Cathedral—as against the third "*entire*" skull and other bones preserved then and even today in Ortona), and in 1547 the miraculous cross of St. Thomas.

Dr. J. N. Farquhar, who had from me the MS. of my English translation of the Song of 1601, relied upon the *Song* in his *The Apostle Thomas in South India*, Manchester, 1927, though he does not mention the *Song* or quote from it. I had informed him that it was a document of unproved genuineness and authenticity.

first very likely to Muthra, and then to Malwa and Saurāṣṭra (Kathiawar), and finally to Konkan, Thomas followed them" Thence he came by ship to Malabar via Socotra, says Fr. Heras.—*Op. cit.* p. 39. He, however, makes no mention at all of St. Isidore's statement of about 630 A.D. to the effect that the Apostle was buried in the town Calamina of India in the easternmost part of Parthia. Dr. Farquhar too (1927) is silent about St. Isidore's Calamina in Parthian India and the Apostle's burial there. (*De Ortu* in which Calamina occurs is a genuine work of St. Isidore of Seville, acc. to Steidle, O.S.B., *Patrologia*, Triburgii, 1937. But *Ency. Brit.*, 1946, says it is "of doubtful authenticity." See note 8.)

V. CALAMINAS A GALORE

Since the earliest know St. Thomas documents of the period from the Acts of 200-220 A.D. to Eusebius (325) say, diversely as it were, that the Apostle preached and died and was buried in "India" or in "Parthia", those who believe that he lies buried in Mylapore identify Calamina with that locality or some place near it, while those (like W. R. Philips (1903), Fr. Dahlmann (1912), and others) who think that he was buried in Parthia, identify Calamina with some locality in Parthia (Persia), assuming that no part of India—(not even Parthian N.W. India)—could have a Calamina. Those who stand by Mylapore (not found mentioned as his burial place, before the 13th cent.) assume that no other part of India could have a Calamina.

If Isidore's statement that Calamina was an Indian town in the easternmost part of Parthia which had in it not only the Indus but also the Jhelum, 100 miles east of it, is ignored or rejected, and only place-names resembling Calamina are sought, the following are a few of such names:—

1. Quelimane in Central E. Africa, 17°·42 S.
2. Quilimane in E. Africa, 17°·30 S.
3. Kolomna in Moscow, Russia.
4. Calaminae floating Islands in Lydia, mentioned by Pliny.
5. Qālūmīnā Fort in Aleppo, in which Patriarch Macarius' son, an Archdeacon, was imprisoned when he was going from Roumania (or Rome?) to Russia.
6. Carmania in E. Persia.
7. Kholwan, modern Sulimanthiah in Persia, where during the great persecution of 448 A.D. many Christians were put to death.
8. Calamen, a river off the Persian coast of Makran, mentioned by Captain Wilford.

9. Calaminam (= place of the foreign ruler, or of the black ruler, acc. to Rev. J. W. Jarre, Catholic Chaplain at Maymyo in Burma, 1926), where, in Burma, there was a king in olden times (before the coming of the Portuguese), at whose court a certain John, a disciple of Thomas Modeliar, preached the Gospel and was murdered in consequence. In 1521-23 Mylapore told the Portuguese that the king converted by St. Thomas at Mylapore, and buried near St. Thomas' tomb there was called Thomas Modeliar or Thane Mudaliar (perhaps Sanskrit Sthāni, Tamil Tāni, தானி = holder of a title. His name too was perhaps Thomas).

10. Calamina is found mentioned in a Latin (?) document quoted by the Bollandists, thus: "In East India (the feast) of Blessed Clara, a Dominican Virgin, daughter of the King of Calamina, who by her eminent virtues prepared for herself the way to Heaven." Again, "In the parts of India, St. Clara is held in such veneration that, among sixty kingdoms, there are found in one kingdom CCC (= 300) monasteries of the Sisters of the Order of Preachers which are called by the name of St. Clara." — *Acta Sanctorum*, July 3. See *JPASB*, XIX (1923), pp. 141-3. Where in East India, i.e. our India, or the Indian Archipelago, or Ceylon was this Calamina?

This king of Calamina in East India, mentioned by Seraphin Razzius the Dominican of unknown date may perhaps be the Christian king ruling in 1248 in "India where St. Thomas had preached", and in a kingdom surrounded by those of Saracen kings, mentioned in Prince Sempad's (the High Constable of Armenia's) letter of 1248 from Samarkand to the king of Cyprus. He must have been in N.W. India, and the Calamina was probably the same as St. Isidore's (ca. 630). St. Dominic was born in 1170. The Dominican Nun Clara, therefore, was of a period later than 1170.

Her father in Calamina (of Parthian N.W. India) could not have been of the dynasty of the "King of Columbo, (Quilon) a Christian", mentioned, and marked with a flag containing a *columba* (= dove) and a cross, in the Catalan map of 1375 A.D., as King Stephen of the same map, as he was in the south of India, with his capital perhaps at Butifilis (Mutfli of Marco Polo, Mutappalle in Telangana).

In 1237, i.e., 11 years before the Armenian High Constable's (General's) mention of the Christian king of N.W. India, Brother Philip, prior of the Dominicans in Palestine, spoke of Nestorianism as predominant in "India the Kingdom of Prester

John", and in the most distant states of the East. Was he the king of "Calamina in East India", and father of St. Clara referred to by Razzius (some time after 1170)? In that medieval period, however, there were several *pseudo*-Indias, and rumours about Prester Johns in Armenia, Georgia, Ethiopia, and India (and perhaps elsewhere too).

11. Karamana, a Brahmin village in Trivandrum, Travancore, South India.

12. Kalah, Kalaw, Calais, etc. resembling the first half of Cala-mina. See § VI *infra*. Mina in Arabic means a port, or rocky place; port in Syriac; race or family in Hebrew. Mena Bazaar in N. India is a bazaar for women. Kaleh in Turkish (and Syriac?) means a fortress. Kala in Persian means a castle. Col. Yule says in *Marco Polo*, Vol. I, 1903 (p. 42 of text, note 2) that "the Eastern (word) *Kala*' (is) applied in Khorasan 'to everything — town, village, or private residence — surrounded by a wall of earth'."

* * *

VI. KALAH, INDIA'S END, 650 A.D.

Isho-Yahb III, the Nestorian Patriarch of Seleucia-Ctesiphon, a younger contemporary of Isidore of Spain (d. 636) specifies the limits of India as follows in a Syriac letter of his written between 650 and 660 to Mar Simeon, Metropolitan of Riwardashir, the metropolis of the province of Fars in S.W. Persia, and situated N.W. of modern Bushire on the river Tāb. Iso-Yahb was a contemporary of Harsha (d. ca. 646), and of Hiuen Tsang who left India in 643.

"As far as your district is concerned, from the time you showed recalcitrance against ecclesiastical canons, the episcopal succession has been interrupted in India (*hendia*) and this country has since sat in darkness, far from and the light of the divine teaching by means of rightful bishops: not only India that extends from the borders of (*Pares*) the Persian Empire,³⁰ to the country

30. Rev. Fr. Thomas Arayathināl, M.O.L., of Travancore, translates the sentence thus: "And then in your region, from the time you usurped a revolt (that is) against the ecclesiastical canons, priestly (or episcopal: *kahna*) succession was cut off from the peoples of *Hendia*, and it remained in darkness for want of the light of divine teaching (that should be) through the true bishops; not only *Hendia*, (which is) from the edges of the borders of the kingdom of *Pārēs* (*malkūth Pārēs*), (and) as far as that place which is called *Kallah*, the country extending to one thousand and two hundred parasangs, but also this very *Pārēs* of yours". (This *Pārēs* is Fars, and not the whole of Persia).

which is called Kalah, which is a distance of one thousand and two hundred parasangs, but even your own Pares" (= Fars, and not Persia as a whole).

Which India did the Patriarch mean, and which is his Kalah? And did he mean the eastern or western border of Sassanian (222-642) Persia of his days, or of more ancient Parthia? The length of "India"—("1200" parasangs = 3900 miles)—must be taken as a rough estimate of the distance covered by coasting vessels along the sea and up some rivers, and probably also distances travelled across land areas. Besides the roughness of the estimate there was on the Patriarch's part a natural temptation to exaggerate, in order to magnify the extent of the evil consequences of his subordinate Metropolitan's recalcitrance. And 1200 may well be a wrong reading of the Syriac letters for a smaller number.³¹

The Patriarch says further that "All these" (calamities, viz. break of episcopal succession, sitting in darkness, etc. *supra*) "have happened to the Christians in Pares (= Fars) and in the whole southern part of the world (*be kolli taimnaye de alma*)." By the whole southern part of the world he could not mean the southern parts from Spain to South China, or from South Africa to Malaya. Probably he meant the parts from Arabia to Peninsular India, or to Malaya, excluding the parts of India proper then under the new Metropolitan of India, who was not recalcitrant like the

He adds also that in West Syriac the name is *Kālah*, *h* being mute in either case. *Pārēs* in Syriac denotes either Fars or the whole of Persia. *Hendia* is applied to the river Indus, or to India; *Hendo* too has the same double connotation. In a Mosul edition *Kallah* appears as *Kelah*, the change of *a* to *e* being probably due to Arabic influence in Mosul.

He points out also that though Dr. Mingana overlooked it there is the word for edges in the sentence thus:

Hendia demin spārai tehūmē de malkūth Pārēs = India that is from the edges of the borders of the kingdom of Persia. (*Spāra* = edge; *sparai* = edges). Edges of the borders means the extreme limits. Assemani understood them as the shores, i.e. the western sea shores of Persia, and Medlycott too calculated the distance of 1200 parasangs from Ormuz eastwards to Malaya, via the Indus estuary, and Cape Comorin, and not from the eastern borders.

Smith's Syriac Dictionary says that one parasang is 3 miles, one hour's walk, sometimes 3 or 4 miles according to the nature of the ground one may walk in one hour.

31. For 1200 parasangs the printed editions of the Syriac letter have *ālēp u mātēn parsehīn* = thousand and two-hundred parasangs. But as Fr. Thomas says: "The same number could be expressed in different ways, and could be read differently if written in letters", and not in words as above. And we do not know whether the Patriarch or his amanuensis wrote (in 650-60 A.D.) a smaller number, and that in Syriac letters.

Metropolitan of Fars. But we do not know the extent of the Indian regions under the former, and where his seat was. Neither is it known whether Fars's revolt was due to the appointment of the new Metropolitan, or whether the latter was stationed in India to try and get India already in revolt, back to the obedience of the Patriarch of Seleucia.

The Patriarch wrote also five letters to the bishops, the monks, and the Christians of Baith Katraye (= Katar on the east coast of Arabia), "ordering them to reject the bishops uncanonically ordained", i.e. those who will be ordained thereafter and sent to them by the disobedient, schismatic, Metropolitan Simeon, and "to appeal ultimately in all questions affecting episcopal ordinations to the Patriarchal see", i.e. to him, Isho-Yahb. The letters were intended "For the quelling of the schism that has sprung up among the East Syrian bishops of Baith Katraye, India, and Fars," says Dr. A. Mingana in his *Early Spread of Christianity in India*, 1926, p. 33. The above five letters to Katar (which had bishops even from at least 225 A.D.) indicate that it was then under the Metropolitan of Fars, who had the right to ordain bishops for it.³²

In one of the five letters he warns Katar "in time, in order to avert from you the disease of lack of faith, which through the bad cause of a little while ago, affected the peoples who live beyond you" i.e. "the far off peoples on the other side of you" (as he specifies them in his previous sentence). These remote people already infected (with schism from Fars) on the other side of Katar cannot be the people of Oman (= Mazon in Persian) next below Katar, and included by the early canonists in the district of Katar as Dr. Mingana³³ says (on p. 23 of *op. cit.*)

They may be the Christians of India proper — (in the Indus region, or elsewhere in real India) — or the Ethiopians anciently called Indians (e.g. by Aphrahat, the Syrian, A.D. 275-345). For,

32. In 325 "John of Pares" (= Fars, and not the whole of Persia, as Dr. Mingana says) "and Great India" attended the Council of Nicea. His great India was probably at least a portion of the Fars Metropolitan Simon's "India extending as far as Kalah". The annalists Amr and Mari mention Fars Metropolitans down to the 12th century. In the time of Patriarch George (661-80), our Isho Yahb's successor, Fars ruled over all Katar. See Mingana *op. cit.*, p. 61, last para. Assemani interpreted Katar first as Socotra, and then corrected it as Bactria. See his *Bibl. Or.* III, pp. 133 and 362.

33. Dr. Mingana, however, thinks that the far off peoples are those of Oman, and that "the bad cause of a little while ago" is "the Arab invasion and the defection of many Christians of that country to the Islamic cause". (*Op. cit.*, p. 34).

(1) in 420 there was a bishopric at Ardashir Pharihd in Baluchistan, a part of India; and (2) in about 500 there was in 'Sandaruk' (in Baluchistan, as I think) "the see of St. Thomas and the catholic faith", as the Latin *Passio* (ca. 500) says; and (3) in about 525 Cosmas found or knew about multitudes of Christians (a) in "Male" (= *Malai-nādu* = Arabic Mala-bār), (b) in Kalliana (Kalyan in Bombay) with a Persian Bishop, probably sent from Seleucia by a predecessor of our Isho-Yahb III, (c) in the island of Socotra (with clergy ordained and sent from Persia, probably by the Patriarch of Seleucia³⁴ to minister to the Greek — speaking Christians of the island), (d) among the Bactrians, (e) the Huns (the White Huns under Cosmas' contemporary "Gollas" = Mihiragula of N.W. India), (f) the Persians (probably in India, N.W.), and (g) "the rest of the Indians" (other than those in Male, Kalliana, and the White Hun empire already mentioned).

The Ethiopians (pseudo-Indians) were Christians from at least the 4th century (of Bishop Frumentius of Ethiopia *cum* Arabia). And Cosmas (ca. 525) found multitudes of Christians there "in Ethiopia, and in Axum" (its capital), "and in all the country round about" (in N.E. Africa opposite Arabia), "among the Happy Arabians" (of Arabia Felix), "who are now-a-days called Home-ritae, and all though Arabia" (including Katar which Isho-Yahb III, 125 years later, warned betimes against the schism engineered by Simeon Metropolitan of Fars).

So we may assume that there were Christians in Ethiopia and "all though Arabia" (including Katar), and also in Baluchistan and other parts of N.W. India in Mar Simeon's days (650 A.D.) as in the days of Cosmas' travels (525 A.D.). And since the coastal strip between Mar Simeon's Fars and the Indus was contiguous to Fars, we may assume that that littoral region and also India on either side of the Indus were under Simeon and his predecessors as Metropolitans of the Persian coast and N.W. India. At least Katar and other southern bishoprics of Arabia too were probably

34. Marco Polo, 1293, says of Socotra Christians, that "Their Archbishop" (styled Bishop in the next sentence) "has nothing to do with the Pope of Rome, but is subject to the great Archbishop who lives at Baudas" (= Baghdad, a later seat of the Patriarch of Seleucia). "He rules over the Bishop of that Island, and over many other Bishops in those regions of the world, just as our Pope does in these" regions of the west. See *M. Polo*, Vol. II, London, 1903, pp. 407 and 409. Was the seat of the Metropolitan of India in Socotra? "In the list of the Metropolitan sees of the Nestorian Church we find one called *Kotrabah*, which is supposed to stand for Socotra", as Yule says in p. 409 of *op. cit.*

left to the Fars Metropolitan's charge by the Patriarch, who had, as we may suppose, directly under him at least Socotra, Kalyan, Malabar and Ceylon (where Cosmos mentions Persian Christian colonists with "a Presbyter appointed from Persia", presumably by the Patriarch of Seleucia, up the Tigris).

Dr. Mingana says (in his *Early spread.....in India*, 1926, p. 35) that the "Metropolitans of Riwardashir (in Fars)-----had under their jurisdiction the bishoprics of North-West India and Baith Katraye" (= Katar in Arabia, opposite Fars), and that the claim of the bishops of Fars who, "Down to the time of this Timothy" (I., Patriarch, 779-823 A.D.) used to say (from which date?), "we have been evangelised by the Apostle Thomas, and we have no share with the see of Mari,"³⁵ i.e., Seleucia, "would thus contain the earliest reference to the Christians of Fars³⁶ and North-West India, calling themselves *Christians of St. Thomas*".

On page 64 of *op. cit.* Dr. Mingana says: ----"the Christians of North-West India were in very early times" (from about 410 A.D., the days of the first Archbishop of Fars, 399-410, or 415-20 ?) "under the jurisdiction of the Persian Metropolitans of Fars. This last Nestorian see is indeed very ancient.----Soon, however, the Christians of India proper increased in number to such an extent that a special Metropolitan see with some six to twelve suffragan bishops" (presumably those of the sees in Peninsular India and Ceylon and Malaya, outside the North Indian jurisdiction of the Metropolitan of Fars) "had to be created for them. This was doneby the Patriarch Isho-Yahb II. (A.D. 628-643);in rank the Metropolitan of India took precedence of that of China, and the Metropolitan of China of that of Samarkand". (We may suppose that the territories under the Metropolitans of India and China met at Kalah in Malaya, or Kalaw in E. Burma).

35. Quoted from Barhebraeus, *Chron. Ecel.*, III, 169-171.

36. In the Syriac work *Acta Maris* of ca. 520 A.D. we find that Mari (a pupil of Addai, i.e. Thaddeus sent to Edessa by St. Thomas after the death of Jesus Christ), after having preached in the country of the Huzites (= Khuzistan, N. of the Persian Gulf) "went down" (in the first century) "to the southern countries until the odour of Thomas, the Apostle, was wafted to him; and there also he brought a great number of people to the Lord, and detained in those countries a disciple named Job, to minister to them". The odour of Thomas, probably the news of his martyrdom in India and of his preaching in Fars, was wafted to Mari probably from Fars, and not from remote N.W. India which in St. Isidore's days (ca. 630) had his burial place Calamina, long before Mylapore was mentioned in 1293 as having a saint's tomb asserted by Muslims to be a Muslim avarian's, and to be St. Thomas's by Christians.

It was only some 20 years after the appointment of the first Metropolitan of India in about 635 (between 628-643) by Isho-Yahb II, that his successor Isho Yahb III (650-660) wrote to the Fars Metropolitan chastising him for his schismatic propaganda in Fars and Katar (and in Ethiopia ?), and also in the eastern bishoprics under him in "India" from Fars to the enigmatic Kalah, while the newly appointed Metropolitan of "India" outside the Fars Metropolitans "India" had been loyal and obedient to the Patriarch-Catholicoi of Seleucia from Isho-Yahb II. Was it because some parts of India originally under Fars (since say about 410 A.D.) had been usurped and put under the new Metropolitan of India (with his seat in Kalyan, Malabar, or Ceylon, or ?) that the Fars Metropolitan grew 'recalcitrant' ? (as Isho-Yahb's letter says).

We see, therefore, that since about 635 A.D. our India was, ecclesiastically, in two parts — one under the Metropolitan of India, and the other under the Metropolitan of Fars. This is defined in the letter of Isho-Yahb III as "India that extends from the edges of the borders of the Persian Empire³⁷ to the country³⁸ which is called Kalah, which is a distance of 1200 parasangs". And since N.W. India was, as Dr. Mingana told us already (see above) under Fars, this India ending with Kalah must have included that part of upper India, and some regions contiguous to it on the east.

We know too that according to the Latin work *Itinerarium Alexandri* (345 A.D.) "India", i.e. pseudo-Indias *plus* India proper, was a vast country, "a continuation of Egypt and Ethiopia", which latter itself, and Arabia were lands of pseudo-Indians. See this *Journal* for August 1948, pp. 201-207 and August 1947, pp. 175-187. Besides, Abdias the Syrian, who lived in the days of our Isho-Yahb III (650-60), another Syrian, says (in about 600 A.D.) that historiographers mention *Three Indias*, viz. (1) the India that lies towards Ethiopia, i.e., South Arabia, (2) the India that lies towards the Medes, i.e., the rest of Arabia and Mesopotamia-Assyria, and (3) our real India. See this *Journal* for August 1947, p. 177.

We may, therefore, interpret Isho-Yahb's India as extending *eastwards* from Fars along the coastal region of Persia and Baluchistan, and the lower Indus region.

37. Assemani translates the original Syriac as "*a maritmis regni Persarum usque ad Colon*",

i.e. "from the shores of the kingdom of Persia even unto Colon" (Quilon, wrongly). Mingana has borders, and not shores.

38. Syriac and Arabic writers used the terms country, island, and city indiscriminately.

But since that strip of land is not "3900 miles" in length, we have to go further eastwards across upper India to the mouth of the Ganges, and even beyond to Burma, and search for Kalahs there, leaving³⁹ Malaya with its "Kalāh-bar" or "Kalah" mentioned by the Arab merchant Sulaiman in A.D. 851, and Ceylon with its Galle (resembling Kalah to some extent, on the S. W. Coast) to the Metropolitan of India (since ca. 635), the Fars Metropolitan's rival in (lower) India.

A

In Burma we have Kalaw west of, and near, the Shan Hills. This Kalaw (about 97 degrees E.L.) is nearly 50 degrees east of the western border of Persia, or $50 \times 69 (=3450)$ miles away in the eastern part of India proper of those days.⁴⁰ There is not much difference between 3900 (rough and exaggerated estimate) and 3450 miles.

B

If we stop short near the Ganges we find Sarāi-Kālā⁴¹ State in Bihar, and about 100 miles west of Calcutta. It is marked as a "proto-neolithic site" in Plate I (Map of India) at the end of *Archaeology in India*, Delhi, 1950. But it is distant (87 minus 47 =) 40 degrees only from the western border of Persia.

C

Proceeding no further than North Panjab we find there in Taxila and neighbourhood, (1) *Kala-wan*, an ancient site, (2) *Serai Kala*, a Railway Station (also called *Kala-ka-Serai*), (3) *Mankyāla* with ancient Buddhist monuments, south of Taxila, (4) *Kala-bagh* with a bridge, 100 miles S. W. of Taxila Railway Station, and (5) *Mian-Kala*. The coasting distance from Fars to the mouth of the Indus, and thence up that river to Taxila is about 1400 plus 700 (= 2100) miles only.

39. It is impossible to define the limits of the parts of India proper respectively under the Metropolitan of India and the Metropolitan of Fars since ca. 635 A.D.

40. See Calaminam in Burma in the list of Calaminas in article *supra*. When did Christianity first reach Burma? Rev. John Stuart speaks of "Nestorian Missionaries, who, as Cosmas in his *Christian Topography* tells us, had penetrated to Burmah and Siam even before the sixth century A.D.", i.e. one or two centuries before Isho-Yahb's mention of Kalah. See *Stewarts Nestorian Missionary Enterprise*, C.L.S., Madras, 1928, p. 306.

41. Persian *sara* means mansion. There is caravan-serai in English, from Persian *Karwan-sarai*.

D

Again in N. W. Afghanistan there is *Kala Nao*, N. E. of Herat and *Safed Koh*; as well as *Kala-t-i-Ghilzai*, N. E. of Kandahar. Are these to be ignored? Probably we may rule out *Kalat State* in Baluchistan.

VII. KALAS IN PSEUDO-INDIAS

Now let us assume that the newly appointed Metropolitan of India (ca. 635) was given jurisdiction over all India except the upper and lower Indus regions of the St. Thomas Christians of the Parthian, Kushan, and White Hun periods (5 centuries since St. Thomas' martyrdom), leaving these two regions and Baluchistan in N. W. India to the more ancient Metropolitan of Fars. Then "India" under him may be taken as extending *westwards*, for 3900 miles or so, from the conventional eastern "borders of Persia", i.e., from the upper and lower Indus regions; and we are to look for Kalas in the Pseudo-Indias of the west, viz., in Ethiopia, and "the first and second Indias" of Abdias (ca. 600) referred to *supra*, i.e. Arabia and the regions to the north and northeast of it (excluding of course Mesopotamia and Babylonia held by the Patriarch of Seleucia himself).

The following Kalas are found in the Pseudo-Indian and some other regions:—

1. *Calah*, the ancient town in Assyria. Its present site is Nimrud, near Mosul. It was the second capital of Assyria, after Ashur and before Nineveh or Khorasabad.

2. *Calaei* islands. *The Periplus of the E. S.* says in § 34: "Sailing along the coast, which tends northward toward the entrance of the Persian Sea, there are many islands known as the Calaei, extending along the shore". These are the Daimaniyat Islands N. W. of Muscat. But the distance from the upper Indus to these islands is not even one-fourth of "1200 parasangs" (3900 miles).

3. *Coloe*. *The Periplus of the E. S.* says in § 4: "Adulis, a fair-sized village, from which there is a three days' journey to Coloe, and inland town and the first market for ivory. From that place to the city of the people called Auxumites there is a five days' journey more."

"The ruins of Coloe were found by Bent at Kohaito. It is a large flat plateau many miles in extent, high above the surrounding country (7000 feet) and thus cool and comfortable. It seems

to have been the main settlement, and Adulis the trading-post.... There is a fine dam.....of large cut stones without mortar..... There are numerous ruins of stone temples and dwellings; the architecture resembling that at Adulis, apparently Ptolemaic Greek. The town covered many acres....The name Coloe, Glaser notes,is the same as the Arabic Kala'a (which appears in the Adulis inscription of King Aizanas)....."or El Abraha, king of Abyssinia about 330 A.D., for a copy of which we are indebted to the *Christian Topography* of Cosmas Indicopleustes".... (Schoff's notes on Coloe).

4. Galla Country in North East Africa, in the Horn of Africa, 5 degrees N. L. and 40 degrees E. L.

5. Kala-hari, desert in the interior of South Africa.

6. Quiloa in Zanzibar, E. Africa.

7. Kalol, Bombay, 23°·15 N., 72°·33 E.

8. Kalan-jar in the kingdom of the Chandel kings of Bundelkhand, which locality was attacked and taken by Mahmud of Ghazni in 1023 A.D.

9. Hassan Kalā with its hot spring, in Armenia. See Yules's *M. Polo*, I (1903), Bk. I, Ch. 3, p. 47.

10. Narin Kaleh, to the west of which are the ruins of the famous Caucasian Wall that runs from the Castle of Derbend along the ridges of the Caucasus, wrongly called in the East *Sadd-i-Iskandar*, the Rampart of Alexander (the Great). Alex. Dumas, novelist, has described the ruins. See Yule, *op. cit.*, I, 4, p. 53.

11. Kala' Atishparastān, near Sava in Persia, about 130 miles south of the Caspian Sea. *Vide Marco Polo*, Vol. I, Bk. I, Ch. 13. The name means the Castle of Fire-worshippers.

12. Pamir Kalan = the Great Pamir, one of the several Pamir Steppes.—(*Marco Polo*, Vol. I, 1903, p. 176 of text.)

13. Qal'ah Asgher, with sulphurous hot springs curing itch, on the Urzū-Bāft section of the east Persian road, shortest and direct, from Ormuz to Kerman. See Yule's *M. Polo*, II (1903), p. 122, and map *op. p.* 114.

14. Kala' Safed = White Castle, fortress in Shūlistān province east of the Persian Gulf's northern half. See *ibid.*, p. 85, and map *op.*, p. 1.

15. Sin Kalān = Canton in China, so called by Ibn. Batuta, 14th cent.

16. Kala, i.e. Kila'-i-Gabr = Gueber-Castle is a name applied commonly to ruins in Persia. See *Marco Polo*, I, 1903, p. 82. Gueber, or Guebre is a Zoroastrian, a fire-worshipper. See 11 above. Guebre is akin to Arabic Kafir=infidels, non-Muslim. Kafir became kāvyar in old Malayalam (= infidels), and kāppiri (English Caffre, Kaffir), in modern Malayalam, with the sense of a native African. To Muslims all other religionists are Kafirs.

Of these 16, Coloe in Ethiopia may be Isho-Yahb's Kalah. The Fars Metropolitan's suffragan bishops would thus be located in sees scattered from the north of Indusian India downwards, and in the coastal strip from Baluchistan⁴² to Fars, and also beyond that in Arabia and Ethiopia—all these three being pseudo-Indias in Isho-Yahb's and Abdias' days (7th century), and the Indus being the conventional old eastern boundary of Persia (Parthia as St. Isidore says, 630 A.D.).

Kalaw in Burma, Kalawan or one of the other Kalas in the Upper Indus region, Qala in Malaya, and Coloe in Ethiopia being, as shown above, Isho-Yahb's Kalah very possibly, it seems difficult to choose one of them *decidedly*.

VIII. PREVIOUS IDENTIFICATIONS

J. S. Assemani, Col. Yule and others who, since 1728 A.D., tried to identify Kalah of Isho-Yahb III (650-60 A.D.), or of the Arab travellers of the 8th-9th century, did not know or failed to take into consideration, the fact that since about 635 A.D. there has been a separate Metropolitan of India (as Dr. Mingana says in his *Early Spread.....in India*, 1926, p. 64). They did not also think of Pseudo-Indias.

The following places have been suggested by them, and that in India proper alone.

1. Qala'-h is described by one Arab Traveller as "the focus of the trade in aloeswood, in camphor, in sandal-wood, in ivory,

42. Sandaruk where acc. to the Syriac Acts (200-220 A.D.) St. Thomas landed before reaching India of Gundaphar (= Gondophares) was probably Alek-sandaruk (= Alexandria) in Baluchistan, founded by Alexander the Great on his return from India, along the Baluchistan coast. In 420 A.D. there was a bishopric at Ardashir Pharihd in Baluchistan, and in ca. 500 the author of the Latin *Passio Thomae* says "there is there still the see of St. Thomas and the catholic faith". George Philip's *New Scripture Atlas*, S.P.C.K., London, Map 10, of Greek, Seleucid, and Ptolemaic Empires, has this Alexandria marked on the sea coast about 125 miles west of the widest mouth of the Indus, and the same distance from the famous Pattala of the ancients, an Indus river port.

in the lead which is called Kala-i", and by another, Ibn Mehalhal (941 A.D.), as "the first Indian city, and the last for those sailing thence" (to China), "a great city with high walls and many gardens and water courses"..... (and having) "in the vicinity mines of lead called *qala'-i*, which is found in no other part of the world but at *Qala'-h*". In 1845 Reinaud identified this with "the present Qualah of the Malay Peninsula, placed somewhat to the north of Penang" (as Dr. Medlycott says in his *India and Thomas*, 1905, p. 159), or with Coromandel.

In 1886 Yule (in *Hobson-Jobson*, s.v. Quilon) identified Isho-Yahb's Kalah with "the port of the Malay regions....., probably", i.e., with the above Qalah of the Arabs.

This Malayan Qalah would be the easternmost part of the India under Fars if the region of India under the contemporary Metropolitan of India did not include it. But we do not know which parts of our India proper (including Burma with its *Kalaw*, and the countries south of it as far as the tip of Malay with its *Qualah*) were under Fars, and which under the new Metropolitan. Did the Partiarh Iso-Yahb II (628-643) deprive the Metropolitan of Fars of the whole of India proper as a punishment for some fault of his?

2. Point de Galle in Ceylon was suggested by Reinaud in 1848 as representing *Qala'h* of the Arab travellers.

3. J. S. Assemani in 1728 read the Syriac name Kalah in Isho-Yahb's letter (650-60 A.D.) as "Colon, Khalam (*lege*).". Gildemeister, in 1838, pointed out that it should not be read as *Colon* (Quilon in Travancore).

4. Gidemeister, 1838, *supra*, explained it as meaning *Chola* or *Coromandel*.

5. Gabriel Ferrand identified the Arab Sulaiman's Kalah or Kalahbar (A.D. 851) with the port of *Kra* or *Karh*, on the west coast of the isthmus of that name.

6. Dr. Mingana (*Early Spread..... in India*, 1926, p. 33) says: "I believe with Reinaud that the *Kalah* has a connection with Ceylon; indeed the whole of the southeast (sic?) coast of Ceylon was formally (sic) known as Galla." (Formally should be read as formerly).

7. "Cordier is sure that it is to be identified with the modern Malacca or Singapore", "and very possibly identical with Kadah (Quedah)". Mingana does not accept this. *Ibid.*, p. 33.

British Relations with Nagpur

(1798 — 1803)

BY

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Shortly after his arrival at Fort William in May, 1798, Lord Wellesley appointed H. T. Colebrooke Resident at the Court of Nagpur on July 23, 1798.¹ It was not however till March of the following year that Colebrooke actually took up his residence at Nagpur. It appears that Raja Raghuji Bhonsle had requested the despatch of a British mission, and that his object had been to discuss with the British authorities the question of his becoming 'a party in the alliance against Tipoo.'² This was an object in which Governor-General Lord Wellesley was very much interested. The anti-British feelings of Tipu and his reported collusion with the French power had made the reduction of Mysore the first objective of the Governor-General's policy. The Governor-General expected the co-operation of the Nizam and the Peshwa in the accomplishment of this objective, for Article XIII of the Triple Alliance of 1790³ contained the following provision: "If, after the conclusion of peace with Tipoo, he should molest or attack either of the contracting parties, the others shall join to punish him; the mode and conditions of effecting which shall be hereafter settled by the three contracting powers." When the willingness of Raghuji Bhonsle to participate in the defensive arrangements against Tipu was known, Colebrooke assured him that the Governor-General already 'considered him as a party to the existing defensive alliance with the Peshwa, in which he as a Maratha State was included.'⁴ The Triple Alliance might therefore be expanded so as to include Raghuji Bhonsle. Sridhar Pundit, minister of Raghuji Bhonsle, did not welcome the idea of a quadruple alliance, but proposed instead the formation of an alliance between Raghuji Bhonsle and the British Government.

1. *Poona Residency Correspondence*, Vol. 5, Letter No. 15.

2. *Ibid.*, Letter No. 16.

3. Aitchison, *Treaties, Engagements and Sunnuds*, Vol. III, No. 12.

4. *Poona Residency Correspondence*, Vol. 5, Letter No. 16.

Meanwhile hostilities had broken out between the British Government and Tipu Sultan, and Lord Wellesley was disappointed in his expectation of assistance from the Peshwa in accordance with the tripartite treaty of 1790. The failure of the British Government to obtain assistance from the Peshwa was primarily due to the influence which Daulat Rao Sindhia had acquired over the Poona Government. It was known that Nana Fadnavis was in favour of fulfilling the conditions of the alliance, but the 'overbearing influence'⁵ of Sindhia stood in the way. Peshwa Baji Rao indulged in duplicity. Grant Duff says that he secretly formed a scheme, in concert with Sindhia, to attack the Nizam and finally to fight the British Government in support of Tipu Sultan. Baji Rao and Sindhia expected to secure the co-operation of Raghuji Bhonsle in this scheme. The hostile designs of Sindhia against the Nizam were, however, discovered, and the Governor-General directed Colebrooke in a letter dated April 25, 1799, to urge upon Raghuji Bhonsle the urgent necessity of concluding 'a treaty of defensive alliance between the company, the Nizam, and the Rajah of Berar' whose object would be 'to counteract the hostile projects of Daulat Rao Sindhia.'⁶ The proposed treaty was to include an article enabling the Peshwa to accede to the alliance within a period of one month from the date of his being invited to do so by the British Government. This proposal was presented by Colebrooke to Raghuji Bhonsle, who expressed his willingness to accede 'without reservation'⁷ to the proposal of a defensive alliance and offered to take an immediate part in the offensive operations against Tipu, but raised the question of his share in the spoil of victory. Colebrooke attempted to make it clear that the proposed alliance was to be purely defensive, and that no offensive operations were contemplated.

The above negotiations took place in the later part of April, and early in May the war against Tipu was brought to a successful conclusion. There remained no necessity, therefore, of negotiating the terms of Bhonsle's participation in the common defence against Tipu. The attention of the British Government was from now on focussed on the designs of Sindhia. The protection of the territories of the Nizam against any possible attack from Sindhia became the vital concern of the British Government and in the later part of May Colebrooke raised to the Raja the question of the

defence of the Nizam's territories against the aggression of Sindhia, which the British Government apprehended. The Raja was unwilling to attach much importance to the suspected designs of Sindhia, and pointed out that Sindhia was too much 'employed by his domestic contests'⁸ to be able to carry out any hostile designs against the Nizam. The question of the attitude of the Peshwa was also raised in this connection, and the Raja suggested that it would be better to invite the accession of the Peshwa to the proposed alliance and make it a quadruple combination. In case the Peshwa rejected the offer, a treaty of triple alliance might subsequently be concluded. As the negotiations with the Peshwa would require some time and as the British Resident represented the danger from Sindhia as immediate, the Raja agreed to place his troops in such a position near the Nizam's frontier as to be able to afford the Nizam speedy assistance in case of attack. Moreover, the Raja offered to send a letter to Daulat Rao Sindhia warning him that if he invaded the Nizam's dominions, the whole force of Nagpur would be employed to resist him. Colebrooke declined this latter offer, as the British Government did not consider it desirable to let Sindhia know, even by way of warning, that an alliance was being sought to be formed against him. As to the question of inviting the accession of the Peshwa to the proposed quadruple alliance, the British Government had obtained secret information to the effect that the Peshwa had already ranged himself on Sindhia's side, and it was, therefore, useless to make overtures to him. But Colebrooke was instructed by the Governor-General not to disclose this knowledge of the 'Peshwa's treachery'⁹ to the Raja, and as the Raja refused to conclude any alliance without previously inviting the Peshwa's participation, the negotiations came to a standstill.

In a letter dated April 16, 1800,¹⁰ Col. Kirkpatrick, Secretary to the Government, instructed Colebrooke to reopen negotiations for an alliance with the Bhonsle Raja. The letter pointed out that so long circumstances had prevented Sindhia from carrying his designs into execution, but the death of Nana Fadnavis in March had removed 'one of the principal barriers' to the projects of Sindhia, and it was therefore all the more necessary to take precautionary measures against him. There were at least two causes of unfriendliness between the Raja of Berar and Sindhia: (1) the

5. Extract from Notes relative to the late Transactions in the Mahratta Empire, by the Governor-General, in *Wellesley's Despatches*, Vol. 3, p. xxviii.

6. *Poona Residency Correspondence*, Vol. 5, Letter No. 18.

7. *Ibid.*, Letter No. 19.

8. *Ibid.*, Letter No. 20.

9. *Ibid.*

10. *Ibid.*, Letter No. 33.

jealousy felt by Sindhia at the acquisitions made of late years by the Bhonsle Raja in the Malwa quarter, and (2) the favourable disposition manifested by the Bhonsle Raja towards the late Nana Fadnavis. It was therefore highly expedient that a defensive league should be entered into by the Company, by the Nizam and by the Court of Nagpur against Sindhia. The price which was to be demanded from the Raja of Berar for the proposed alliance was that the Raja should consent to a compromise of his claims on Hyderabad, and a permanent settlement of all boundary questions between him and the British Government. The Resident was further instructed to sound the disposition of the Court of Nagpur as to the establishment of a British subsidiary force in the Raja's dominions. It is to be remembered in this connection that negotiations were started by the British Government with the Governments at Poona and Hyderabad for the purpose of concluding treaties of subsidiary alliance. The attempt to bring the Court of Nagpur within the projected system was therefore only one aspect of the general policy of Lord Wellesley which aimed at binding all the "native" States of India with the tie of British protection.

When Colebrooke opened to Raghuji Bhonsle the question of an alliance,¹¹ the Raja declared his willingness to join a defensive league against Sindhia, and enquired as to the progress of negotiations with the Peshwa. He expressed his interest in the welfare of the Peshwa, and appeared to think it advisable to await the result of the Peshwa's deliberations. Negotiations were therefore postponed. Meanwhile the Court of Poona had become, after the death of Nana Fadnavis, a scene of rivalry and intrigue. The Sindhia had won his way to supreme hold over the Peshwa, and this very development was considered¹² by Colebrooke to be a factor favourable to the success of British negotiations with Nagpur, because it would heighten the Raja's apprehension from the increased might of Sindhia. But things did not turn out according to Colebrooke's expectations. A *vakeel* named Murar Rao Daulat was sent by Sindhia to the Court of Nagpur, and Raghuji Bhonsle showed himself unwilling to conclude any engagement with the British till he had heard from the *vakeel*. The news of the despatch of Murar Rao Daulat considerably decreased the Raja's apprehensions from Sindhia. The Raja, while refusing to conclude any treaty till the *vakeel* had arrived and communicated Sindhia's message to the Raja, assured Colebrooke that he would be inform-

11. *Ibid.*, Letter No. 35.

12. *Ibid.*, Letter No. 36.

ed of everything that might pass between Sindhia's agent and the Raja. Colebrooke, therefore, did not despair of the success of his negotiations. The situation was thus summed up by him in his letter¹³ of August 7, 1800, addressed to the Governor-General: "Upon the whole it is evident that the Raja is pleased with the mission of a *vakeel* by Sindhia, and that he wishes to delay the adjustment of the articles of alliance until he had heard what the *vakeel* is instructed to propose to him. I do not, however, think he entertains sanguine hopes of accommodating his differences with Sindhia, or any inclination to recede from the projected alliance with the Company and the Nizam...."

Later on Colebrooke received information that Peshwa Baji Rao had sent despatches to the Bhonsle Raja requesting him to concur in measures taken for his relief.¹⁴ This was interpreted by Colebrooke as an encouragement to the Bhonsle Raja to participate in the proposed league against Sindhia, from whose domination the Peshwa was to be given relief. In response to an urgent call from the Peshwa, the Raja decided to despatch two of his ministers — Sridhar Pundit and Kishen Rao — to the Poona Court.¹⁵ These ministers assured Colebrooke that it was not the intention of the Nagpur Court to indulge in 'wilful procrastination'¹⁶ and that they were confident of the ultimate adherence of the Poona Government to the proposed alliance. Colebrooke tried to press upon the Raja's attention the uselessness of further negotiations with the Peshwa as the latter had already refused to accede to the terms proposed to him, and suggested that the two ministers deputed to meet the Peshwa should not leave for Poona. Shortly after this Colebrooke announced to the Court the news of the conclusion of the treaty of alliance between the British and the Nizam, and discussed with the Raja the implications of some of the clauses of the treaty. The Raja then in a flush of enthusiasm appealed to Colebrooke to become 'the channel of cementing a close alliance between the Company and the Marhattas'¹⁷ and declared his willingness to act as a mediator between the Company on the one hand and the Peshwa and Sindhia on the other. He considered the alliance between the Company and the Nizam to be offensive as well as defensive, and expressed suspicion about the Nizam's motives. This necessitated elaborate argument on Colebrooke's

13. *Ibid.*, Letter No. 39.

14. *Ibid.*, Letter No. 41.

15. *Ibid.*, Letter No. 44.

16. *Ibid.*, Letter No. 47.

17. *Ibid.*, Letter No. 50.

part to prove the purely defensive character of the treaty. It became, however, clear that the Raja would not consent to enter any league whose nucleus was the British alliance with Hyderabad. His offer of interposition with the Peshwa and Sindhia was equally unacceptable to the British, both because there was no doubt among the British as to the enmity of Sindhia and because the Raja of Berar was not considered influential and important enough for the task proposed. Colebrooke wrote thus of the Raja's attitude: "He is blinded by the prospect of exaltation as the mediator of a treaty of alliance between the Peshwa and the Company.... During the last week the consultations of the Court.... exhibit incoherence, which shows the Rajah of Berar to be confused and unable to resolve on the part he should take in regard to the alliance offered to him."¹⁸

Colebrooke later on received information that the Raja had been invited by the Peshwa to meet him and Sindhia on the bank of the Godavari. Believing that the differences between the Raja on the one hand and the Peshwa and Sindhia on the other were too great to be adjusted, Colebrooke veered round to the view that it might be good to encourage the Raja in his design of interposition, failure in which would impel the Raja to join the British alliance. The Raja assured the Resident of his desire for peace, and even promised to employ his forces against the Peshwa should the latter turn out to be an aggressor. But he would not conclude a written engagement; he expected the British to rely on his word. This appeared to the Resident to be a sign of inconsistency. While the Raja was unwilling to break off negotiations, he eluded giving any positive answer. As the Resident wrote: "...his deliberations, so far as I obtain any information of them, have hitherto indicated irresoluteness on every point except that of procrastination...."¹⁹ Under these circumstances Colebrooke suggested his recall and the abolition of the Residency of Nagpur. To quote his own words again: "The Rajah of Berar derives from the presence of a British Resident at his Court the benefits of an actual alliance with the British Government without making any return for those benefits, and without being bound by any engagements to the Company. The withdrawing of the Residency would deprive him of those advantages. It would diminish the efficacy of the menace which his ministers are instructed to hold out to the Court of Poona, and it must consequently accelerate those events which may compel him to take refuge in an alliance with the Com-

18. *Ibid.*

19. *Ibid.*, Letter No. 53.

pany."²⁰ Accordingly the Nagpur Residency was withdrawn. The Governor-General warmly appreciated the services of Colebrooke. The letter from the Secretary to the Government to Resident Colebrooke, dated April 15, 1801, which communicated the order of recall, stated: "Your mission has already produced as much benefit to the interest of the Company as could reasonably be expected by your longer continuance. It has revived and improved the political relations between the British Government and the State of Berar, and has laid the foundation of a closer alliance, if circumstances should hereafter render such a connection desirable."²¹ Colebrooke left Nagpur in the later part of May, 1801.

It was not till the beginning of 1803 that the Governor-General entertained the idea of deputing another Resident to the Court of Nagpur. In his letter²² to Lord Clive, Governor of Madras, dated February 3, 1803, he proposed the despatch to Nagpur of Mr. Webbe, who had till then been Resident in Mysore. The reason for the decision to send a Resident to Nagpur is given in the same letter as follows: "...it is expedient that we should possess the means of obtaining timely knowledge of that chieftain's (i.e., Raghujī Bhonsle's) views in the present crisis. It is my duty to avail myself of the favourable opportunity which the actual state of the affairs of the Mahratta empire may be expected to afford for the accomplishment of the important object of comprehending the Rajah of Berar in the system of defensive alliance lately concluded with the Peshwa. These objects cannot be effectually secured, otherwise than by the presence of an able and active resident on the part of the British Government at the court of Nagpore."

The situation had greatly changed since the middle of 1801. The treaty of Bassein had been concluded on December 31, 1802, and the policy of the Governor-General was henceforth directed towards preventing the formation of any confederacy among the remaining Maratha powers with the object of obstructing the execution of that treaty. Sindhia's hostility to the British was well known. As Grant Duff says, Sindhia, supported by Raghujī Bhonsle, had exerted his utmost influence to obstruct the conclusion of any arrangement between the Peshwa and the British Government. The Peshwa also was not happy over the treaty of Bassein. He sent deputies to Sindhia and the Bhonsle Raja, nominally to explain the nature of the alliance but really, as Grant Duff says,

20. *Ibid.*, Letter No. 54.

21. *Ibid.*, Letter No. 57.

22. *Wellesley's Despatches*, Vol. 3, Letter No. 11.

to encourage the two Maratha chieftains to unite for the purpose of opposing the treaty. The treaty of Bassein had not pleased Raghuji Bhonsle. Lord Wellesley wrote thus in his letter²³ to the Secret Committee of Directors, dated April 19, 1803: "The intelligence which I have received from the Court of the Rajah of Berar, indicates that chieftain's dissatisfaction at the conclusion of defensive arrangements between the British Government and his Highness the Peshwa." Lord Wellesley, however, expected that the 'systematic caution of his character' would prevent him from taking active steps to obstruct the operation of the treaty and might even impel him to enter the British protective system for the sake of security.

On May 13, 1803, Lord Wellesley addressed a letter²⁴ to Raja Raghuji Bhonsle, in which he explained the nature of the treaty of Bassein, and assured him that the restoration of the Peshwa's rightful authority by the force of British arms did not involve any encroachment on the legitimate rights of the several Maratha chieftains. He even requested the Raja to consider entering into an alliance with the British. "If a just regard to the real interest and prosperity of your Government should dispose you to conclude defensive engagements with the Honourable Company similar to those which have been contracted by His Highness the Peshwa, I shall be ready to enter into a negotiation with you for that purpose. The ties of friendship, however, will not be relaxed by any declaration of your disposition to remain unconnected with the powers now allied by the treaties of Hyderabad and Bassein....." The Governor-General, however, warned the Raja that any combination of his powers with that of any other State, directed to the subversion of the arrangement concluded with the Peshwa, would soon be followed by corresponding measures of security on the part of the British Government. The Raja was informed that Mr. Webbe would soon be leaving for the Nagpur Court. In his reply²⁵ to the Governor-General, dated May 15, 1803, the Raja said: "The relations of sincere friendship, harmony and concord, have, during a long period of time subsisted between the two States, so firmly as to have admitted of no difference of interests between them, nor will any separation of them occur." The Raja welcomed the idea of a Resident being sent to his Court.

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The state of affairs was, however, rapidly moving towards à rupture. On May 22, the Governor-General wrote to the Raja that

23. *Ibid.*, Letter 20.

24. *Ibid.*, Letter No. 28.

25. *Ibid.*, Appendix M.

he had obtained information of the latter's marching with his army towards the Nizam's frontier, and exhorted the Raja to 'return peaceably into your territories'.²⁶ Ultimately the Raja marched forward to meet Sindhia who had encamped at Burhanpur, and the final phase of negotiations was conducted jointly with the two Maratha chieftains by Col. Collins. Into these negotiations we need not enter here. They related primarily to the question of the withdrawal of the Maratha armies, and General Wellesley was given authority to decide at what point Col. Collins should be asked to stop further negotiations.²⁷ Col. Collins withdrew from the Maratha camp on August 3, and this, says Grant Duff, was considered a declaration of war. The Governor-General-in-Council reviewed the final phase of the negotiations in a letter,²⁸ to the Secret Committee of the Court of Directors, dated September 25, 1803. The history of these negotiations was characterised as a 'long and uniform course of systematic evasion and faithless policy' on the part of the Maratha chieftains. While the British authority had been guided by 'justice, moderation and forbearance', the conduct of those chieftains had been actuated by a 'systematic design to employ the resources of their combined power and influence' for the subversion of the British alliance with the Peshwa.

26. *Ibid.*, Letter No. 29.

27. *Ibid.*, Letter No. 35.

28. *Ibid.*, Letter No. 100.

Annals of Old Madras

Law Courts: 1678-1862

Notes of Cases (Contd.)

BY

K. NARASIMHACHARI, M.A.

Even though the lilies of France were hauled down and the Union Jack hoisted at Fort St. George in 1749 still Fort St. George remained subordinate to Fort St. David till 5th April, 1752, when the Presidency at Fort St. George was re-established. The Directors wrote, "The lawyers all agree that the capture of Madras by the French put an end to the Mayor's Court. No attempt to be made to revive it till a New Charter has been obtained". (23rd August, 1751). The charter of 1726 was surrendered and a fresh one dated 8th January, 1753, issued by George II. The Charter was put into operation at Madras on 13th August, 1753. The Mayor's Court request the following Law Books to be sent :

Cay's Abridgment of Statutes.

Hawkin's Pleas of The Crown.

Barlow's Justice.

Blackerby's Justice and Office of the Clerk of the Peace.

When all these were received on 7th January, 1755 they ask for the following to be sent out :

Wood's Institutes.

Horseman's Conveyancing.

Wood's Conveyancing.

Jacob's Law Dictionary.

Molloy de Jure Maritimo.

Domai's Civil Law.

Wood's Civil Law.

Of these Jacob's Law Dictionary was received in 1760 along with Burn's Justice.

In the Mayor's Court papers of 1753 is a horse-dealing case. The seller demands specific performance of the contract. The buyer claimed to have bought the horse under warranty of soundness. It appeared from the evidence that the horse in question was

that ridden by George Pigot, then Member of Council of Fort St. David (later Governor of Fort St. George, 1755 to 1763 and 1775 to 1776), on an occasion celebrated by Orme, when in 1751 Pigot and Lord Clive saved themselves from a body of the enemy by the superior speed of their animals. The incident happened when Pigot was commissioned by Governor Saunders to take charge of a large Convoy of stores to Vriddachalam. Accompanied by Clive he repulsed a hostile poligar and accomplished his mission. On his return to Fort St. David he was surprised by the poligar. Most of the escorts were slain and he and Clive narrowly escaped with their lives. When the plaintiff recalled this incident as proof of the goodness of the horse, the defendant rejoined that that was before it "was sprained by Mr. Pigot in a fox-chase".

Ephraim Isaac, who seems to have been a paltry fellow, complained in 1754 that one of the Aldermen of the Mayor's Court had given dinners to two others in order to make them stick to him. When the President and Council desired his explanation of such a charge, he alleged no other justification than that the offending Alderman was more conversant with 'Hoyles' History of the Four Kings than with the Law Books sent out by the Honourable Company; and his temper is probably indicated by the fact that he declined to answer the President and Council as such but addressed his answer to 'Thomas Saunders and other His Majesty's Justices of the Peace'.

During the Seven Year's War (1756-1763) the French under Counte De Lally beseiged Madras on the 14th of December, 1758 and the seige lasted for 67 days. The assailants had to retire because their admiral could not keep the Sea against the English which left the way open for reinforcements. The Town Hall and adjacent buildings sustained serious damage. By his untiring skill and energy the Governor George Pigot withstood the seige. He was on his return to England in 1763 rewarded with an Irish peerage.

At a Quarter Sessions held on 15—1—1761 Tanapah is charged for stealing 100 gold pagodas belonging to Cornet De Larche dwelling in the Admiralty House on the 24th day of November, 1760. He is taken to the Choultry to be whipt in order that he may confess. He confessed. He is put on his trial. At the trial the Chairman tells him that he may choose for his tryal a Jury of 12 Englishmen or six Englishmen and six of his countrymen. He chooses to be tried by the latter. When the witnesses are examined questions are put to them regarding the confession.

Asked if the confession was voluntary, witness says "yes". Asked if the accused was in liquor, witness answers "I cannot say whether he was in liquor, or not. His eyes looked read". Asked if the prisoner looked as if much whipped when he confessed witness answered "I did not see his back". The confession was recorded before a Justice of the Peace.

The Jury bring in a verdict of "Guilty". The accused is sentenced to death.

Mr. John Colland summoned to serve on the Grand Jury not appearing in time, the Court fined him 5 Pagodas (7—7—1762). Moosaboy, a Moorman summoned to serve on the Petit Jury, objecting to serve and assigning no sufficient reason to induce the Court to set him aside is for his obstinate behaviour fined 5 Pags. (11—1—1763).

THURSDAY, 10TH JANUARY, 1765

Savermoottoo of Cuddalore charged with stealing £ 62-8 shillings at Cuddalore in the dwelling house of the Rev. Mr. Cutteman of Cuddalore on 17—10—1764.

PLEA OF ACCUSED: GUILTY

Muttoo late of Cuddalore charged with stealing £ 62-12 sh. at Cuddalore the goods in the dwelling of Mr. Duncan Buchanan of Cuddalore on 8—11—1764.

PLEA OF ACCUSED: GUILTY

Mr. Robert Palk, Chairman of the Court of Commissioners of the Peace of Oyer and Terminer and Goal Delivery addressed himself to the Prisoners at the Bar and acquaints them with the consequence of their pleading guilty and that as by the nature of the English Law no one is under a necessity of condemning himself they have it in their power still to deny the crime laid to their charge if they think they can clear themselves thereof but they persist in declaring themselves to be guilty.

The sentence of the Court in both the cases was Death.

At the first Sessions held on 13—1—1773 Richard Green was charged with feloniously breaking open one trunk with the Intention of stealing and carrying away from thence money or other Goods, the property of Patrick Kirwan, in the latter's Dwelling house.

He pleaded not guilty to the charge.

After the evidence for the prosecution was over, he was put on his defence and read to the Court as follows :—

To stand here Gentlemen with my Honour and integrity impeached and make no reply to so wantonly malicious and false a charge would be a tacit confession of guilt and my name might for ever be branded with Obloquy and loaded with the worst of Epithets. I should not Detain either you Gentlemen on the Bench or you Gentlemen of the Jury with many words had not the most industrious frauds and meanest Acts During a long Confinement been exercised to prejudice your minds against me in many places. I have already been condemned and many would now sacrifice me without even the shadow of a tryal. But happy in a British Constitution the meanest subject claims the Verdict, the innocent protection of his peers.

I will solicit your patience whilst as an Introduction to this Tryal I recite an intercourse that passes betwixt this Patrick Kirwan and myself and in that I will declare the Cause of this trunk being Opened.

After frequent applications to the Town Major for a subsistence from the Company whilst I remained in this Country and as many refusals, I adopted a sentiment of soliciting Employ in the Service of the Rajah of Tanjore. After this adoption I nursed the Infaney of the Sentiment and by Great pains Endeavoured to rear it to Manhood. I had so far succeeded that this Patrick Kirwan thought my Departure certain and offered repeated solicitations to be taken into my train — with the Little Eloquence he was Master of he painted his wretched situation here and added that his father's Death showed him the most Melancholy prospects at home. As often as he solicited I as frequently told him how unfit he was for such service and as he had a letter of Recommendation to Sir Robert Fletcher's favours whilst his Behaviour should continue to deserve them I strongly urged a delivery of it and offered every assistance my poor pen would afford him. When I found fair persuasions were not compulsive, with a strong vein of satire I laughed at a dastardly spirit and Endeavoured by showing it was Men of Real Courage and true Merit that the King wanted in his Service to dissuade him from his attempts of going with me. For some time I was successful. On the Sunday before his trunk was opened I was with him at Mr. Robertsons Punch House where we met with Mr. Fennel and somehow or other the conversation turned on the Black Services. From what passed Kirwan Caught a few

Words which made the prospect again appear Delightfull and he then fully bent his thoughts that if he could not go with, he would follow me. It was agreed that he should go with me and in order to have as little incumbrance with us as possible it was resolved to part with everything that was troublesome and which might retard our journey. I cleared my Chest of every little I had left, some very valuable papers and a few trifles. I put in a trunk belonging to this Patrick Kirwan some Manuscript Sermons I had Directed for a friend till he should hear further from me; the linnen I proposed taking was to be put into the trunk the Opening of which I am now prosecuted for, and Friday was the day for Departure. Something extremely material intervening it was thought advisable for me to take charge of the trunk and the little baggage we should carry. On the Thursday Evening walking towards my House I met with a man whom I had engaged as a Cooley. I went to the House and as it was agreed that this Trunk should carry the linnen for Kirwan and me, to avoid every suspicion of its being thought we were going, I ordered out of the House a Boy whom I then employed as a Cook and ordered the Cooley to open the trunk not to take anything Out, but to put my Own, Linnen in. The trunk was offered I confess, but after this recital I leave it to you Gentlemen to Judge whether with a felonious intent. That it was not opened with felonious intent is certain from Nothing being taken out or anything Missing. The mere breaking a lock is by no means felony and I am supported in this sentiment by the strongest authoritys of the law. By Lord Bacon, Lord Holt, Judge Tracy and every Branch of the British Legislature. Judge Tracy in the Conclusion of his Charge to the Jury who tryed the Man for shooting at Lord Onslaw Declared the mere shooting at him was not felony and not the point for them to try, but whether he did it with a Malicious intent and with a Design to kill. The legislature says in a late Act that the breaking a seal is not felony but the taking from the letter opened a bank Bill or Draught is. That there is no felony in the Counterfeiting a Handwriting unless it be to Draw Money from the Name forged or to rob the post of its duty and in an Instance in this Honourable Court a few Sessions back we have it on Record that the tearing of a Note was not felony as it was not torn with a felonious intent.

I will not Gentlemen take any more of your time by bringing Quotations, as your own Wisdom and Knowledge of the Law will furnish you with variety of facts now on Record. From what I have Declared I do not mean to say the breaking a lock is not an Evil and a Remedy is prescribed. Had he prosecuted me by an action for trespass no Doubt but the Virtue of a British Jury would

have given damages adequate to the Injury. The present Information and Indictment is for feloniously breaking the lock open. To make a felony it should have been for breaking the lock of a trunk open and feloniously stealing therefrom but as Nothing was stole therefrom (there) was no felony and I rely upon the Candour and Justice of this Honourable Court for Acquittal.

The Petit Jury returned a verdict of Not Guilty and the accused was acquitted and discharged.

The Madras Case referred to and relied on by Richard Green in his Defence was that Case tried before The Quarter Sessions at Madras on April 22, 1772 when Daniel Shaw, Attorney, was indicted for taking, stealing and destroying a promissory note he had executed from the hands of Davaroy. He pleaded not guilty to the charge. The prosecution alleged that the accused had executed a promissory note in favour of Chengalroy, brother of Davaroy, for Pags 16-18 Fanams and promised to discharge the debt within three months. The accused failed to do so. Davaroy went and demanded payment. The accused asked him to come the next day. On that day he was told the Dubash should come. The Dubash did not turn up. Davaroy went home and called at the house of the accused on the following day. He found neither the accused nor the Dubash there. He learnt that the accused was at the Sea Gate of Fort St. George and went there and delivered the promissory note. The accused snatched the note and tore it and put it in his pocket. Davaroy was talking to Mr. Dark. The accused kicked him. Mr. Dark's servant advised Davaroy to go home and so he did. Put on his defence the prisoner stated that the demand at the Sea Gate was improper. Davaroy exposed the pronote in the presence of a number of people. Being enraged at his conduct, the prisoner asked for the promissory note. Davaroy gave it. The prisoner asked him to come to his house and said that he would pay the amount. He also instructed his Dubash accordingly. Instead of doing so Davaroy lodged this complaint. He added "As for any evil intentions in tearing the note I had not; neither did I intend to refuse payment of it but on the Contrary took the necessary steps to pay him; and my tearing the note was out of the effects of passion". He examined two witnesses in his defence. After the charge, the Jury returned a verdict of "Not Guilty" and the accused was discharged by proclamation.

St. John Browne, educated at Westminster School, and graduated from Cambridge, was, at the age of 26, appointed Chaplain by the Directors without reference to the Archbishop of Canterbury

or the Bishop of London and arrived at Fort St. George in August 1775. Before he had been in the country six months, he was in serious trouble. One night he chased out one of his servants in order to punish him. The man trying to escape fell from a terrace 20 feet high. Browne made no attempt to discover if he were hurt but behaved with inhumanity. Next morning the man was discovered mortally hurt. The following day he died. Browne was brought to trial for murder. The Jury acquitted him on that indictment and brought in a verdict of homicide by misadventure. Browne desired to go home to sue out his pardon from the Court of Chancery. On January 24, 1776 he wrote to the Council asking for a passage home. This was granted together with £ 50 for his expenses. But Browne did not go home in one of the February ships as the Council intended. There is nothing in the records to show why. He applied to the Council in June 1776 for some subsistence allowance, was granted 100 Pags and was told not to expect more. After that his name is no more found in the annals of Madras.

The legal implications that arose over the arrest, confinement and death of Lord Pigot, appointed Governor of Madras a second time in 1775, are of some interest. He was arrested by order of his own Council on the 24th August of 1776 on the Island while on an evening drive as a result of the conspiracy entered into by them with the notorious Paul Benfield and the Nawab of Arcot because they disagreed with the views of Lord Pigot over the claims of the civil servants over the Carnatic debts and the forged bonds and the choice of the person to go to Tanjore for its restoration to the Old Rajah. The coup was deftly managed. Lord Pigot was removed a prisoner to St. Thomas Mount — "The cave of Despair". He was under no restraint except the prohibition from going to Madras. Pic-nic parties were organised, one to Covelong, another to Vandalur and a third to a cave at Pallavaram. The Council occasionally directed letters to him but he refused to have any communication with men whom he regarded as rebels. On the 28th August he applied to Commodore Sir Edward Hughes for the protection of the King's flag and sought a passage to England in one of the King's Ships. The application was not effectual. Lord Pigot sent in a petition to the Mayor's Court for a writ of Habeas Corpus but it was judged by a majority of the Court, on the strength of the advice of Le Maistre, a judge of the Supreme Court at Calcutta then at Madras, that they had not the power to grant such a writ. He afterwards commenced a suit in the Mayor's Court against Sir Robert Fletcher, Commander-in-chief, for damages and also against Col. James Stuart, Captain Arthur Lyfaght and Lieut.

Col. James Edington, whom he had reason to believe, were about to depart the jurisdiction of the Court. To these suits the defendants before mentioned demurred and appealed to Mr. Stratton and his associates, the party in power, who took upon themselves to act as a Court of Appeal. But they appear to have acknowledged themselves parties, as it was by their orders Lord Pigot was confined. The defendants thereupon declared their resolution of appealing to the King in Council by which means further proceedings in Mayor's Court came to be stayed. While the suits were so pending Lord Pigot died on the 11th of May 1777. Immediately on his death Mr. Monckton addressed a letter to Major Horne to demand the body. He also sent notice of Lord Pigot's death to Mr. Andrew Ram, the Coroner, requesting that he would take an inquest on the body of Lord Pigot. Of the gentlemen summoned the Coroner called the names of twelve and the Jury were sworn over the body of George Pigot, Baron Pigot of Pattishull in the Kingdom of Ireland then and there lying dead. Mr. Pasley and Mr. Anderson, surgeons, were called and sworn and questioned as to whether, from a further inspection of his Lordship's body and particularly from opening it, they can with greater certainty trace the cause of his Lordship's death. The doctors replied that a disease was the immediate cause of his Lordship's death and that in their opinion the cause of the disease of which his Lordship died cannot be discovered by opening the body. The Jury considering that if the surgeons could not have any further knowledge of the cause of the disease of which his Lordship died by opening the body they, the jurors, could not; they therefore thought it unnecessary that body should be opened. The Coroner permitted the body to be buried the same day as desired by the family of the deceased. The Jury assembled the next day at the house of the Foreman Mr. George Smith. The day to day examination of the witnesses was concluded on the 26th. The Coroner delivered his charge on the 27th. After three adjournments on the 31st May, 2nd and 5th June, giving the Jury time to consider their verdict, they assembled on the 6th of June and came to the conclusion that Lord Pigot died in confinement. They assembled again on the 26th of June and considered the question whether the Confinement of Lord Pigot and the treatment he met during that confinement as it appeared on the evidence before the Jury were or were not the cause of his Lordship's death. They found that it was. On this the Coroner observed that the final verdict of the Jury might affect the principal persons named in the evidence and therefore suggested that, if the Jury thought fit, those persons may be summoned to appear before the Inquest, that the evidence taken before the Jury

might be read over to them in the presence of the witnesses so that they might have an opportunity to confront the evidence. The Jury were of the opinion that if the persons mentioned in the evidence were brought before the Inquest, they ought to be brought before them as prisoners which in the situation as it stood then could not be done without risking the peace of the Community and subjecting the enquiry to insuperable difficulties. The Jury also appreciated the fact that the Coroner could not compel obedience to his warrants under the then Government. The Coroner concurred with the opinion of the Jury. The Jury met again on the 30th and considered this question: What denomination in law does the death of Lord Pigot occasioned by his confinement and the circumstances of that confinement come under? On this question the Jury, moved more by remorse than by abstract justice found a verdict of "Wilful Murder" against those who formed the Opposition and were responsible for Pigot's Confinement. The Court of Directors took four months March to July—success was alternately for the partisans of either parties—to resolve to recall both Pigot and the members of the Opposition to facilitate a full enquiry into the matter. But before the question was decided the party principally interested was beyond the reach of either additional injury or tardy redress. Whitehill, who rushed to Madras from London via Cairo by the land route in 59 days, a record for many years unbroken, became the Governor on the 31st of August. He consulted Mr. Benjamin Sullivan "educated regularly as a barrister" and then at Madras en route to Calcutta. He was of the opinion that no criminal can be convicted upon the Coroner's Inquest. On the 24th of September the Coroner however delivered the verdict of the Jury with warrants for the apprehension of the members of the Opposition concerned. They were arrested the following evening and put in Sheriff's custody. They had thus some taste of the treatment they had meted out to Lord Pigot until they were released on bail fifteen days later by the Governor in Council in their capacity as the Court of Sessions who resolved on the 1st of October to apply for advice to the Supreme Court at Bengal and proceeded to record evidence. On the 26th of November the opinion of the Supreme Court at Calcutta consisting of Sir Elija Impey, Chambers, La Maistre and Hyde was read. They recorded the opinion that there was no legally appointed Coroner at Madras and consequently the proceedings were null and void and that, if there had been, the materials of the inquest were insufficient for indictment for either murder or manslaughter. The Court quashed the proceedings and the prisoners were set at liberty. The coup de etat came for much comment and noise in England. Adherents

of both parties published pamphlets. Ultimately on April 16, 1779 on a motion of Admiral Pigot, brother of the late governor, the House of Commons carried without a division his resolution for an address to His Majesty praying that he would be graciously pleased to give directions to his Attorney-General to prosecute the five deponents of Lord Pigot—of whom Stratton, who was then a member of the House and present on the occasion, made a long vindication. Mr. Stratton and his friends were prosecuted. The trial came on before the Court of the King's Bench, Lord Mansfield presiding. The trial began on the 20th December at nine in the morning and lasted till seven the next morning when the Jury returned a verdict of Guilty. The five members were however sentenced to pay a fine of £ 1000 each—a rather tame ending of a sensational episode.

We shall now pause to take a survey of the working of the Mayor's Court for a quarter of a century. The number of Attorneys who practised in the Mayor's Court was restricted by license to be issued by the Court of Directors. Serving an articulated clerkship of only three years, instead of five as in England, they did not learn much of the law. Nor did they know much of it at practice. These legal gentlemen had to be told by the Court of Directors: "Bills of complaint and answers are not to be prolific or libellous; attorneys who draw improper bills etc. are to be made to amend them at their own cost; special rejoinders to a general answer are not to be allowed according to the practice of English Courts of Equity" (Letter dated 24th January, 1753). But their fees were enormous; if you ask a single question on any affair you pay down your gold mohur and if he writes a letter of only three lines twenty-eight rupees The fee for making a will is in proportion to its length from five gold mohurs upwards, and as to marriage articles, I imagine, they would half ruin a man and a process at law be the destruction of both parties. The Court carried on all kinds of business. It was at once a civil, criminal, military and prerogative Court. It proceeded with remarkable promptitude and despatch from the proving of a will to the trial of a murderer, from the settlement of a dispute regarding the sale of a slave girl to the punishment of a drunken trooper or an extortionate witch. (Good Old Days of Hon'ble John Company by Carey, Vol. I, pp. 32 and 274). But it must be said to the credit of the Mayor's Court that it was well able to decide upon the causes before it because they were chiefly of a commercial nature. Though their report to the Court of Directors says that Justice was generally distributed with impartiality and good sense, it is very much to be

doubted how far they were impartial having regard to their business connections and personal relations in a foreign settlement. Having no legal knowledge, they were helpless when points of the law arose and they had to seek advice on those from the Court of Directors. Here is an instance:—

The Directors in a letter to Lord Pigot, dated 13—3—1761 furnish Counsel's opinion regarding the following points propounded by the Mayor's Court:

(1) Whether the Mayor's Court has jurisdiction over causes arising beyond the limits of its jurisdiction?

Opinion. The Court has jurisdiction where claim is made against a resident within its jurisdiction, no matter where the obligation was originally contracted.

(2) Whether the assignment to an European of a bond given by an Indian to an Indian will warrant a suit on that bond in the Mayor's Court?

Opinion. Where such assignment is made bona fide to transfer the benefit of the debt, a suit will lie against an Indian provided he is constantly residing within the limits of its jurisdiction.

(3) Whether the Court can grant probates or administration in the cases where the deceased died out of the Jurisdiction?

Opinion. The Court can grant probates etc., where there are assets within its jurisdiction.

(4) Whether an executor or administrator is liable for payments made by virtue of decrees on simple contract debts due by bond?

Opinion. The effect of judgments and decrees founded upon simple contract debts is to advance those debts upto the highest rank, from which time an executor or administrator (unless a demand be made or notice given of judgments prior in time) may prefer such few judgments to debts in equal degree at his own discretion.

(5) Whether an executor is guilty of wasting assets by paying inferior debts before those of a superior nature?

Opinion. This will depend on the extent the superior claims are prejudiced and the reasonableness of the executor's conduct.

(6) Whether the Mayor's Court can grant probate or administration to an Indian for an estate owned by an Indian?

Opinion. The probate may be granted to enable him as executor to recover the assets under English Law.

(7) Whether the heirs of Indians can sue Europeans for simple contract debts without first obtaining probate from the Mayor's Court?

Opinion. The probate must first be obtained.

(8) Whether the Mayor or Senior Alderman must be present to make a Court?

Opinion. One of the two is essential for a quorum.

You had to put up with make-shift justice as you had put to up with make-shift defences and make-shift divinity. In those days men were too often engrossed in the day's business too anxious to make their fortunes and go home, too ill-prepared in their early education to develop high-brow tendencies. The merchant, the engineer, the contractor, the renter, the legal gentlemen, the agents of the native rajahs and nawabs—all shook the Pagoda tree which showered Pagodas on them so luxuriously as to earn for them the nickname Nabobs “flaunting their large fortunes in England to buy landed estates and rotten boroughs and to make themselves detestable to the gentry into whose ranks they tried to force their way (The I.C.S. by Sir Edward Blunt, p. 30).

Nallanna was detected selling grain at a price exceeding that authorized by the Grain Committee's Regulations. The Committee ordered a portion of his store to be seized and placed in the public Banksall for sale at the proper price. Nallanna refused the sale proceeds, filed a suit in the Mayor's Court against Atchiah, the Committee's Conicoply. To support the dignity of the Government and to protect their servants in the discharge of their duties under orders, Nallanna is ordered to appear before the Board. When questioned he admits having filed the suit in the Mayor's Court and that Mr. Ellis, his Attorney at-law, was perfectly well acquainted that the action was against a servant of the Company for his conduct whilst in the discharge of duty to his employers. It was therefore agreed that Nallanna do receive immediately seventy-five lashes in the most public manner for his audacity in so notoriously attempting to controvert Regulations established under the sanction of the Board. (P.C. Vol. CXXVII, 16—6—1782).

The Governor and Council did not forget Mr. Ellis for being so bold as to file the above suit because when two years later he appeared before them in January, 1784 at the Quater Sessions to defend Mr. C. E. Dent charged with receiving bribes in the course

of the discharge of his duties as Justice of the Peace, he is asked by what authority he undertook to officiate in this court as an attorney. On his producing certificates the Court is satisfied and he is permitted to appear. Mr. Dent attends at the Bar and is charged with having received bribes in the course of his duties as Justice of the Peace—the exact words used in the charge being that by colour of the said office he unlawfully and unjustly did extort receive and take moneys from four persons under the said four charges. He pleads not guilty to the charges. A petty jury is empanelled. The evidence for the prosecution showed that Sancaraporam Soobaroyaloo, Dubash to Mr. Dent and that Vencataramnajuloo Naick, Mr. Dents' Canacapilly, entered on the 21st of October, 1781 into an agreement that they shall divide the profits that may arise in any business or employ through the means of the said Gentleman. In the course of their dealings with other people Subrayaloo represented to third parties that a certain sum had to be paid to settle their causes before Mr. Dent, Justice of the Peace. He took 300 Pags. from Ancha Pillah who had a cause pending before him and Rs. 250/- from Pannangur Mootiah in respect of a cause of his before Mr. Dent. Under the third head it was in evidence that Subrayaloo detained 35 Pags. out of the sale price of a mortgaged property to settle which Mr. Dent deputed Subrayaloo on the representation that they were kept for Mr. Dent. The fourth charge was that 40 Pags. were received for releasing one Baputtala Vencataramooddo Chitty from jail. He was confined under the pretence of his being employed by Hyder and as a spy. Sometime after he was released, it was said that Mr. Dent caused him to be set at liberty and in consideration thereof Subbarayaloo was paid 40 Pags. In the course of Cross-examination by Mr. Popham, Counsel for the Accused—after whom Popham's Broadway, Madras, is named—it was elicited that Subarayaloo kept the cash and the accounts and the Canacapillah, his partner, wrote the bill books and that Mr. Dent had no knowledge of the accounts afforesaid and that the amounts were not received with the knowledge of Mr. Dent. It was argued for the defence that those two persons took advantage of Mr. Dent's situation for their own benefit and extorted money from several persons under various pretences but particularly under colour of settling by their influence over their master such causes or suits as might come before him in the capacity of a Magistrate or Justice of the Peace. Mr. Dent was totally unacquainted with these practices, that he was abused by his Dubashes and that no part of the money was received for his use. The address to the Jury concludes “The matter is fully before you in Evidence and you will judge of it according to Law,

Justice, and your own Conscience". This address to the Jury is the first of its kind that we find in the records. The Petit Jury then retire an Officer being first sworn to Keep them. About an hour and half later they return into Court-Verdict having been first proclaimed. A verdict of Not Guilty on all counts being announced, Mr. Dent is then discharged. We are informed that Dent's Gardens in Madras are named after him.

The trial of Sheik Sulaiman at the Quarter Sessions in December, 1786 displayed some unusual features :

Sheik Solyman was indicted and tried for murder. Being put on his defence, the Prisoner acknowledged that, not having received any pay for a great length of time, he and his family were reduced to a state of misery which they could not bear up against. That he agreed with his wife it were better to die, and first to kill their daughter and then themselves; but that afterwards his wife said she could not bear to see her child die, and was afraid she would not have fortitude enough to kill herself. That he did accordingly kill his wife and was in the act of killing his daughter when he was interrupted and taken prisoner. In consideration of which, the Manner of delivering it, and the known preference Moormen give death to a state of misery, the Petit Jury brought in their Verdict 'Guilty without Malice' thinking they must find him guilty of having put his wife to death, but at the same time acquit him of any malice. The impropriety, however, of this verdict being explained to them, they retired again and after some little time brought in "Guilty but with a strong recommendation to Mercy", and "in consequence", write the Governor in Council to the Court of Directors, we were induced to respite him from execution, and to mention his situation to your Honors with a view of obtaining for him the benefit of the Royal Pardon. We however take the liberty to suggest that some punishment instead of death might be inflicted to deter others from such horrid acts; and could it with propriety be annexed as a condition of his Majesty's Pardon that Shaick Solyman should be employed on the Public works here during life or for a certain number of years, such an example would without doubt have a good effect". The man was ultimately condemned to penal servitude for life on the fortifications of Madras.

The events that led to the trial of Avadhanum Paupiah for conspiracy in 1792 before the Quarter Sessions afford us a singular instance of the dangerous extent to which the Dubashes were using their influence to procure suits and prosecutions in the Courts, Civil and Criminal, to the great detriment and annoyance of the

inhabitants. The historical gleanings of Paupiah and the Hollonds find their echo in Sir Walter Scott's novel "The Surgeon's Daughter". Paupiah was Dubash to the Hollonds of whom John acted as Governor in 1789 and Edward was third in Council. The brothers were so corrupt and unpopular that almost within a year they were deported home and eventually absconded to America. Paupiah's devices for enriching the brothers and himself were curious and diversified. One Sunka Krishnama Chetti was a betel renter with the exclusive privilege of trade to a distance of 10 miles from Madras. But in practice it extended only 5 miles. If extended for 10 miles the profit would be 5,000 Pags. The Governor in Council granted the extension in spite of the objection by the Board of Revenue, the chief exponent of whose opposition was its member David Haliburton in this and other sinister acts of the Hollonds. As a consequence the prices trebled. The people revolted and destroyed the Custom houses. At Krishnama's request the Government provided a guard. Some of the people were caught and imprisoned. As they compromised with Krishnama he applied to the Town Mayor for their release but the Mayor wanted the Governor's orders. To obtain this Paupiah had to be approached. He promised to get the order if Krishnama would first foist a charge, which to the knowledge of both was false, against Haliburton that it was he who instigated the people to rise in revolt and create the disturbance. Krishnama refused. Paupiah found another tool. Ponnappa Mudali, a government renter, got a remission for there was no rain during the Year. But he insisted on the sub-renter Cholakappam Kandappa Mudali paying him the rent in full. The latter approached Paupiah, who got him the remission. Kandappa also wanted a release of the prisoners. For the purpose Paupiah ostensibly got a petition written by one Appanaiyangar and signed by Kandappa. The petition in fact contained all the allegations against Haliburton suggested to Krishnama. One Swami of Aiyanavaram was procured to attest the story. Sworn petitions and statements *ex parte* were made before in Governor in Council in September, 1789. The accusation was found to be insufficient. So it was soon supplemented by cleverly concocted evidence of an attempt by Haliburton to bribe the two informants Kandappa and Swami to withdraw the petition. It was further arranged that the pseudo-agent of Haliburton, one Renu Rao alias Appaji Rao, should be publicly seized with the alleged hush money of 500 Pags, in return for an immediate reward of 25 pags. and promise of an appointment as renter of a jaghir and sworn evidence of this was promptly given before the Governor in Council. Paupiah was allowed to be present at the Council lest the witnesses

should go back on what they had to testify to. Persuasion and force had the desired effect. Haliburton was called upon to answer. He denied the charges as false and fabricated with a view to deprive him of his office. This was of no avail. The Governor observed that he was conscious of Haliburton's mischief and his brother supported his views and so a resolution was carried in Council — Casamajor dissenting — that Haliburton should be removed as Paymaster to Chandragiri, at that time only a hilly frontier fort garrisoned only by two European officers, two invalid sergeants and 68 Sepoys. Even Haliburton's request to stay in Madras for some time to settle his domestic affairs was refused and he was peremptorily ordered to take charge at Chandragiri on pain of suspension or dismissal. Therefore he was not even allowed to come to Madras. However he was later allowed to live at Arcot. General Meadows, who succeeded as Governor, permitted Haliburton to resign his appointment and return to Madras. In July, 1790 he was reinstated in the Board of Revenue. With the sanction of the Directors of the E.I. Co., a Committee at his request was appointed to inquire into the plot against Haliburton. Mr. Mitchell was President. A detailed report was drawn up. Kandappa, Swami and Appaji Rao were examined and the three confessed their share in the plot. Apparently Paupiah's influence was on the wane with the departure of the Hollonds. Haliburton was completely exonerated and a copy of the findings of the Committee was furnished to him at his request. In 1792 he preferred a charge of conspiracy before a Justice of the Peace against Paupiah and his brother Ramaswamy, Appanaiyengar and Venkatachela Chetti. The case was committed to the Quarter Sessions and it came on for hearing on July 11, 12, and 13, 1792. The Bill of Indictment was presented to the Grand Jury who returned "a true Bill". The trial lasted for 27 hours. The petit Jury returned a verdict of "Guilty". It was unanimous. All the four were sentenced to imprisonment and fined and were ordered to stand in the pillory for an hour. Paupiah was sentenced to 3 years R.I. and a fine of 2000 Pagodas. The punishment at the pillory was however remitted on the recommendation of the Jury. Haliburton published a pamphlet on the Trial. Sir Walter Scott had probably read it. He was related to the Haliburtons through his father's mother. He depicts Paupiah as an artful Hindu, a master Counsellor of dark projects, an Oriental Machiavel whose premature wrinkles were the result of many an intrigue in which the existence of the poor, the happiness of the rich, the honour of men and the chastity of women has been sacrificed without scruple to attain some political or private advantage. We see Paupiah again on trial at the Quarter Sessions in 1808 — this time

for perjury. But his death in January 1809 relieved him of a second prosecution. One of the main roads of Choolai, Madras, named after him, continues to bear his name till this day.

By this time the Colony had increased. With the increase of commerce and of territory causes multiplied and became more complex. The Judges — The Mayor and Aldermen at the Mayor's Court for the administration of Civil Justice and the President and Council for the administration of Criminal justice — now felt the want of experience and even of time sufficient to go through their duties. New points constantly arose which required legal as well as mercantile knowledge. Men who professed or pretended to this knowledge were therefore introduced as Attornies and gradually obtained considerable influence in Courts where the Judges pretended to no legal skill. Thus by a change of circumstances unforeseen and unprovided for the current of Justice was in great measure turned into a new channel. These inconveniences had been further augmented by Acts of Parliament which extended the Jurisdiction of the Civil and Criminal Courts to Places, Persons and Offences that were before not subject to their authority. By such extension the business had increased to a degree which rendered it utterly impracticable for any but professional Judges to execute it with due solemnity and effect "Upon the whole we would submit for consideration and advice the Propriety of having professional Judges for the Civil and Criminal Courts and of restraining appeals to final decrees to the Supreme Court (at Calcutta) instead of permitting them to be carried to England which creates a delay as hurtful to the just suitor as it is favourable to him whose interest lies in protraction". Such was the report made by the Government for Fort St. George to the Board of Directors by their letter dated 15th April, 1791. Moreover by the Charter of 1753 the jurisdiction of the Mayor's Court extended ten miles from the Company's bounds. This led to conflict with the Moors and Country powers who were outside the Company's bounds in Triplicane, Tiruvatteeswaranpettah, etc. The jurisdiction of the Court was therefore to be extended and defined. Added to this there were various circumstances which led to a conflict between judicial decisions and acts of the Executive.

To remedy the evils and to remove the anomalies Lord Hobart, the Governor, submitted to the Company the Rough Draft of a Charter for establishing a Court of Judicature at Madras. It is a manuscript volume of 64 pages and is contained in Public Sundries 1793, Vol. 50. It suggested a Judge who should be a barrister of five year's standing and upwards. It was to be a Court of Record

with Civil, Criminal, Ecclesiastical, and Admiralty Jurisdiction. The Governor in Council was to be a Court of Appeal, the Judge of the Court of Judicature being a member thereof. These suggestions brought home to the mind of the Directors a Court on the model of the Supreme Court at Calcutta with Barrister Judges. But they were averse to incur such a large expense. Therefore they hit upon the plan of establishing the Recorder's Court which was to consist of a Recorder who was to be a Barrister and the Mayor and three Aldermen. Thus they hoped to promote a happy blend of the Barrister's knowledge of the law as administered by the Courts of the King's Bench in England with the local experience of the free merchant and trader at Fort St. George. The Recorder's Court was erected on 1st November, 1798. By this new Charter the Mayor's Court only was abolished. The Corporation of the Mayor and Aldermen erected by the charter of the 8th of January, 1753 was to remain entire and to be continued. The Recorder's Court superseded the Mayor's Court and took over the cases pending in that Court. In like manner it superseded the judicial powers till then vested in the Governor in Council, whether as a Criminal Court or as exercising an appellate jurisdiction from the Mayor's Court, with a like transfer of the records of each. The Jurisdictions were similar to those of the Supreme Court at Calcutta. The limits of the Town for the purposes of the Court's jurisdiction were defined as follows: —

The Southern limits should be the Southern Bank of the St. Thome (now the Adyar) river as far as the Road leading to the Long Tank; the limits should then be continued in a Northerly direction along the bank of the Long Tank and from thence along the bank to Nungambakkam Tank as far as the village of Chettoopett upon the banks of the Poonamally river; the limits should be continued in the same direction to the village of Kilpaukam and Peramboor, and from the latter village take an easterly direction to the Sea so as to include the whole village of Tondiarpetta.

And this, says Mr. Dodwell is illustrated by a Map bearing date November 2, 1798. These limits of the Recorder's Court were proclaimed by an order of the Governor in Council dated November 2, 1798 — the day after the opening of the Recorder's Court. At first, and for some time subsequent to its publication, the Court sat twice a week for the hearing of causes and motions, according to the practice of the Mayor's Court; and it was endeavoured to administer justice upon plain statements by parties, or their advisers, and in a course deviated as much as possible of technical form, pursuant to the advice of the Lord Chancellor upon his being con-

sulted by the Recorder on the subject before he left England, viz., in establishing a course of proceeding under the Charter, to look neither to the one side, nor to the other side of Westminster Hall, but to keep substantial justice, and that only in view. (M. S. S. Correspondence Recorder's Court).

A great case then pending in the Court was the suit originating from the will of Iyah Pillay's father. The amount of property involved was immense. The preliminary issues for trial was (1) Whether the disposition of property by testamentary donation was consonant to Hindu Law and (2) Whether the Court will uphold the peculiar bequests of that will by which a large portion of the family property was diverted to the maintenance of a regiment of lazy brahmins and their descendants for ever. The case was set for hearing on the first day of the Term January 6, 1799. C. M. Bushby, Barrister, was retained against the will. He had received the advantages of the high and generous education of Cambridge, carried off the medal of his year of which he was the Second Wrangler and called to the Bar, Lincoln's Inn and universally sought and caressed in the highest circles of fashion and letters. His reputation reached Madras in advance. He had scarcely quitted the masoola-boat that landed him at Madras in September, 1798 when the attorneys ran to meet him with retainers. He was admitted to the Madras Bar on November 1, 1798. Bushby had a week given him. But there was such a mass of documents to be perused and the attorney who had prepared the brief had performed his task so indolently that an older and cooler practitioner would have been sadly perplexed. The whole settlement was in a bustle of expectation to hear a young lawyer who had raised such transcendent expectation in a case which was also of considerable interest from the new and singular points involved in the decision. Bushby felt this. It redoubled his diligence to master the facts as well as the legal points; sudden elucidations shot across him — he congratulated himself on vanquishing the difficulties that met him — but as he advanced new and still more embarrassing ones started up — but he endeavoured to wrestle with them; he was overthrown in the struggle — and folded up his papers in despair. His apartments were in the Fort: he seems to have hung over his papers the greater part of the night preceding the day fixed for hearing the cause. At gunfire (8 A.M.) on the following morning Captain Thompson, the Town Major, called under Bushby's window on horse-back, the horse-keeper leading another horse for Bushby which Thompson had agreed to lend for the morning's ride. Bushby heard the call and told his friend out of the window that he would

be ready in a few minutes. Captain Thompson waited more than twenty. The report of a pistol from Bushby's apartment startled him. He ran up and found his unhappy friend weltering in blood (*Asiatic Journal*, New Series, Vol. XV, Part I, pp. 173-175). The case referred to is apparently *Veeraperumall Pillay, vs. Narriain Pillay* (Notes of Cases in the Court of the Recorder and in the Supreme Court, Vol. I, pp. 78 to 127) heard in 1801. The questions at issue were (1) Whether widows had a right to adopt and (2) Whether it was good. Held they had the right to adopt under the virtual authority given to them by the will of their deceased husband and that the adoption was good.

On March 18, 1799 the ship *Solemany* and her cargo, which had been taken by the French under Danish colours, was taken from the captors and brought into the Madras Roads by Captain Rye, Commander of the *Dublin*, under orders of the Governor. He directed his agents Messrs. Abbott and Roebuck to have the cargo landed and the necessary papers transmitted to England to have her condemned in the Court of Admiralty in England. Mohamed Cossim filled a suit on the Equity Side of the Recorder's Court alleging that the ship was his under Danish colours and claimed for her the protection of the English Flag and prayed for orders to restrain the sale till the captors should give security in the sum of 40,000 pagodas to account for the sale proceeds in the event of the case being held in the Prize Court in England to have been a case of Recapture only subject to salvage — or otherwise with a view to have a sale decreed under the direction of the Court of the Recorder and the proceeds deposited (to abide the same event) in the Company's Treasury. The Captain wrote to the Governor in Council complaining that the procedure was novel in that the Municipal Court was asked to interfere. They referred the matter to the Recorder. The Court disclaimed to exercise prize jurisdiction but exercised a function ancillary to the High Court of Admiralty in England and entertained the suit. The captors declining to give the security required, the ship and the cargo were sold under its order, and the proceeds, having been secured as prayed, were in the end distributed according to the sentence of the High Court of Admiralty in its Prize jurisdiction duly certified, such sentence having adjudged it to have been a case of recapture only. Sir William Scott, Judge of the High Court of Admiralty in pronouncing judgement commended what had been done by the Court of the Recorder at Madras (*MSS Correspondence Recorder's Court*, pp. 136 to 145. The learned Recorder quotes *Barnsby vs. Powell* — I Vesey 290).

When the Court set to work the Recorder met with much

factionous opposition. This he overcame by arranging (as at Old Bailey) that only one representative (instead of three) of the Aldermen should sit with him inasmuch as the Recorder, either with the Mayor or with one of the Aldermen was sufficient to constitute a Court for every purpose of the Charter. Under this arrangement the Master had a seat assigned to him on the Bench, who under the terms of the proposed appointment was "a competent lawyer and a person deserving of high trust" and whom the Recorder regarded as a useful adviser conferring with him occasionally on the points as they arose (*MSS. Correspondence Recorder's Court*, pp. 91 to 112). A long time did not elapse before the Recorder reported home that the scheme of the Recorder's Court with its element of Aldermen judges was unworkable and recommended that a new Act should be passed constituting a new Court from which the Commercial element should be eliminated, viz; the Aldermen — some of whom "had been shameless in endeavouring to pervert their trust to their private ends" while the rest were according to him unfitted for judicial functions by reason of their business ties and connections (*The White Mutiny* by Sir A. Cardew, p. 154).

The fall of the Mysore Empire, the acquisition of the Ceded Districts and the annexation of the Carnatic and Tanjore had by this time given a final shape to the Madras Presidency. This added considerably to the revenues of the Company. So the considerations of economy no longer prevailed. The opposition to the Calcutta model was not renewed. On the 26th of December, 1800 a new charter erecting the Supreme Court was granted, which being published at Madras on the 4th of September, 1801, the Court of the Recorder ceased.

Reviews

SOUTH INDIAN INFLUENCES IN THE FAR EAST. By K. A. Nilakanta Sastri, pp. 139. Hind Kitabs Ltd., Bombay, (1949).

This book attempts to estimate the role of South India in the development of culture, art and social life in the regions of South East Asia and the Far East, in early times. It is admitted that there was also a counter-current of Indonesian influences on early Indian life in some of its aspects. In Indo-China Indian penetration was largely pacific; while in Burma the strands of South Indian and other Indian influences remained interwoven and difficult to unravel. In the art of Funan there are discernible definite South Indian *motifs*. In Kambuja the script of the lithic records is definitely South Indian, and in one of them there is a distinct reference to Sri Parvata of the Deccan. The ancient Chams are held to have followed the Bhagavati cult. Coedes's identification of Kedah with the Kadāram of Chola records is held to be conclusive.

Among evidences of close and continuous culture-contact between the Malay Peninsula and the Coromandel coast the parallels between the Labbais on the Indian shore of the Gulf of Manaar and the Muhammadan Malays are stressed with perhaps an over-valued significance.

The Tamil inscription of Luba Tua and the Dravidian tribal names of the Bataks, the question of the identity of P'o-li with Bali, the culture type of the Balinese village and the age and method of Hindu colonisation of the *Dvīpāntaras*—these and other questions are noticed. It is held, and probably rightly, that it was unlikely that Brahman priests went out in numbers to these regions, where, at the best, the court and the nobles alone would have been affected by the Hindu culture contacts, which could not have spread to the country folk. It may be doubted also if the contacts between pre-Hindu Japanese institutions and South Indian ideas were really as close as has been made out by many writers whose views have been discussed in this book in a scholarly manner. But then the evaluation of South Indian contributions, according to the meaning of the title of the book, in their separate capacity and reaction, is not easy of perfect performance, as is clear from the treatment.

—C. S. S.

ANGLO-ASSAMESE RELATIONS (1771-1826) by Dr. S. K. Bhuyan, M.A., B.L., Ph.D., published by The Department of Historical and Antiquarian Studies (Gauhati), 1949, pp. xxiii and 636.

Dr. Bhuyan is a veteran historian of Assam and has done much to bring out the hidden sources of Assamese history and cultural growth and contributions. This book embodies the fruits of his Doctorate thesis, submitted to and approved by the University of London, and bears on the political and commercial relations of Assam with the East India Company from 1771 to the close of the First Burmese War. It embodies a large mass of data now brought to light and touches several aspects of Assamese history, her administrative system, her border tribes, and the repercussions of the Company's doings in Bengal upon the Ahom State, several phases of which are now, for the first time revealed to the student. The indigenous Buranjis, the accounts of European travellers and missions, the Company's records and other categories of available source material have all been exhaustively utilised in Dr. Bhuyan's usual thorough manner.

Colonel James Mill, who was the earliest European traveller in Assam and a servant of the Ostend Company and who traded in salt, the Frenchman, Chevalier Baillie, the English trader Bogle, the envoy to Tibet, and other minor merchants and adventurers, had all made observations on the Assamese people and their land and trade. English attempts to punish the Raja of Jayantia led to Assamese measures of precaution against a possible attack by the Feringhis and to their negotiation with Bhutan. The English planned to bring the entire trade with Assam under the Company's control; and in the unplementation of their plan came the usual features of corruption and oppression. The career of Baillie, who was long intimately associated with the Assamese trade, witnessed the Moamaria rebellion, the flight of Raja Gaurinath Singha (1780-95) to Gauhati and an internal revolution in the Ahom State (1788). Both Baillie and the Assamese government had developed a mutual regard; and the latter consequently came to have same faith in the moderation, justice and helpfulness of the Company's Government; and Baillie, on his own part, looked upon Assam as "that once opulent kingdom", and earned the credit of having first revealed Assam to the East India Company.

Dr. Bhuyan clearly analyses the factors which helped to change the entire character of the relations between the Company and the Assamese Kingdom, whose internal disturbances were of a three-

fold character. Of these the Moamaria uprising has been traced to its very deep and remote religious origins which are elaborately outlined and stretched to the sequel of Sakta opposition to the fabric of Ahom racial solidarity and of the growth of a schism within the Sakta camp itself. The decline of the Ahoms is further analysed; and we learn the effects of the demoralisation of their soldiery and the defectiveness of their administration.

After the usual preliminaries Welsh's expedition which has been deemed "a tentative intervention," followed. Cornwallis held that Welsh's measures towards Raja Gaurinath Singha were of a 'very strong nature'; and the sequel was a conference of the chiefs and notables of the Kingdom held at Gauhati. This act was held to indicate a desire on the part of the British to adopt conciliatory measures — partially in conformity with the Ahom practice of holding *Barmels* or grand conferences, for deciding important issues, which plan was indeed proposed to be revived on a systematic basis in 1825 after the British occupation.

After a discussion of the results of Welsh's expedition and the consequences of Shore's withdrawal of English troops from Assam and an evaluation of his general policy of non-interference which in one place is not fully fair to him, Dr. Bhuyan outlines Dr. Wade's association with, and writings on Assam, particularly his manuscript *History of King Gaurinath Singha*, his translation of two Buranjis, under the caption of *An Account of Assam* and his *Geographical Sketch of Assam* which he holds to be by far the most important of his compilations.

The later phases of the Anglo-Assamese relations by which non-intervention was ended and Burmese aggressions had to be warded off, are detailed with a wealth of accounts of the atrocities committed by the Burmese whose war-mindedness had been greatly stimulated; and the long narrative of this treatise ends with the account of the expulsion of the Burmese and the establishment of British sway which did not finally decide upon permanent annexation till 1832 and which indeed first planned to restore princely rule in Eastern Assam, retaining only its hold over the Western part.

The absorption of the Ahoms in the indigenous population of Assam and its consequences for the former have been outlined; and attention is drawn to those institutions of the Ahoms which made them good soldiers and good governors; and their immunity from Hindu caste-prejudices is held to be partially responsible

for the longevity of their dominance. "To the Ahoms all subjects were equal . . . love was the order of the day."

The elaborate bibliography and foot-notes deserve every commendation; and the narrative retains its interests throughout, in spite of its inordinate length and heavily laden data.

C. S. S.

FORT WILLIAM—INDIA HOUSE CORRESPONDENCE, VOLUME V, 1767-69, edited by Dr. N. K. Sinha (New Delhi, National Archives of India, 1950; pp. 670, 14 Illustrations and 2 maps).

The administrative set-up of the East India Company in India during the sixties of the eighteenth century, the frequent disputes between its various organs; the corruption, nepotism and lack of public spirit displayed by the Company's servants and the unsuccessful attempts at reform made by the Court of Directors from distant London; are some of the factors brought out by a volume of correspondence to be published shortly by the National Archives of India. It is the fifth volume of a proposed series of 21 volumes entitled *Fort William—India House Correspondence, 1748-1800*, to form a part of the recently revived *Indian Records Series*. This correspondence consists of the Letters exchanged between the East India Company's representatives at Fort William in Calcutta and the Court of Directors in London and is a veritable mine of information regarding the history of the Company in India. To make this correspondence easily accessible to scholars as well as the general public, the Government of India decided in 1942 to publish the Letters *in extenso*, divided conveniently into 21 volumes edited by eminent scholars under the General Editorship of the Director of Archives. The fifth volume which is the first in the series to be published, covers the correspondence in the Public Department during 1767-69. It is edited by Dr. N. K. Sinha of Calcutta University.

The Letters give a true picture of the state of the Company's affairs at a critical time of its history. The ignorance of Indian land revenue system on the part of the English and the resultant confusion; the anxiety of the Company to extend their trade and commerce not only to every part of India but also to the neighbouring countries like Nepal and Tibet; the drain of specie and the consequent scarcity of silver leading to experiments in bimetalism and gold-currency—all these are adequately described. During

these years Clive's infamous 'Dual System' was in operation. The Letters give an insight into its actual working and lay bare the evils to which it led and which in turn caused its collapse. These Letters excellently depict the rather unstable political conditions of the times—the indigent and irresolute Shah Alam anxious to get back to Delhi; Shuja-ud-Daulah out of grace with Shah Alam and suspected by the English and yet the only safe ally of the Company; the rising power of the Rohillas and the Sikhs; the Company's war with Haidar Ali; the ambition of the Marathas to become masters of the whole country; the intrigues of the French; the menace of Abdali. The Directors were naturally anxious to pursue a policy of non-intervention in the affairs of the Indian powers but, as the Letters here show, frequent departures from this policy were made by their representatives on the spot. And finally, there are occasional glimpses of the social conditions in the country.

In the Introduction, the Editor has analysed and discussed the 'contents' of the Letters. The Notes make the understanding of the Text easier and the Bibliography provides a list of further readings on the period. The volume has several illustrations and maps and an exhaustive Index.

THE RIDDLE OF THE INDIAN STATES by R. K. Ranadive, M.A., Published by the Author, Baroda. Pages—284 (1950).

The author whose official experience as Political Officer and Special Duty Officer for Constitutional Affairs in England and India, Baroda State, during several decades, has enabled him to get considerable insight into the legal and political aspects and implications of the relations, as they have evolved between the British Indian Government and the Indian States, has thrown light upon certain obscure phases of that relationship, which is very informative to the student. His main object is to show that there had existed "unseen and unrealised mistakes and misapprehensions" entertained both in theory and in history, on the part of the British Parliament down to 1833 and since then on the part of both Parliament and the British Indian Legislature, on the relationship between British and Indian India. The first difficulty facing any attempt to understand the problem, is to know whether and to what degree International Law or Constitutional Law should be applicable to this relationship. Our author carefully examines the relevant parts of the body of case law on the relations between European nations, and powers and governments outside Europe, which go back to the 16th century and even earlier, and have their roots in the

extravagant claims of the western and Christian nations to heathen lands, to the sovereignty of the seas and to other privileges. Among such extravagant claims made by European nations was the implied right of the English East India Company to the occupation of the bulk of the Asian continent and the East Indies, by virtue of Queen Elizabeth's charter of 1600. The first idea of the English Company was to pursue a policy of acquiring territory for increasing their income, and as yet with little or no idea of governing such territory for the good of the people concerned.

The inhibitions against wars of aggression and conquests contained in the Acts of 1784 and 1793 were soon undone or set aside by the land-grabbing instincts of the Company whose schemes of conquest and annexation Wellesley tried to veil under the cloak of subsidiary alliances, ostensibly formed for the purposes of securing the safety of the Indian States from the then threatening French aggression and the peace and tranquillity of the country as a whole.

Mr. Ranadive shows how these subsidiary treaties should have been non-violable according to International Law and capable of improvement from time to time. Evidence was tendered before the Parliamentary Inquiry Committee of 1832 as to the then prevailing classification of States according to the Company's relationship with them, which was however very anomalous, particularly in the case of the subsidiary states. The Charter Act of 1833 provided the thin end of the wedge of introduction of British Jurisdiction into the States; while the application of the doctrine of Lapse overran naturally the limitations set upon its operation by the Home authorities who were often led into implementing the illegal and unsustainable claims made under the doctrine whenever it suited English interests.

The forced moderation of attitude that had to be adopted towards the States and the Princes and that came as a consequence of the Mutiny, soon disappeared; and we come across, even within a few years after 1858, an aggressive course of legislation for subjects of States by the British Indian Legislature and numerous and vexatious delays as to implementation of promises made to Indian Prince and potentates.

Northbrook's rejoinder to the Gaekwar justifying his appointment of a commission of inquiry into the alleged maladministration prevailing in the Baroda State in 1874, was based on the assumption of responsibility of the British Government for the good administration of the state which was held to be guaranteed by the British power. This action of the British Government is deemed by the

author to be no satisfactory precedent either in International Law, or in what has been called Indian Political Law. He also examines whether the Queen's Proclamation of 1858 or the Royal Titles Act of 1876 could affect in a legal sense the rights and status of the Indian States. Lord Lytton however spoke and acted as if a change had really come about in the relative status of the Queen and the Indian Princes, though Disraeli when he introduced the Royal Titles Act in Parliament in 1876 explained that the assumption of the title did not, in any way, add to the power, sovereignty or territory of the Queen. The effect of that Act on the course and competence of Indian Legislation is examined in detail by the author, as well as the emergence of the idea of the Indian State constituting a Protectorate — which notion was largely an emanation from the Berlin Conference on Africa. In the sequel, the term Protectorate came to be loosely applied to the territories of Indian Princes. The Interpretation Act of 1889 defined India, which had hitherto meant only British India as comprehending also the territories of the States and of the Princes under the suzerainty of the Queen. In the consolidating Act of 1915, the expression Suzerainty, substituted, in 1889, for the term Alliance, was retained; the preamble of the Act of 1784 against schemes of conquest etc., was dropped; and the existing definition of Indian Rulers was not made clear. The terms Suzerainty and Paramountcy, soon came to be used as synonymous with each other.

The examination of the later developments of theory and practice of this relationship after 1893 described in the book is very instructive, but is too technical to be noticed clearly in a short review like this. The position of the States envisaged as being valid according to law is made clear at every stage. Thus Mr. Ranadive has held that after the Royal Titles Act of 1876, the Indian States continued to be foreign territory for purposes of British Indian legislation and administration; and there was in theory only a league of common defence aiming at averting war and securing place. He examines in detail the stands taken by Lee-Warner, Westlake and other writers on the relations of the British power and the States and the character of the so-called Indian Political Law. All his findings are instructive, though they may not be fully sustainable in a few cases.

C. S. S.

THE LEGAL RIGHTS OF THE INDIAN STATES AND OF THEIR SUBJECTS, OR THE TRUTH ABOUT THE INDIAN STATES by R. K. Ranadive, M.A., (The Good Companions, Baroda, 1950). Pages 199 — Price Rs. 8-8-0.

The author who was Political Secretary and Special Officer for Constitutional Affairs to the Baroda Government for a number of years, intends that this book should serve as a *vade mecum* for counsel and constitutional advisers of Indian States, particularly in the prosecution of cases which are bound to arise in the new set-up and should be backed up by proper legal instruction. He points out how the British Indian Executive had consistently refused to admit that the principles of International Law could be applied to the Indian States which were deemed to be vassal states by Westlake in his *Chapters on the Principles of International Law*, as against Lee-Warner's view that the States were semi-sovereign. Of course there is foundation for the view put forward by the author that the concept of British India was so attempted to be worked out on the basis of the fiction of protection that the cessions of territory got from Indian Princes could be viewed in the light of obligations that the annexing power conferred on them. He holds the terms, sovereignty, suzerainty and protection, have been used as almost synonymous with one another, all containing the essential elements of a domineering attitude rendered easy and natural by the possession of power.

Our author tries to prove that both according to legal theory accepted up to 1947 and in view of certain principles of International Law, the Indian States alone could legislate for themselves and the Indian Independence Act of 1947 has conferred on the two Dominions created by it, extra-territorial jurisdiction which no state can enjoy under the U.N.O. Charter and which makes accession of the States to either of the Dominions compulsory in reality. He would deny the concept of the operation of a special Indian Political or International Law. Several other curious, but informing, views put forward by him have been noticed in our review of his second work — *The Riddle of the Indian States*.

He stresses the view that the concept of suzerainty over the States came in only surreptitiously and had in consequence, at least to some extent, been difficult to define. He examines the case — law regarding the status of Indian States and the significance of the certificates issued by the India Office and by the Crown Department and points out the inconsistency apparent between these and the certificates issued by the Colonial and Foreign Offices. Another of

his views is that the law passed by the Indian Legislature in 1946 excluding subjects of Indian States from the definition of foreigners was *ultra vires*. He likewise condemns that view — he calls it misapprehension — that the States had, and have, no remedy against the British Crown, or against its successor, the Government of the Indian Dominion, as well as the habit of unquestioning acquiescence in this view which has constituted a wrong against the States.

The control of the foreign affairs of the Indian States by the Indian Government, though an inherent disability, did not affect their sovereign character; and certainly they are not protectorates. It has been also noticed that the door has been left open for controversy over the power derived by the Indian Dominion as the Successor of the British Government. The author would not accept the view that the latter's giving up of suzerainty over the States could have no results at all as claimed on the ground that suzerainty is imperishable, as it were; and the words "may accede" have been interpreted as "shall (or) must accede" with reference to the States in their relation to either of the two Dominions created in 1947.

Some historical truths are brought out by the author in the course of his treatment. First, may be noted the fact that the desire for concluding binding treaties originated with the Company's Government. Next, we see that in almost all cases, the state concerned had not applied for the protection of the Company as is usually supposed. All British India was acquired, first, by cession from former sovereigns by treaty and later by forcible annexation on ground of lapse or military necessity and conquest.

The author goes so far as to maintain what may be in strict logic true, but not all all feasible in other respects, that "if there were no existing treaties there could have been no British India." He points out the defects in the Instrument of Accession devised by the Indian Dominion, because under it the acceding State had the legal right to refuse to accept the constitution which was to be framed and its continuing sovereignty would have to be recognised.

Mr. Ranadive also holds that all British interferences in the international concerns of the States had constituted "interference without power to interfere." When in 1915 the Indian Foreign Office was split up into two parts, the External Affairs Section and the Political Department, the former began to conduct its activities according to principles of International Law, but the latter began dealing with the States "on the principle of the categorical imperative," which might imply possible denial of justice to the States

and did result in Lord Reading's thundering rebuke of the Nizam when the latter asked for a negotiation on an equal footing. Involved in this are the discretionary control and disposal of the rights of the Rulers and the peoples of the States, and normal judicial process was precluded by the fiat of the Governor-General or the Secretary of State.

The losses and difficulties to which the States had been subjected as a consequence have largely been a sequel of the political set-up, as can be most clearly seen in the effect of the customs administration on the finances of the States. Other aspects of the financial implications and kindred issues like criminal jurisdiction over State railways, posts, telegraphs and telephones have also been examined.

A curious and hitherto little known fact is urged on the attention of the reader by the author; it relates to the dictum that was laid down more than a century ago in a suit to the effect that it is a matter of internal administration for the State and not for any outside authority to decide whether a property belongs to the State or is the personal property of the ruler; and the personal property of the ruler remains so for one succession. Various terms and slogans have been analysed and explained with their meaning, perspective and implication. For one thing, mergers are held to be fundamentally illegal. The legality of acts done by the States Ministry has been discussed and the general plea is urged that British India had no right to interfere in the internal concerns of the States and no right to take their territory or their revenues, and mergers and unions of States are contrary to principles of democracy.

— C. S. S.

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2. *Annual Report of the Bombay Secretariat Record Office for the year 1947-48.*
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4. *Thittan* — Annamalai University Series, Annamalai Nagar.
5. *Geethopahar* — by Sahitya Ratna S. Shankar Raju Naidu, M.A., Lecturer in Hindi, University College, Trivandrum.

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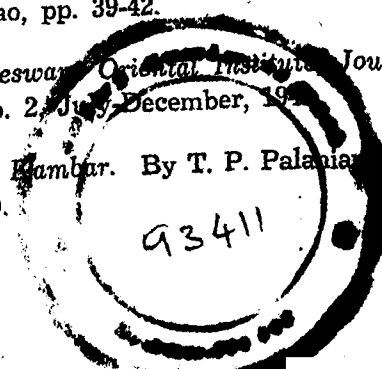
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 2. *New Light on "Jayati-Jayate" controversy* by B. N. Krishnamurti Sarma, pp. 70-73.
 3. *Editorial — In My New Role*, by Dr. C. Kunhan Raja, Editor, (now in Teheran University) pp. 82-96.
- II. *Ancient India : Bulletin of the Archaeological Survey of India*, No. 5, January 1949.
 1. *Archaeological Fieldwork in India : Planning ahead*, by R. E. M. Wheeler, pp. 4-11.
 2. *Further Exploration in Sind : 1938*. By Krishna Deva and Donald E. McCown, pp. 12-30.
 3. *Sassanian Motifs on Painted Pottery from North-West India*, by Stuart Piggott, pp. 31-34.
 4. *Megalithic Types of South India*, by V. D. Krishnaswami, pp. 35-45.
 5. *Ten years of Indian Epigraphy (1937-46)*. By B. Ch. Chhabra, N. Lakshminarayan Rao and M. Ashraf Husain, pp. 46-61.
 6. *Sisupalgarh 1948 : an Early Historical Fort in Eastern India*, by B. B. Lal, pp. 62-77.
- III. *Bhandarkar Oriental Research Institute — Annals of the*, Vol. XXX, Parts I-II, 1949.
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 2. *The Date of the Advaitabrahmasiddhi of Sadananda Kasimira — between A.D. 1600 and 1700*, by P. K. Gode, M.A., pp. 23-30.

3. *Vedic Gods, V-Rudra/Kali*, by Hiralal Amritlal Shah, B.A., pp. 43-88.
- IV. *Bombay University — Journal of the*. July 1950, Vol. XIX, Part I, No. 37.
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- V. *Ceylon University Review*, July, 1950, Vol. VIII, No. 3.
 1. *Some Corrections of Geiger's Culavamsa Translation*, by Rev. A. P. Buddhaddatta, pp. 161-181.
 2. *An Analysis of the Sela Sutta of the Sutta Nipata*, by Mr. L. P. N. Perera, pp. 198-203.
- VI. *Ceylon University Review*, October 1950, Vol. VIII, No. 4.
 1. *Development of the Sinhalese Script from 8th Century A.D. to 15th Century A.D.* By Mr. P. E. E. Fernando, pp. 222-243.
 2. *Brahmanas in the Early Sinhalese Kingdom*. By Mr. C. W. Nicholas, pp. 259-263.
- VII. *Epigraphia Indica*, Vol. XXVII, Part II, April 1947.
 1. *Gunji Rock Inscription of Kumaravaradatta*. By V. V. Mirashi, Amraoti (Concl'd.), pp. 49-52.
 2. *Note on the Bajapur Inscription of Menandros*. By the late Dr. Sten Konow, Oslo, pp. 52-59.
 3. *Eight Inscriptions of Kadavaraya Chiefs*. By K. S. Vaidyanathan, Coimbatore, pp. 80-96.
- VIII. *Ganganatha Jha Research Institute — Journal of the*. Vol. VII, Part I, Nov. 1949, Allahabad.
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- IX. *The Indian Archives*, January 1948, Vol. II, No. 1.
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3. *Report on Editing Historical Documents*, pp. 36-55.
- X. *The Indian Archives*, Vol. II, Nos. 2-4, April, July, and October, 1948.
 1. *Central African Archives: Some Aspects of their Development*. By C. G. Allen, pp. 82-90.
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— T. K. JOSEPH



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