

consummated with a vividness which arouses the audience to the last pitch of agitation, and it is impossible to foretell what affronts might then occur if some excited devotee should in that hour take umbrage at the invidious sight of a foreigner and an infidel. There is an evident tendency now to moderate the excesses of the Taziêh; but I have been told that not so very long ago, carried away by the appalling excitement of the last scene of the drama, some of the actors have actually sacrificed their lives. An incident previous to the closing act, which indeed is of annual recurrence, was the demand for the release of a prominent criminal, — the demand made to the Shah himself by men who are townsmen of the prisoner. The crowd of armed fanatics is so clamorous and peremptory that the Shah finds it expedient to yield, and sends an order for the release of the prisoner. One is reminded by this incident of the clamor raised for the release of Barabbas at the crucifixion. During the last few days of the Moharrêm it is also common for the rabble to go to the prisons and insist on the release of criminals whom they demand by name. In order to prevent the storming of the prison and save his own life the jailer is forced to yield. In 1884 sixty-five men were thus set at liberty. So much is this an annual custom that the authorities dare not as yet interfere to prevent it, although the progressive spirit dominant during the present reign will undoubtedly check it before many years. Fortunately for the credit of the government and the well-being of society, means are taken to track and recapture these men immediately after the excitement has subsided.

After one has impartially set at one side a consideration of the excesses which have sprung out of the Moharrêm celebration, there remains much to admire in the Taziêh. As one manifestation of the sentiments of a great religious sect it merits respectful attention, while on the other hand it is most interest-

ing as an exhibition of the dramatic genius of the Persian race. It seems reasonable to infer that a decided talent for the drama exists in Persia, which only requires to receive toleration from the laws and customs of the country to reach a high degree of excellence.

CHAPTER XIV.

RESOURCES, PRODUCTS, AND TRADE OF PERSIA.

PERSIA has so long occupied an isolated position, and the direct commercial relations of the United States with that country are as yet so meagre, that the average American has very little notion of her products and resources, and the possibilities of wealth which may be realized by the establishment of a direct commerce between the two countries. The abundant coal-mines, whose discovery has opened such a brilliant opportunity of adding to the improvement and power of this ancient monarchy, have already been alluded to in one of the early chapters of this work. Had she no other resources, Persia, by availing herself of the cheapness of labor to develop these mines, might obtain a commercial foothold which would make her laugh at the shafts of fate. The false position in which she is placed offers the chief obstacle to the large exportation of Persia's mineral wealth at present. It is her misfortune that in her efforts to develop enterprise in this direction, she must encounter the opposition of both England and Russia. Of England, because, although the ally and friend of Persia, she cannot well brook a trade that in the East Indies might seriously compete with the coal-mines of Lancashire; of Russia, because she is committed to the policy of antagonizing every measure that can tend to elevate and strengthen Persia.

There is little evidence of silver and gold in Persia, although there is some reason to believe that a considerable quantity was

mined there in past ages, and it is possible that a more careful investigation than the Persians seem capable now of making may lead to fresh discoveries of ores containing those metals. Lead is abundant there, and easily mined. European mineralogists have also recently discovered traces of many other metals among the rocks of Persia.

One of the most important sources of Persian revenue are the turquoise mines, although there seems some evidence of falling off in the supply. The turquoises of Persia are of two sorts: the pale green stones with a tinge of blue are found in the southern province of Kermân, and are little esteemed; the larger specimens are used as amulets, bearing inscriptions from the Koran, engraved on the surface and gilded; in this form they make handsome ornaments. The better quality of turquoises are found near Nishapoor in Khorassân; the mines are very deep, and the shafts have been described to me as exceedingly dangerous, thereby causing many accidents. The stones found in these mines are the finest in the world; they have a rich gloss, and are of a dark sky-blue, faintly verging on green. The darker they are the more they are esteemed by the Persians, although the lighter shades are more fashionable in Europe. In addition to the color, an important point in selecting a good turquoise is that it should be without a flaw or speck; a specimen that is entirely of uniform tint and flawless is rare, and it is not uncommon for such a stone no larger than a bean to bring seven hundred to a thousand dollars at Teherân. The turquoise mines are farmed by the Mohper-e-Douïlêh, or Minister of Telegraphs and Mines, who pays eighty thousand dollars a year for the privilege. He also pays the Government a tribute of fifty thousand dollars a year for the right of controlling the pearl fisheries of the Persian Gulf. These fisheries were at one time of enormous value; but the revenue from them has of late sensibly diminished, owing in part to the fact that the oyster

beds, which are in shoal water, are nearly exhausted through the penny-wise and pound-foolish system of fishing for pearls all the year round, instead of restricting the business to certain seasons, according to the practice followed in the pearl fisheries of India. Doubtless rich beds of pearl oysters exist at lower depths in Persian waters, but beyond the reach of divers. It is stated that a diving apparatus has been brought from Europe for this purpose, but the inefficient way in which the Persians make use of such foreign and modern inventions makes the result very uncertain.

The vast extent of the desert wastes of Persia would lead one to conclude that her agricultural products must be of very little moment, and that she must therefore be obliged to import many of the necessities of life. But, on the contrary, such is the richness of the arable soil that whenever it is scratched and watered, it produces far more than is required to supply the wants of the population. So numerous is the list of vegetable products which grow or can be made to grow in Persia, that it would be tedious to mention them all here, and it will suffice to give a few facts regarding the principal productions. Wheat is grown in all the agricultural districts in such abundance that a very large quantity is annually exported, and a great deal more would be exported if there were means for taking it out of the country. The method of ploughing is of the most primitive character, and the soil is hardly scratched by the rude share. One can easily imagine what would be the result supposing that modern appliances were used, such as are employed on the western prairies of the United States. No oats or rye are raised, but barley in abundance, on which the horses are fed. The chief granary of Persia is in the northwestern part, although of course enough is raised in other quarters to supply local demands. It is almost needless to say that agriculture in

Persia is dependent on irrigation. The number of streams and lakes is so small, and the supply of water so insignificant, that there is probably no other country under cultivation where so much labor is required for procuring water, or where the expense of this precious element is relatively so high as in Persia. The supply of water is paid for by the hour, and a place is valuable in proportion to the number of hours conveyed with the freehold during which water is supplied per week. The details of this system are exceedingly complicated, — a system which has been organized at least since the time of Anurshirwân; but the details are so complex and tedious that they are better suited to a work of statistics than for a volume like this.

Cotton is grown to some extent in Southern Persia, but not of the finest quality, and a surplus remains over the home consumption for export. Tobacco forms another important product of Persia; a quality resembling the medium grades of Turkish tobacco is grown in the northern provinces.

There is another kind of tobacco that, so far as I know, grows only in Persia; it is cultivated chiefly in the central provinces; the best quality is "yielded by the rich soil of Shirâz, which seems to have properties specially qualified to bring this species to perfection. This tobacco is called *tumbâk*. Being greatly esteemed in Turkey as well as in Persia, a considerable quantity is exported, to the estimated value of \$1,000,000 annually. *Tumbâk* has in its flavor a suggestion of sandal-wood. Another peculiarity of *tumbâk* is that it cannot be smoked unless moistened, without producing vertigo to an alarming degree; this is the reason why this tobacco can be smoked only in the water-pipe, — called in Turkey *narghilé*, and in Persia *kaliân*. The *tumbâk* is soaked in water, squeezed like a sponge, and packed in the top of the *kaliân*; a live coal is then placed upon it (this coal must be made from the root of the

vine, or it would soon be extinguished by the dampness of the tumbâk), and the smoke is drawn through the water that is in the lower bowl of the kaliân, and inhaled through a long flexible serpentine stem or a short stem of wood; the Turks prefer the former, the Persians the latter. Of all the forms for enjoying this most delightful solace for the cares and hardships of man, this of smoking through the kaliân is the most poetic and delightful, both for the elegance of the method and the flavor of the weed; but it could hardly become popular in America, because it takes much time to light the pipe, and the care and cleaning of it is laborious and must be delegated to the charge of a servant. In Persia every gentleman's house has a pishketmêt, whose sole business it is to prepare the refreshments and take charge of the kaliâns. The poorer classes generally have their daily smoke by resorting to a tea-house in the bazaars, or under the plane-trees in the centre of the village; for one or two cents they can enjoy a fifteen minutes rest for their souls.

Next to wheat, rice forms the greatest staple of diet in Persia, and happily she grows all that she needs. It is chiefly raised in the fat, alluvial lands on the southern shores of the Caspian, and the reeking rice-fields add to the malaria for which those districts have such a bad reputation. It goes without saying, that the Persians are among the people who have made the cooking of rice a fine art. The potato is greatly esteemed with us; the Shepherd of Salisbury Plain, with nothing but a dish of potatoes before him and his children for their Sunday dinner, was so well satisfied that he felt profoundly thankful with the simple addition of salt thereto. In the natural pride we feel over the potato as a native of the spacious continent we inhabit, and grateful to it for the nourishment it has afforded to the soaring and inventive brain of the Western world, we are liable to forget that the mission of the rice-plant has not been altogether insignificant in moulding the destiny of the

race. Fully three fifths of the present population of the globe live on rice; the founders of the five great religions of the world were nourished by it. It might be worth while for scientists to look a little more closely into the brain-making qualities of this worthy vegetable.

One of the most important exports of Persia is opium. It was at one time a more valuable source of revenue than it is at present, but shows signs of reviving. The amount consumed in Persia itself is comparatively trifling, by far the larger proportion of the product being exported. Some years ago the annual yield of opium in Persia was very large. The unusual proportion of morphia which Persian opium contains made it justly preferable to that produced elsewhere, and large quantities found their way to foreign markets, especially to China. Two causes have latterly tended to check the culture and export of Persian opium. One of these causes alone might not have led to such a result, but the two coming about the same time have somewhat discouraged its production. These causes were, — the increasing adulteration of the article, which impaired its market value; and the fact that the attention given to its culture materially reduced the more important culture of wheat, which led the Government to regard the opium product with disfavor.

Persian opium is chiefly grown in the provinces of Kermanshâh and Ispahân. The latter city is the centre of the opium trade of Persia. The opium of the district of Ispahân is the best; the highest grade has been found to contain 15 to 16 per cent of morphia. It is fair to state, however, that of late the opium of Koom, Teherân, and Yezd has been growing in favor, some specialists considering the quality raised at Koom as surpassing every other grade of opium. As the highest quality of Smyrna opium does not contain a mean of over 13.57 per cent of morphia (some analyses placing it even lower), while the

Persian drug yields at the best 13 to 16 per cent of morphia, the latter certainly rivals that of Smyrna, and is beyond question far superior to that of Egypt and India.

The chief objection to the opium of Persia lies at present in the adulteration to which it is subjected, the principal ingredient in this deterioration being grape-must, and sometimes small stones concealed in the parcels. This difficulty might be remedied by any enterprising house, which through honest, capable agents could purchase the entire product of Persia, or of any of the opium-producing districts, and give direct attention to the preparation and packing of the drug. A pure article might also be obtained by a firm ready to form a contract for a certain quantity of a given grade of the drug for a term of years, the continuance of the contract depending on the non-varying proportion of morphia in the exported article.

The average price of the opium of Persia, in its crude state, is now \$4.77 per kilogram. To seventy-two kilograms of opium are added six kilograms of linseed oil. The mixture is then subjected to a manipulation which reduces the seventy-eight to sixty-six kilograms. These sixty-six kilograms are divided into one hundred balls, forming a Persian package; a specified number of the balls of opium makes a case. The cost of packing, freight, and other incidental expenses bring the average price of a case of Persian opium—such as it is when prepared for export—up to \$366.66. The excise duties vary at different centres of the trade, but five per cent ad valorem is the uniform rate according to the treaty of the Turkomantchai on all goods exported to Europe or America,—and, I may add, on all goods imported from those countries into Persia.

It is stated that on the average two thousand cases of opium, valued at \$732,000 are now exported from Bushire to England, besides what finds its way to China and other quarters from the other districts of Persia. There is no doubt that if sufficient

encouragement were offered, especially by the establishment of agencies at Ispahân or Teherân, or by making permanent contracts, that the product might easily be increased and the purity of the exported article improved. Indeed, the opium merchants of Ispahân have already made overtures for the American trade, and are prepared to make contracts for a term of years.

It is proper to state that inquiries made of practising physicians at Teherân, including an American physician, elicit the highest opinions in favor of the opium of Persia as regards the character and quantity of morphia it produces when unadulterated.

The silk-trade of Persia has long been one of the most important and celebrated enterprises of that country. We therefore think it quite worth while, especially in view of the increasing importance of American silk manufactures, to give considerable space to the consideration of this subject here.

We find the first mention of European merchants trading in Gilân silk in Marco Polo's work, about 1290 A. D. Marco Polo in speaking of the Caspian Sea, says: "Genoese merchants commenced its navigation some short time ago, from whence comes the silk which is called Ghelê," — that is, silk from the Province of Gilân, in Northern Persia.

The Florentine Balducci Pegoletti, in his "*Tratto della Mercatura*," published in 1335; also speaks of "*Seta ghella*," — Gilân silk. The Englishman, R. Chancellor travelled to Moscow in 1553; and his companion, A. Jenkinson, who penetrated as far as Bokhara in 1556, made a report on the silk-trade of the Shirwân district in the Caucasus for Queen Elizabeth, who sent him to Persia in 1562, at which time he visited Derbend, Shemakhâ, and Casbeen, in Persia. And Edwards, another Englishman, who followed Jenkinson in 1567, reported that the Gilân silk was much better and comparatively cheaper than that of the

Caucasus; he therefore established a factory near Rescht, while Chapman, his companion, travelled and explored Gilân in 1658. The first English vessel, and probably the last, on the Caspian Sea was floated in 1573, and was sent with silk to Astrakhân. The expedition was unsuccessful, as piratical Cossacks from the Volga plundered the vessel of all it contained. Wolland, a little later, had factories at Hormuz; and Holstein, together with the free city of Hamburg, thinking to be able to divert some of the Dutch commerce to their own advantage, sent embassies to Russia and Persia for the sake of concluding commercial treaties and opening the transit of merchandise through Russia, offering large sums to accomplish the latter purpose. The results of the embassy to Persia in 1638 are related by Adam Olearius in his "*Persische Reise*." He states that the total product of raw silk in Persia was not far from twenty thousand bales, — a bale being equal to two hundred and sixteen pounds. Gilân produced eight thousand bales, Khorassân three thousand, Mazanderân two thousand, Shirwân two thousand, Karadâgh two thousand, and Georgia the remainder. This would give about 2,808,000 pounds for the present area of Persia alone, — Shirwân, Karadâgh, and Georgia no longer belonging to that country. He further says that one thousand bales, or 216,000 pounds (very nearly what it is at present), were used for home manufacture, and that the remainder was exported to India, Turkey, Italy, England, and Holland in Dutch ships.

The price of raw silk in the time of Olearius was forty-eight to fifty-two cents per pound, — that is, about one fourth of the present price, — giving a total value of \$1,404,000. Chardin, who wrote in 1669, thirty years later than Olearius, says that the yearly product was twenty-two thousand bales, — Gilân producing ten thousand bales, Khorassân three thousand, the central provinces three thousand, Mazanderân two thousand,

Kermân two thousand, and Georgia two thousand, — of a total value of ten to twelve million francs. The price of the silk was exactly the same as it had been when Olearius wrote. Chardin adds that the produce was increasing, and that the Dutch exported six hundred thousand francs' worth from Hormuz to Europe. In these calculations the nominal values of course do not represent the actual values, owing to the steady depreciation of gold.

At the end of the seventeenth century most of the silk-trade was in the hands of the Perse-Armenians, — then Persian but now chiefly Russian subjects, — as it continues to be at the present time. Peter the Great entered into an arrangement with these traders in 1711 to export all their silk through Russia instead of Turkey, while the Armenians by concurrent action obtained from the Shah of Persia the monopoly of the Persian silk-trade. It was found, however, that they acted fraudulently both towards the Russians and the Persians; and the agreement with Russia, as well as the monopoly, was withdrawn in 1720. The Russians after this assumed charge of the silk-trade, being induced to do so by the report spread by an East Indian who had settled at Astrakhân. This individual informed Peter the Great in 1722 that the Gilân trade had assumed gigantic proportions, and was on the increase; and that 1,200,000 pounds of Gilân silk had been exported into Turkey the previous year. The value of this silk was given at 3,200,000 rubles, — equal to \$2,400,000. The Russians then floated their own ships on the Caspian; but the death of Peter, and the disturbances in Persia during the reign of Nadir Shah put an end for the time to Muscovite designs for the monopoly of Persian silk.

In 1738 several English merchants obtained the permission of Nadir Shah to open factories in Gilân, after they had contracted a commercial treaty with Russia in 1734, by which it was stipulated that all Persian silk for Europe, and all English goods for

Persia should pass by way of Russia. Jonas Hanway, who soon after became manager of the silk-trade in Gilân, reports that in 1744 Gilân produced two hundred and forty thousand pounds of raw silk. At the beginning of Hanway's directorship the price of raw silk in Gilân was two dollars per pound; but in the following year the price rose to five dollars a pound.

Gmelin reported in 1740 that the best silk was used for home manufacture, and that only the inferior qualities were exported. Every autumn Rescht was thronged with Turkish, Persian, and Russian merchants, buying silk. The Turkish merchants paid cash, and obtained their silk cheaper than the other merchants, who either bought on credit or gave goods in exchange. The price in 1741 per thirteen pounds weight was, for first quality, twelve dollars and fifty cents; second quality, ten dollars; and third quality, eight dollars and fifty cents.

The best statistics on the silk produce of Gilân in recent times are those of Fraser, the English traveller, who stated in 1882 that the average silk-production of Gilân was seven hundred and eighty thousand pounds per annum. He added that one third of this quantity went to Russia, one third to Turkey, and a third was retained in the country for home manufacture.

It is evident that the annual product of Persian silk is now only one seventh of what it was in the middle of the seventeenth century. The average price is three times greater than it was then, but only about a quarter of what it was when the English held the silk monopoly of Gilân.

On coming to a more particular investigation of the silk product of Persia at the present time, we find the following results. The silk-producing districts of Persia are — Khorassân in the East; the provinces lying on the southern shores of the Caspian Sea, north of the Elburz range; the middle provinces of Persia, forming a district lying between Kashân, Yezd, and the north of Fars, with Ispahân as a central point; and Azer-

baijân, in the extreme northwest. The exact quantity of the silk product of none of these districts can be stated with certainty; but the following figures, obtained from reliable sources at Teherân, I believe to be not far from the truth as regards the silk which enters into trade. In Gilân and Mazanderân nearly every family rears silk-worms; and much of the silk thus produced does not come into the markets at all, being manufactured by the women of the family into coarse stuffs used for shirts, trousers, kerchiefs, and the like. In the other districts, where the silk product is less important, every silk-grower also retains a certain quantity of silk for domestic use. Of the quantity of silk which does not enter into the trade, nothing can be therefore satisfactorily ascertained; but I should estimate it at a quantity equal to ten or even fifteen per cent of the amount which enters trade.

The raw silk of Persia is divisible into three qualities. First is the Abrishoom,—that is, silk of a super-excellent grade; second is the Gurûk; third is the Las. The first quality is divided into different numbers, according to fineness of texture, gloss, or color. In this connection might be added the fact that the Russian naturalist Gmelin speaks of three qualities. Chardin in 1669 mentions four: namely, Shirwân, the worst quality, called Ardash in Europe; Kharvaree, uneven, poor, and called in France Leghian,—a corruption of the word Lahijân, a town of Gilân; Kedkhodapesand, a medium quality used in Persia for home manufacture; and Sharbafée, the best silk for weaving, especially for the silk-stuffs of Yezd and Kashân. The four grades mentioned by Chardin still exist; but they are, however, now classed as only different kinds of the Abrishoom quality, rather than entirely distinct varieties. Chardin ignores the silk called Gurûk, as also the Las. At the present day the people distinguish the various sorts of silk under the names of Alagbandee silk, which is the finest quality used for sewing-silk,

trimmings, laces, ribbons, and the like; of Sharbaff, which is employed at Ispahân, Kashân, and Yezd for weaving curtains, carpets, and bed-covers, batting-cloths, kerchiefs, etc.; of Parchebafee, used in Khorassân for weaving high-grade piece-goods; and of Shirwanee, which is an inferior quality of silk mixed sometimes with Gilân silk for coarser piece-goods. But all these are only different varieties of the species classed under the general title of Abrishoom silk; and indeed nearly all the inferior qualities of Persian raw silk are exported, while of the superior quality only about one third is sent abroad. In Gmelin's time only the third grade of silk was exported to Russia, because, as he says, good silk-workers did not then exist in that country.

In Gilân and Mazanderân the silk is collected at the end of May, and brought to market in the months of August and September; but in Khorassân and the other districts of Persia the silk-worms mature later, and the raw material is collected in June or July.

Khorassân produces yearly about 16,250 pounds of raw silk. The centres of the Khorassân silk-trade are Sabzevâr and Nishapûr, — places lying in thirty-six degrees north latitude and three thousand and four thousand feet above the level of the sea, on the northern confines of the lower salt deserts of central Persia. The Khorassân silk is generally good, and is rolled in skeins of thirty to thirty-one inches in length. It is purchased at present at Sabzevâr, at the rate of five to fourteen tomâns¹ per shahmânn of thirteen pounds. None of the Khorassân silk now reaches Teherân. A small quantity is sent to Yezd and Kashân; some is bought by Russian traders, but most of it is used for home manufacture in piece-goods. More recently many of the silk-growers of Persia have taken to opium growing; hence the great falling off in the silk production of that

¹ A tomân is equal at present to \$1.60 United States currency.

district. It is but a few years ago that Khorassân produced forty thousand pounds of silk per annum.

The silk product of the Caspian provinces is generally divided into that of Gilân and of Mazanderân, the latter also including the product of Astrabâd. The Gilân silk is the best which Persia produces. On account of a disease of the silk-worms the product for thirteen or fourteen years has been comparatively slight; the last two years, however, have shown a decided improvement. The product of 1885 amounted to about seven thousand bundles of shahmânns, equal to sixty-five pounds each. A bundle weighing sixty-five pounds at Rescht weighs when it reaches Teherân only 61.75 pounds. This loss of weight arises from the fact that in the humid climate of Gilân the silk absorbs dampness, while it loses its moisture in the dry atmosphere of Teherân. The total product of raw silk which entered trade from Gilân in 1882 was 432,250 pounds. It is rolled in skeins of twenty to twenty-one inches in length, and is sold at Rescht and Lahijân, Fumen, and other towns of Gilân, at the rate of twelve to fourteen tomâns per shahmânn.

The Gilân silk is occasionally mixed with Shirwân silk from the Caucasus, and then sent to Teherân. A large part of the silk of Gilân is manufactured into sewing-silk at Rescht, and elsewhere in Persia into trimmings, laces, fringes, cords, and similar stuffs. This is called Alangbandee silk. The sewing-silk, when ready for use and dyed of different colors, costs at Rescht sixteen to eighteen krans per pound, — equivalent to \$2.56 to \$2.72. Only the best silk, valued at fourteen tomâns per thirteen pounds, is used for the purpose, — about fifty per cent of the original price being thus added for the labor of cleansing, dyeing, twisting, and packing. About twenty thousand pounds of silk are annually converted into sewing-silk. The finest quality of Gilân silk is produced in the neighborhood of Lahijân, particularly in several villages belonging to

Mirza Mohammed Aleé Khan, who has been able to command for portions of his exceptionally fine silk the sum of three tomâns — equal to \$4.80 — per pound. The silk product of Gilân can be greatly increased; the greater part of it goes to Russia.

The silk product of the adjoining province of Mazanderân amounts to about thirty-five thousand pounds per annum. This silk is only of medium quality, rarely costing more than ten tomâns per measure containing thirteen pounds. It is sold in bags weighing sixty-five or seventy-eight pounds each. But little of the Mazanderân silk is exported to Russia, and that is generally improved by an addition of Gilân silk. Some of it goes to Kashân and Ispahân by way of Teherân; there it is combined with that of Kashân and Yezd, and manufactured into curtains and similar textile fabrics. The centre of the Mazanderân silk-trade is Barfuroosh. This branch of Persian silk is susceptible of large development. The silk product of the central districts of Persia amounts to about thirteen thousand pounds per annum. This silk is the poorest in quality, and has never been exported, being used altogether for home manufacture. But the amount now raised could hardly be increased, as the great scarcity of water existing in these districts interferes with the culture of the mulberry plantations.

The silk of the northwest province of Azerbaijân amounts to about 32,500 pounds per annum, and is raised in the low-lying regions of that district. I am informed that the highest altitude at which silk worms thrive in Persia is 6,500 feet above the sea level. Nearly all the Azerbaijân product is exported to Russia, and is of inferior quality.

In summing up the results of the above facts, we find that the average product of raw silk in Persia now amounts to 608,000 pounds, of which fifteen per cent is retained in the country for home manufactures.

It is but just to add, that, for various reasons, there has been an inclination for several years to give less attention to silk culture in Persia and more to the raising of opium. The adulterations which have gradually entered into the packages of opium prepared for export having, however, somewhat checked the demand for Persian opium, effort is again turning in the direction of silk culture, which only needs encouragement to assume proportions larger than for many years.

The carpet-trade of Persia is scarcely less important than the silk-trade. Its leading features are doubtless so widely known, owing to the fact that so many Persian rugs have reached foreign markets for centuries past, that I shall content myself here with citing a few of the chief points relating to the subject.

There is nothing so indefinite as describing a Persian rug¹ simply as Persian, because there are twenty-five or thirty kinds of carpets that come under that head, each entirely distinct from the others; and unless the specific name is given, it is impossible to tell what sort of a rug or carpet is meant. It may be stated in general that the texture of Persian carpets is more close than that of Turkish carpets, which have a long nap and are thicker. Persian rugs are all made by hand, without a single exception; they are stretched on frames, as one would make a sampler, and all the members of a family work on them; a pattern prescribed for that particular carpet is before them, which they follow with more or less precision, according as their fancy suits them. As a rule, considerable license is allowed for the expression of individual taste in working out these patterns; no two carpets are therefore exactly alike; and the owner of an old Persian rug may be reasonably sure that while he may find

¹ The word "rug" is used in this connection for all Persian carpets, whether large or small; because, whatever be the size of Persian rugs, they all have the quality of lying flat without the aid of tacks, which European carpets require.

other rugs resembling his, not one that is absolutely identical exists. This quality gives them a value similar to that possessed by an oil painting.

But parallel with this peculiarity of Persian rugs exists another that is almost as strange; I allude to the fact that each carpet district of Persia presents certain general features in the designs and texture or material of its rugs, differing from those of every other district; and thus an expert can generally tell at a glance where a Persian rug was made. An exception to these observations exists in the case of the rugs now manufactured by the Messrs. Ziegler & Co., who have introduced a new method of turning out Persian carpets: by making advances to the workmen in Sultanabâd they keep them steadily employed; but one condition is that they shall not give rein to their individual taste, but like machines they shall continually reproduce the designs which are found to meet the prevailing fashions in Europe. If this process were to obtain to any extent in Persia, it would ruin the trade; for there is no question that spontaneity and individuality are two of the most important qualities of oriental art. The modern deterioration of Japanese art is due to the application on a large scale of what the Zieglers are attempting in regard to Persian rugs. European dealers may profit by it for a while, but the result in the end will be like the penny-wise and pound-foolish operation of killing the goose that lays the golden egg.

The Persian rugs made at the present time, independently of the Zieglers' supervision, do not yet seem to show any deterioration in quality, but there is a manifest tendency towards patterns less large and bold than those formerly designed. This would seem to indicate less artistic feeling; but in matters of taste it is dangerous to form positive conclusions. There was reason to apprehend at one time that the introduction of aniline dyes would ruin the entire carpet-trade of Persia, and

in fact all her noble textile fabrics. But the Persian Government saw at an early day the peril that lay in colors so fatal to all true artistic effort, and stringently forbade the admission of aniline dyes into the country. It seems strange that processes should be lost for producing articles by a people who actually continue to manufacture without interruption the very objects into which these processes enter. Yet we repeatedly find such a result occurring in the history of civilization. There never has been a time, for ages,¹ when the Persians have not been manufacturing rugs, during all which period they have been producing their own dyes; and yet within forty or fifty years the secret of making the superb blue color which distinguishes the finest examples of old Persian tiles, illuminated manuscripts, and rugs has fallen into disuse, and no one now seems able to reproduce it.

The most important classes of Persian rugs are those of Feraghân, Kermanshâh, Kermân, Shirâz, Khorassân, and Kurdistân; to which may be added those of Turkistân, mistakenly called Bokhara rugs by Americans. Although the Turkomans have been dragged into the Russian net recently, it is not long since they owed a *quasi* allegiance to Persia, and most of the Turkoman rugs reached foreign markets through that country. In my opinion they are the finest small rugs ever made; their durability is phenomenal; the dull, rich colors have the qualities of an old Dutch painting, and grow richer with time, filling the eye with ever-increasing delight as they gradually assume a peach-bloom, and the texture, close as that of velvet, becomes soft as fur with the touch of time. But beware of the Turkoman rugs which are made to-day; test them carefully before buying, for the Turkoman, now that he is under

¹ There is reason to believe that in size and magnificence the Persian rugs produced in the Achaemenid and Sassanid periods excelled any rugs of recent times, whether of Persia or India.

the Russian rule, can use aniline dyes at will; and for this reason not only are the colors less durable, but the patterns of these new rugs are liable to be less subtle and harmonious.

The rugs of Kurdistan are generally distinguished by an open rather than close texture, resembling in this respect crochet-work. It is due to this that these rugs have the quality of being identical on both sides; their colors are vivid, but finely contrasted, and some of them have the sheen and softness of silk. A rug that is altogether the reverse of this is a sort made chiefly in the south, of which the peculiarities are thickness, great density of texture, and the use of camel's-hair, which forms the ground of color, and is left in its natural state, — being a soft buff gray.

There is one kind of rug made in Persia which never leaves that country, owing to its great weight and bulk; I refer to the carpets of felt, called *namâds*. The best ones are made at Yezd and Ispahân, — the former being distinguished by a prevailing brown tone, and the latter by a mouse-gray tint. The *namâd* is made by heaping a low trench with hairs, and beating them flat with mallets until even with the edge of the trench; this compressed mass is then wet, and turned and returned and beaten until it assumes a dense, compact texture. A pretty design of colored threads beaten in on the upper side relieves the monotony of the general tint. These *namâds* have considerable durability, although unless carefully watched they are easily eaten by moths; but they form the most comfortable carpets I have seen, and are admirably adapted to bedrooms or libraries; one walks on them in heavy boots with as little noise as the stealthy tread of a lion's cushioned foot on the sands of Africa. They are made sometimes of enormous size. I have seen one that was eighty feet long and fifty feet wide in a single piece; it was brought from Ispahân on the backs of ten mules. Like all Persian carpets of size, the largest

specimens of namâds are, as I have in another place explained, invariably made to order, measured to fit the apartment for which they are intended. Another species of Persian rug which rarely reaches Europe is the ghilleem; it is a long, narrow, thin rug, richly colored with a general uniformity of pattern, and is made wholly or partly of cotton; the colors are imperishable, and the rug can be washed like a piece of calico. These ghilleems are very handsome, and can be put to almost any service.

It is difficult to give exact data of the value of the Persian carpet-trade. Certain prices per square yard are quoted from time to time as ruling in the markets; but the fact is that such things as exact prices do not exist in Persia. A man and his family make a carpet on speculation; and if they are greatly in need of money, they sell it for whatever it will bring. In like manner the dealer in the bazaars retails his rugs at every price, striking an average of profit and loss at the end of the year. The foreign buyer who makes a business of purchasing Persian rugs may in the same way strike an average of prices from year to year; but sometimes he picks up a rug at a price far below the average, and at another time he may pay far above the average for some rug of unusual rarity and excellence. To talk, therefore, of the ruling prices of rugs per square yard at Teherân is difficult, not to say absurd.

Before leaving this subject, it is proper to allude to the so-called silk rugs of Persia. They are rare, and of course very costly, — of small size, and used for draperies rather than carpets; this, in fact, may be said of all the finer qualities of the small-sized Persian rugs. The finest silk rug I have seen was the one spread before the famous peacock throne in the audience-hall of the Shah, inwoven with pearls.

Another very important industry of Persia is that of embroidery. Although in former ages the deft needlework of the

Persian women exceeded in skill and artistic merit that of the present day, yet it must be admitted that work of extraordinary beauty is still produced there, as has already been described in Chapter XI.

Of woven stuffs, Persia manufactures a large variety, all of course made with hand-loom. These stuffs are of cotton, of silk, and of wool; they all possess one quality in common, which cannot be said of all European manufactures, — durability. It would be a tedious and somewhat difficult task to undertake a description of these textile manufactures of Persia, especially if unaccompanied with illustrations and diagrams; but we can allude to the richness of the colors used, — which are invariably Persian, and being generally extracted from vegetables are permanent, — and to the very beautiful prints of Ispahân, which are stamped entirely by hand.

Another prominent manufacture of Persia, in which she at one time excelled, is the tanning of leather. The famous leather called “Russia,” which is in such repute for book-binding, was first made in Persia; and the Russians, who obtained the secret from that country, have never been able to equal the extreme fineness of some of the maroon leathers which are found on the book-covers of Persian manuscripts made centuries ago. The Persians have a tradition that they could reach the best results in the making of this leather only by carrying the hides to the tops of the mountains, and leaving them there to be struck by lightning. This in my opinion simply means that there was a mystery, or secret, in the tanning of this leather which they chose to ascribe to some supernatural power, in order to evade investigation and discovery. Some years ago, a Russian merchant agreed to furnish an English house with a large supply of Russia leather. It afterwards transpired that he had procured it at a low price in Persia.

The vegetable products of Persia do not differ very essentially from those of the adjacent countries of Turkey and Arabia. But in a few cases these fruits attain exceptional excellence in Persia. Of these are the pomegranate, considered in that country to have anti-febrile properties; the sugar-melon, a species of musk-melon peculiar to Persia, with a white, close-grained pulp, very sweet but somewhat flavorless, yet highly prized and cultivated with the greatest care, with the dung of pigeons kept for this purpose; and the apricot and nectarine, which are dried and exported in large quantities. The peach is indigenous in Persia, but I have seen none there equal to those in America. After the pomegranate, the fruit which most nearly reaches perfection in that country is the quince; it is not only very large, but has a flavor and fragrance equalled nowhere else. The fig, the apple, the date, the orange, the pear, and the grape of Persia are similar in kind and quality to those of Turkey, the fig being perhaps inferior; but the grapes are abundant, and besides furnishing a staple article of diet for the people, both fresh and dried, they afford several excellent varieties of wine.

The wines of Persia are red and white; the former has a body and flavor resembling burgundy, and is grown chiefly in the north of Persia. The best white wines are those of Shirâz and Hamadân; each has a distinct and delicious flavor and bouquet of its own. *These wines are made by the Armenians and Jews, for the Faithful are forbidden either to drink or to make wine. They have ways of evading the former prohibition; but the latter ordinance is more difficult of evasion, and practically carries with it the prohibition of commerce in wines, — yet this difficulty might easily be overcome by a little quiet diplomacy, as I have good reason for believing. But the manufacture of Persian wines leaves much to be desired. I am convinced, however, that if European experts, taking advantage of the low cost of labor in Persia, should go to that country and

seriously enter into the task of preparing and exporting Persian wines, the result would be of the greatest benefit to the world at the present time, — the vines of France being diseased, and the French growers forced each year to import wine from elsewhere, or, what is worse, to flood the markets with a spurious article.

The sugar-cane grows finely in the Caspian provinces, but no systematic and scientific attempts have been employed to make it profitably productive.

Arboriculture in Persia has never reached the degree of skill shown in European countries. Some attention has been given to the improvement of fruit-trees, and extensive orchards are generally found in the neighborhood of the cities and in out-of-the-way, well-watered nooks among the mountains. The Persians have a custom of grafting the elm in such a way as to produce a tree with foliage as round and dense as a velvet ball; the shade is very dark, but the form of the tree is too artificial. They also train rose-bushes into the shape of trees, — the rose, by the way, being very abundant in Persia, although the varieties cultivated are not numerous. Vast groves of walnut are grown in the north of Persia, the nuts forming an important article of export. In the southwest large tracts of the country are covered with dense groves of dwarf-oak. But evergreens do not seem to take kindly to Persia; they certainly do not appear to be indigenous in the north of that country. The magnificent primeval forests which I saw in the provinces of Gilân and Mazanderân, clothing the slopes and the plains, are composed entirely of deciduous trees, — chiefly the elm, the plane, the walnut, the pomegranate, the oak, the locust, and the mulberry. The box-wood tree is found in the northern provinces, and the wood has been exported for many years into Russia, the annual yield being farmed by a Greek; but the supply seems now to be nearly exhausted.

The trees that one sees most commonly in Persia and learns to associate with almost every landscape of that romantic country are the poplar and the plane-tree, which are cultivated for the wood, and in Persia serve for building purposes, as does the pine in the United States. The natural form of the plane-tree, or sycamore (which Persians call the *chenâr*), is spreading; but in order to obtain long timbers available for house-building the Persians often plant them in dense rows close together, and lop off the branches while they are young, which gives the tree a tall, slender form. On page 268 additional facts may be learned regarding the *chenâr* of Persia.

It may sound strange to talk of the fisheries of Persia; as she is a country not only without a navy, but owning only a few small coasters in the Persian Gulf to represent a mercantile marine. Through the exactions of Russia, Persia is not even permitted to fly her flag on the Caspian Sea, which, considering her weakness in all maritime matters, seems like adding insult to injury. Notwithstanding these facts, the Persian fisheries on the southern shore of the Caspian are important. They are farmed by an Armenian named Elianoff, who has accumulated an immense fortune out of the salmon and sturgeon he has caught at the mouth of the Persian rivers and exported to Russia. Salt forms another important article of Persian commerce, extensive mines of this mineral being found in various parts of the country.

It is evident from the foregoing observations that Persia is a country of large natural resources. Although she is far from availing herself of her advantages, the country cannot be called poor. All things are relative; the wages may be low, but if the laboring classes succeed in laying by something, if the upper classes succeed in accumulating fortunes, if the Government is

without a debt, if the Court is able to maintain a respectable degree of spectacular splendor, and if the Shah reserves something every year from his revenues, it would be a mistake to assume that such a country is either entirely impoverished or depressed because, dollar for dollar, its wealth may not be equal



A PERSIAN BLACKSMITH.

to that of some of the Great Powers. While the progress of Persia may to us seem slow, yet she does progress; and this is very much in her favor, if one considers that for thousands of years she has had no appreciable infusion of fresh blood to stimulate her energies,—like the emigration of Germans to

Russia, of the Moors to Spain, or of the Huguenots to England. Persian commerce is also adopting Western methods, and is again on the increase. This is partly owing to the fact that unlike the Turks the Persians are a commercial race. In Turkey trade is almost entirely in the hands of Greeks, Armenians, Jews, and Franks. In Persia it is quite the reverse, and there are no keener tradesmen than the genuine Iranees; their commercial ability is well displayed by the large fortunes accumulated by the Parsee traders of Bombay, who are Persians pure and simple.

It is difficult to obtain exact statistics regarding the foreign trade of Persia; but I have been authoritatively informed that the imports from Europe average eighteen millions of dollars annually, and are increasing. The question occurs, Shall the United States seek a share of Persian trade? The Persians are not averse to our goods; they already import several hundred thousand dollars' worth of our canned fruits, cottonades, toys, cigarettes, stoves, and various other articles, indirectly through Europe. This indirect importation tends of course to increase the price of these goods, and makes it easier to keep them out of Persia by the introduction of cheaper wares from European merchants. It is manifestly for our interest to stimulate a direct trade between the two countries. And to bring this about was my endeavor while in Persia. I found a dense ignorance existing on the part of each people regarding the resources of the other.¹ Much of my time was therefore devoted to replying to numerous letters received from our merchants requesting information, and in disseminating commercial pamphlets, trade-circulars, and every species of information about the United States among the Persians, including the Shah himself, the prominent

¹ As an example of this ignorance, I may cite the American sausage manufacturer who was anxious to open a trade in pork sausages with the Persians! One might as well undertake to supply the Esquimaux of the North Pole with palm-leaf fans.

officers of the Empire, and the leading merchants of the country. Before leaving Persia I had the satisfaction of seeing relations established between the traders and manufacturers of the two countries which only need to be vigorously followed up to produce results of permanent value.

One of the prime factors in maintaining a commerce with Persia is the continuance of the United States Legation at Teherân, whose duties should be executed by men zealous to promote the interests of their country. And the American Minister should be reinforced in his efforts in this direction by the appointment of full American consuls at Tabreez, Rescht, and Bushire. I have already alluded, in another chapter, to the disgrace that would attach to a great government like that of the United States were it to abandon the permanent and growing colony of its citizens in Persia to the protection of the legation of another Power, even though friendly. And I would repeat that it is not less important for us to maintain a full diplomatic and consular service in Persia if we have any serious intention of opening a commerce with that country. This truth is so patent, that only those who are too short-sighted to see beyond the immediate local interests of their own county or State, or who are absorbed in the selfish pursuit of maintaining themselves in office to the exclusion of every other interest, can attempt to argue the question.

Russia, although ostensibly friendly towards the United States when her interests do not clash with ours, is determined at every cost to grasp the trade of central Asia. However fair be the words she speaks at Washington, she is watching the interests of the United States in Persia with jealousy; she is opposed to the dissemination of progressive doctrines in that country by our missionaries, having been already detected in intriguing against them; and were she to discover evidences that American commerce and enterprise were taking root there,

she would be likely to scruple at no intrigue to exclude our manufactures from Persia. This is not the place to present my proofs; but I make these statements advisedly. England also is inclined to look askance at our trade in the East, although her friendship for the United States is naturally much more genuine than that of Russia; at the same time it is folly for our State Department now to intrust our commercial interests in Persia to her care, or to that of any foreign officials, they having to further national trade interests of their own.

Germany, in turn, has recently established diplomatic relations with Persia, with the distinct intention of carrying out the new policy of extending the tentacles of her commerce in all directions. It is to be regretted that the new German minister at Teherân, Herr von Braunschweig, has thought proper to show his lack of friendship for the United States by repeated efforts to belittle our influence in Persia. In making this allusion to the affronts officially and gratuitously offered by Herr von Braunschweig in turn to every member of the United States Legation at Teherân, the author violates no obligations of official secrecy. The facts were notorious at Teherân among Persians as well as Europeans, and were doubtless reported at other diplomatic posts. In calling attention to this matter here the author feels that he is merely acting in the line of duty. If our Government has demanded the explanations and apology it could not honorably avoid doing, and if reparation has been made, it seems proper that the fact should become as public as the affronts which rendered it necessary, for a threefold reason, — to show that our Department of State is not unmindful of our diplomatic status abroad; to emphasize at Washington the position of a minister so lacking in international comity towards a friendly power; and to prove to our patriotic representatives that efforts to uphold the honor

and influence of their country will be appreciated at home as well as abroad.

Although it is unlikely that Prince von Bismarck distinctly dictated the course followed by Herr von Braunschweig, it is possible he would not seriously deprecate such action on the part of his diplomatic officials towards a country which he had observed adopts a foreign policy so different from his own. To allow such affronts to pass unnoticed would therefore result eventually in lowering our influence, thereby affecting the position of our naturalized citizens abroad as well as the extension of our export trade, and in the end also the prosperity of our affairs at home. Home and foreign interests are interdependent, and one cannot be neglected without its reacting on the other. A nerveless or vacillating foreign policy must sooner or later bring its own punishment. Under the circumstances, any attempt to withdraw or weaken the United States Legation at Teherân would not only be a national disgrace, but would dispel all hopes of extending our trade into central Asia, — a trade to which we have as much right as any other power.

My opinion has repeatedly been asked concerning the possibility of making American capital available in the construction of railways in Persia. Having given the question some attention, I find that at present the difficulties in the way of success are practically insurmountable. Railways can be built there, it is true; but the question is, if built, will they pay? Unless there is a reasonable prospect of receiving fair interest on capital invested, it is absurd to risk the capital. A through railway from Russia or Turkey would be attended with engineering obstacles and corresponding large cost. If the rolling stock and rails were imported into Persia, the first cost would be further increased; while if the plant were all made there, the machinery for it would require to be transported at great cost over high mountains, on mules. However we look at it, the expense of

constructing a steam-railway in Persia would be enormous, requiring extraordinary guarantees to insure adequate returns. But instead of finding in the situation any promise of such guarantees, we see rather a poor, widely scattered people, who would not for ages pay the mere running expenses of a steam railway by local travel and traffic. If there was ever any hope that a railway to India through Persia would prove remunerative, that hope is now of no avail since the construction of the English and Russian railways, which are rapidly converging towards Herât. One through railway to India is certainly sufficient to meet any demands of European travellers that may occur for many years to come. If the projected railroad through the Euphrates valley should ever be undertaken, that would present an additional reason for attempting no such enterprise in Persia for the present, although at some distant period branch roads might be extended to Persia.

But as if this were not enough to check enterprise in this direction, there remains to fight the concession to Baron Reuter. If national expediency has led the Shah to oppose the rights imprudently conceded to the Baron, the fact remains that the concession is still in full force as regards any attempts of other Europeans to lay railways in Persia on their own account. A foreign capitalist, other than Baron Reuter, would be able to attempt such an enterprise in Persia only by constructing and working it in the name of the Shah himself, who in return for ostensibly appearing to be the owner of the road must be assured of a certain annual percentage. Steam-railways in Persia will not prove profitable, until the entire plant can be made in that country out of native iron smelted by native coal. Once constructed, such a road would in most parts of Persia be conducted with moderate expense, labor being cheap, and the climate such as to cause little damage to the road-bed.

The true way to begin with railways in Persia is with two or

three horse-railroads on the plains of the central plateau, which would be sure to yield a reasonable profit, horses being cheap. As the people became accustomed to using these roads, small steam-engines might be gradually substituted for horses; and thus little by little a system might be established which would encourage the construction of larger railways. Such a road would undoubtedly prove very profitable between Teherân and the shrine of Shah Abdûl Azeem. Eventually it might be extended to the Shimrân. A horse-railroad eighty miles long, from Teherân to Casbeen, and another of two hundred miles to Koom and Ispahân, would also prove advantageous and undoubtedly profitable. Having succeeded with these, steam-railways would come in their turn. But I cannot advise any capitalists to base hopes of profit upon steam-railways constructed in Persia during the present generation.

CHAPTER XV.

THE SHÂHR AND THE URF; OR THE LAWS OF PERSIA.

THE principles of justice are eternal, and an instinctive perception of them is found, in however rudimentary a form, among all races and conditions of men. But as wide a difference exists in the methods of practically applying those principles as in the forms of worship by which men give outward expression to their common assent in the existence of a Supreme Being. A comparative study of law may therefore approach in interest a comparative view of theology, and possess attractions even for minds that prefer the fascinations of poesy and fiction to the arid theorems of Papinian and Blackstone.

Persian law is doubly interesting, because it presents a singular contrast to the laws of Christendom, and in addition offers an opportunity of seeing in actual practice a theocratic system such as our Puritan fathers endeavored to revive, and of which we still see musty vestiges in the attempts of well-meaning but often egotistical *soi-disant* reformers, who undertake by sumptuary laws, based on their interpretations of Scripture, to guide the every-day acts of the individual. In the over-legislation of the present period, and the attempt to lead men to heaven by legislative enactments founded on the theories of fanatics and egotists instead of relying on the influence of precept and example, we see the same process going on which, carried to its legitimate conclusion, has filled the laws of Persia with absurdities, and with impertinent attempts to interfere with private acts and

guide the individual in matters which concern no one but himself. Were all the blatant reformers who besiege our legislatures with intent to cram their opinions down the throats of the community to succeed in their efforts, we should ultimately arrive at the same condition as that in which Persia now finds herself,—so bound hand and foot by numerous petty regulations that the individual must either disregard the greater part and thus become a law-breaker, or he must obey them all and resign his identity and free agency. In Persia they have perhaps not enough so-called reform; but in our country we have so much of it that one becomes as weary of the word as were the Athenians of hearing Aristides called the Just. Every one with us appears to consider himself divinely delegated to meddle with the business of other people, and to mould their characters, habits, and pursuits by law according to his own theories. We live in an age of hobby-horses, the worst of it being that no one is content to ride his hobby alone, but attempts to force others to ride it with him.

Persian law is divided into two departments, the Shâhr and the Urf. The former is administered by the mollâhs, or priests, and is based upon the Koran. The latter is the Oral law administered by secular judges, who decide cases according to common-sense and traditions, or precedents, orally handed down. As the Urf is administered independently of the Shâhr, an increase of its powers would gradually result in the extinction of the latter. It is undoubtedly the aim of the Government to bring about such a change, as one of the most important factors in promoting the elevation of Persia to the plane of modern progress; but any efforts in this direction can be pursued only with great shrewdness and caution, for the mollâhs are naturally violently opposed to any abridgment of their powers. In a general way the Urf takes cognizance of criminal cases, and the Shâhr of civil cases. The criminal is tried before the hakêm,

or ket-hodâh,¹ of a town or village; in the award of penalties, however, he follows the rules prescribed by the Shâhr, so far as they have not passed into desuetude. Sometimes a criminal case is appealed directly to the governor of the province, or to the Shah himself; this is especially the case if one of the parties involved is in any way connected with the Government. The Shah or the governor concerns himself little with the law in such event, but decides at once, and with a word or a gesture decrees retribution or reward.

But although all questions not of a civil nature are by custom relegated to the decisions of the Urf, it is not uncommon for the judge to allow a case to be appealed to the Shâhr when it is of special difficulty, or when the rank of the party is such as to make him dread the consequences of his decision. Any decision rendered by the religious expounders of the Shâhr is accepted without demur as final; the sacredness of the Shâhr and the sanctity of those who administer decisions based upon it make it impossible to dispute the decisions of that august tribunal. While therefore the Urf occupies a prominent place in the administration of justice, the Shâhr continues by far the more important legal authority of the land; and it is by a study of that code and the methods of administering it that one can alone obtain any correct notion of the administration of justice in Persia.

The expounders and administrators of the Shâhr are called Mollâhs and Mushtahêds. The highest mushtahêd of all, — the present Chief Justice, as it were, of the Supreme Court of Persia, — is Hadgi Mollâh Alee, to whom allusion has been made on a previous page. Like all his predecessors, he must first have sat at the feet of the Great Mushtahêd of Kerbellâh near Bagdad, who dwells ever at the tomb of Alee. Hadgi Mollâh

¹ The former word means "a learned man," hence "a magistrate;" the latter word means "the governor of a small town," or of a quarter in a large city.

Alee is an elderly gentleman of great dignity and gravity of deportment. He assumes no outward pomp, but rather affects a primitive simplicity. Although possessed of large estates, he makes no attempt at display. When he goes abroad he is mounted on a white mule and followed by a single attendant; but the crowd part before him as though he were a supernatural being. A word from him would hurl the Shah from his throne, or be the fiat of doom to every Christian and foreigner in the land. The Shah stands in his presence; the soldiers deputed to guard the United States Legation told me that although sent there for my protection, they would not hesitate to slaughter us all if so ordered by Hadji Mollâh Alee. Happily he who now wields such tremendous power is a kindly old gentleman, far too shrewd to adopt extreme measures. But it can easily be perceived that no measures of reform in Persia can be considered without taking into account the Chief Mushtahêd and the religious code of which he is the high expounder.

In ordinary cases a decision by the inferior mushtahêds with their seal attached is sufficient; but cases of importance must be referred to the Chief Mushtahêd. The question at issue is brought to his consideration either by a statement of the actual facts, or in the form of a supposed case. He renders his decision with a quotation from the Koran, or from the voluminous commentaries which form the Persian code. This decision is usually written by the mushtahêd on the margin of the paper containing the question at issue, in his own hand, and ratified by his seal. That ends the case. Although of course attempts to bribe or influence the judge are made, the Chief Mushtahêd, Hadji Mollâh Alee at least, may be considered as reasonably impartial in his decisions. His position is so exalted that he cannot afford to weaken it by any appearance of corruption; nor has he anything to fear from the aggrieved party. It was my fortune, in conducting to successful issue an important and

long-pending case, to have to appeal to the decision of Hadji Mollâh Alee; and I speak with a knowledge of the facts in stating that neither influence nor bribes could swerve him from a decision which in its results bore hard against his own people.

The Shâhr consists of a vast collection of dicta, applying to every conceivable situation in life. Like the theocratic code of other Mussulmans it is based on the Koran, but differs from them in the fact that it is enlarged and fortified by the opinions of the Twelve Holy Imâms, — these Imâms being considered by the Sheÿhs to be the true caliphs, and their opinions having scarcely less weight than if delivered directly from the Almighty. Early in the rise of Mahometanism it was the custom of the disciples of the Prophet to have recourse to him for explanation or expansion of the vague declarations of the Koran. After his death these commentaries were generally transmitted orally, and were called traditions, becoming in time very voluminous, so that it was necessary to reduce and codify them, adding opinions regarding the more obscure enactments. Hence the authority of the Holy Imâms. But besides them there was, between the third and the seventh century of the Hegira, a large number of commentators of the Sheite law; among the chief of these doctors was the Sheikh Mohamed Ibn Mohamed Ibn el Neëmân Abou Abdallah, and the Sheikh Seyed Morteza Aboul Kassêm Alee Ibn Alee Ahmêd el Housseïne, surnamed Ibn al-hedâ, or the "Banner of the Way of Life." One of the most complete and authoritative compilations of the jurisprudence now in use in Persia was prepared by the Sheikh Nedgeen ed-deen Aboul Hassêm Djafer Ibn Alee Yahyâ, surnamed El Mohekik, who was descended from a long line of doctors of the law. The title of his codification is "Scherayêt ul Islâm fi messâil ul helâl vel harâm," which being interpreted means "Mussulman ordinances regarding matters permitted and matters forbidden." It is evident that they are in error who imagine that the

administration of justice in Persia is arbitrary and without the forms and principles of law. Her code may differ from that of other nations, but it is not less formal, elaborate, and explicit.

The code of Persia is in four parts, with numerous subdivisions or chapters. The first treats of religious rites and duties; the second, of contracts and obligations; the third, of matters relating to the person; and the fourth part, of laws relating to the chase, meats and drinks, legal procedure, and the specification of penalties both from a religious and a civil point of view. Many will see in the code a strong resemblance to some of the ordinances of Moses; and hence it has been assumed by some writers that Mahomet was largely indebted to the Mosaic law for the decrees of the Koran. But this theory is precluded by two facts: first, that the entire history of the East shows that from the earliest periods such laws have regulated the lives of men; second, that the Sheâh code is infinitely more voluminous and minute than the Mosaic. The probability is that both are suggested by a common source,—customs and laws in practice long before the origin of the Pentateuch. But Moses perhaps, like Mahomet, gave them a divine authority, in order to impress anew the importance of order and law on a people about to enter upon an independent national existence. Mahomet, for a similar reason, crystallized the regulations which had long guided the Arabs into a new form, and emphasized their force by calling them divine.

Many of the laws of the Shâhr are based on sound reason, and in their application are not unlike the laws of other countries; such, for example, are many of the civil laws relating to the tenure of land, the law of contracts, and the like, although some of them, it must be admitted, strike a European as extraordinary. Most of them are founded however upon actual needs and circumstances, and could not well be otherwise with Orientals. But the laws relating to religious duties are thoroughly

Levitical in character, and the ordinances regulating the relations of the sexes and the matters of penalties are of the most extraordinary character. One ceases to wonder at the prurient fancy of the Persian mind and the copious variety of Persian vices, when he reads the Shâhr. A careful study of its precepts on these subjects makes it easy to understand that the broad language of the "Arabian Nights" can offer nothing offensive to the oriental taste. Many of these laws are unquotable in this volume, but a few examples may be given that will suggest a general idea of some of the features of the Shâhr.

In the part prescribing religious ordinances we read that —

"It is forbidden any man to say his prayers in the presence of any woman who, either at his side or before him, is also praying, whether praying together with him or alone; and without regard to the character of the woman, whether she be wife or within the forbidden degree of kinship, or a stranger. But the interdiction ceases if there be a curtain between two individuals of opposite sex, or some object which prevents him from seeing her, or a distance of at least twelve feet, or, finally, if the woman is behind the man at such a distance that in prostrating herself she cannot touch his feet. If the space is insufficient to suspend a curtain or observe the legal distance, the man and the woman shall say their prayers consecutively, precedence being given to the man.

"One should avoid praying before an open fire, before the representation painted or graven of animate objects, or in the stable of horses, asses, or mules; but it is permitted in a sheepfold. . . . One is forbidden to pray in an apartment wherein is a Fire-worshipper; the presence of a Christian or a Jew is unimportant. One should avoid having an open book before him, and should not pray before an overhanging wall or in a room where there is a *pot de chambre*.

"Whoever is a Mussulman, of sound mind and of the male sex, has the right to summon to prayers in public. To be of age is not indispensable; it suffices to have reached years of discretion. The caller must however be of good habits, the possessor of a good voice, be able to distinguish the prescribed hours and periods, must be purified from all impurity, and give the summons from an elevated point. A woman may be qualified to give the summons to prayer, but only for women.

"He who is dumb must wag his tongue while mentally repeating his prayers.

"The spot where the forehead should touch (during the genuflections of prayer) should be on the same horizontal plane on which the feet rest; nevertheless, one may exceed this line by the thickness of one brick more or less. •

"Whoever suffers from tight shoes should take them off before saying his prayers.

"Whoever has offered prayer without certainly remembering that he has fulfilled every regulation, is obliged to repeat the prayer.

"If the audience assembled at prayer be composed exclusively of women, the prayers may be directed by a woman, or by a hermaphrodite.

"He who cannot properly pronounce the vowels shall not lead the prayers."

Such are a few examples of the five hundred and forty-nine laws respecting religious worship. The regulations concerning fasting and pilgrimages number no less than one thousand and twelve. Good works, and rules concerning the poor, also take up a large part of the First Division of the Shâhr. The law of sales includes six hundred and twenty-five titles in the Second Division. This part contains some very curious instructions relating to the purchase and sale of slaves. I subjoin a few examples from this division:—

"It is permissible to sell a piece of cloth or of land simply by a general exhibition of them to the purchaser, without obliging him to make a minute inspection. Nevertheless, it is more prudent to examine and touch the object sold, because of the various uses to which it may be put, and of the difficulty of obtaining an exact notion of the object without touching, measuring, or inspecting it. . . .

"In case of dispute between the parties concerning the condition or a knowledge of the condition of the thing sold, . . . at the moment of sale, the purchaser shall be believed on his oath. But this point is contested.

"Proof by taste or smell is indispensable when the object of sale is eatable or smellable.

"Articles of such a nature that they cannot be proved without breaking,—such as nuts, melons, or eggs,—may be sold in ignorance of the condition of the contents; and in the event of the purchaser finding them defective, he has the right to interest and damages, but not to a return of the article. .

"The following cannot be objects of sale: fish caught in a pond or a brook entering a river; human milk; the hide, the wool, the hair, the entrails, and the bones of animals before being separated from the body of the animal; or the offspring of any stallion before birth, — even when these objects would merely form additional items in the sale of other objects. The re-purchase of an article before delivery is forbidden.

"It is not permitted to sell fruits on the tree before they are shaped, that is before the kernel is formed; but when they have reached that state they may be sold.

"After they are matured, fruits may be sold with or without the tree.

"It is not permitted to sell fruits green in color [at maturity] before they become green.

"It is recommended to the purchaser of a slave to change his name, to cause him to eat sweetmeats at the time, and to offer an alms.

". . . One should avoid counting or weighing the purchase-money [for a slave] in presence of a slave.

"The specifications of a thing sold should be done in a manner to leave no doubt in the mind of the parties; it should further be stated in usual terms, in order that in case it be contested the dispute can be settled by reference to the dictionary.

"Neither precious stones nor pearls shall be made the object of a sale specifying delivery after a given term, because of the uncertainty that the seller will be in possession of them at the end of a fixed period, and because of the changes to which such objects are liable by reason of their shape and nature."

If the above law were applied to the sale of stocks, what a change would come over the financial world!

"The costs of weighing and measuring an article sold shall be charged to the vendor.

"The costs of counting and weighing the purchase-money shall be charged to the buyer."

This refers to the fact that coin in the East has never been milled until recently, allowing of clipping, which obliged the weighing of money.

"The costs of brokerage shall be paid by the party that gave the order to the broker."

The bankruptcy and mortgage laws of the Shâhr are sufficiently copious, including two hundred and eleven titles. Part-

nerships, rental, farming, letters of attorney, wills, and similar civil questions also have a prominent place in the Shâhr. There is also a separate section devoted to the regulation of horse-racing and games with the bow and the javelin. It may appear that such questions as sports are hardly within the province of the religious law, but as the sage codifier of the Shâhr observes,—

“There is no doubt that the agreements growing out of these exercises are of a legal nature, the Prophet having declared that sport is unlawful except with the bow and the javelin, and in the races of quadrupeds with horny feet and uncloven hoofs. The Imâms have also successively repeated that the angels hold in execration every species of betting, and curse those who are addicted to the practice, with the exception of wagers made in the races of quadrupeds with horny hoof, uncloven, and in trials with the bow and the javelin.

“El Sapêk, that is the horse first in. This horse is the one which first reaches the goal, passing the competitors by the neck and shoulders. Some juriconsults are of the opinion that it is sufficient for the winner to pass the others a head's length to the top of the ears; but the first opinion seems the more reasonable.

“It is forbidden to any one who has begun to surpass his rivals [in exercises at coursing or at a mark] to sell his advantage for any price. The object of such exercises, which is to render manifest the skill of the archer or the runner, would not be gained if this sort of transaction were tolerated.”

The subject of the relations of the sexes, a question of prime importance in the laws of all nations, naturally assumes transcendent prominence in the code of an oriental people, where woman, although living a secluded life, is the object centring the thoughts and attention of all. We find, therefore, that no less than one thousand four hundred and twelve titles in the Shâhr are given to the subject of marriage and divorce, besides the large number devoted to concubines and slaves and the rearing of children. The first section begins as follows:—

“Marriage constitutes a commendable act for those persons who cannot control their carnal desires. As for those individuals whose will is strong enough to master the passions, there are many opinions. Never-

theless, there is a general agreement in recommending marriage, for the Prophet hath said, 'Marry, and establish a family;' 'The most wicked among the dead are the celibates;' 'After Mahometanism, there is no greater benefit to man than the possession of a Mussulman wife, who pleases his eye, obeys him, and in his absence watches faithfully over his honor and his goods.' Opposing opinions are founded on the celibacy of the prophet John the Baptist, and they who hold it base themselves on this example for proving the superiority of celibacy over matrimony. Nevertheless, if we consider that this superiority is maintained by religions other than ours, and that in our canonical books no recommendation of the sort can be found, it must be doubtless admitted in all cases that marriage is a commendable act.

"He who desires to contract marriage should seek a woman combining the following four requisites: legitimate birth, virginity, fruitfulness, and chastity. One should not be content with beauty or riches; it is indeed forbidden to contract marriage with these points alone in consideration.

"Marriage should not be consummated while the moon is in the sign of the Scorpion; . . . nor during an eclipse of the moon; nor on the day of an eclipse of the sun; nor at noon-time; nor towards the end of twilight; nor during the last three days of the months called *el mohâk*, during which the moon is below the horizon; nor between dawn and the rising of the sun; nor during the first night of each month, excepting the month of Ramazân; nor during the middle night of the month; nor during a journey; . . . nor in a tempest, nor during an earthquake.

"The presence of two witnesses in all that relates to marriage is not an indispensable condition, and a marriage contracted secretly is legal and valid.

"The silence of a maiden, when the proposition of marriage is made, is equivalent to consent.

"The consent of a widow or a *divorcée* must be audibly pronounced.

"Any man, whether bond or free, may form as many temporary marriages as he chooses.

"Marriage is forever forbidden between a husband and the wife who having been divorced and taken back by the same husband, has in the interval undergone three or four other divorces, and contracted marriage with two different men.

"The dissolution of marriage by mutual agreement carries a perpetual prohibition of their re-marriage.

"If the husband desires one of his wives to accompany him on a journey, the one who is to go shall be selected by lot.

"It is recommended to the husband to treat all his wives alike . . . in their rights.

"A wife may renounce her rights in favor of her husband or of the other wives.

"If a wife renounces in favor of the other wives, the husband is obliged to divide equally among them the time she has renounced.

"If a wife has renounced only in favor of one or the other of his wives, the husband is bound to give to that one who is designated the time which otherwise he would have devoted to the first one.

"The foregoing dispositions apply equally in case the renunciation is made by several wives to the advantage of one of the others; for example, if the husband having four wives, three of them renounce their rights with his consent, the husband is bound to cohabit only with her in whose favor the others yielded their rights.

"A wife may at any time retract the renunciation she has accorded to the husband; but such retraction is only effective for the future, not being retroactive.

"The extreme limit allowed for the nursing of an infant is fixed at two years, but one may wean a child at the end of the twenty-first month; to reduce the nursing time below that limit, however, is to render one's self guilty of a grave misdemeanor.

"If a mother asks wages for nursing her child, such as would be given to another woman, she shall always have the preference.

"If the mother offers to nurse her child gratuitously, the preference shall be awarded to her; but in the event of the mother asking a wage, and another woman offers to nurse the babe free of charge, the husband is free to accept the gratuitous offer."

The provisions concerning divorce are numerous, and the formulas and conditions are so various as to make it impossible to give a correct idea of the legal status of the question in Persia by the mere quotation of a few of the many paragraphs in the code bearing on the subject. Many of the details and required conditions are not of a nature admitting of quotation. But it may be stated in general that the following are the chief points and formulas to be observed in a Persian divorce.

The divorce is pronounced by the husband in the presence of not less than two witnesses, both of whom must be present at the same time; it cannot be of binding force unless pronounced by word of mouth; a written bill of divorce is not effective except in the case of one who is dumb. The husband must invariably

use one of three verbal formulas in pronouncing a divorce, — any other mode of expression, even if the meaning is clear, being invalid. The expressions to be used are *Enté talekoon*, — “Thou art divorced;” or, *Felanêt talekoon*, — “Such a one is divorced;” or, *Hazée talekoon*, — “This person is divorced.” The formula must always be spoken in Arabic. A wife must have kept apart from her husband the period of a lunar month to make the divorce effective. If he has but one wife, it is unnecessary for the husband to pronounce her name in the act of divorce; but if he has more than one wife, then the name of the one to be divorced must be pronounced at the time; otherwise, the fiat having been uttered, which wife is included in it must be decided by lot. The divorce cannot be pronounced by a husband under ten years of age or of unsound mind. A woman cannot be divorced except on the fulfilment of five conditions in the marriage, of which the first is that the marriage was in all respects legal. A husband may in absence divorce a wife by a mandate borne by a messenger; but no divorce pronounced on the authority of a third party is binding. If a husband on reflection retracts the divorce, stating that he had no serious intention of separating from his wife, the divorce is annulled.

There are three chief kinds of divorce, — the divorce by virtue of which the husband cannot take back his wife; the divorce with this right in reserve; and the temporary divorce, made in order to prove whether the wife is with child by a husband from whom she was previously divorced. The most important and most common of the conditions causing the irrevocable divorce is when, after the wife has twice been taken back, the husband for the third time pronounces the formula of divorce. In the case of reserving the right to re-marry her, the husband to the ordinary formula must add a statement affirming the reservation.

The temporary marriage is an institution peculiar to Persia, and abhorred by all Mahometans elsewhere. The Sheähs defend it on the plea that it is not forbidden by the Prophet, and is therefore right, — on the principle of their law that whatever is not forbidden is allowed. It is my opinion that the temporary marriage is an institution established prior to the Mahometan conquest, and is therefore inherited from the old Fire-worshippers. This seems to be borne out by the prehistoric tradition regarding the temporary marriage of Rustêm to the daughter of the King of Semengân when on a hunting excursion, the result being the birth of Sohrab. A prominent example of the use of the temporary marriage at the present day is given in the account of the Moayer-ul-Mamolêk related in a previous chapter of this work.

Four conditions are indispensable to the legality of a temporary marriage, — the contract, the personal conditions (to be hereinafter described), the dowry, and a statement of the period for which the marriage is contracted. The absence of any of these conditions reduces the marriage to simple concubinage or prostitution. The chief point in the contract is that it be drawn up in legal form before a mollâh, by the consent of both parties. The personal considerations are numerous, of which the most important is that the woman shall profess one of the four revealed religions, — Islamism, Judaism, Christianity, or Magianism. The fact that Magianism is included in these four religions is to my mind conclusive evidence of the Zoroastrian origin of this form of marriage. If through error a man has contracted such a marriage with a woman not confessing either of the four religions, he must insist as a condition that she abstain from wine and unclean meats during the term of the marriage. In temporary marriages it is advised to select a Mussulman woman of pious and chaste disposition; but if such an arrangement is formed with a woman of loose habits, she should

be obliged to abstain from such life during the term of the marriage.

The dowry paid by the husband is the most important feature in the temporary marriage. It should be of a nature that can be weighed or measured and minutely described in the contract; but the amount may be of any degree, large or small. The husband must pay half the sum or goods stipulated if he dismisses the wife before consummation of the marriage; after that she is entitled to the entire amount, and it cannot be withheld from her.

The duration of the temporary marriage is settled by mutual agreement, and written in the contract. It may be the fraction of a day, or ninety years; it may even antedate the period when the contract is made, if mutually desired. Numerous other conditions may be included in the contract, but the above are indispensable. An important accompaniment of such a contract lies in the condition that a woman married in this fashion cannot be divorced. For this reason, although the temporary marriage is chiefly accepted by women of the lower classes, who thus contribute a temporary companionship to men on a journey, it is and may be accepted without disgrace by women of rank and character who desire to insure to themselves permanence in the marriage relation and security regarding their dowry. But neither party to such a marriage can inherit from the other. After the cessation of the contract the wife can enter into no new relation of the sort until the expiration of a lunar month, in order to prove whether she is with child by her late husband. In such event she cannot marry again for four months and ten days. The father of the child, according to custom, although not bound by the laws, acknowledges the paternity and supports the child until it is of age.

The penalties for fornication, adultery, sodomy, and similar vices are very severe, — death in the form of lapidation being

the most common on the repetition of the latter, and for the first offence in the case of adultery. But so many exceptions or possible contingencies are included in the decision of such cases and the execution of the penalty, that a careful following of the law would necessarily result in the escape of most culprits. Another reason why laws bearing on these vices must be more or less inoperative in Persia is found in the general prevalence of sensuality, which naturally makes it difficult to find one who, as the Saviour said, "being without sin, shall cast the first stone." Still another reason lies in the extreme difficulty of procuring the proper testimony. The majority of cases of this nature cannot be considered without the testimony of four witnesses; and if any or all of these are women, one must be added to the number for each woman. The evidence of women is altogether excluded in cases of unnatural vice. It is evident that four witnesses to a case of this sort must be comparatively rare. In point of fact, although it is probable that in early times the penalties for these vices were severely enforced, such is rarely the case now; the facility of divorce makes it scarcely necessary so far as regards adultery. While I was at Teherân I heard of a woman and her accomplice who were condemned to lapidation for adultery; but as I never learned of the execution of the sentence, it is probable that the affair was condoned through the influence of friends and the payment of a certain sum. The injured husband made more than usual stir about the matter in this case because he was a mollâh, and his spouse had shown the bad taste of preferring to run away with a cook to staying at home with a doctor of the law.

Notwithstanding the many peculiar laws and marriage customs of Persia, and contrary to what one might suppose, happy and permanent marriages are by no means uncommon; indeed, I am prepared to hazard the statement that there is but little more misery from this source there than in most Christian

countries. An important point in the social relations of the Persians is the great affection existing between parents and children, and the uniform respect shown by the latter to the former.

The laws of procedure include no less than three hundred and ninety-five titles. In administering the Shâhr it is required of the judge that —

“He should be of legal age, sound of mind, faithful in the duties of Islamism, of good life, of legitimate birth, well instructed, and of the male sex.

“A judge should be endowed with a good memory, for one who lacks memory is incapable of exercising this function.

“Authorities differ as to the necessity, in the case of a judge, of knowing how to read. They who deny the necessity base their opinion on the fact that at the commencement of his mission the Prophet, although illiterate, governed the Mahometan community; but it is preferable to grant the necessity, because it is difficult for any other individual than the Prophet to conduct most affairs without a knowledge of writing.

“The judge should hold his sittings in a spacious and open place, in order that access to him may be easy.

“The magistrate should invite men versed in science and law to attend his sittings, and to advise him in case he is liable to fall into error; for we Sheîhs consider that only one person is infallible [the Imâm].”

The regulations concerning evidence in the Shâhr include one hundred and seventy-one titles, of which it is not worth while to quote more than two or three extracts here:—

“The testimony of a minor who has not reached the age of puberty cannot be admitted. . . . Jurists, however, are not agreed as to the admission of the testimony of persons aged ten years, in cases involving mayhem and murder.

“The testimony of any person in a state of insanity or imbecility is not admissible, by the unanimous opinion of jurists.

“The testimony of any one who does not profess the true faith, even when he is recognized as a Mussulman, shall not be admitted against a true believer, nor of any other person; because heresy constitutes a presumption of evil life and immorality, invalidating the right to testify.

“In default of Mussulman witnesses of good character, the evidence of an unbeliever may be admitted in the matter of wills.