

Of the prejudices Mr. Colebrooke had to contend with, a singular specimen is to be found in a letter in my possession addressed to Mr. Colebrooke by Mr. Edward Strachey, and referring to the objections of Professor Leslie. The latter, in an article on arithmetic which appeared in the supplement to the "Encyclopædia Britannica," spoke slightly of Indian science, and described the *Lilāvati*, a translation of which was already before the public, in terms showing singular ignorance of the work itself. Mr. Colebrooke was anxious to ascertain his opinion of the other and more important work by the same author, the *Vīja-gaṇita*. Mr. Strachey supplies him with the information, and quotes from a letter of the Professor's as follows :—

"So far from evincing that the Indians were acquainted with algebra, this treatise seems to prove the very reverse ; for the essence of algebra, and what alone distinguishes it from the ancient analysis, consists assuredly in its notation and symbols. The specimen, whatever may be its antiquity, is only a collection, and very unlike any scientific performance. It

might with equal force be turned against the Greeks. Great uncertainty exists as to the date of the work of Diophantus, the only Greek treatise on this science which has come down to us. It was discovered in the Vatican in the 15th century, and it contains no internal evidence by which to determine a date. There is indeed mention of one Hypsicles ; but as to his writings, equal, if not greater, obscurity exists. Every imaginable date has accordingly been assigned to the work of Diophantus, from the 2nd or 3rd century B.C. to the close of the 4th century of our era, and in each case on no better ground than that a person of that name was known in the literary history of Greece. There are two authors whose testimony is more precise and raises a presumption that he flourished in the 4th century A.D. As to Abulfaraj, he is a well-known Armenian writer, of slender authority, who, moreover, lived so late as the 13th century of our era (*vide* Herbelot). The mention by Suidas of a commentary by Hypatia on a work by a Diophantus would be of some value did the description agree with our author. It is as follows : "ἔγραψεν δοκίμια εἰς Διοφάντων τὸν ἀστρονομικὸν κανόνα." This certainly does not apply to a writer on algebra. Turning to the word Diophantus in the same dictionary, the only information we procure is *ὄνομα κύριον*. For the obscurity which exists as to the writings of Diophantus, reference may be made to the "Biographie Universelle." The article is by Delambre. Notwithstanding these doubts and difficulties, it seems reasonable to accept the date of the 4th century as the most probable ; but the evidence is not higher than, if so good as, that which is advanced by Mr. Colebrooke to support the claims of Brahmagupta and Aryabhata.

resembles very much indeed alligation and false position in arithmetic, which were borrowed from the Arabians, and long known in Europe before the introduction of algebra."

The judgment here given, which Mr. Strachey takes some pains to refute, must have been formed on a very superficial examination of the work itself; and it certainly did not discourage Mr. Colebrooke from giving his views to the public. In the controversy which followed he took no part, content to leave the question to the impartial judgment of those who were interested in it, and capable of judging of the curious problems that certainly were involved. He had no reason to repent of his decision, for his views are now generally accepted as offering the most probable solution of an obscure chapter in the history of science; this deference to his judgment being as much owing to his fair and candid treatment of the subject as to his learning and research.

Before leaving the subject, some reference should be made to the support which his views, as to the age in which Bhāscara and Brahmeḡupta lived, have received from later researches. He had been accused of accepting the date appended to Bhāscara's work somewhat credulously. The traditional epochs assigned to these writers by later commentators could not, it was thought, be received without further corroboration. This has been obtained, as regards Bhāscara, in an inscription lately discovered by Dr. Bhāu Dājī, signifying the date at which some of the descendants of that scholar lived, and they fully bear out the previous conclusion. With regard to Brahmeḡupta, the copy of that author's work, in Dr. Bhāu Dājī's possession, quoted by him in the *Journal of the Royal Asiatic Society* for 1865, gives the date of 550. Saca, corresponding with A.D. 628. This agrees with the date assigned to him by the astronomers of Ujjayani, quoted by Mr. Colebrooke in note E to his dissertation. The support which this traditional date receives from the testimony of Al-Bīrūnī is of more importance. The manuscript in the Biblio-



thèque Royale, Paris, which has been, on good grounds, assigned to that author, gives 664 A.D. as the epoch of Brahme-gupta's tables.¹ This would represent the date assigned to Brahme-gupta by Hindus in the eleventh century, Albîrûni having accompanied Mahmoud in his invasion of India about that epoch. It is not probable that we shall arrive at anything more direct and precise than this testimony.

¹ Reignaud, *Mémoire sur l'Inde*, p. 337.



CHAPTER XI.—1818-1823.

TREATISE ON OBLIGATIONS AND CONTRACTS—ON IMPORT OF COLONIAL CORN—
REFLECTIONS ON THE COLONIZATION OF OUR EASTERN POSSESSIONS—
VOYAGE TO THE CAPE OF GOOD HOPE—REMARKS ON ITS STATE AND
RESOURCES.

WHILE engaged upon the scientific and antiquarian studies described in the last chapter, Mr. Colebrooke's versatile mind was also actively occupied with topics bearing on the well-being of modern society, and in the year following the appearance of his work on Indian algebra he produced two volumes, which, though small in bulk, were the result of considerable labour. The "Treatise on Obligations and Contracts" has been already referred to in the account of Mr. Colebrooke's legal labours. Testimonies to its value have been repeatedly given by those who have followed in the same path, and I think it was a matter of some disappointment to its author that it was not more generally appreciated. He had devoted to the subject much time and attention, and had compressed into the space of 250 closely printed pages an elaborate compendium of legal principles derived chiefly from the Roman jurisprudence, and had made considerable progress in a second volume. The other work, "On Import of Colonial Corn," contains a curious mixture of political and philosophical disquisitions, and was from its nature of an ephemeral character. In it he pleads hard on behalf of our Eastern possessions for some relaxation of the Corn Laws, recently imposed in all their rigour. The principles of the law are assailed by general and now familiar arguments, as inconsistent with sound principle,

and injurious to both agriculture and commerce. But the hardship of the law in its bearing on distant possessions of the Crown is pointedly referred to, and the redress of this grievance was the first object of the work. It may be mentioned that Mr. Colebrooke had, on his homeward voyage from India, been led to invest a considerable sum in the purchase of land at the Cape colony; and the interests of that possession naturally demanded his special attention.

A law which only admitted corn for home consumption when it reached the price of 80s. per quarter necessarily operated to the exclusion from the home market of the produce of all distant possessions. But this prohibitory enactment did not constitute the whole grievance. It was aggravated as regards our Eastern possessions by their being placed in the same category as foreign countries; while a special relaxation was allowed in favour of the British colonies in North America, who were allowed to import wheat when its price rose above 67s. Against this law, which treated not merely the Cape of Good Hope and the then infant settlements in Australia, but also the British dominions in India, as precarious and estranged possessions, this volume offered an indignant protest.

The subject is treated on broad principles, and in its bearing not on trade only, but on colonization. After some remarks of a general character, the treatise takes a wider range and presses for the removal of such fiscal obstructions as impeded the trade of these possessions with the mother-country, and of other and more mischievous impediments to the natural flow of the surplus population of the mother-country to its outlying possessions.

Mixed with these practical suggestions are a variety of questions only indirectly connected with them, and cropping out irregularly. There is a scientific discussion on the means of preserving perishable articles in long voyages, the use of iron packages for this purpose being strongly insisted upon. The possibility of converting potatoes to flour so as to render



that vegetable as easily kept from year to year as wheat, (a favourite idea of the author), is discussed at some length; and, among other means of reducing the freights on mercantile vessels, the employment of the steam-engine as an auxiliary power is strongly insisted upon, its use having hitherto been confined to inland navigation.

Among the most curious of these detached speculations are some reflections on the future prospects of the Christian and mixed races of India. They form part of some general and practical remarks on the flow of emigration to the Cape of Good Hope and Australia; and though some of the topics may be regarded as out of date, I give the passage entire, as illustrative of the large and liberal spirit with which he approached these questions.

“That India is capable of supplying wheat, and that the difference of the usual prices there and in England, is amply sufficient to defray the charges of importation, and leave an adequate profit, has been already intimated. The charges being no greater for the equally distant possessions of Great Britain in New Holland, and much lower for the less remote colony of the Cape of Good Hope, it follows that the expense of transport need not be an obstacle to the drawing of supplies of bread-corn from these possessions. The British Settlements in Australasia, with all the advantages of genial climate, have hitherto made very slow and almost discouraging progress. But distance from the mother-country is not the sole, nor the chief, cause of their tardy advancement: nor is this result, though very different from what is usually experienced in young colonies after the first difficulties of early settlement have been surmounted, to be ascribed wholly to an injudicious or unfortunate selection of place, nor to special untoward circumstances (although these likewise have had their share); but mainly to the very nature of an establishment which was commenced as a receptacle for convicted criminals, and still continues to be chiefly such, and to be



administered with an almost exclusive view to that primary object.

“But, if a distinct colony of freemen were established, with a colonial charter, and a suitable municipal government, and entire exclusion of convicts under unexpired sentences, there is no reason to doubt that a British plantation upon such a footing, in a well-selected situation within the favourable climate of the southern part of Australasia, would exhibit the like rapid growth, and, at an early period, the same thriving condition, which have been seen in the Western hemisphere. The vast island, or rather southern continent, of New Holland has been yet very imperfectly explored. The interior of the country has been but recently penetrated. But the accounts of what has been observed are promising. Making, however, deductions for the marked inferiority of internal navigation, contrasted with the vast rivers of America, and for comparative paucity of situations for sea-ports; not to speak of the greater distance from Europe, for which disadvantage proximity of the populous countries of Asia make some amends; there yet remain sufficient grounds for prognosticating eminent and quick prosperity of British Colonies in New Holland, when settled, and conducted upon more comprehensive principles than have been hitherto allowed. Beginnings may be slow, as the distance is unquestionably adverse to a very direct emigration. For the same reason fewer recruits may flock thither from Europe than to the nearer continent of North America, after they have been established. But the increase of numbers would nevertheless proceed with that elasticity and spring which are witnessed in other new countries, where facility of subsistence takes its natural effect unimpeded by obstructive institutions.

“The colony of the Cape of Good Hope, Dutch in its origin, but now a British possession, is yet more favourably situated for early prosperity. It has a temperate climate—almost too warm for summer out-door labour of a native of the

northern portion of Europe, but not too much so for that of his creole offspring. It is more temperate than the southern portion of Europe. With greater inequality of surface, a cool air and a powerful sun, and abundant rain and dews, its climate is suited to most of the productions of the temperate, and many of the torrid, zone. Begun, like the middle and southern states of North America, by plantations, of which the work is performed by slaves, it is actually in progress of transition from that mode of culture towards the more desirable method of husbandry by hired labour. Much accession of labourers from contiguous countries is not to be expected; and emigration from Europe has not yet taken a pronounced direction towards Southern Africa. The increase of its population is proceeding, therefore, naturally, with the simple elasticity which full scope for it affords, unaided by accession from abroad. Its administration, though not upon the footing of a free and chartered colony, is not decidedly unfavourable to improvement and prosperity; like the more rigid government of Botany Bay.

“Its situation, midway towards India and Australasia, and facing Southern America, and not too remote for an intimate intercourse with the West Indies, fits it for carrying on an extended commerce. It is wholly deficient in internal navigation, and has a tempestuous sea for a coasting trade. It does not abound in harbours, but has one that may vie with the most commodious and secure anywhere known;¹ and the regularity of its seasons permits an assured safe navigation upon its coasts at confined but known periods. It shares in some measure the prevalent defect of Africa; sandy and schistose soil, and saline impregnations, with a consequent scarcity of fresh springs and running water. But the soil is fertile, notwithstanding its sandiness and want of tenacity; and the failure of running streams and fresh springs is not irremediable in an uneven and actually mountainous country.

¹ Saldanha Bay.



It abounds in cattle, corn, and wine, and may, without difficulty, furnish copious supplies to the West Indies and to Great Britain. There needs but an alteration of the laws, which discourage its commerce in the most important articles of its production with Great Britain: its corn, its fish-oil, the yieldings of its cattle, and, in short, almost everything but its wine. The inordinate rate of exchange against this colony, while the course of exchange has been for most other places against London, demonstrates the difficulty experienced in making returns for the British goods which it takes. As another cause, however, does partly contribute to this effect, there will be occasion to resume the consideration of this last topic.

“Under the pressure of a fast-growing population, and with overflowing capital, it would be for the benefit of Great Britain to promote emigration to that colony, and still more to the almost unopened field of New Holland, more fertile, more genial, but more distant; as well as to the less remote plantations in North America; not, indeed, to send deluded emigrants to starve and perish in the wilds of those countries, but to pour forth a spare part of its population; persons who, by a change in the direction of the demand for industry, have lost their accustomed employment and do not readily find another; persons, whose subsistence burdens their parishes, and whose discontent, goaded by distress and verging towards disaffection to the state, threatens to convulse it: these the state should send forth to regions where there is scope for industry, and ready incitement to it, in the prompt means of its employment; furnished however with the funds of subsistence until their labour can be expected to be productive. It would be better for the public collectively to defray for once the charge of the removal of an able-bodied pauper to a country where he will cease to be a pauper and become a customer for the manufactures of his native country, instead of an unprofitable consumer of a scanty portion of its productions dealt out to him

with a chary and degrading hand of charity ; than to defray for an indefinite period a wretched subsistence for him at home.

“The colonization which has been contemplated in the foregoing remarks, is that of new or thinly-peopled countries to be settled or more extensively planted by a new or augmented population retaining the habits of the parent nation and becoming a people of customers for its wrought productions, and of contributions to its political strength. The subject of colonizing cannot, however, be passed by, without some notice of a system of policy, regarding one of the most important of the transmarine possessions of Great Britain, adopted or maintained upon grounds of apprehension of colonizing a country already populous. It will be readily perceived that India is the country alluded to.

“Against that policy in its principle and in all its ramifications, it is contended that no colonization, in any sense usually attached to that term, could take place in the British possessions on the continent of India, were it ever so studiously promoted ; that the establishment of British settlers among the native inhabitants of India is not to be deprecated as an evil ; that the increase of a Christian creole population in that country is devoutly to be wished, and that a just and wise policy should encourage and promote these results, whether termed colonizations or by whatever other name designated.

“It is needless to repeat here what has been again and again averred, and insisted on by more than one writer upon this subject, that no inducement exists for the resort of the common labourer and artisan to India. No such emigration is invited from the temperate climate of England to the torrid one of the West Indies, though colonization be there free. The price of labour is there high, it is low in Hindustan. No person would dream of proceeding to either country, exposed to a climate so positively adverse, with a view direct or contingent of personal exercise of manual labour in agriculture or handicraft. The voluntary resort to Hindustan, with the



purpose of settling there, were it free as it is to the West Indies and to the British plantations on the main of South America, would be confined to merchants, factors, and traders; to navigators and seamen competent to functions above those of foremast men; to a few artists, and but a few, as master workmen; to master-planters and overseers of plantations; to military and civil servants of the government.

"The influx of persons of these classes could in no circumstances be of a magnitude to have any sensible effect on the ordinary calls for employment of the population of the country. Their influx is invited for the performance of some task, which would remain undone or ill-performed by the ordinary means which the country affords. Their intelligence, enterprise or dexterity is wanted. By one or other of those qualities the general activity may be and is directed into new channels or stimulated to greater exertion; and the employment of the many is rendered more beneficial to the multitude and more useful to the public by a small influx of keen and busy settlers.

"An argument chiefly relied upon, is the danger apprehended from the unrestrained roving of Europeans in Hindustan; from the injuries inflicted by their lawless or imprudent conduct, and the provocation given by them to the natives of the country, and from the degradation of the European character in the eyes of the native inhabitants.

"Now it is not by any means a natural or necessary consequence of permitting a free resort of British-born subjects to India, that they are to be let loose and exonerated from salutary restraint and control when scattered over the country. If the laws, which exist for the administration of civil justice and of police, are not sufficiently strong, and do not invest the local authorities and provincial judicatures with competent powers of jurisdiction, the defect is not irremediable. It is but necessary to strengthen the hands of local officers; to give them the extent of authority over the British-born subject which they have over other inhabitants; to take away

the exception, and withdraw the privilege of exemption, if privilege it be, which serves as a reason for a disability.

“It is not to be dissembled that the European, that the descendant of the Gothic race, that the white man, and above all the Englishman, is full of prejudices, and governed in his intercourse with men of other nations, and other complexions, by a repulsive dislike of strangers, an unjust contempt and deep aversion, amounting in an illiberal mind to a contemptuous hatred of men of a dark hue. The conduct of the lower British in their dealings with men of colour in either of the Indies is but too often influenced by such feelings. The arrogance of the white man, a serious evil in all countries that contain a mixed population, is aggravated in British colonies by the arrogance of a truly English feeling, which looks down upon every foreigner and despises every stranger. It aggravates domestic, or, which is worse, prædial slavery, in the West Indies: it is the cause of much mischief in the East. But, confined as it is to the British-born subject, to the European Briton, and not shared by his creole offspring, it furnishes no reason against the establishment of the descendants of those who are suffered to resort to India, nor any cogent argument for more than a very strong power of control over the European there. The creole offspring is, as may be confidently affirmed and maintained, unexceptionably fit to be a settler, or, in short, a colonist of India.

“The illegitimate offspring is privileged; it is only the legitimate descendant, the lawful issue of the European, who, like him, is debarred from acquiring property in land, from becoming owner of an estate in the country of his birth. The restrictive rule had its origin in an unworthy, not to say groundless, distrust. It carried the remedy far beyond the evil, and established a sweeping one, when a much more confined one would have amply sufficed: it remains in force, after the reason of the law has totally ceased, and for a different end from that which was contemplated by its enactment.



“A gradual increase of the bastard race from continual accessions to it, joined with the augmentation of numbers in its posterity, may be expected to take place, and to constitute a progressive colonization in fact, notwithstanding the opposition ineffectually given to it. This, doubtless, is in some degree actually in progress; but it proceeds less rapidly than might have been anticipated. The mixed race melts quickly on either side; into the white creole, on the one part, by the intermarriages of the women with the European sojourners (for settlers they are not permitted to be); and into the dark native Christian, on the other, by the mixture of the men with native women more swarthy than themselves.

“It is to be lamented that the race of native Christians is in India a degraded one. The pride of caste among the Hindus does not singly account even for the contempt felt and shown by the Hindus towards them. No such contempt is manifested towards the Mahommedans, nor towards the European Christians. There are undoubtedly circumstances of diet and uncleanness, which tend to lower the Christian in the eyes of both the Mahommedan and the Hindu. A man imbued with rigid habits prides himself upon his abstemious and cleanly observances. His abstinence from abominations, his attention to prescribed ablutions, become matters of temporal, if not of spiritual pride. The habitual disregard of these matters is a source of contemptuous feeling. The feeder upon things held in abomination is execrated, and he is scorned for his negligence of ablutions. These feelings are not counteracted by any contrary association with sentiments of respect. The European holds himself aloof from the native Christian, and no portion of the veneration which is directed towards him is reflected upon his humble brother in religion.

“A settlement of the creole in India would tend to the removal of this evil; for an evil it is. His feelings would be more consonant to those of the native Christian. He would



be the link to unite the Christian tribe, to raise the inferior portion of the chain without lowering the superior. Like the Muselman, the Christian may become a tribe, holding a respectable rank in the mixed society and varied population of India. Then, and not till then, will temporal causes cease to be opposed to spiritual ones, for effecting any large conversion of natives from their ancient religion to the Christian. Conviction does not easily reach the mind of one who, becoming a proselyte, must descend from a decent rank in society to one degraded and discountenanced. When the native Christian, on the contrary, is countenanced, not merely by the number of his brethren, but by the reflective lustre of those who differ, not in faith, but in colour and origin, he will soon have numerous associates.

“In a political view a Christian population, holding a decent rank in the motley throng of tribes and castes, would add to the strength of the state and probable duration of the empire. Such colonization, far from being likely to terminate in separation of the colony from the governing state, would serve to perpetuate the union and maintain the authority of the ruling power. The establishment of that domination has been assisted, and its maintenance facilitated, by the disunion arising from difference of religion and habits, among a people consisting of tribes so dissimilar as the Hindu and Muselman. If one more tribe, not less dissimilar, be added to the mixture in notable proportion, this could not but be a source of security, especially since the tribe, the augmentation of which is the object under consideration, is one whose attachment and interest must lead it to wish well to the governing power, to uphold it as a protector, to cherish it as a defender, instead of entertaining feelings of indifference and disaffection, which unfriendly sentiments cannot but be ascribed, though doubtless in unequal degrees, to the other tribes.

“In a different view, which belongs to considerations less elevated, but more nearly connected with the principal subject



treated in this tract, a colonization of India, as an introduction of a Christian class in the aggregate population, and in suitable proportion to other classes, and holding a decent rank among them, is desirable, since it could not but promote intimate intercourse between the two countries. With habits more analagous to those of Europe, with dispositions and inclinations turned more towards it, the Christians of India would be better customers for the manufactures of Europe. Were they numerous and opulent, they would largely consume the wrought goods of Great Britain. All that is requisite, and here pleaded for, is to permit the natural course of things to take effect, instead of restraining and obstructing it; to suffer European British subjects and their offspring to acquire property, and settle in India; to allow the importation of the produce of India, including corn and other articles of primary necessity, into Great Britain, in common with the productions of other British territories abroad, and under the same or similar laws.

“But, after all, should colonization in India terminate in the apprehended result of ultimate separation and independence, as may with more confidence be foretold in regard to colonies established in new countries, Nova Scotia and the Canadas, Sierra Leone and South Africa, New Holland and adjacent islands, is such a separation to be viewed as a public evil and national ill? It can take place but at full maturity. Ages must pass away before the so much deprecated colonization could produce, or even tend to produce, that event,—an event, which, in the case of India, is likely to occur much earlier from quite contrary causes, if they be not meantime counteracted by these very means. Allow it to become a colony, if it can become one, and the maxim will hold for this as for every other; that when a populous colony, ripe for self-government, asserts its independence, the separation is in truth advantageous to both countries. Instead of breeding ill-blood, it is to be hailed as a common benefit. On this first point

enough was before said. It need not be further argued in this place."

From the appearance of this volume until the foundation of the Asiatic Society gave a new impulse to his Oriental studies, nothing was published by him beyond a few contributions to the Linnean and Geological Societies, and to the Quarterly Journal of the Royal Institution. In 1818 he presented his valuable collection of Sanscrit manuscripts¹ to the East India Company, a step which might seem to denote an intention to forego the researches which had been the pursuit of his life, and it is probable that the fascination of his chemical and other scientific studies, in which he was much engaged at this time, may have led him the more willingly to part with his valuable collection; but the motives which chiefly influenced his decision were higher and public minded. They were often expressed to his sons. He had in his possession a collection which was unrivalled, and dealt with a literature that was, year by year, attracting more attention among Continental as well as English scholars. He felt that he could not deny access on their part to these stores; but the custody

¹ The following memorandum was supplied to me by Dr. R. Rost, the present Librarian of the India Office, and will convey a general idea of the character of this collection:—"The MS. list of your father's Sanscrit MSS., which was, I presume, prepared for him by a native scribe before he left India, gives the following items:—

"Mantra (prayers, etc.).....	56
Vaidya (medicine)	57
Jyotisha (astronomy)	67
Vyākaraṇa (grammar)	135
Vedānta	149
Nyāya	100
Vēda.....	211
Purāṇa	239
Dharmasāstra (law)	251
Kāvya, nāṭaka, alankāra.....	200
Kōsha (dictionaries)	61
MSS. of all kinds	52 bundles.

"The list gives the contents of each *volume*, and where there is more than one work or treatise in a volume, the new title is marked with red ink. But the above enumeration is by volumes, with the exception of the last item, in which a very large number of treatises is comprised."

on such terms was certain to become onerous, and could not be undertaken by him without a more expensive residence, and the assistance of a librarian. As he was about to move to London, and already provided with a large library, which he had inherited from his father, the former difficulty promised to be a serious one. In making them over to a great corporation like the East India Company, he had a guarantee that the interests of literature and science would be fully considered. It is a proof of the confidence he placed in them that the terms in which this munificent present was conveyed are as laconic as if the transaction belonged to the mercantile department of that great company. They are subjoined. It may be added that the offer was accepted with similar brevity, but with a handsome acknowledgment of the public spirit of the donor.

"London, April, 1819.

"SIR,

"Intending to present to the Honourable East India Company, to be deposited in their library and museum, my collection of Oriental Manuscripts, consisting chiefly of Sanscrit and Pracrit works, I have the honour through you to make the offer of it to the Honourable Court of Directors, on the sole condition that I may have free access to it, with leave to have any number of books from it for my own use at home, to be sent to me from time to time, on my requisition in writing to the librarian to that effect, and to be returned by me at my convenience.

"To facilitate access it may be necessary that the books should be arranged and a catalogue of them prepared, but on this point I do not think it requisite to make any stipulation, or offer any particular suggestion.

"I have the honour to be, etc.,

"H. COLEBROOKE.

"Dr. Wilkins."

This account of this brief but important transaction may

be closed with an extract from the draft of a letter in Mr. Colebrooke's handwriting bearing on its history. It is addressed to a German correspondent, probably A. von Schlegel, with whom he occasionally corresponded. The manuscripts were bought by him at different periods, as opportunity offered of adding to his stores; and it is a curious testimony to his practical sagacity that he should have, from preference, selected the leaden instead of the golden casket.

"The carelessness of the native editors and publishers of works in India, joined with the ravages of worms and termites is very discouraging to the importation of books thence. Your animadversions are well merited. I could never impress on the native correctors of the press, while I was there, the duty and necessity of careful revision. They are slovenly with the press, as with manuscripts, which are commonly very incorrect. It was, on that account, my habit to purchase old manuscripts, which had been much read and studied, in preference to ornamented and splendid transcripts imperfectly corrected. I feel it difficult to answer your inquiry concerning the price of manuscripts in India. When I was myself residing in the vicinity of Benares, I was enabled to purchase books at moderate prices. At all other places I found them very dear, and the expense of transcripts properly made was enormous. I should be at a loss to recommend to you an agent who would take sufficient care, and would rather advise your purchasing in England, where Oriental manuscripts are sometimes for sale, falling into the hands of Orientalists."

I must now revert to some circumstances connected with Mr. Colebrooke's domestic life, deeply affecting his happiness, and causing for a time an almost entire cessation from labour. In 1818, while residing at Hampstead, his family circle was enlarged by the arrival of two nieces, the daughters of his eldest brother. They had been recently separated from the charge of their nearest relative by the action of the Courts of Law in Scotland. Attempts were made to remove them by force



from the charge of their uncle and his aged mother. These appeals to force were followed up by proceedings in Chancery, carried against him in a virulent spirit, and prolonged for some years. It will be seen from a passage in a letter to Sir Thomas Strange of a later date that this affected him most painfully. The deep attachment with which he was regarded by his nieces added to the anxieties of his charge, and, during the time that the litigation lasted, it occupied all his thoughts. He was supported in every step taken for their protection by the Court of Chancery; and they were placed under his guardianship, and remained members of his family until their untimely death, which closed their sad and romantic history.

The litigation was scarcely closed before he was obliged, by the state of his property at the Cape, to undertake a voyage to that colony, which caused an absence from England of upwards of a year. The purchase was a speculative one, the land consisting of a tract near Saldanha Bay; a splendid harbour, but deficient in the essential requisite of supplies of fresh water. Mr. Colebrooke's sanguine mind saw in it the nucleus of a great colony, and he meditated plans of improvement tinged with the scientific character of his mind. Among his papers were an essay on the formation of reservoirs of water suited to such a locality, treated with reference to the geology and meteorology of the country, common-place books containing lists of plants suited to the climate of the Cape, with their botanical synonyms, and a diligent record of experiments undertaken for the cultivation of the camphor tree, the olive, and the vine.

The agent placed in charge of the estate, a connection of his family, too readily seconded his expensive plans, and his drafts became so heavy that Mr. Colebrooke was obliged to proceed to the spot. The further history of this unfortunate purchase may be closed by simply stating that it was throughout unprofitable and ultimately parted with at a heavy loss. To the last, however, he was sanguine of the future of

the colony, and a zealous advocate of the merits of its wine. His cellars were filled with the produce of its vineyards, and nothing would afford him greater triumph than to receive from a guest a testimony in its favour, without being warned as to the country of its origin. The literary fruits of his connection with this colony were the *Essays on the Climate of South Africa*, and on the *Meteorology of the Atlantic*, published in the *Journal of the Royal Institution*, which have been already adverted to. He also edited a volume on the *Political Condition and Administration of the Colony of the Cape*, by a member of the colonial service, illustrating it with copious notes in the form of an appendix. They are the fruit of much industry and observation, and embrace a variety of topics succinctly treated, from the paper currency and the prospects of settlers to essays on the wines and brandies of the colony.

Some of these notes, illustrative of the manners of the Dutch settlers and of the condition of the slave population, which came under his observation during a visit to the interior, are here inserted; and I have also added his remarks on the resources of the colony and suggestions for their development.

“VENDITIE.

“A friend purposing to attend a public sale in a remote part of Zwartland, invited me to accompany him. I availed myself of this opportunity to see the humours of a *venditie*. An auction in the country is an important event for the vicinage. It furnishes, what is there extremely rare, a cheerful pastime. A wedding and an auction are the only occasions of lively assemblage. The resort of boers, with their families, from the neighbourhood is general; from distant places, frequent.

“The ladies repair to the *venditie* dressed as for a gay assembly. The men resort to it as they would to a fair or a country wake. In the present instance people flocked to the sale from a distance of two or three days’ journey. The



visitors are received as guests; a public dinner is given; and if the sale be prolonged to the following day, a supper too; and again a public dinner on the morrow. Meantime, wine is poured forth without stint to all comers, from morning till night. So much is hospitable entertainment expected at a *venditie*, that for a sale of few articles of little value, when no such feast is meant to be given, the notice of sale includes an intimation of the omission: 'No dinner will be given, but a good glass of wine.'

"The scene of a *venditie* is not unlike a country fair, and reminds a spectator of many a picture from the Flemish School. Merry revellers grouped in one quarter; sots lying drunk in another; busy dealers trafficking in one place; the auctioneer perched upon his waggon, slowly vending the tardy lots; vehicles of divers kinds around; cattle, implements, utensils, the subjects of sale, scattered about. At a South African sale, a variety of dress and figure, countenances and complexions, adds to the diversity of a scene, to which Dutch and negro, Hottentots and Malay, equally contribute.

"The land-boer, at whose house this sale took place, had not long before made a similar one, to effect a distribution of property between him and his children, upon the decease of his wife; for in virtue of community of property between husband and wife under the Dutch laws, the demise of one involves dissolution of partnership, and consequent partition of effects in favour of the heirs of the deceased: an impolitic law as it concerns land. The occasion of the present sale was disgust taken by the boer at a complaint having been entertained against him, as preferred by one of his slaves, for alleged ill-usage. It was dismissed on trial, and the slave punished for a groundless and frivolous complaint; but the old boer was so indignant at having been rendered amenable to a court at the instance of his slave, that he determined to relinquish his farm to his sons, and retire from active operation. In consequence of this resolution, the sale took place,

and was little more than nominal, as every valuable article was bought in or withdrawn, to the no small disappointment of those who did not, like myself, come to be merely spectators.

“The old boer was in person an apt specimen of the ancient colonists of South Africa. Very tall and very corpulent, he but just passed through the ample doors of his dwelling. Supported by his staff, he slowly stalked about, scattering his surly responses. In this last respect he differs from his countrymen; who in general, phlegmatic as no doubt they are, yet are affable, good-tempered, and not devoid of genuine but coarse humour.

“My saddle-horse having fallen lame, I was obliged to remain with my fellow-traveller, sharing his travelling waggon, so long as the objects of his journey detained him; which included a visit to another *venditie*, two days afterwards, in the vicinity of Riebeck’s Kasteel, a hill, which, with the district bearing its name, I was not sorry to explore. The sale, taking place for quite a different reason from the former (namely, liquidation of debts), was less the scene of jollity and frolic, and had more the air of an assemblage on business. Perhaps difference of weather, in the one instance rainy, in the other sultry, contributed to the diversity of the scenes, and different tone of them.

“I here witnessed, for the first time, an auction of slaves in South Africa. It is conducted somewhat differently from a sale of negroes in Brazil, and from that of domestic slaves in the East Indies, in both of which countries I have been present at this touching scene. Many of the slaves, both among those who were to be sold, and among those who were reserved, appeared to be deeply affected by the approaching separation from friends with whom they had long shared servitude. Several were bathed in tears, others lamented aloud.

“The subject exposed for sale is placed upon a table, for more convenient view; not handled and closely inspected as



at a sale of imported negroes in South America, but interrogated as to qualifications and blemishes. Upon such occasions, coarse jokes are not unfrequent, and greatly add to the disgust which the scene cannot but excite, in a mind endowed with sensibility. In the present instance, there was little that passed of this nature. The sale proceeded gravely and simply, as a mere affair of business. A woman, with four young children, was the most remarkable lot, and scarcely had the sale been concluded, when a profit on the lot was offered to the purchaser, and accepted by him. Female slaves fetch relatively high prices, because their future offspring is bought with them. The acquisition of a male slave is a life interest, that of a female is considered to be a perpetual heritage. This expectation will, it is hoped, be disappointed. That some modification of slavery in this respect may soon take place is devoutly to be wished. The future offspring of female slaves ought to be declared by prospective legislation free; subject only to an apprenticeship, sufficient to remunerate amply the owners of the female slave, for bringing up her children, until they shall become of an age to render profitable service.

“The price of slaves in South Africa has fallen somewhat, within a few years past. Shortly after the abolition of the slave trade it advanced greatly, as was the natural result of a diminished supply and continued demand.

The proportion of male to female slaves at that time was nearly two to one, or more nearly nineteen to ten. The proportion of full-grown slaves to children, at a somewhat early period was about three to one. A considerable time would necessarily elapse before the disproportion of male to female, and of grown persons to children, would disappear. Meanwhile the number of labouring slaves must be in progress of diminution, while the total number increased, and the value of a slave in prime of life could not but advance accordingly. Official returns show that the number of male slaves has been

barely kept up by propagation, while that of females has yearly increased; and it appears from the registry of slaves, that the increase or excess of births above deaths of male slaves now is little more than one per cent., while that of females amounts to two and a half per cent. The mean, which is fifteen per *mille*, aided by accession of free labourers, is sufficient to face the demand on labour and keep down the prices."

"RELIGIOUS INSTRUCTION OF SLAVES AND HOTTENTOTS.

"Mohammedanism is said to be gaining ground among the slaves and free people of colour at the Cape; that is to say, more converts among negroes and blacks of every description are made from Paganism to the Musleman, than to the Christian religion, notwithstanding the zealous exertions of pious missionaries. One cause of this perversion is asserted to be a marked disinclination of slave owners to allow their slaves to be baptized; arising from some erroneous notions or overcharged apprehensions of the rights which a baptized slave acquires. Slaves are certainly impressed with the idea that such a disinclination subsists, and it is not an unfrequent answer of a slave, when asked his motives for turning Musleman, that 'some religion he must have, and he is not allowed to turn Christian.'

"Prejudices in this respect are wearing away; and less discouragement is now given to the conversion of slaves than heretofore. Masters, it is affirmed, begin to find that their slaves serve not the worse for instruction received in religious duties. Missionaries who devote themselves especially to the religious instruction of slaves (and there is one in each of the principal towns), have increasing congregations, and hope that their labours are not unfruitful. But the Musleman priest, with less exertion, has a greater flock.

"Considered with reference solely to temporal views, the prevalence of Mohammedanism among the slaves of Christian



masters, must be deemed a political evil. The difference of colour furnishes already but too broad a line of distinction. Add the difference of religion, and the line of demarcation becomes yet wider and deeper. A hostile feeling, nursed by religious animosity, may excite the slave against the master, and the colonist of South Africa may, ere long, find himself (as the earlier colonists did amidst newly-imported slaves) surrounded by domestic foes.

"On the other hand, it is made a question, still with reference to worldly considerations only, whether the Mohammedan slave make not a better servant than the Christian. His sobriety, as is affirmed, makes amends for some ill habits attendant on Mohammedanism. Christians, slaves as free-men, blacks no less than whites, are, it is lamentable to say, drunken.

"Missionaries of all sects, in their establishments, where they have assembled Hottentots to civilize and instruct them, have wisely followed the example of the earlier Moravian missions, in making lessons of industry go hand in hand with religious instruction. I am led to think that they have improved upon that model. In the vicinity of a Moravian mission, there is not now much benefit observed to flow from that institution. Within its limit, a certain degree of industry exists, sufficient to provide for few and simple wants. The Hottentots, residing there, work just enough for their support. But the village furnishes no artisans to the neighbourhood, no day labourers, scarcely any servants. At the Protestant missionary stations, more instances are to be found of acquired wealth among the Hottentots, more refined wants, more persevering industry for the gratification of them. In civilization, the Moravian Hottentots make no advance beyond the first step; they are stationary. The others exhibit manifest progress, and a useful class of artisans is rising up among them.

"Beyond the proper limits of the colony, the labours of the Protestant missionaries have been yet more conspicuously

beneficial than within its boundary. Missionary stations have grown into villages, not to say towns (for instance, Klaarfontein or Griqua-town), where agriculture is thriving. Amity has been established in solitudes, where private warfare alone raged. Even the lonely bushman appears to be reclaimed, and resorts to the haunts of men. This change has no doubt been brought about partly by the silent operation of mere forbearance, since the colonists upon the frontier have been effectually restrained from hunting down the bushmen, to slay them in the thicket; and partly by the direct effort of the missionaries' exertions, to soothe and familiarize them. Thus domesticated, they become, and are becoming, servants of colonists, whose flocks and herds are pastured near the frontier.

"The whole tract between the declared boundaries of the colony of the Cape and the great Orange River is fast becoming a dependency of the Cape, without being formally included in its domain. It is an arid region, and no valuable acquisition to the colony of South Africa. Such as it is, however, it will at no distant time become an accession of territory, which will probably extend the colonial limits to the Orange River, and make this the boundary, which, it must be confessed, in its present circumstances, is the natural one."

"RESOURCES.

"It is at all times with the utmost deference for the author's ampler knowledge, derived from long acquaintance with South Africa, that I intimate any dissent from his opinion. I cannot, however, think quite so ill of the future prospect and resources of the Cape as the text seems to express.

"Though good soil, well situated, is there scarce, comparatively with the prevalent barren rock of mountainous ranges, the sand and gravel of downs and heaths, and sterile ground rendered so by situation, notwithstanding its natural fertility, as the elevated arid plains of the Karroo; yet there is still much good corn-land on either side of the great chain

of mountains ; both in the western districts, which are esteemed the granary of the old colony, and within the chain of mountains, or beyond it, where difficulty of transport has opposed obstacles, not however to be considered as utterly insurmountable.

“ To any person who has viewed the more arid countries of Asia, whether Arabia or Western India, or the less arid of the South of Europe, and has likewise visited South Africa, it is apparent the Colony of the Cape is yet unprovided with suitable means of transport for internal traffic. It has not the appropriate beast of burden. The ox seems ill-adapted to the purpose for which it is there employed. The mule or the camel would most likely be preferable. The ox is sluggish, and suffers much by heat and drought. The mule is hardy, and capable of much labour, with scanty and coarse fare. Still more so the camel, which is the fittest of animals for arid countries in hot climates.

“ When the mule shall have become common, or perhaps when the camel shall have been introduced and become so, Cape Town, and any other town which may have advanced in populousness, will draw ampler supplies than at present, with greater facility, from remoter stations ; from places where the husbandman now restricts his agricultural exertions to raise barely enough for the use of his family, because a surplus would not defray the charge of transport to a distant market. With better means of conveyance of his produce, with camels as carriage cattle, or with mules for draught or burden, he would have the opportunity of profitably sending a surplus production from the arable of his farm to a remote mart.

“ It is much to be wished, therefore, that the fostering hand of Government should be stretched forth to accomplish the introduction of a breeding stock of camels from India or from Arabia ; and likewise of Arabian or Spanish asses. The difficulties in the way of their introduction are not to be overcome, in present circumstances, by unaided enterprise of individuals,



but would be light, and would be easily surmounted, were the matter undertaken under the auspices of the Government.

“Arid countries, such as South Africa, are peculiarly favourable to the breed of asses, as of horses; and no doubt can be entertained that, with very little encouragement, the Cape may soon possess an approved breed of both animals, and not only become sufficiently stocked with mules, but at an early period export instead of importing them. Among objects of agricultural industry, for neglect of which the planters at the Cape are reproached, as not having made sufficient trial of them, most of those which the author has noticed, in vindicating the Cape-boers from that imputation, are certainly unpromising. For some the soil is unsuited, for others the climate; the winter is too severe for certain productions, or the summer is too dry. Yet there are many objects, not comprehended in that enumeration, which are more promising, and of which no sufficient trial appears to have been made. The olive is, perhaps, in that predicament; the cork-tree likewise; and most likely the date. They are productions of soil and climate analagous to South Africa, especially the cork and the date.

“Not improbably the silkworm might thrive; possibly the cochineal, or else the kermes, or the lac insect. Beehives might be profitable for their wax. The tea-plant should be attempted, for the Cape has been repeatedly named by judicious writers¹ as a place where it is likely to succeed. The districts of China in which the tea-plant is successfully cultivated lie between the latitudes 25° and 35°; the situations best adapted to it are hilly, and even mountainous, the soil is gravel, derived from disintegrated granite.

“The culture of alkaline plants for barilla is evidently indicated by soil, situation, and climate.

“A list of subjects for experiment, which offer a reasonable presumption of advantageous result, might be easily enlarged

¹ Charpentier Cossigny, p. 64; Clarke Abel, p. 223, and others.

with reasons for entertaining expectations of success, if a fair trial is made in South Africa. But it is sufficient to state, as a general position, that vegetable productions of temperate and warm climates may be expected to succeed at the Cape, provided the known habitudes of the plants are not incompatible with drought in summer, or wet weather in the cold season. The various productions of colder climates here constitute a winter crop; those of hotter climates a summer one; but since drought prevails in the hot season, and winter in the time of the rains, those tropical plants which need much moisture cannot be expected to succeed in the one, nor such productions of cold climates as fear it in the other.

“A botanical and horticultural establishment at the Cape of Good Hope would be of the utmost utility, if instituted for practical no less than scientific purposes: to advance the science of botany and the art of horticulture, and, at the same time to serve as a nursery for the introduction and propagation of exotics, and dissemination of useful plants in South Africa.

“From a garden established and maintained with such views, or through the facilities which the superintendent of it might and should afford, the agriculturist would obtain seeds of new varieties of every sort of corn, with various other objects of field culture familiar to temperate climates, or even warmer or colder countries. The horticulturist would be furnished with seeds and stocks of fruit trees, culinary vegetables, and ornamental plants, from every quarter, likely to thrive at the Cape. The planter would be supplied with young timber, or other useful plants or seeds, for his woods and coppice. Much is yet to be learned at the Cape in regard to gardening, planting, and agriculture. Profitable fruits yet unknown there may be advantageously introduced in a climate unquestionably favourable to the production of fruits. Green and dry fodder of all kinds, yet untried and unthought of, may be brought into use where fodder for cattle is so much

wanted as it there is. Varieties of corn, less affected by irregularity of season than those which are now cultivated, may be beneficially propagated.

“Small trials might be made, upon the result of which larger experiments might be advised, and seed could be furnished for that purpose, whence useful objects would gradually gain attention of cultivators.

“Here the tea-plant, which Mr. Clarke Abel recently, after visiting the interior of China, judged likely to thrive at the Cape, might be tried; and, as at Brazil, the probable success of the experiment might be promoted by assistance of a few Chinese, accustomed to the culture of tea. Here the white mulberry, and upon it the silkworm, might be nursed; persons conversant with the management of silkworms being purposely provided as instructors, either from China, from Bengal, or from the south of Europe. Such undertakings are beyond the reach of individual enterprise, and can only be attempted with the aid or under the patronage of Government.

“Under such superintendence, and with the protection and assistance of Government, the *ricinus* with its silkworm from the north-east of Bengal, may be tried: the *cactus opuntia*, with the cochineal, from South America; the *quercus cocci-fera*, with the kermes, from the Levant; *quercus suber*, from Spain, or the south-west of France; the *phoenix dactylifera*, from Arabia. New varieties of grapes and of olives may be introduced. Dyeing drugs, of various sorts, from divers countries; medicinal plants from different climates; alkaline plants fit to be cultivated for barilla; vegetable productions of every kind, adapted for local use, or capable of becoming objects of export, may be disseminated.

“The whole expense of such a botanical establishment and nursery of plants need not be great. It would be repaid ten thousand fold, by the public benefits which would flow from the institution.”

Mr. Colebrooke's active mind was far from exhausted by



these inquiries. On another subject he rendered great public service by pressing on the Government the necessity for some reform of the law and judicature of the colony. From his first connection with the Cape he had been the medium of communication with the Government on the part of some of the English settlers. The most important of their grievances referred to the law. When the colony was conquered from the Dutch, the principles of its former legal administration had been retained, and are thus described by Mr. Colebrooke in a memorandum which was evidently intended to be submitted to the Government. "The Magistracy and Courts of Justice, the law which is administered, and the mode of administering it, yet remain upon the Dutch model. Some modifications have been introduced by British authority; but the character of the courts of judicature continues essentially Dutch. The proceedings are held and recorded in the Dutch language; an Englishman within British dominion needs an interpreter to understand or be understood in a cause where his property is at stake, or his life or his honour concerned. I wish to tread lightly over this ground, but sincerity compels me to say that the administration of justice at the Cape does not give satisfaction. Gathering the sentiments of English inhabitants and of Creole Dutch, from casual conversation and from incidental observation, I must acknowledge that the judicature is not generally well spoken of. Some individuals invested with the judicial authority are respected. But the prevalent impression is not what it would be desirable it should be. There is not that reverence for judges and magistrates; there is not that opinion of their learning and ability; there is not that reliance on their independence, integrity, and impartiality, which conciliate regard, and uphold authority."

The memorandum traces these evils to defects in the constitution of the tribunal, and in the law, especially the latter. The reforms which he advocated would, in his opinion, lead to every other needful amendment, and espe-

cially to the rise of a vigilant and independent Bar, which would prove the proper guarantee of integrity on the Bench. More than that, he says: "An English administration of justice would generally bring about amendment in the law, rendering it more certain, more definite, more consonant to English feelings. The local law would, by degrees, approach nearer to the excellence of English jurisprudence. To Dutch jurisprudence in general, founded as it is upon the civil law, no cogent objection perhaps exists, but to the exposition of it, as at the Cape it is expounded. Ordinances of Dutch colonial authorities, proclamations of British governors, usages and precedents of local tribunals, furnish ground for deviation from the principles and maxims of ancient juridical wisdom; and introduce an uncertainty, which leaves to parties no means of regulating their transactions and conduct in conformity with previously known rules. The old inhabitant knows not, the new colonist is unable to learn, the rule by which his actions and dealings should be governed."

He reverts to the subject in a letter of which the draft is in my possession, and which I refrain from inserting, on account of its length. It is addressed to Mr. Goulbourn, through the medium of his friend Mr. Ricketts. The Government, while alive to the importance of the improvement of the Courts of judicature, seems to have hesitated about introducing changes in the law; on which latter point Mr. Colebrooke must have addressed them in a separate memorandum. He presses for no premature and violent changes in a system to which the people might be supposed to be attached by habit and prejudice; but he adduces facts in support of his view that the colony was ripe for a change, which would pave the way for the gradual introduction of English laws, manners, and feelings, into a British possession. The letter also deals with another social question of equal importance, the gradual abolition of slavery; and he strongly recommends that all children born after a certain date should



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be declared free. On both these questions he presses very strongly for some action on the part of the Government. With regard to the judicature, he goes no further than urging inquiry; and he was informed by his correspondent that the subject was under the immediate consideration of the Government. Indeed, the grievance was so glaring that the action of the Government was prompt, and, before his return to England, he was informed of the appointment of a Commission, of which his relative, the late Sir William Colebrooke, was a member. The labours of the Commission were not closed until 1826, when their reports were sent in, and the reform advocated by Mr. Colebrooke was acted upon in the issue of a new charter of justice, and the appointment of English judges to the colony.



CHAPTER XII.—1823-1837.

RETURN TO ENGLAND—ESSAY ON HINDU COURTS OF JUSTICE—FOUNDATION OF THE ROYAL ASIATIC SOCIETY—CORRESPONDENCE WITH PROFESSOR H. H. WILSON—ESSAYS ON THE PHILOSOPHY OF THE HINDUS—FAMILY LOSSES—FAILURE OF HEALTH, AND DEATH—LIST OF WORKS.

MR. COLEBROOKE returned to England in the summer of 1822, and was met, on his arrival at his own door, by the unexpected intelligence of the death of his youngest niece; she died at the early age of nineteen. It was the first of a series of family losses that followed in succession, and clouded the last years of his life. His health, too, had somewhat failed of late, though he still retained the active habits to which he had been accustomed from early life, habits which are so important for health in the enervating climate of India. He was an early riser, a morning student, and a good walker; but the two-fold effect of climate and intense study had begun to tell on a naturally good constitution, and he was unequal to the severe tasks of his middle age. A letter to Sir Thomas Strange, bearing the date of 31st March, 1823, from which an extract is here subjoined, slightly alludes to the harassed state of his mind at this time. It will prepare the reader for the final abandonment of the works here referred to:

“Nothing has been published by me on the Law of Contracts, nor any other topic of jurisprudence, since the treatise on Obligations, which I published a few years ago, as the first

part of a larger work. Shortly afterwards, while I was preparing the sequel of it for the press, I became involved in most vexatious proceedings in Chancery, by which I was so much harassed for many years, that I could attend to nothing else requiring any stretch of application. Since those troublesome proceedings were terminated, (which was a little before my trip to the Cape), I have been unable to resume the habits requisite to the prosecution of that work, nor do I now expect to be able to do so. I have neither health nor spirits for the undertaking, and cannot bring myself to make the effort of setting about it. I do not think I shall ever execute any other task which requires continued attention and uninterrupted application for many days.

“I have it in contemplation to prepare a preface and introduction to the Treatise on Obligations, as a single work, and give it with the notice of my final relinquishment of the greater work. The treatise is complete in itself, wanting nothing but a preface.

“The Supplementary Digest, which I long ago announced, has been many years by me complete in Sanscrit, and in great forwardness in translation, and might be sent to the press at very short warning, and finished as the press proceeded. But I have been deterred from the publication, observing it to be very little called for; and, unless I should perceive such a call, I shall let it remain unpublished.”

In closing the account of his long labours on his Supplementary Digest, it may be added that the only publication which resulted from them, in addition to the translations of the treatises on Inheritance, was an essay on Hindu Courts of Justice, which he contributed to the Transactions of the Royal Asiatic Society in 1828.

As a picture of manners during the time that Hindu laws and administration were in vigour, and as illustrative of the political condition of the people, this sketch is of great value, and serves to qualify the unfavourable estimate we should

form of the state of the country in ancient times, did we rely on the institutes of Menu alone. The only difficulty that is experienced in accepting this account as descriptive of the state of legal administration at any one time, arises from the materials being collected from a variety of legal treatises, many of them of uncertain date, and probably extending over a considerable period.¹ Making every allowance for this difficulty (and the student is, to a certain degree, enabled to judge of its extent, as the authorities are in every case quoted for each statement), the account is a most interesting one; and it is difficult to resist the conclusion that justice must have been administered during a considerable period of Indian history, with a regularity, respect for established law, and with a recognition of the importance of public opinion, which we do not find in her later history.² I refer to the completeness of the machinery for the administration of justice in town and country; the endeavour to call in the aid of associations of artisans, assemblies of townsmen, members of crafts, castes, or religious orders, in matters specially appertaining to their customs; and, further, to the recognition of the audience as a component part of the court. The freedom which, in theory at least, was allowed to bystanders, "skilled in jurisprudence," to declare their opinion, and the invitation to commercial men to attend the court, bespeak greater freedom of Government than we are accustomed to associate with Eastern and especially Indian administration.

Notwithstanding the depressed tone of the letter last quoted, Mr. Colebrooke was happily able to resume his literary activity, and give to the world in rapid succession some of the most valuable contributions to our knowledge of the literature and

¹ Professor H. H. Wilson was of opinion that the most important of these works were compiled at a period "not long subsequent to the code of Menu, if not contemporary." See his note to Mill's History, Vol. I. p. 213.

² For the changes which have taken place in the administration of law in Hindu Governments in modern times, see the remarks in Elphinstone's History, Book II. cap. 3.



philosophy of the East. In March, 1823, within a few days from the date of his letter to Sir T. Strange, he joined with many of his literary friends in the foundation of the Royal Asiatic Society; and on the first meeting of its members, which took place at his residence, he delivered his address on the object and aims of the new institution, a step which in some measure pledged him to renewed exertions in his old field. A very general desire was expressed that he should become the first president of the Society; and it is perhaps to be regretted that he did not accept a position to which he was entitled as the first of our Oriental scholars, and which would have reflected credit on the Society itself. Mr. Colebrooke declined the offer, and advised his friends to select a person having some higher position in society than his own; but though I have a distinct recollection that this was the avowed motive for declining the honourable post, it is clear, from the letters to Sir Thomas Strange, that his failing health was a far more probable cause for shrinking from the responsibility of the position on this occasion. No one more zealously maintained the claims of the republic of letters and science to respect, independent of the patronage of the great. It has been already stated that he accepted, without misgivings, the office of President of the Astronomical Society in 1824, the year following the foundation of the Royal Asiatic Society. The office of Director was created by the members of the Asiatic Society to mark their desire to retain his name on their governing body.

This will be the most convenient place for giving insertion to some letters addressed to the late Professor H. H. Wilson. They form a portion only of a correspondence which extended over several years, commencing from the date of Mr. Colebrooke's departure from India. The letters refer chiefly to matters of business connected with the Asiatic Society of Calcutta, Mr. Colebrooke acting on their behalf in the purchase of books and other commissions. That portion only of

the correspondence which refers to the literary labours of those two eminent scholars is here given.

The extract from Professor Wilson's letter, with which the series commences, deals for the most part with subjects on which he has expressed himself more fully in his published works, more especially with reference to his translations from the Hindu Drama.

"Calcutta, January 8th, 1822.

"The intimation of your wish regarding Mons^r. Chezy has been already complied with; he was elected an honorary member at the last meeting. Mr. Schlegel is also nominated in compliance with your suggestion, and, there is no doubt, will be elected at the next meeting of the Society, in April, notwithstanding he has been rather severe upon us in the 11th number of his "Indische Bibliothek." I believe I may now lay down my character as secretary, and address you on my own account. I have many excuses to make for so long a neglect of a correspondence in which I have all to gain and little to offer; but I have been absent, ill and busy. At the time I sent my Dictionary home, I was on the eve of starting on Mint duty to Benares; and, in the bustle of preparation, was obliged to take the liberty of directing any copies you might wish for, as presents, where you might think them acceptable, to be placed at your disposal through my friend Mr. Paterson. Whilst at Benares I laboured under very bad health, and, since my return, I have had much and laborious occupation; I have not been idle, however, in the Sanscrit field. I have prepared for the 15th volume of the Researches an abridged translation of the Cashmir History, the Raja Taringiri, with copious illustrations of an historical or geographical character, and an historical account of all the Vaishnava sects known in Upper Hindustan. I am vain enough to think they both contain much curious and important matter. Another task I understand Mr. Paterson has apprized you of, a translation of

specimens of the Hindu drama. I have completed the translation of a very curious piece, the *Mrichhacatica* ; it is attributed to King Sudraca, a king that Wilford places in the end of the 2nd century. The style shows it to be ancient, and it must have been written when the Baudddhas were tolerated, and to a certain extent patronized in Oujein. It is a comedy—the subject is the love of *Chárudatta*, a Brahman, and *Vasantoséna*, a courtesan, but it is quite free from indecency ; their loves are disturbed by the pretensions of *Samasthánaca*, the king's brother-in-law, who is really a masterly character, exhibiting the worthlessness, arrogance, and ignorance of uneducated rank in India with great consistency and spirit. An humble friend of *Chárudatta* is the buffo of the play, and some of his hits are very good ; the picture of domestic Hindu manners is very curious, and unmixed with anything like Moslem additions, and, altogether, I think the drama is one of the most interesting compositions Hindu literature has yet afforded. I have also finished the prose translation of the *Málati Mádhava*, but have versified only two acts ; however, I can finish this at any time. I am now about to commence the *Mudra Rácshasa*. There is some difficulty about publishing, as I cannot afford to bear the cost myself, and the encouragement of the Government is restricted to class-books for the college. It has occurred to me that Murray might feel desirous of undertaking such a publication, but I have not yet heard his reply. There is no particular hurry, however, and it is not impossible I may manage the printing in Calcutta when the manuscript is fully prepared. When you are at leisure I shall be much obliged to you for your opinions on the design and best method of carrying it into effect ; and, if an opportunity should occur of your talking with Mr. Murray on the subject, will feel farther obliged by your ascertaining his sentiments regarding the publication. I see that on the Continent at least, and apparently in England, the interest felt in Sanscrit literature gains ground. The French and



Germans are very zealous ; and when political contests become less inveterate, as they seem likely to become, the subject will probably be honoured with some attention by English scholars and critics.

“ Believe me, with the sincerest respect,

“ Yours faithfully,

“ H. H. WILSON.

“ Government has authorized the establishment of a Hindu college in Calcutta. That at Benares, under the superintendence of Captain Fell, is in a highly flourishing condition.”

The remainder of the series of extracts are from Mr. Colebrooke's letters.

“ *London, 30th July, 1822.*

“ I thank you for placing copies of your Dictionary at my disposal. It does not occur to me that I shall be likely to see occasion of availing myself of it further than for one for myself, which I have long since received, as, I believe, I acknowledged.

“ Schlegel, in what he said of some of us (English Orientalists), and of our labours, did not purpose to be uncandid, nor to undervalue what has been done. In your summary of what he said you set it to the right account. I am not personally acquainted with him, though in correspondence I do think with him, that as much has not been done by the English as might have been expected from us. Excepting you and me, and two or three more, who is there that has done anything ? In England nobody cares about Oriental literature, or is likely to give the least attention to it.

“ If you still have a press at your own command, I should recommend your printing a small edition under your own eye, rather than send your dramas for publication here. I apprehend that very little would be given for copyright here ; and you have to look to reputation rather than emolument from



your labours. Murray, when I spoke to him on the subject, wished to see the manuscript before he said anything positive. Indeed, that is the invariable answer.

"The *Mrich-catika* must be an interesting drama. I shall be anxious to see it in print and the Essays you mention for the next volume of Asiatic Researches.

"Do you not think that the *Mālatī Mādhava* would be better in prose than in verse? The trammels of poetry embarrass a translation a good deal.

"Yours,
"H. C."

"17th November, 1824.

"MY DEAR SIR,

"Your communication to the Royal Asiatic Society on the *Pancha-Tantra* is just now going to the press. It was read at two of the latter meetings of the session which terminated in June; too late to be voted into the fasciculus, or half-volume, which was then in course of printing. The fasciculus is now out, and, I hope, may be received as no unfavourable specimen of what the Royal Asiatic Society is likely to perform.

"As it is against the rules of this, as of other societies here, to give insertion to what has been published elsewhere, I used the permission you gave me to omit the introductory part which had before appeared in a periodical publication. For a like reason, to break the semblance of mere translation, two of the less interesting stories in the fifth *Tantra* have been left out purposely, to interrupt the continuity and preserve to the remainder the appearance of extracts and selections. A few, *very few*, notes have been added.

"I have lately been examining the facsimiles of inscriptions collected by Dr. Buchanan Hamilton, which are deposited with his statistical reports in the Museum of the India House. There are several sufficiently interesting for publication; but

I believe I must await the arrival of the fifteenth volume of Asiatic Researches for particular information of the inscriptions translated by Capt. Fell and inserted in it, lest I should be publishing what has already been given there. For instance, I find one which confirms the date of the reign of Vijaya Chandra (Jayachand), Raja of Gádhinagara (Canyacubja). It is not impossible the same inscription may be noticed in your *résumé* of Canoj history. You will find in our Transactions a good deal concerning Prithivi, Rája of Dilli, from the pen of Major Tod, which I hope had not been anticipated in the Researches.

“The Oriental public has sustained a great loss in Capt. Fell. There was not a better Sanscrit scholar, and I fear the College at Benares may miss him much.

“I shall be curious to see Mr. Bentley’s posthumous work. He seems latterly to have been disposed to allow a greater age to Hindu astronomy than he before conceded, and, if I am not mistaken, approximated to my positions concerning it; but his book, I suppose, does not confess so much.

“I hope to hear more favourable accounts of your health than the last letter which I have from you, dated almost a year ago, intimates. I should much regret that you were obliged to quit India, though it should be to visit England, for such a cause as recovery of health. I have not been unmindful of the subject of your inquiry. Hertford College does not present any opening, nor the probable prospect of one suitable for you. The situation which would be suitable is, no doubt, that at the India House, whenever it is vacant. But there is no likelihood of its being vacated otherwise than by casualty. In the event of an accident, I know no person who would have a better chance for the succession than yourself. You have friends here who will doubtless attend to your interests in such a case.

“Yours very truly,

“H. COLEBROOKE.”



“22nd June, 1826.

“Your letters some time back had led me to apprehend that the interval will be long before a sixteenth volume of *Researches* arrives; and, in consequence, I have encouraged in the Royal Asiatic Society an inclination to promote a coalition with the Asiatic Society of Calcutta, and eventually with the literary societies of Madras and Bombay.

“We think that the literary researches and learned contributions of the societies abroad, aided by those at home, would furnish a good annual volume, and the pecuniary contributions of the members of those societies, as now resident members of the Society at home, would defray the extra expense of supplying more copies of more matter. An active correspondence between the committees of the societies abroad and at home would greatly promote well-directed researches.

“I would recommend that Mr. Moorcroft's papers should be sent home, with a suggestion for their being entrusted to me for publication in the most advisable manner, on the ground of my having been the editor of the account of his previous journey. I well know how much the pruning knife is required. Until we have seen his MSS., there is no judging whether it will be best to make a separate publication, or insert it in the *Transactions* of the Royal Asiatic Society. I am disposed to make an offer of my services, knowing how likely these curious and valuable materials are to be neglected at the India House, if they come home in the crude and unprepared state they are sure to have been left in.

“You will find, in the third fasciculus, which completes the first volume of *Asiatic Transactions*, a further essay on Hindu philosophy, in which I have given an account of the *Pūrva Mīmāṃsā*. I am yet undetermined whether I shall pursue the subject to the *Uttara Mīmāṃsā*, for which materials superabound, and to the heterodox systems (*Chārvāka*, *Pāśupata*, etc.), for which materials are scanty, and thereafter a *résumé*



of the whole, contrasting the Indian with the Greek philosophy. I rather think I shall decline the latter task, but I am not sure.

"I rejoice to learn that instruction proceeds successfully; and that you make progress with the examination of the Purāṇas. I expect much very curious matter to come from those researches.

"Were I a younger man, I would tender myself to assist in completing the great etymological dictionary of Sanscrit. It was originally my plan, and I relaxed in it from disappointment: the people employed by me needing more looking after than I could give, and the task being greater than I could singly execute, having so little leisure then at command. If you come home soon with the materials provided upon the plan you are promising, I will most cheerfully give my aid, and contribute my collections towards it.

"Yours very truly,

"H. COLEBROOKE."

"24th December, 1827.

"DEAR SIR,

"I have the pleasure to receive your letter of the 20th June. A previous letter (5th May) was acknowledged on its receipt. The parcel which you advised, and which contained a fragment of the Amara-Cōsha, or rather of its commentaries tabulated, and a communication on Observations for the Longitude, has unluckily got into the Post Office, and I cannot get it out without paying considerably for postage. The demand was more than £11. I am still struggling against the exaction, and have not got it *sufficiently* reduced. Can you prevail on Captain Grant to furnish a duplicate? If so, pray get it and forward it, for possibly I may be disappointed in my contest with the Post Office, and I will not give way, because they have irritated me by disregarding remonstrances.

"My bad health continues to prevent my taking an active part in the business of the Royal Asiatic Society this season. I can rarely stir out of the house, and I cannot prosecute



study, or use the pen much. Some of the members are very active in promoting a plan for publishing the texts and translations of select Oriental works. The scheme, being well patronized, is getting on better than I should have expected; but people care so little about the matter that I apprehend a serious falling off in a short time. I inclose a prospectus, to show you what the plan is. I do not propose to turn the attention of the Translation Committee to Sanscrit until we know more of the success of the translators who are at work under your superintendence. You do not advert to the subject in your late letters. I shall be glad to hear from you what further progress has been made.

“I rejoice to learn that your great work on the Indian drama may be so soon expected by us. I anticipate much gratification from the perusal. Careless and indifferent as our countrymen are, I think, nevertheless, you and I may derive some complacent feelings from the reflection that, following the footsteps of Sir W. Jones, we have, with so little aid of collaborators, and so little encouragement, opened nearly every avenue, and left it to foreigners, who are taking up the clue we have furnished, to complete the outline of what we have sketched. It is some gratification to natural pride that the opportunity which the English have enjoyed has not been wholly unemployed.

“I fear my task is nearly done. I do not despair of rather better health than I have lately had, and of lasting out some little while yet; but I cannot expect to be efficient for much labour or difficult research.

“That we may soon look for another volume of Asiatic Researches is very good news. It will probably prove interesting. 'Tis a great pity that the last was printed on so much smaller paper than the former volume. The unequal dimensions of volumes sadly disfigures the set.

“I presented to the Royal Asiatic Society, in the name of the Society at Calcutta, two or three of the volumes which

were wanting to complete a set; the greatest number had been presented by a member, and two or three only were wanting. I hope the Society will approve and accept the Royal Asiatic Society's thanks on the occasion. I beg also their sanction to a few volumes (three or four) to complete my own set, by replacing some that were worm-eaten in India and cut a bad figure by the side of their more fortunate uneaten associates.

"Having been the abridger of Moorcroft's former narrative, I am familiar with his manner, and could more easily select what is worth publishing than anybody else. I hope therefore the government abroad will either consign his papers to me, or send them open, when the East India Company (I mean the Court of Directors) would most likely do so.

"Yours sincerely,

"H. COLEBROOKE."

Reference is made in one of the preceding letters to one of his well-known essays on the Philosophy of the Hindus. The first of the series appeared in June, 1823, shortly after the foundation of the Royal Asiatic Society; and the remaining papers appeared in successive years, until his failing health obliged him to relinquish the task.

I shall not venture to describe in any detail a work so well known, not merely to the Oriental scholar, but to the student of the history of philosophical speculation. Mr. Colebrooke had, it has been seen, directed his attention to this branch of Indian literature at the commencement of his Sanscrit studies. His Vedic and also his legal reading had contributed to make him somewhat familiar with the same subjects. When, therefore, he proceeded to give the results of his researches to the world, they were derived, in no small degree, from stores long accumulated. Little was known regarding the logical or metaphysical treatises of the Hindus before these essays appeared. The most interesting contribution to our knowledge of what Indian mysticism was capable, is to be found in the translation