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(ff 131r) .. The Mahrattas and Hindoes of the Dekan consider the resorting to Benares at certain periods for the performance of ablutions and other ceremonies, as an almost indispensable duty; and the discharge of it as a highly meritorious act. Upon this principle vast numbers formerly resorted, upon whom a tax was raised at Benares and at Allahbad, which latter place in the course of these ceremonies is first to (ff 131v) be visited. This tax was at first so light as scarcely to be felt by individuals, the whole amount was considerable from that multitudes that annually came; but has since been raised at Allahbad to such an enormous amount as almost entirely to prevent the resort of these persons and consequently in a great measure likewise defeat its own intention. The same practice has prevailed but in a much less degree at Benares. Could this impolitic tax be removed, the quantity of money, which so large a multitude of necessity bring with them, and the great sums which they are compelled by their religion to give away in charity here, would (ff 132r) very much tend to the enrichment of this seminary.

British Museum: Add Ms 29029; Warren Hastings Papers:  
 Extracts Secret Department Consultations, Mar-April 1776.  
 Letter from Francis Fowke, dated Benares 7.3.1776 (ff 126-33)  
 in Consultations 3.4.1776.  
 Decision on ff 134r .... "to lie for consideration"



12.2

LES HINDOUS (SOME EXTRACTS)Vol I

Simplicity and tolerance are virtues common to the whole race, and are remarked in every part of Hindoostan which has escaped the fatal influence of European manners. ...

Among these ceremonies are many which seem to be strongly in contrast with the mild and humane manners that I have attributed to the Hindoos in the beginning of this discourse. We shall be astonished to behold their cruel expiations, their painful penances, the horrid death of their widows, and other superstitious practices of the same sort. No doubt it is not easy to reconcile these instances with the universal mildness of character of this people, which they carry so far as to avoid shedding the blood even of animals. (See Esp. des Lois, Chap 3, Liv. 14, for an explanation of this opposition between the timidity and mildness of their disposition and the ferocity of some of their customs.)

(in 6th part)... Whether the laws of Menu in this respect are the effect of his deep political views, or that they are the dictates of humanity, it is not less true that they may serve as a model to some parts of our civilized Europe. (Mehercule non est quod Europoei homines his gentibus insultant easque bono baras vocitent, quando verum Europaeorum legale systema proestantiam illius non attingit; nunc attollitur: simplici et salubri illarum gentium institutone jaur a' tribus mille et amplius anniscuta, intacta, tecta, incolumi et immortabili persistenti. Quis igitur non dicat proestare inter gentiles vivere quam stultis non nullorum Europoeorum novatorum ineptes legibus et institutis perpolititi? Pag 230, fol 2, Paullini Systema Braohmanicum, Roma, 1791)

Music is very generally cultivated among the Hindoos, especially as it is subservient to dancing, one of their favourite diversions.

In ancient times the Indians excelled in the art of constructing vessels, and the present Hindoos in this respect still offer models to Europe; so much so that the English, attentive to every thing which relates to naval architecture, have borrowed from the Hindoos many improvements which they have adapted with success to their own shipping

Shut up in their separate apartments, the Hindoo women are seen only by their nearest relations, and when they appear in public, it is never without a veil upon their face. This, as may be supposed, does not extend to the lower classes, whose women appear in public and frequent assemblies without reserve. This distinction may be easily remarked in the plates which represent any feast or ceremony.

Vol IV

There is nevertheless among the Hindoos a set of men among whom the features of all the four casts may be perceived; these are the Pariahs. As these are people rejected by the four only casts which Menu instituted, they must naturally have preserved something of the air of the cast to which they originally belonged, and which they forfeited by their misconduct. This remark, suggested by long observation, is I should think a new proof in favour of the opinion which I advanced in the first volume, and to which no solid argument has been opposed, that the Pariahs are but the outcast of the four other casts, and do not form a particular one, as some other authors have asserted.



LES HINDOUS  
(some extracts)

Vol I

Seudres: It may not perhaps be superfluous to observe here that the Seeders ought not to be confounded with the Parriah, as is generally the case. The term Parriah is a denomination that denotes in general everything which is worst. A bad priest, who neglects his religious duties, is a parriah Brahmin, as a bad house is a parriah ger, a bad shoe parriah dutee, etc. There are Parriahs therefore in every cast, but there is particular cast of Parriahs. Lno

Vol III

Introduction: I think it necessary to repeat here my assertion, that I never on any occasion whatsoever exceed the bounds of my own observations, which may quiet the doubts of these readers, who are always ready to suspect the veracity of a traveller when he relates customs in opposition to those received in Europe, or ventures to contradict what has been related by other respectable travellers. In this manner doubts have been entertained about what I have said of the Parriahs; founded upon the opposition to the prior reports of other creditable authors. I am nevertheless obliged to repeat what I advanced in the first volume, that there never existed in India a particular cast of Parriahs, that the word is generally applied to all that is mean, bad and contemptible; so that my subject may naturally lead me to speak of a parriah ship, a term familiar to every sailor who has frequented the Indian seas.

Vol I

Kapaulys, Bepe-Makers : The Kapaulys are drunken and dissolute, and their conduct rather than their profession has caused them to be looked upon as parriahs. Consequently their habitations are outside the towns and even outside of the simple villages, where they are confounded with the basest sub-divisions of casts. For this reason they are placed in this work in the rank of sub-divisions, which, not to deviate from the plan of Menu, ought to occupy the lowest degree.

Seenrees: ( Manufacturers and Dealers in Wine ) The Hindoos abhor drunkenness: none but the very lowest casts, or parriahs of other casts, are addicted to strong liquors. Hence the sellers of these liquors are not held in much higher estimation than their customers: though among the latter nevertheless, even bramins are sometimes to be met with: but they are seen looked upon as parriahs, a name of reprobation extending even to the liquors with which they are intoxicated.

Painters: The Puttecan are degraded to the class of parriahs, because they handle grease and all sorts of colours. It might be added too that they seem to wish to merit that appellation by their dissolute conduct: consequently there are few true Hindoos among them.

Doams (Basket Makers) in a great measure parriahs



LES HINDOUS  
(some extracts)

Vol I

Dele-Jatrah: The Christians too, as well as the Musselmans, meet to partake, atleast as a diversion, in the sprinkling of the red earth. The festival has indeed has nothing of sad solemnity in it;

Djhampe (Hindees throwing themselves on knives and swords)

Nila-Peeja: Various Expiations of the Hindees (piercing of body etc)

Churrack-Peeja: Swinging in Expiation

Vol II

A Woman of Low Rank: The food which they give their children is very simple, boiled rice only, and a little water; they are very little subject to sickness, and their mothers suckle them longer than is the custom in Europe; for this reason the Hindee children are fat and healthy;

Ageury: A Prescribed Weman

A Weman in Full Dress

Vol III

Bangles: largest boats in rivers (carry 4 to 5,000 maunds of rice)

School: ( teacher with Hookah and ferala, 9 pupils of whom at least 2 wemen, one other in background, double sketch)

Conversations: (12 persons) wemen are abseolutely excluded

Vol IV

Introductions: Though it is true that far the greater part of servants in Hindeestan is composed of foreigners, Meguls, black Pettugese, Malays, Chinese, but chiefly of Mussulmans. The Hindees seem better adapted to military than to domestic service; in the latter situation they are incapable of attachment, destitute of feeling and gratitude, quit their masters or see them dye with the utmost indifference, as if he was a stranger, after living twenty or thirty years with him; they are besides much addicted to stealing, cowardly in the extreme, and sure to abandon their masters if he should happen to be attacked by an European, of whom they are particularly affraid, and before one of whom I may venture to affirm that a hundred of them would fly. The Mussulman servants on the other hand...



12.3

(ff 235r) If a man, impelled by whatever motive undertake to explore a country for the sole purpose of depreciating its inhabitants, he would not require a long excursion to detect such an assemblage of vices, without a single virtue to redeem them, as would enable him to represent their general character as completely depraved and abominable. Such is the spirit with which the itinerant professors of the only religion of the world that was ever built on the foundation of brotherly love and charity, but in a truer sense of their practice, of "the church militant here on earth", have gone forth to collect materials to delineate the moral portrait of the aboriginal natives of India, taking care to inscribe it in an especial manner with the names of those who were the subjects of the British dominion. Surely the meek religion of Christ "does not stand in need of such aid, nor of these defenders". To such sources of authority we are indebted for the invectives which have cast out from the British Press, against Indian superstition, and Braminical tyranny, against the practices enjoined by the first, and enforced by the latter, of self immolation, of burning women on the funeral piles of their husbands, of inducing mothers to embrace their hands in the blood of their children, against the obscene figures which are painted and engraved on the cars (ff 235v) which carry their gods in their processions, against their idolatry, and as the source of all their corruption, their worship of innumerable deities. This is a heavy list; and it is followed, as a necessary consequence, nay a religious duty, that the British Government which God has been pleased to entrust the care of their temporal, and in a more especial manner, the spiritual interests of its Indian subjects, to use all lenient means to reform them, and passing over all others, to begin by sending missionaries to persuade them to abandon the absurd pernicious faith derived to them from their ancestors of the most remote antiquity, and imbibed from their parents and spiritual instructors, and to accept the blessings of the christian dispensation in their stead, on the credit of the superior sanctity and illumination of these infallible foreigners. I do not use these terms from derision. Perish be it from me to trifle on so serious a subject. I borrow the contrasted diction of the advocates for the missionary system, and their assumption of the infallibility of the preachers from that of the scriptural doctrines delivered by them. Would to God, that they delivered no other! Such pestulantes (ff 236r) may be very proper in discourse between two christians, but are certainly not fair in an address to a man not yet believing it, nor consistent with the profession of abstinence from all means of conversion but these of persuasion.

Here the question may be asked, why if persuasion alone is to (be) used for this desired end, the missionary functions should be confined to the countries subject to the British dominion, since the means of persuasion might be tried with at least as fair a chance of success, and, (ends here)

British Museum: Add Ms 29233: Warren Hastings Papers: Volume of Essays, mostly by Hastings. The volume also contains Hastings, published piece, on Fire in Houses etc. Ff 14-5 has another, even stronger, piece on the reviling of Hindoes by Christianity and both belong to around 1810.



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( TRADITIONARY OR WRITTEN LAWS OF THE HINDOOS )

On the books which composed the body of the Hindoo Law, and on the preference to be given to them in the Administration of that Law in the provinces of Southern India under the Government of the Presidency: by F. W. Ellis

(Extract)

(p 26) Among the law books current in the parts of southern India successively under the dominion of these dynasties, and at present principally constituting the territory subject to the presidency of Madras, the following are in more general use:

(p 33) The author to whom the Saraswati Vilasam is attributed, Prataproodra (@) Diva Maharaja, was one of the princes of the Cacateya family. It is a general digest, and was the standard law book of the Oingulla deminions; (p 34) in this the influence of modern opinions arising in part probably from the effect of recent Mahomedan conquests, and in part from the regal origin, becomes very apparent. The will of the prince is for the first time in India considered as paramount to the right of the subject, and that supposititious claim to the actual proprietary of the soil, on which the revenue system of modern India is founded is herein advanced: the existing institutions of the Sircars and the dominions of the Nizam derive in a great measure from this work.

(@) (Note in margin of this document but ~~was~~ omitted in Walker MSS)  
@ Though, as hereafter observed, the composition of codes and digests of law for particular dynasties has been common in India, this, as far as I am aware, is the only instance that can be adduced of an Indian Justinian. The legislators of India have ever been sages, and not the princes, who appear generally to have had no more to do with the law than to obey it; for the law of Hindoo(s) is as powerful over the prince as the peasant, and to cause it to be obeyed. The natural coincidence of regal legislation (p34) may be observed between the codes of the Roman and the Indian prince. (Si quid erat in illis veteribus legibus seditiosum mutta autem talia erant ibi reposita existim) says the code of the auldinator Justinian; and on the same principle proceeds Pratapaproodra Diva Maharajah.

(p 42) The Brahmins have (p 43) ever in the northern countries been the law givers as well as priests. Both these characters have however been disputed with them in Southern India, where they have never been able to establish the same mental dominion, as in those parts where they would seem to have been originally seated. The higher classes of the Sudras have, ~~however~~ here ever shared with them in ecclesiastical and legal power, and in that education which has enabled them to maintain their pretensions. Hence those works which in northern India are (p 44) considered so sacred as only to be perused by the select among the Brahmin themselves, even the Vedas have been transfused into the Tamil, and have by a variety of writers been commented on, disputed, and their authority often rejected. Many Sudras, the Pundarams (those of the ecclesiastical order especially) at the present day, understand the Sanscrit as well as the Brahmins, in addition to their native Tamil, of which few Brahmins have competent knowledge.

IOR: Board's Collections No 22911: Vol 867: Collection pertaining to Dft 137 (1826-7) J<sub>ud</sub> 43 Fort St George: pp 13-59. Also in Madras Judicial Consultations dated 30.9.1823(P/ / :pp 1678-99) sent to Government by J.Dent for the Board of Superintendance for the College with letter dated 11.9.1823 for the purpose of being supplied to the Government Of Bombay as relevant material relating to the "Traditionary or written laws of the Hindoos". In his letter Mr Dent stated: "The Board directed me to transmit for the purpose of being communicated to the Government of Bombay, the accompanying copy of a paper by the late Mr Ellis, containing remarks "On ... Presidency" The above is the only composition calculated to afford information of the nature required, which is in the possession of the Board".

A slightly different version (with verbal alterations here and there and the omission of some marginal notes) is in Walker MSS 184 c 8 (pp 549-91) in the National Library of Scotland, Edinburgh.

preposterous in  
Walker MSS 184c8  
page 572 (549-91)