

antiquity in the East, has excluded from the pleasures of love and from the hope of posterity. It has always been held in Asiatic courts that beings thus estranged from sympathy with their kind are those whom princes may most safely trust. Sujah Dowlah had been of this opinion. He had given his entire confidence to the two eunuchs; and after his death they remained at the head of the household of his widow.

These men were, by the orders of the British government, seized, imprisoned, ironed, starved almost to death, in order to extort money from the Princesses. After they had been two months in confinement, their health gave way. They implored permission to take a little exercise in the garden of their prison. The officer who was in charge of them stated that, if they were allowed this indulgence, there was not the smallest chance of their escaping, and that their irons really added nothing to the security of the custody in which they were kept. He did not understand the plan of his superiors. Their object in these inflictions was not security but torture; and all mitigation was refused. Yet this was not the worst. It was resolved by an English government that these two infirm old men should be delivered to the tormentors. For that purpose they were removed to Lucknow. What horrors their dungeon there witnessed can only be guessed. But there remains on the records of

Parliament this letter, written by a British resident to a British soldier.

“Sir, the Nabob having determined to inflict corporal punishment upon the prisoners under your guard, this is to desire that his officers, when they shall come, may have free access to the prisoners, and be permitted to do with them as they shall see proper.”

While these barbarities were perpetrated at Lucknow, the Princesses were still under duress at Fyzabad. Food was allowed to enter their apartments only in such scanty quantities that their female attendants were in danger of perishing with hunger. Month after month this cruelty continued, till at length, after twelve hundred thousand pounds had been wrung out of the Princesses, Hastings began to think that he had really got to the bottom of their coffers, and that no rigour could extort more. Then at length the wretched men who were detained at Lucknow regained their liberty. When their irons were knocked off, and the doors of their prison opened, their quivering lips, the tears which ran down their cheeks, and the thanksgivings which they poured forth to the common Father of Mussulmans and Christians, melted even the stout hearts of the English warriors who stood by.

But we must not forget to do justice to Sir Elijah Impey's conduct on this occasion. It was not indeed easy for him to intrude himself into a business so

entirely alien from all his official duties. But there was something inexpressibly alluring, we must suppose, in the peculiar rankness of the infamy which was then to be got at Lucknow. He hurried thither as fast as relays of palanquin-bearers could carry him. A crowd of people came before him with affidavits against the Begums, ready drawn in their hands. Those affidavits he did not read. Some of them, indeed, he could not read; for they were in the dialects of Northern India, and no interpreter was employed. He administered the oath to the deponents with all possible expedition, and asked not a single question, not even whether they had perused the statements to which they swore. This work performed, he got again into his palanquin, and posted back to Calcutta, to be in time for the opening of term. The cause was one which, by his own confession, lay altogether out of his jurisdiction. Under the charter of justice, he had no more right to inquire into crimes committed by Asiatics in Oude than the Lord President of the Court of Session of Scotland to hold an assize at Exeter. He had no right to try the Begums, nor did he pretend to try them. With what object, then, did he undertake so long a journey? Evidently in order that he might give, in an irregular manner, that sanction which in a regular manner he could not give, to the crimes of those who had recently hired him; and in order that a confused

mass of testimony which he did not sift, which he did not even read, might acquire an authority not properly belonging to it, from the signature of the highest judicial functionary in India.

The time was approaching, however, when he was to be stripped of that robe which has never, since the Revolution, been disgraced so foully as by him. The state of India had for some time occupied much of the attention of the British Parliament. Towards the close of the American war, two committees of the Commons sat on Eastern affairs. In one Edmund Burke took the lead. The other was under the presidency of the able and versatile Henry Dundas, then Lord Advocate of Scotland. Great as are the changes which, during the last sixty years, have taken place in our Asiatic dominions, the reports which those committees laid on the table of the House will still be found most interesting and instructive.

There was as yet no connection between the Company and either of the great parties in the state. The ministers had no motive to defend Indian abuses. On the contrary, it was for their interest to show, if possible, that the government and patronage of our Oriental empire might, with advantage, be transferred to themselves. The votes, therefore, which, in consequence of the reports made by the two committees, were passed by the Commons, breathed the spirit of

stern and indignant justice. The severest epithets were applied to several of the measures of Hastings, especially to the Rohilla war; and it was resolved, on the motion of Mr. Dundas, that the Company ought to recall a Governor-General who had brought such calamities on the Indian people, and such dishonour on the British name. An act was passed for limiting the jurisdiction of the supreme Court. The bargain which Hastings had made with the Chief Justice was condemned in the strongest terms; and an address was presented to the king, praying that Impey might be summoned home to answer for his misdeeds.

Impey was recalled by a letter from the Secretary of State. But the proprietors of India stock resolutely refused to dismiss Hastings from their service, and passed a resolution affirming, what was undeniably true, that they were intrusted by law with the right of naming and removing their Governor-General, and that they were not bound to obey the directions of a single branch of the legislature with respect to such nomination or removal.

Thus supported by his employers, Hastings remained at the head of the government of Bengal till the spring of 1785. His administration, so eventful and stormy, closed in almost perfect quiet. In the Council there was no regular opposition to his measures. Peace was restored to India. The Mahratta war had ceased.

Hyder was no more. A treaty had been concluded with his son, Tippoo; and the Carnatic had been evacuated by the armies of Mysore. Since the termination of the American war, England had no European enemy or rival in the Eastern seas.

On a general review of the long administration of Hastings, it is impossible to deny that, against the great crimes by which it is blemished, we have to set off great public services. England had passed through a perilous crisis. She still, indeed, maintained her place in the foremost rank of European powers; and the manner in which she had defended herself against fearful odds had inspired surrounding nations with a high opinion both of her spirit and of her strength. Nevertheless, in every part of the world, except one, she had been a loser. Not only had she been compelled to acknowledge the independence of thirteen colonies peopled by her children, and to conciliate the Irish by giving up the right of legislating for them; but, in the Mediterranean, in the Gulf of Mexico, on the coast of Africa, on the continent of America, she had been compelled to cede the fruits of her victories in former wars. Spain regained Minorca and Florida; France regained Senegal, Goree, and several West Indian Islands. The only quarter of the world in which Britain had lost nothing was the quarter in which her interests had been committed to the care of Hastings.

In spite of the utmost exertions both of European and Asiatic enemies, the power of our country in the East had been greatly augmented. Benares was subjected; the Nabob Vizier reduced to vassalage. That our influence had been thus extended, nay, that Fort William and Fort St. George had not been occupied by hostile armies, was owing, if we may trust the general voice of the English in India, to the skill and resolution of Hastings.

His internal administration, with all its blemishes, gives him a title to be considered as one of the most remarkable men in our history. He dissolved the double government. He transferred the direction of affairs to English hands. Out of a frightful anarchy he educed at least a rude and imperfect order. The whole organisation by which justice was dispensed, revenue collected, peace maintained throughout a territory not inferior in population to the dominions of Lewis the Sixteenth or the Emperor Joseph, was formed and superintended by him. He boasted that every public office, without exception, which existed when he left Bengal, was his creation. It is quite true that this system, after all the improvements suggested by the experience of sixty years, still needs improvement, and that it was at first far more defective than it now is. But whoever seriously considers what it is to construct from the beginning the whole of a

machine so vast and complex as a government, will allow that what Hastings effected deserves high admiration. To compare the most celebrated European ministers to him seems to us as unjust as it would be to compare the best baker in London with Robinson Crusoe, who, before he could bake a single loaf, had to make his plough and his harrow, his fences and his scarecrows, his sickle and his flail, his mill and his oven.

The just fame of Hastings rises still higher when we reflect that he was not bred a statesman; that he was sent from school to a counting-house; and that he was employed during the prime of his manhood as a commercial agent, far from all intellectual society.

Nor must we forget that all, or almost all, to whom, when placed at the head of affairs, he could apply for assistance, were persons who owed as little as himself, or less than himself, to education. A minister in Europe finds himself, on the first day on which he commences his functions, surrounded by experienced public servants, the depositaries of official traditions. Hastings had no such help. His own reflection, his own energy, were to supply the place of all Downing Street and Somerset House. Having had no facilities for learning, he was forced to teach. He had first to form himself, and then to form his instruments; and

this not in a single department, but in all the departments of the administration.

It must be added that, while engaged in this most arduous task, he was constantly trammelled by orders from home, and frequently borne down by a majority in council. The preservation of an Empire from a formidable combination of foreign enemies, the construction of a government in all its parts, were accomplished by him, while every ship brought out bales of censure from his employers, and while the records of every consultation were filled with acrimonious minutes by his colleagues. We believe that there never was a public man whose temper was so severely tried; not Marlborough, when thwarted by the Dutch Deputies; not Wellington, when he had to deal at once with the Portuguese Regency, the Spanish Juntas, and Mr. Perceval. But the temper of Hastings was equal to almost any trial. It was not sweet; but it was calm. Quick and vigorous as his intellect was, the patience with which he endured the most cruel vexations, till a remedy could be found, resembled the patience of stupidity. He seems to have been capable of resentment, bitter and long-enduring; yet his resentment so seldom hurried him into any blunder, that it may be doubted whether what appeared to be revenge was anything but policy.

The effect of this singular equanimity was that he

always had the full command of all the resources of one of the most fertile minds that ever existed. Accordingly, no complication of perils and embarrassments could perplex him. For every difficulty he had a contrivance ready; and, whatever may be thought of the justice and humanity of some of his contrivances, it is certain that they seldom failed to serve the purpose for which they were designed.

Together with this extraordinary talent for devising expedients, Hastings possessed, in a very high degree, another talent scarcely less necessary to a man in his situation; we mean the talent for conducting political controversy. It is as necessary to an English statesman in the East that he should be able to write, as it is to a minister in this country that he should be able to speak. It is chiefly by the oratory of a public man here that the nation judges of his powers. It is from the letters and reports of a public man in India that the dispensers of patronage form their estimate of him. In each case, the talent which receives peculiar encouragement is developed, perhaps at the expense of the other powers. In this country we sometimes hear men speak above their abilities. It is not very unusual to find gentlemen in the Indian service who write above their abilities. The English politician is a little too much of a debater; the Indian politician a little too much of an essayist.

Of the numerous servants of the Company who have distinguished themselves as framers of minutes and despatches, Hastings stands at the head. He was indeed the person who gave to the official writing of the Indian governments the character which it still retains. He was matched against no common antagonist. But even Francis was forced to acknowledge, with sullen and resentful candour, that there was no contending against the pen of Hastings. And, in truth, the Governor-General's power of making out a case, of perplexing what it was inconvenient that people should understand, and of setting in the clearest point of view whatever would bear the light, was incomparable. His style must be praised with some reservation. It was in general forcible, pure, and polished; but it was sometimes, though not often, turgid, and, on one or two occasions, even bombastic. Perhaps the fondness of Hastings for Persian literature may have tended to corrupt his taste.

And, since we have referred to his literary tastes, it would be most unjust not to praise the judicious encouragement, which, as a ruler, he gave to liberal studies and curious researches. His patronage was extended, with prudent generosity, to voyages, travels, experiments, publications. He did little, it is true, towards introducing into India the learning of the West. To make the young natives of Bengal

familiar with Milton and Adam Smith, to substitute the geography, astronomy, and surgery of Europe for the dotages of the Brahminical superstition, or for the imperfect science of ancient Greece transfused through Arabian expositions, this was a scheme reserved to crown the beneficent administration of a far more virtuous ruler. Still it is impossible to refuse high commendation to a man who, taken from a ledger to govern an empire, overwhelmed by public business, surrounded by people as busy as himself, and separated by thousands of leagues from almost all literary society, gave, both by his example and by his munificence, a great impulse to learning. In Persian and Arabic literature he was deeply skilled. With the Sanscrit he was not himself acquainted; but those who first brought that language to the knowledge of European students owed much to his encouragement. It was under his protection that the Asiatic Society commenced its honourable career. That distinguished body selected him to be its first president; but, with excellent taste and feeling, he declined the honour in favour of Sir William Jones. But the chief advantage which the students of Oriental letters derived from his patronage remains to be mentioned. The Pundits of Bengal had always looked with great jealousy on the attempts of foreigners to pry into those mysteries which were locked up in the sacred dialect. The Brahminical religion had been

persecuted by the Mahommedans. What the Hindoos knew of the spirit of the Portuguese government might warrant them in apprehending persecution from Christians. That apprehension, the wisdom and moderation of Hastings removed. He was the first foreign ruler who succeeded in gaining the confidence of the hereditary priests of India, and who induced them to lay open to English scholars the secrets of the old Brahminical theology and jurisprudence.

It is indeed impossible to deny that, in the great art of inspiring large masses of human beings with confidence and attachment, no ruler ever surpassed Hastings. If he had made himself popular with the English by giving up the Bengalees to extortion and oppression, or if, on the other hand, he had conciliated the Bengalees and alienated the English, there would have been no cause for wonder. What is peculiar to him is that, being the chief of a small band of strangers, who exercised boundless power over a great indigenous population, he made himself beloved both by the subject many and by the dominant few. The affection felt for him by the civil service was singularly ardent and constant. Through all his disasters and perils, his brethren stood by him with steadfast loyalty. The army, at the same time, loved him as armies have seldom loved any but the greatest chiefs who have led them to victory. Even in his disputes with

distinguished military men, he could always count on the support of the military profession. While such was his empire over the hearts of his countrymen, he enjoyed among the natives a popularity such as other governors have perhaps better merited, but such as no other governor has been able to attain. He spoke their vernacular dialects with facility and precision. He was intimately acquainted with their feelings and usages. On one or two occasions, for great ends, he deliberately acted in defiance of their opinion; but on such occasions he gained more in their respect than he lost in their love. In general, he carefully avoided all that could shock their national or religious prejudices. His administration was indeed in many respects faulty; but the Bengalee standard of good government was not high. Under the Nabobs, the hurricane of Mahratta cavalry had passed annually over the rich alluvial plain. But even the Mahratta shrank from a conflict with the mighty children of the sea; and the immense rice harvests of the Lower Ganges were safely gathered in, under the protection of the English sword. The first English conquerors had been more rapacious and merciless even than the Mahrattas; but that generation had passed away. Defective as was the police, heavy as were the public burdens, it is probable that the oldest man in Bengal could not recollect a season of equal security and prosperity. For the first time

within living memory, the province was placed under a government strong enough to prevent others from robbing, and not inclined to play the robber itself. These things inspired good-will. At the same time the constant success of Hastings, and the manner in which he extricated himself from every difficulty, made him an object of superstitious admiration; and the more than regal splendour which he sometimes displayed dazzled a people who have much in common with children. Even now, after the lapse of more than fifty years, the natives of India still talk of him as the greatest of the English; and nurses sing children to sleep with a jingling ballad about the fleet horses and richly caparisoned elephants of Sahib Warren Hostein.

The gravest offence of which Hastings was guilty did not affect his popularity with the people of Bengal; for those offences were committed against neighbouring states. Those offences, as our readers must have perceived, we are not disposed to vindicate; yet, in order that the censure may be justly apportioned to the transgression, it is fit that the motive of the criminal should be taken into consideration. The motive which prompted the worst acts of Hastings was misdirected and ill-regulated public spirit. The rules of justice, the sentiments of humanity, the plighted faith of treaties, were in his view as nothing, when opposed to the immediate interest of the state.

This is no justification, according to the principles either of morality, or of what we believe to be identical with morality, namely, far-sighted policy. Nevertheless, the common sense of mankind, which in questions of this sort seldom goes far wrong, will always recognise a distinction between crimes which originate in an inordinate zeal for the commonwealth, and crimes which originate in selfish cupidity. To the benefit of this distinction Hastings is fairly entitled. There is, we conceive, no reason to suspect that the Rohilla war, the revolution of Benares, or the spoliation of the Princesses of Oude, added a rupee to his fortune. We will not affirm that, in all pecuniary dealings, he showed that punctilious integrity, that dread of the faintest appearance of evil, which is now the glory of the Indian civil service. But when the school in which he had been trained, and the temptations to which he was exposed, are considered, we are more inclined to praise him for his general uprightness with respect to money, than rigidly to blame him for a few transactions which would now be called indelicate and irregular, but which even now would hardly be designated as corrupt. A rapacious man he certainly was not. Had he been so, he would infallibly have returned to his country the richest subject in Europe. We speak within compass, when we say that, without applying any extraordinary pressure, he might easily

have obtained from the zemindars of the Company's provinces and from neighbouring princes, in the course of thirteen years, more than three millions sterling, and might have outshone the splendour of Carlton House and of the *Palais Royal*. He brought home a fortune such as a Governor-General, fond of state, and careless of thrift, might easily, during so long a tenure of office, save out of his legal salary. Mrs. Hastings, we are afraid, was less scrupulous. It was generally believed that she accepted presents with great alacrity, and that she thus formed, without the connivance of her husband, a private hoard amounting to several lacs of rupees. We are the more inclined to give credit to this story, because Mr. Gleig, who cannot but have heard it, does not, so far as we have observed, notice or contradict it.

The influence of Mrs. Hastings over her husband was indeed such that she might easily have obtained much larger sums than she was ever accused of receiving. At length her health began to give way; and the Governor-General, much against his will, was compelled to send her to England. He seems to have loved her with that love which is peculiar to men of strong minds, to men whose affection is not easily won or widely diffused. The talk of Calcutta ran for some time on the luxurious manner in which he fitted up the round-house of an Indiaman for her accommodation, on

the profusion of sandal-wood and carved ivory which adorned her cabin, and on the thousands of rupees which had been expended in order to procure for her the society of an agreeable female companion during the voyage. We may remark here that the letters of Hastings to his wife are exceedingly characteristic. They are tender, and full of indications of esteem and confidence; but, at the same time, a little more ceremonious than is usual in so intimate a relation. The solemn courtesy with which he compliments "his elegant Marian" reminds us now and then of the dignified air with which Sir Charles Grandison bowed over Miss Byron's hand in the cedar parlour.

After some months, Hastings prepared to follow his wife to England. When it was announced that he was about to quit his office, the feeling of the society which he had so long governed manifested itself by many signs. Addresses poured in from Europeans and Asiatics, from civil functionaries, soldiers, and traders. On the day on which he delivered up the keys of office, a crowd of friends and admirers formed a lane to the quay where he embarked. Several barges escorted him far down the river; and some attached friends refused to quit him till the low coast of Bengal was fading from the view, and till the pilot was leaving the ship.

Of his voyage little is known, except that he amused

himself with books and with his pen; and that, among the compositions by which he beguiled the tediousness of that long leisure, was a pleasing imitation of Horace's *Otium Divos rogat*. This little poem was inscribed to Mr. Shore, afterwards Lord Teignmouth, a man of whose integrity, humanity, and honour, it is impossible to speak too highly, but who, like some other excellent members of the civil service, extended to the conduct of his friend Hastings an indulgence of which his own conduct never stood in need.

The voyage was, for those times, very speedy. Hastings was little more than four months on the sea. In June, 1785, he landed at Plymouth, posted to London, appeared at Court, paid his respects in Leadenhall Street, and then retired with his wife to Cheltenham.

He was greatly pleased with his reception. The King treated him with marked distinction. The Queen, who had already incurred much censure on account of the favour which, in spite of the ordinary severity of her virtue, she had shown to the "elegant Marian," was not less gracious to Hastings. The Directors received him in a solemn sitting; and their chairman read to him a vote of thanks which they had passed without one dissentient voice. "I find myself," said Hastings, in a letter written about a quarter of a year after his arrival in England, "I find myself

everywhere, and universally, treated with evidences, apparent even to my own observation, that I possess the good opinion of my country."

The confident and exulting tone of his correspondence about this time is the more remarkable, because he had already received ample notice of the attack which was in preparation. Within a week after he landed at Plymouth, Burke gave notice in the House of Commons of a motion seriously affecting a gentleman lately returned from India. The session, however, was then so far advanced, that it was impossible to enter on so extensive and important a subject.

Hastings, it is clear, was not sensible of the danger of his position. Indeed that sagacity, that judgment, that readiness in devising expedients, which had distinguished him in the East, seemed now to have forsaken him; not that his abilities were at all impaired; not that he was not still the same man who had triumphed over Francis and Nuncomar, who had made the Chief Justice and the Nabob Vizier his tools, who had deposed Cheyte Sing, and repelled Hyder Ali. But an oak, as Mr. Grattan finely said, should not be transplanted at fifty. A man who, having left England when a boy, returns to it after thirty or forty years passed in India, will find, be his talents what they may, that he has much both to learn and to unlearn before he can take a place among English statesmen. The working

of a representative system, the war of parties, the arts of debate, the influence of the press, are startling novelties to him. Surrounded on every side by new machines and new tactics, he is as much bewildered as Hannibal would have been at Waterloo, or Themistocles at Trafalgar. His very acuteness deludes him. His very vigour causes him to stumble. The more correct his maxims, when applied to the state of society to which he is accustomed, the more certain they are to lead him astray. This was strikingly the case with Hastings. In India he had a bad hand; but he was master of the game, and he won every stake. In England he held excellent cards, if he had known how to play them; and it was chiefly by his own errors that he was brought to the verge of ruin.

Of all his errors the most serious was perhaps the choice of a champion. Clive, in similar circumstances, had made a singularly happy selection. He put himself into the hands of Wedderburn, afterwards Lord Loughborough, one of the few great advocates who have also been great in the House of Commons. To the defence of Clive, therefore, nothing was wanting, neither learning nor knowledge of the world, neither forensic acuteness nor that eloquence which charms political assemblies. Hastings intrusted his interests to a very different person, a Major in the Bengal army, named Scott. This gentleman had been sent

over from India some time before as the agent of the Governor-General. It was rumoured that his services were rewarded with Oriental munificence; and we believe that he received much more than Hastings could conveniently spare. The Major obtained a seat in Parliament, and was there regarded as the organ of his employer. It was evidently impossible that a gentleman so situated could speak with the authority which belongs to an independent position. Nor had the agent of Hastings the talents necessary for obtaining the ear of an assembly which, accustomed to listen to great orators, [had naturally become fastidious. He was always on his legs; he was very tedious; and he had only one topic, the merits and wrongs of Hastings. Everybody who knows the House of Commons will easily guess what followed. The Major was soon considered as the greatest bore of his time. His exertions were not confined to Parliament. There was hardly a day on which the newspapers did not contain some puff upon Hastings, signed *Asiaticus* or *Bengalensis*, but known to be written by the indefatigable Scott; and hardly a month in which some bulky pamphlet on the same subject, and from the same pen, did not pass to the trunk-makers and the pastry-cooks. As to this gentleman's capacity for conducting a delicate question through Parliament, our readers will want no evidence beyond that which they will find in letters preserved in

these volumes. We will give a single specimen of his temper and judgment. He designated the greatest man then living as "that reptile, Mr. Burke."

In spite, however, of this unfortunate choice, the general aspect of affairs was favourable to Hastings. The King was on his side. The Company and its servants were zealous in his cause. Among public men he had many ardent friends. Such were Lord Mansfield, who had outlived the vigour of his body, but not that of his mind; and Lord Lansdowne, who, though unconnected with any party, retained the importance which belongs to great talents and knowledge. The ministers were generally believed to be favourable to the late Governor-General. They owed their power to the clamour which had been raised against Mr. Fox's East India Bill. The authors of that bill, when accused of invading vested rights, and of setting up powers unknown to the constitution, had defended themselves by pointing to the crimes of Hastings, and by arguing that abuses so extraordinary justified extraordinary measures. Those who, by opposing that bill, had raised themselves to the head of affairs, would naturally be inclined to extenuate the evils which had been made the plea for administering so violent a remedy; and such, in fact, was their general disposition. The Lord Chancellor Thurlow, in particular, whose great place and force of intellect gave him a

weight in the government inferior only to that of Mr. Pitt, espoused the cause of Hastings with indecorous violence. Mr. Pitt, though he had censured many parts of the Indian system, had studiously abstained from saying a word against the late chief of the Indian government. To Major Scott, indeed, the young minister had in private extolled Hastings as a great, a wonderful man, who had the highest claims on the government. There was only one objection to granting all that so eminent a servant of the public could ask. The resolution of censure still remained on the journals of the House of Commons. That resolution was, indeed, unjust; but till it was rescinded, could the minister advise the King to bestow any mark of approbation on the person censured? If Major Scott is to be trusted, Mr. Pitt declared that this was the only reason which prevented the advisers of the Crown from conferring a peerage on the late Governor-General. Mr. Dundas was the only important member of the administration who was deeply committed to a different view of the subject. He had moved the resolution which created the difficulty; but even from him little was to be apprehended. Since he had presided over the committee on Eastern affairs, great changes had taken place. He was surrounded by new allies; he had fixed his hopes on new objects; and whatever may have been his good qualities (and he had many),

flattery itself never reckoned rigid consistency in the number.

From the Ministry, therefore, Hastings had every reason to expect support; and the Ministry was very powerful. The Opposition was loud and vehement against him. But the Opposition, though formidable from the wealth and influence of some of its members, and from the admirable talents and eloquence of others, was outnumbered in parliament, and odious throughout the country. Nor, as far as we can judge, was the Opposition generally desirous to engage in so serious an undertaking as the impeachment of an Indian Governor. Such an impeachment must last for years. It must impose on the chiefs of the party an immense load of labour. Yet it could scarcely, in any manner, affect the event of the great political game. The followers of the coalition were therefore more inclined to revile Hastings than to prosecute him. They lost no opportunity of coupling his name with the names of the most hateful tyrants of whom history makes mention. The wits of Brooks's aimed their keenest sarcasms both at his public and at his domestic life. Some fine diamonds which he had presented, as it was rumoured, to the royal family, and a certain richly carved iron bed which the Queen had done him the honour to accept from him, were favourite subjects of ridicule. One lively poet proposed, that the great acts

of the fair Marian's present husband should be immortalised by the pencil of his predecessor; and that Imhoff should be employed to embellish the House of Commons with paintings of the bleeding Rohillas, of Nuncomar swinging, of Cheyte Sing letting himself down to the Ganges. Another, in an exquisitely humorous parody of Virgil's third eclogue, propounded the question, what that mineral could be of which the rays had power to make the most austere of princesses the friend of a wanton. A third described, with gay malevolence, the gorgeous appearance of Mrs. Hastings at St. James's, the galaxy of jewels, torn from Indian Begums, which adorned her head-dress, her necklaco gleaming with future votes, and the depending questions that shone upon her ears. Satirical attacks of this description, and perhaps a motion for a vote of censure, would have satisfied the great body of the Opposition. But there were two men whose indignation was not to be so appeased, Philip Francis and Edmund Burke.

Francis had recently entered the House of Commons, and had already established a character there for industry and ability. He laboured indeed under one most unfortunate defect, want of fluency. But he occasionally expressed himself with a dignity and energy worthy of the greatest orators. Before he had been many days in parliament, he incurred the bitter

dislike of Pitt, who constantly treated him with as much asperity as the laws of debate would allow. Neither lapse of years nor change of scene had mitigated the enmities which Francis had brought back from the East. After his usual fashion, he mistook his malevolence for virtue, nursed it, as preachers tell us that we ought to nurse our good dispositions, and paraded it on all occasions, with Pharisaical ostentation.

The zeal of Burke was still fiercer; but it was far purer. Men unable to understand the elevation of his mind have tried to find out some discreditable motive for the vehemence and pertinacity which he showed on this occasion. But they have altogether failed. The idle story that he had some private slight to revenge, has long been given up, even by the advocates of Hastings. Mr. Gleig supposes that Burke was actuated by party spirit: that he retained a bitter remembrance of the fall of the coalition, that he attributed that fall to the exertions of the East India interest, and that he considered Hastings as the head and the representative of that interest. This explanation seems to be sufficiently refuted by a reference to dates. The hostility of Burke to Hastings commenced long before the coalition; and lasted long after Burke had become a strenuous supporter of those by whom the coalition had been defeated. It began when Burke and Fox,

closely allied together, were attacking the influence of the crown, and calling for peace with the American republic. It continued till Burke, alienated from Fox, and loaded with the favours of the crown, died preaching a crusade against the French republic. We surely cannot attribute to the events of 1784 an enmity which began in 1781, and which retained undiminished force long after persons far more deeply implicated than Hastings in the events of 1784 had been cordially forgiven. And why should we look for any other explanation of Burke's conduct than that which we find on the surface? The plain truth is that Hastings had committed some great crimes, and that the thought of those crimes made the blood of Burke boil in his veins. For Burke was a man in whom compassion for suffering, and hatred of injustice and tyranny, were as strong as in Las Casas or Clarkson. And although in him, as in Las Casas and in Clarkson, these noble feelings were alloyed with the infirmity which belongs to human nature, he is, like them, entitled to this great praise, that he devoted years of intense labour to the service of a people with whom he had neither blood nor language, neither religion nor manners in common, and from whom no requital, no thanks, no applause could be expected.

His knowledge of India was such as few, even of those Europeans who have passed many years in that

country, have attained, and such as certainly was never attained by any public man who had not quitted Europe. He had studied the history, the laws, and the usages of the East with an industry such as is seldom found united to so much genius and so much sensibility. Others have perhaps been equally laborious, and have collected an equal mass of materials. But the manner in which Burke brought his higher powers of intellect to work on statements of facts, and on tables of figures, was peculiar to himself. In every part of those huge bales of Indian information which repelled almost all other readers, his mind, at once philosophical and poetical, found something to instruct or to delight. His reason analysed and digested those vast and shapeless masses; his imagination animated and coloured them. Out of darkness, and dulness, and confusion, he formed a multitude of ingenious theories and vivid pictures. He had, in the highest degree, that noble faculty whereby man is able to live in the past and in the future, in the distant and in the unreal. India and its inhabitants were not to him, as to most Englishmen, mere names and abstractions, but a real country and a real people. The burning sun, the strange vegetation of the palm and the cocoa tree, the rice-field, the tank, the huge trees, older than the Mogul empire, under which the village crowds assemble, the thatched roof of the peasant's hut, the rich tracery of the mosque where

the imaan prays with his face to Mecca, the drums, and banners, and gaudy idols, the devotee swinging in the air, the graceful maiden, with the pitcher on her head, descending the steps to the river-side, the black faces, the long beards, the yellow streaks of sect, the turbans and the flowing robes, the spears and the silver maces, the elephants with their canopies of state, the gorgeous palanquin of the prince, and the close litter of the noble lady, all these things were to him as the objects amidst which his own life had been passed, as the objects which lay on the road between Beaconsfield and St. James's Street. All India was present to the eye of his mind, from the halls where suitors laid gold and perfumes at the feet of sovereigns, to the wild moor where the gipsy camp was pitched, from the bazaar, humming like the beehive with the crowd of buyers and sellers, to the jungle where the lonely courier shakes his bunch of iron rings to scare away the hyenas. He had just as lively an idea of the insurrection at Benares as of Lord George Gordon's riots, and of the execution of Nuncomar as of the execution of Dr. Dodd. Oppression in Bengal was to him the same thing as oppression in the streets of London.

He saw that Hastings had been guilty of some most unjustifiable acts. All that followed was natural and necessary in a mind like Burke's. His imagination and his passions, once excited, hurried him beyond the

bounds of justice and good sense. His reason, powerful as it was, became the slave of feelings which it should have controlled. His indignation, virtuous in its origin, acquired too much of the character of personal aversion. He could see no mitigating circumstance, no redeeming merit. His temper, which, though generous and affectionate, had always been irritable, had now been made almost savage by bodily infirmities and mental vexations. Conscious of great powers and great virtues, he found himself, in age and poverty, a mark for the hatred of a perfidious court and a deluded people. In Parliament his eloquence was out of date. A young generation, which knew him not, had filled the House. Whenever he rose to speak, his voice was drowned by the unseemly interruption of lads who were in their cradles when his orations on the Stamp Act called forth the applause of the great Earl of Chatham. These things had produced on his proud and sensitive spirit an effect at which we cannot wonder. He could no longer discuss any question with calmness, or make allowance for honest differences of opinion. Those who think that he was more violent and acrimonious in debates about India than on other occasions, are ill informed respecting the last years of his life. In the discussions on the Commercial Treaty with the Court of Versailles, on the Regency, on the French Revolution, he

showed even more virulence than in conducting the impeachment. Indeed, it may be remarked, that the very persons who called him a mischievous maniac, for condemning in burning words the Rohilla war and the spoliation of the Begums, exalted him into a prophet as soon as he began to declaim, with greater vehemence, and not with greater reason, against the taking of the Bastille and the insults offered to Marie Antoinette. To us he appears to have been neither a maniac in the former case, nor a prophet in the latter, but in both cases a great and good man, led into extravagance by a sensibility which domineered over all his faculties.

It may be doubted whether the personal antipathy of Francis, or the nobler indignation of Burke, would have led their party to adopt extreme measures against Hastings, if his own conduct had been judicious. He should have felt that, great as his public services had been, he was not faultless, and should have been content to make his escape, without aspiring to the honours of a triumph. He and his agent took a different view. They were impatient for the rewards which, as they conceived, were deferred only till Burke's attack should be over. They accordingly resolved to force on a decisive action with an enemy for whom, if they had been wise, they would have made a bridge of gold. On the first day of the session of

1786, Major Scott reminded Burke of the notice given in the preceding year, and asked whether it was seriously intended to bring any charge against the late Governor-General. This challenge left no course open to the Opposition, except to come forward as accusers, or to acknowledge themselves calumniators. The administration of Hastings had not been so blameless, nor was the great party of Fox and North so feeble, that it could be prudent to venture on so bold a defiance. The leaders of the Opposition instantly returned the only answer which they could with honour return; and the whole party was irrevocably pledged to a prosecution.

Burke began his operations by applying for Papers. Some of the documents for which he asked were refused by the ministers, who, in the debate, held language such as strongly confirmed the prevailing opinion, that they intended to support Hastings. In April the charges were laid on the table. They had been drawn by Burke with great ability, though in a form too much resembling that of a pamphlet. Hastings was furnished with a copy of the accusation; and it was intimated to him that he might, if he thought fit, be heard in his own defence at the Bar of the Commons.

Here again, Hastings was pursued by the same fatality which had attended him ever since the day

when he set foot on English ground. It seemed to be decreed that this man, so politic and so successful in the East, should commit nothing but blunders in Europe. Any judicious adviser would have told him that the best thing which he could do, would be to make an eloquent, forcible, and affecting oration at the bar of the House; but that if he could not trust himself to speak, and found it necessary to read, he ought to be as concise as possible. Audiences accustomed to extemporaneous debating of the highest excellence, are always impatient of long written compositions. Hastings, however, sat down as he would have done at the Government-house in Bengal, and prepared a paper of immense length. That paper, if recorded on the consultations of an Indian administration, would have been justly praised as a very able minute. But it was now out of place. It fell flat, as the best written defence must have fallen flat, on an assembly accustomed to the animated and strenuous conflicts of Pitt and Fox. The members, as soon as their curiosity about the face and demeanour of so eminent a stranger was satisfied, walked away to dinner, and left Hastings to tell his story till midnight to the clerks and the Sergeant-at-Arms.

All preliminary steps having been duly taken, Burke, in the beginning of June, brought forward the charge relating to the Rohilla war. He acted

discreetly in placing this accusation in the van; for Dundas had formerly moved, and the House had adopted, a resolution condemning, in the most severe terms, the policy followed by Hastings with regard to Rohilcund. Dundas had little, or rather nothing, to say in defence of his own consistency; but he put a bold face on the matter, and opposed the motion. Among other things, he declared that, though he still thought the Rohilla war unjustifiable, he considered the services which Hastings had subsequently rendered to the state as sufficient to atone even for so great an offence. Pitt did not speak, but voted with Dundas; and Hastings was absolved by a hundred and nineteen votes against sixty-seven.

Hastings was now confident of victory. It seemed, indeed, that he had reason to be so. The Rohilla war was, of all his measures, that which his accusers might with greatest advantage assail. It had been condemned by the Court of Directors. It had been condemned by the House of Commons. It had been condemned by Mr. Dundas, who had since become the chief minister of the Crown for Indian affairs. Yet Burke, having chosen this strong ground, had been completely defeated on it. That, having failed here, he should succeed on any point, was generally thought impossible. It was rumoured at the clubs and coffee-houses, that one, or perhaps two more charges would

be brought forward; that if, on those charges, the sense of the House of Commons should be against impeachment, the Opposition would let the matter drop, that Hastings would be immediately raised to the peerage, decorated with the star of the Bath, sworn of the privy council, and invited to lend the assistance of his talents and experience to the India Board. Lord Thurlow, indeed, some months before, had spoken with contempt of the scruples which prevented Pitt from calling Hastings to the House of Lords; and had even said that, if the Chancellor of the Exchequer was afraid of the Commons, there was nothing to prevent the Keeper of the Great Seal from taking the royal pleasure about a patent of peerage. The very title was chosen. Hastings was to be Lord Daylesford. For, through all changes of scene and changes of fortune, remained unchanged his attachment to the spot which had witnessed the greatness and the fall of his family, and which had borne so great a part in the first dreams of his young ambition.

But in a very few days these fair prospects were overcast. On the thirteenth of June, Mr. Fox brought forward, with great ability and eloquence, the charge respecting the treatment of Cheyte Sing. Francis followed on the same side. The friends of Hastings were in high spirits when Pitt rose. With his usual abundance and felicity of language, the Minister gave

his opinion on the case. He maintained that the Governor-General was justified in calling on the Rajah of Benares for pecuniary assistance, and in imposing a fine when that assistance was contumaciously withheld. He also thought that the conduct of the Governor-General during the insurrection had been distinguished by ability and presence of mind. He censured, with great bitterness, the conduct of Francis, both in India and in Parliament, as most dishonest and malignant. The necessary inference from Pitt's arguments seemed to be that Hastings ought to be honourably acquitted; and both the friends and the opponents of the Minister expected from him a declaration to that effect. To the astonishment of all parties, he concluded by saying that, though he thought it right in Hastings to fine Cheyte Sing for contumacy, yet the amount of the fine was too great for the occasion. On this ground, and on this ground alone, did Mr. Pitt, applauding every other part of the conduct of Hastings with regard to Benares, declare that he should vote in favour of Mr. Fox's motion.

The House was thunderstruck; and it well might be so. For the wrong done to Cheyte Sing, even had it been as flagitious as Fox and Francis contended, was a trifle when compared with the horrors which had been inflicted on Rohilcund. But if Mr. Pitt's view of the case of Cheyte Sing were correct, there was no ground

for an impeachment, or even for a vote of censure. If the offence of Hastings was really no more than this, that, having a right to impose a mulct, the amount of which mulct was not defined, but was left to be settled by his discretion, he had, not for his own advantage, but for that of the state, demanded too much, was this an offence which required a criminal proceeding of the highest solemnity, a criminal proceeding to which, during sixty years, no public functionary had been subjected? We can see, we think, in what way a man of sense and integrity might have been induced to take any course respecting Hastings, except the course which Mr. Pitt took. Such a man might have thought a great example necessary, for the prevention of injustice, and for the vindicating of the national honour, and might, on that ground, have voted for impeachment both on the Rohilla charge, and on the Benares charge. Such a man might have thought that the offences of Hastings had been atoned for by great services, and might, on that ground, have voted against the impeachment, on both charges. With great diffidence, we give it as our opinion, that the most correct course would, on the whole, have been to impeach on the Rohilla charge, and to acquit on the Benares charge. Had the Benares charge appeared to us in the same light in which it appeared to Mr. Pitt, we should, without hesitation, have voted for acquittal

on that charge. The one course which it is inconceivable that any man of a tenth part of Mr. Pitt's abilities can have honestly taken was the course which he took. He acquitted Hastings on the Rohilla charge. He softened down the Benares charge till it became no charge at all; and then he pronounced that it contained matter for impeachment.

Nor must it be forgotten that the principal reason assigned by the ministry for not impeaching Hastings on account of the Rohilla war was this, that the delinquencies of the early part of his administration had been atoned for by the excellence of the later part. Was it not most extraordinary that men who had held this language could afterwards vote that the later part of his administration furnished matter for no less than twenty articles of impeachment? They first represented the conduct of Hastings in 1780 and 1781 as so highly meritorious that, like works of supererogation in the Catholic theology, it ought to be efficacious for the cancelling of former offences; and they then prosecuted him for his conduct in 1780 and 1781.

The general astonishment was the greater, because, only twenty-four hours before, the members on whom the minister could depend had received the usual notes from the Treasury, begging them to be in their places and to vote against Mr. Fox's motion. It was asserted by Mr. Hastings, that, early on the morning of the

very day on which the debate took place, Dundas called on Pitt, woke him, and was closeted with him many hours. The result of this conference was a determination to give up the late Governor-General to the vengeance of the Opposition. It was impossible even for the most powerful minister to carry all his followers with him in so strange a course. Several persons high in office, the Attorney-General, Mr. Grenville, and Lord Mulgrave, divided against Mr. Pitt. But the devoted adherents who stood by the head of the government without asking questions, were sufficiently numerous to turn the scale. A hundred and nineteen members voted for Mr. Fox's motion; seventy-nine against it. Dundas silently followed Pitt.

That good and great man, the late William Wilberforce, often related the events of this remarkable night. He described the amazement of the House, and the bitter reflections which were muttered against the Prime Minister by some of the habitual supporters of government. Pitt himself appeared to feel that this conduct required some explanation. He left the Treasury bench, sat for some time next to Mr. Wilberforce, and very earnestly declared that he had found it impossible, as a man of conscience, to stand any longer by Hastings. The business, he said, was too bad. Mr. Wilberforce, we are bound to add, fully believed that his friend was sincere, and that the

suspicious to which this mysterious affair gave rise were altogether unfounded.

Those suspicions, indeed, were such as it is painful to mention. The friends of Hastings, most of whom, it is to be observed, generally supported the administration, affirmed that the motive of Pitt and Dundas was jealousy. Hastings was personally a favourite with the King. He was the idol of the East India Company and of its servants. If he were absolved by the Commons, seated among the Lords, admitted to the Board of Control, closely allied with the strong-minded and imperious Thurlow, was it not almost certain that he would soon draw to himself the entire management of Eastern affairs? Was it not possible that he might become a formidable rival in the cabinet? It had probably got abroad that very singular communications had taken place between Thurlow and Major Scott, and that, if the First Lord of the Treasury was afraid to recommend Hastings for a peerage, the Chancellor was ready to take the responsibility of that step on himself. Of all ministers, Pitt was the least likely to submit with patience to such an encroachment on his functions. If the Commons impeached Hastings, all danger was at an end. The proceeding, however it might terminate, would probably last some years. In the meantime, the accused person would be excluded from honours and public employments, and could

scarcely venture even to pay his duty at court. Such were the motives attributed by a great part of the public to the young minister, whose ruling passion was generally believed to be avarice of power.

The prorogation soon interrupted the discussions respecting Hastings. In the following year, those discussions were resumed. The charge touching the spoliation of the Begums was brought forward by Sheridan, in a speech which was so imperfectly reported that it may be said to be wholly lost, but which was, without doubt, the most elaborately brilliant of all the productions of his ingenious mind. The impression which it produced was such as has never been equalled. He sat down, not merely amidst cheering, but amidst the loud clapping of hands, in which the Lords below the bar and the strangers in the gallery joined. The excitement of the House was such that no other speaker could obtain a hearing; and the debate was adjourned. The ferment spread fast through the town. Within four-and-twenty hours Sheridan was offered a thousand pounds for the copyright of his speech, if he would himself correct it for the press. The impression made by this remarkable display of eloquence on severe and experienced critics, whose discernment may be supposed to have been quickened by emulation, was deep and permanent. Mr. Windham, twenty years later, said that the speech deserved all its fame, and

was, in spite of some faults of taste, such as were seldom wanting either in the literary or in the parliamentary performances of Sheridan, the finest that had been delivered within the memory of man. Mr. Fox, about the same time, being asked by the late Lord Holland, what was the best speech ever made in the House of Commons, assigned the first place, without hesitation, to the great oration of Sheridan on the Oude charge.

When the debate was resumed, the tide ran so strongly against the accused that his friends were coughed and scraped down. Pitt declared himself for Sheridan's motion; and the question was carried by a hundred and seventy-five votes against sixty-eight.

The Opposition, flushed with victory and strongly supported by the public sympathy, proceeded to bring forward a succession of charges relating chiefly to pecuniary transactions. The friends of Hastings were discouraged, and, having now no hope of being able to avert an impeachment, were not very strenuous in their exertions. At length the House, having agreed to twenty articles of charge, directed Burke to go before the Lords, and to impeach the late Governor-General of High Crimes and Misdemeanours. Hastings was at the same time arrested by the Serjeant-at-Arms, and carried to the Bar of the Peers.

The session was now within ten days of its close. It

was, therefore, impossible that any progress could be made in the trial till the next year. Hastings was admitted to bail; and further proceedings were postponed till the Houses should re-assemble.

When Parliament met in the following winter, the Commons proceeded to elect a committee for managing the impeachment. Burke stood at the head; and with him were associated most of the leading members of the Opposition. But when the name of Francis was read a fierce contention arose. It was said that Francis and Hastings were notoriously on bad terms, that they had been at feud during many years, that on one occasion their mutual aversion had impelled them to seek each other's lives, and that it would be improper and indelicate to select a private enemy to be a public accuser. It was urged on the other side with great force, particularly by Mr. Windham, that impartiality, though the first duty of a judge, had never been reckoned among the qualities of an advocate; that in the ordinary administration of criminal justice among the English, the aggrieved party, the very last person who ought to be admitted into the jury-box, is the prosecutor; that what was wanted in a manager was, not that he should be free from bias, but that he should be able, well informed, energetic, and active. The ability and information of Francis were admitted; and the very animosity with which he was reproached,

whether a virtue or a vice, was at least a pledge for his energy and activity. It seems difficult to refute these arguments. But the inveterate hatred borne by Francis to Hastings had excited general disgust. The House decided that Francis should not be a manager. Pitt voted with the majority, Dundas with the minority.

In the meantime, the preparations for the trial had proceeded rapidly; and on the thirteenth of February, 1788, the sittings of the Court commenced. There have been spectacles more dazzling to the eye, more gorgeous with jewellery and cloth of gold, more attractive to grown-up children, than that which was then exhibited at Westminster; but, perhaps, there never was a spectacle so well calculated to strike a highly cultivated, a reflecting, an imaginative mind. All the various kinds of interest which belong to the near and to the distant, to the present and to the past, were collected on one spot and in one hour. All the talents and all the accomplishments which are developed by liberty and civilisation were now displayed, with every advantage that could be derived both from co-operation and from contrast. Every step in the proceedings carried the mind either backward, through many troubled centuries, to the days when the foundations of our constitution were laid; or far away, over boundless seas and deserts, to dusky nations living

under strange stars, worshipping strange gods, and writing strange characters from right to left. The High Court of Parliament was to sit, according to forms handed down from the days of the Plantagenets, on an Englishman accused of exercising tyranny over the lord of the holy city of Benares, and over the ladies of the princely house of Oude.

The place was worthy of such a trial. It was the great hall of William Rufus, the hall which had resounded with acclamations at the inauguration of thirty kings, the hall which had witnessed the just sentence of Bacon and the just absolution of Somers, the hall where the eloquence of Strafford had for a moment awed and melted a victorious party inflamed with just resentment, the hall where Charles had confronted the High Court of Justice with the placid courage which has half redeemed his fame. Neither military nor civil pomp was wanting. The avenues were lined with grenadiers. The streets were kept clear by cavalry. The peers, robed in gold and ermine, were marshalled by the heralds under Garter King-at-Arms. The judges, in their vestments of state, attended to give advice on points of law. Near a hundred and seventy Lords, three-fourths of the Upper House as the Upper House then was, walked in solemn order from their usual place of assembling to the tribunal. The junior Baron present led the

way, George Elliott, Lord Heathfield, recently ennobled for his memorable defence of Gibraltar against the fleets and armies of France and Spain. The long procession was closed by the Duke of Norfolk, Earl Marshal of the realm, by the great dignitaries, and by the brothers and sons of the King. Last of all came the Prince of Wales, conspicuous by his fine person and noble bearing. The grey old walls were hung with scarlet. The long galleries were crowded by an audience such as has rarely excited the fears or the emulation of an orator. There were gathered together, from all parts of a great, free, enlightened, and prosperous empire, grace and female loveliness, wit and learning, the representatives of every science and of every art. There were seated round the Queen the fair-haired young daughters of the house of Brunswick. There the Ambassadors of great Kings and Commonwealths gazed with admiration on a spectacle which no other country in the world could present. There Siddons, in the prime of her majestic beauty, looked with emotion on a scene surpassing all the imitations of the stage. There the historian of the Roman Empire thought of the days when Cicero pleaded the cause of Sicily against Verres, and when, before a Senate which still retained some show of freedom, Tacitus thundered against the oppressor of Africa. There were seen, side by side, the greatest painter and

the greatest scholar of the age. The spectacle had allured Reynolds from that easel which has preserved to us the thoughtful foreheads of so many writers and statesmen, and the sweet smiles of so many noble matrons. It had induced Parr to suspend his labours in that dark and profound mine from which he had extracted a vast treasure of erudition, a treasure too often buried in the earth, too often paraded with injudicious and inelegant ostentation, but still precious, massive, and splendid. There appeared the voluptuous charms of her to whom the heir of the throne had in secret plighted his faith. There too was she, the beautiful mother of a beautiful race, the Saint Cecilia, whose delicate features, lighted up by love and music, art has rescued from a common decay. There were the members of that brilliant society which quoted, criticised, and exchanged repartees, under the rich peacock hangings of Mrs. Montague. And there the ladies whose lips, more persuasive than those of Fox himself, had carried the Westminster election against palace and treasury, shone round Georgiana Duchess of Devonshire.

The Serjeants made proclamation. Hastings advanced to the bar, and bent his knee. The culprit was indeed not unworthy of that great presence. He had ruled an extensive and populous country, had made laws and treaties, had sent forth armies, had set

up and pulled down princes. And in his high place he had so borne himself, that all had feared him, that most had loved him, and that hatred itself could deny him no title to glory, except virtue. He looked like a great man, and not like a bad man. A person small and emaciated, yet deriving dignity from a carriage which, while it indicated deference to the court, indicated also habitual self-possession and self-respect, a high and intellectual forehead, a brow pensive, but not gloomy, a mouth of inflexible decision, a face pale and worn, but serene, on which was written, as legibly as under the picture in the council-chamber at Calcutta, *Mens æqua in arduis*; such was the aspect with which the great Proconsul presented himself to his judges.

His counsel accompanied him, men all of whom were afterwards raised by their talents and learning to the highest posts in their profession, the bold and strong-minded Law, afterwards Chief Justice of the King's Bench; the more humane and eloquent Dallas, afterwards Chief Justice of the Common Pleas; and Plomer, who, near twenty years later, successfully conducted in the same high court the defence of Lord Melville, and subsequently became Vice-chancellor and Master of the Rolls.

But neither the culprit nor his advocates attracted so much notice as the accusers. In the midst of the

blaze of red drapery, a space had been fitted up with green benches and tables for the Commons. The managers, with Burke at their head, appeared in full dress. The collectors of gossip did not fail to remark that even Fox, generally so regardless of his appearance, had paid to the illustrious tribunal the compliment of wearing a bag and sword. Pitt had refused to be one of the conductors of the impeachment; and his commanding, copious, and sonorous eloquence was wanting to that great muster of various talents. Age and blindness had unfitted Lord North for the duties of a public prosecutor; and his friends were left without the help of his excellent sense, his tact, and his urbanity. But in spite of the absence of these two distinguished members of the Lower House, the box in which the managers stood contained an array of speakers such as perhaps had not appeared together since the great age of Athenian eloquence. There were Fox and Sheridan, the English Demosthenes and the English Hyperides. There was Burke, ignorant, indeed, or negligent of the art of adapting his reasonings and his style to the capacity and taste of his hearers, but in amplitude of comprehension and richness of imagination superior to every orator, ancient or modern. There, with eyes reverentially fixed on Burke, appeared the finest gentleman of the age, his form developed by every manly exercise, his

face beaming with intelligence and spirit, the ingenious, the chivalrous, the high-souled Windham. Nor, though surrounded by such men, did the youngest manager pass unnoticed. At an age when most of those who distinguish themselves in life are still contending for prizes and fellowships at college, he had won for himself a conspicuous place in parliament. No advantage of fortune or connection was wanting that could set off to the height his splendid talents and his unblemished honour. At twenty-three he had been thought worthy to be ranked with the veteran statesmen who appeared as the delegates of the British Commons, at the bar of the British nobility. All who stood at that bar, save him alone, are gone, culprit, advocates, accusers. To the generation which is now in the vigour of life, he is the sole representative of a great age which has passed away. But those who, within the last ten years, have listened with delight, till the morning sun shone on the tapestries of the House of Lords, to the lofty and animated eloquence of Charles Earl Grey, are able to form some estimate of the powers of a race of men among whom he was not the foremost.

The charges and the answers of Hastings were first read. The ceremony occupied two whole days, and was rendered less tedious than it would otherwise have been by the silver voice and just emphasis of Cowper,

the clerk of the court, a near relation of the amiable poet. On the third day Burke rose. Four sittings were occupied by his opening speech, which was intended to be a general introduction to all the charges. With an exuberance of thought and a splendour of diction which more than satisfied the highly raised expectation of the audience, he described the character and institutions of the natives of India, recounted the circumstances in which the Asiatic empire of Britain had originated, and set forth the constitution of the Company and of the English Presidencies. Having thus attempted to communicate to his hearers an idea of Eastern society as vivid as that which existed in his own mind, he proceeded to arraign the administration of Hastings as systematically conducted in defiance of morality and public law. The energy and pathos of the great orator extorted expressions of unwonted admiration from the stern and hostile Chancellor, and, for a moment, seemed to pierce even the resolute heart of the defendant. The ladies in the galleries, unaccustomed to such displays of eloquence, excited by the solemnity of the occasion, and perhaps not unwilling to display their taste and sensibility, were in a state of uncontrollable emotion. Handkerchiefs were pulled out; smelling bottles were handed round; hysterical sobs and screams were heard: and Mrs. Sheridan was carried out in a fit. At length the orator concluded.

Raising his voice till the old arches of Irish oak resounded, "Therefore," said he, "hath it with all confidence been ordered, by the Commons of Great Britain, that I impeach Warren Hastings of high crimes and misdemeanours. I impeach him in the name of the Commons House of Parliament, whose trust he has betrayed. I impeach him in the name of the English nation, whose ancient honour he has sullied. I impeach him in the name of the people of India, whose rights he has trodden under foot, and whose country he has turned into a desert. Lastly, in the name of human nature itself, in the name of both sexes, in the name of every age, in the name of every rank, I impeach the common enemy and oppressor of all!"

When the deep murmur of various emotions had subsided, Mr. Fox rose to address the Lords respecting the course of proceeding to be followed. The wish of the accusers was that the Court would bring to a close the investigation of the first charge before the second was opened. The wish of Hastings and of his counsel was that the managers should open all the charges, and produce all the evidence for the prosecution, before the defence began. The Lords retired to their own House to consider the question. The Chancellor took the side of Hastings. Lord Loughborough, who was now in opposition, supported the demand of the managers. The division showed which way the inclination of the

tribunal leaned. A majority of near three to one decided in favour of the course for which Hastings contended.

When the Court sat again, Mr. Fox, assisted by Mr. Grey, opened the charge respecting Cheyte Sing, and several days were spent in reading papers and hearing witnesses. The next article was that relating to the Princesses of Oude. The conduct of this part of the case was entrusted to Sheridan. The curiosity of the public to hear him was unbounded. His sparkling and highly finished declamation lasted two days; but the Hall was crowded to suffocation during the whole time. It was said that fifty guineas had been paid for a single ticket. Sheridan, when he concluded, contrived, with a knowledge of stage effect which his father might have envied, to sink back, as if exhausted, into the arms of Burke, who hugged him with the energy of generous admiration.

June was now far advanced. The session could not last much longer; and the progress which had been made in the impeachment was not very satisfactory. There were twenty charges. On two only of these had even the case for the prosecution been heard; and it was now a year since Hastings had been admitted to bail.

The interest taken by the public in the trial was great when the Court began to sit, and rose to the

height when Sheridan spoke on the charge relating to the Begums. From that time the excitement went down fast. The spectacle had lost the attraction of novelty. The great displays of rhetoric were over. What was behind was not of a nature to entice men of letters from their books in the morning, or to tempt ladies who had left the masquerade at two to be out of bed before eight. There remained examinations and cross examinations. There remained statements of accounts, there remained the reading of papers, filled with words unintelligible to English ears, with lacs and crores, zemindars and aumils, sunnuds and perwannahs, jaghires and nuzzurs. There remained bickerings, not always carried on with the best taste or with the best temper, between the managers of the impeachment and the counsel for the defence, particularly between Mr. Burke and Mr. Law. There remained the endless marches and countermarches of the peers between their House and the Hall: for as often as a point of law was to be discussed, their Lordships retired to discuss it apart; and the consequence was, as a Peer wittily said, that the judges walked and the trial stood still.

It is to be added that, in the spring of 1788, when the trial commenced, no important question, either of domestic or foreign policy, occupied the public mind. The proceeding in Westminster Hall, therefore, naturally attracted most of the attention of Parliament

and of the country. It was the one great event of that season. But in the following year the King's illness, the debates on the Regency, the expectation of a change of ministry, completely diverted public attention from Indian affairs; and within a fortnight after George the Third had returned thanks in St. Paul's for his recovery, the States-General of France met at Versailles. In the midst of the agitation produced by these events, the impeachment was for a time almost forgotten.

The trial in the Hall went on languidly. In the session of 1788, when the proceedings had the interest of novelty, and when the Peers had little other business before them, only thirty-five days were given to the impeachment. In 1789 the Regency Bill occupied the Upper House till the session was far advanced. When the King recovered, the circuits were beginning. The judges left town; the Lords waited for the return of the oracles of jurisprudence; and the consequence was that during the whole year, only seventeen days were given to the case of Hastings. It was clear that the matter would be protracted to a length unprecedented in the annals of criminal law.

In truth, it is impossible to deny that impeachment, though it is a fine ceremony, and though it may have been useful in the seventeenth century, is not a proceeding from which much good can now be expected.

Whatever confidence may be placed in the decision of the Peers, on an appeal arising out of ordinary litigation, it is certain that no man has the least confidence in their impartiality when a great public functionary, charged with a great state crime, is brought to their bar. They are all politicians. There is hardly one among them whose vote on an impeachment may not be confidently predicted before a witness has been examined; and, even if it were possible to rely on their justice, they would still be quite unfit to try such a cause as that of Hastings. They sit only during half the year. They have to transact much legislative and much judicial business. The law-lords whose advice is required to guide the unlearned majority, are employed daily in administering justice elsewhere. It is impossible, therefore, that during a busy session, the Upper House should give more than a few days to an impeachment. To expect that their Lordships would give up partridge-shooting, in order to bring the greatest delinquent to speedy justice, or to relieve accused innocence by speedy acquittal, would be unreasonable indeed. A well constituted tribunal, sitting regularly six days in the week, and nine hours in the day, would have brought the trial of Hastings to a close in less than three months. The Lords had not finished their work in seven years.

The result ceased to be matter of doubt, from the

time when the Lords resolved that they would be guided by the rules of evidence which are received in the inferior courts of the realm. Those rules, it is well known, exclude much information which would be quite sufficient to determine the conduct of any reasonable man, in the most important transactions of private life. These rules, at every assizes, save scores of culprits whom judges, jury, and spectators, firmly believe to be guilty. But when those rules were rigidly applied to offences committed many years before, at the distance of many thousands of miles, conviction was, of course, out of the question. We do not blame the accused and his counsel for availing themselves of every legal advantage in order to obtain an acquittal. But it is clear that an acquittal so obtained cannot be pleaded in bar of the judgment of history.

Several attempts were made by the friends of Hastings to put a stop to the trial. In 1789 they proposed a vote of censure upon Burke, for some violent language which he had used respecting the death of Nuncomar and the connection between Hastings and Impey. Burke was then unpopular in the last degree both with the House and with the country. The asperity and indecency of some expressions which he had used during the debates on the Regency, had annoyed even his warmest friends. The

vote of censure was carried; and those who had moved it hoped that the managers would resign in disgust. Burke was deeply hurt. But his zeal for what he considered as the cause of justice and mercy triumphed over his personal feelings. He received the censure of the House with dignity and meekness, and declared that no personal mortification or humiliation should induce him to flinch from the sacred duty which he had undertaken.

In the following year the Parliament was dissolved: and the friends of Hastings entertained a hope that the new House of Commons might not be disposed to go on with the impeachment. They began by maintaining that the whole proceeding was terminated by the dissolution. Defeated on this point, they made a direct motion that the impeachment should be dropped; but they were defeated by the combined forces of the Government and the Opposition. It was, however, resolved that, for the sake of expedition, many of the articles should be withdrawn. In truth, had not some such measure been adopted, the trial would have lasted till the defendant was in his grave.

At length, in the spring of 1795, the decision was pronounced, near eight years after Hastings had been brought by the Serjeant-at-Arms of the Commons to the Bar of the Lords. On the last day of this great procedure the public curiosity, long suspended, seemed

to be revived. Anxiety about the judgment there could be none; for it had been fully ascertained that there was a great majority for the defendant. Nevertheless, many wished to see the pageant, and the Hall was as much crowded as on the first day. But those who, having been present on the first day, now bore a part in the proceedings of the last, were few; and most of those few were altered men.

As Hastings himself said, the arraignment had taken place before one generation, and the judgment was pronounced by another. The spectator could not look at the Woolsack, or at the red benches of the Peers, or at the green benches of the Commons, without seeing something that reminded him of the instability of all human things, of the instability of power and fame and life, of the more lamentable instability of friendship. The great seal was borne before Lord Loughborough, who, when the trial commenced, was a fierce opponent of Mr. Pitt's government, and who was now a member of that government, while Thurlow, who presided in the court when it first sat, estranged from all his old allies, sat scowling among the junior barons. Of about a hundred and sixty nobles who walked in the procession on the first day, sixty had been laid in their family vaults. Still more affecting must have been the sight of the managers' box. What had become of that fair fellowship, so closely bound