

The District Magistrate has indeed very little time to supervise the actions of the Subordinate Magistracy, who themselves have work of various sorts to do. It is the evil of the present system that has created so much room for oppression and corruption, as is generally represented to exist in that Department, and it appears to me that it is a subject for congratulation, if not surprise, that the matters are not really worse than they are. The Police (even a constable on a salary of 7 or 8 Rupees) armed with enormous powers, with powers against the person and liberty of any person—with powers to arrest any man, however respectable or innocent, upon mere suspicion, without even a warrant from a Magistrate,—require to be carefully watched; and any irregularities in them ought to be promptly and speedily taken notice of, and immediately checked; but what little time have our Magistrates, under the present arrangements, overburdened, as they are, with Revenue and Treasury duties, to exercise this all important supervision. All these show clearly that the magisterial duties should not be tacked on to other duties, but should of themselves occupy the time of the official entrusted with them, and that in short, it should form a department by itself under the special and careful scrutiny of Her Majesty's High Court.

It will thus be seen that there is no justification for the union of two functions of an extremely opposite character, except, perhaps, the dread of an increase of expenditure to meet the cost of a separate department: but it appears to me that the question is one of such vital importance to the happiness and prosperity of the subject millions, who require to be protected, not only from aggression from each other, but also from oppression by the instruments employed by Government, that no reasonable expenditure necessary for bringing about this very desirable

object, should be grudged, by any Government which has the good of its subjects at heart, and much less by a Government that levies a heavy tax on civil litigation.

A desirable, if not a complete, system will be when each District has a District Magistrate, 3 or 4, divisional Magistrates, and a number of Taluk Magistrates, one for each Taluk, in addition to there being one for each Municipal Town, on decent salaries, sufficiently high to keep the officials concerned from temptation, and to induce persons of education and character to seek service in that department, as now is the case in the Civil branch of the Judicial Department. The District Magistrate ought to be an officer of experience and of not less than the grade of a Sub-Collector, the divisional or Deputy Magistrates should get pay according to their respective grades ranging from 300 to 800 Rupees, and the Taluk or other magistrates should be paid from 200 to 300 rupees a month. A system such as the one above sketched is likely to cost a good deal, and it may not be possible to have the funds necessary for such a department, unless Government makes up its mind to curtail its unnecessary expenditure, and resolves among other things to reduce the high, not to say the enormous, salaries of the members of the Covenanted Civil Service—salaries which are higher than those paid in any other civilized Government, and which are now no longer necessary, whatever might have been its justification once. Under such a system we would have a set of magistrates of good education and character, who may be expected to be conversant with the principles of our Criminal Law, and the numerous case law on the subject, with sufficient time to do their work to the satisfaction of the officers concerned, and to the contentment of the people, and with sufficient time and opportunities to watch and control the Police, and the lower grades of the magistracy.

But I am afraid that "financial demons" are likely to stand in the way of the accomplishment of such a desirable scheme for many years to come, not knowing or caring to know, that enormous sums are fritted away in costly palaces and pleasure grounds, not to say princely furniture, to our Governors of Provinces and districts, and for the maintenance of a system of dual government, spending most part of its time at accessible heights, against which this Presidency as a whole has recently protested. Thanks to the Government of Madras, which has proposed in its recent order on the reorganisation of the revenue department, to relieve Tahsildars and Taluk Sheristedars of much of their magisterial work, and to give to each Taluk a special officer called the magistrate: and it appears to me that adopting that policy, the desired separation might be brought about at a little more cost. I would propose that the Sub-Collector in each district, be relieved of his revenue duties and be in future the District Magistrate doing only magisterial work, and supervising the whole of the Criminal and Police administration in that district. There is a Sub-Collector now in many of our districts, and where there is none, some new appointments will have to be created. I should like very much to see native officers of tried abilities and character appointed in large numbers as Magistrates of districts, but I am afraid it may not be the case for several years to come. The plan above suggested is not likely to cost the State much, as the only expenditure to be incurred is the difference of pay between a Sub-Collector and an Head Assistant Collector which is not much.

It appears to me that when the Collector of the District is to be relieved of his magisterial duties, each district could well spare the services of one of its divisional officers, the present territorial jurisdiction being distributed among

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the remaining divisional officers, who could and ought to be able to do the work in the larger area now falling to their jurisdiction when relieved of the magisterial and Police duties. The Collector and his Revenue Subordinates, including both divisional and taluk officers, will then be purely Revenue and Executive officers, able more than at present, to look after the collection of revenue, to make suggestions to the Government for the amelioration of the condition of the subject millions, and to carry out more faithfully and well their executive duties than at present, and promote political education by inducing people to take greater interest in local Self-Government, and promote and advance the satisfactory working of the local and municipal boards which it has been the earnest desire of Lord Ripon—than whom no Viceroy has succeeded in enshrining himself in the hearts of a whole nation—to establish all over the country; and under this system, the department of the magistracy would be complete in itself, with ample opportunities for systematic and careful supervision of the work of the lower ranks of the service and of the Police. Under such a system the Collector would be the European head of the district, with perhaps one Covenanted Assistant in the shape of an Head Assistant or Assistant Collector and with other native divisional officers, having a portion of the district under his immediate supervision, in addition to supervising the whole district through his divisional officers.

The important question of a District Magistrate with his pay, being thus disposed of without much fear of expenditure, and in a way so as to place a Covenanted Civil Servant at the Head of each District, which whether actually necessary or not, is not likely to be given up by our rulers for many years to come—I fervently hope it may not be very many—the next question we have to

determine is, the appointment of divisional magistrates. It appears to me that it would be amply sufficient if there are 2 divisional Magistrates for each District and this will necessitate a number of 40 officers for our 20 Districts (excluding Madras and the Nilgheries); and their pay, with several grades, might not come up to more than 40×300 on an average or 12,000 a month or less than a lac and half a year, though I am certainly for placing them in better positions than Munsiffs with pay ranging between 300 or 800 a month. These ought not to be paid less than 200 a month, and might, for the present at least, occupy the same position, and receive the same emoluments as the Subordinate Judicial officers of the Civil Branch, and may be divided into four classes, viz., 10 on 200, 10 on 250, 10 on 300, 10 on 400, following the system recently sanctioned among Munsiffs. The proposed appointment of a Sub-Magistrate to each Taluk would suffice for the lower ranks of the service, if steps are taken to institute Benches of magistracy in Municipalities and other important towns, to dispose of offences against municipal and local laws, of petty cases of nuisance, &c., the Bench to consist of at least 3 men forming a quorum, invested with the powers of magistrate of the 3rd class, without the necessity of having a specially paid officer to preside, the decision being by a majority, a proper officer on 30 Rupees a month being appointed to keep the necessary registers, and do other work, he being appointed by the District Magistrate. These magistrates should be under the orders of their superior officers, but the appointment of Divisional officers should rest with the High Court, and of the other magistrates with the Collector, subject to the sanction of the High Court, which is the chief controlling authority in matters of a judicial nature.

It remains only to speak a few words about the establishment necessary for these special officers: 4 clerks for a District Magistrate, 3 for a Divisional Magistrate, and 2 or 3 for a Taluk Magistrate with the necessary staff of peons, attenders, &c., is all that is necessary. The present establishment of Sub-Magistrates may be utilised, and the Revenue Department may spare a large number of hands, who are at present doing magisterial work, and there need be no fear I think of any additional cost to the State on that account. On the whole it appears to me that this separation could be effected in the manner above indicated at a cost of one and a half lacs of rupees a year, in our own Presidency which is, I venture to affirm, but a small sum, considering the magnitude and importance of the subject, and which is but a small fraction of the revenues of the Presidency, and which is considerably less than the saving to the State from the proceeds of the taxation on civil litigation in the shape of Court fees.

I have heard it said that Sub-Registrars have not, as a class, sufficient work to occupy their time, that they have ample leisure, and that they might be invested with magisterial powers; but it appears to me that such a course is open to serious objection. Though that Department has given a stepping-stone to many of our graduates, there can be little doubt that most of them are young and, if I may say so, inexperienced, and there would be no greater mistake than investing such young men, with the powers and responsibilities of a magistrate. Moreover, Sub-Registrars have not, I think, the leisure that is generally supposed they have, and cannot be expected to have very much leisure if they do their work as they ought; and I am also of opinion that Registration work to be done by a special class of officers having no other duties to perform, and that if these officers are armed

with powers of a magistrate, registration work is not likely to be popular, and might, I am afraid, be neglected and might suffer.

It has also been suggested in some quarters that munsiffs might be appointed magistrates, to hold trials and hear appeals at least: but it appears to me that there can be no greater mistake than mixing up civil and criminal administration, and if the two functions are united in the same individual, it is a matter for serious consideration, if not doubt, whether any better results would actually be produced than is now the case. It appears to me that the training and qualifications necessary for the two offices are of a different, if not of an antagonistic, character; and munsiffs, as a class, are now so overworked that I am afraid they find little leisure to study the various reports and legislative enactments, without a knowledge of which, it is impossible in these days to administer civil justice, and they can find little time to read up the Criminal Law, and prepare themselves for the functions of a magistrate. It is impossible to expect that magisterial work could be done by this class of officers, unless there is a considerable addition to their number, which means additional cost, and it would be a retrograde step to invest Civil Judges with the powers of a magistrate. It might be remembered that our Subordinate Judges were also magistrates, and it appears to me that the exercise of magisterial power was taken away from them simply because it was considered desirable to do so.

It might be said that District Courts and High Courts exercise both civil and criminal jurisdiction, but their case is very different from Courts of original jurisdiction, especially when it is remembered that Session trials are by a jury in the High Court, and with the aid of jury or assessors before Courts of Session, and these Courts

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do comparatively little original civil work, but do mostly appellate work.

The subject is one of importance and magnitude, and it is my earnest hope that the few words I have been able to say on the subject—and the suggestions I have put forward in a crude form, no doubt—will induce this assembly to take up the subject, and make practical suggestions which could be carried out, without additional taxation on the country, which can but ill afford to bear any additional burden.

It has often occurred to me that a portion of the time of magistrates is taken up in the trial of cases, which are not really breaches of criminal law, but which are more properly evasions of private rights, real or unfounded, and that in such cases recourse to criminal courts may be made more costly than it is, by a small tax on such litigation, as my experience is that recourse to magistrates is bad in such cases, to annoy or oppress the other party, and is practically of no avail, as the magistrate simply refers the parties to a civil suit, after, perhaps, devoting some time in recording evidence : but I am aware that this is a question of no slight difficulty and requires more thought and examination than I have been able to give to it. I would say the same thing of the desirability or otherwise of altering or amending the provisions of the Code of Criminal Procedure, which the Calcutta High Court have called a very dangerous system; but I am afraid that any practical and useful or advantageous amendment in that respect is not feasible, unless the position of the Police is much better than it is at present and unless the State is prepared to spend larger sums of money for this purpose than it can do for many years to come.

The next subject I would propose to call your attention to is the extension of the system of trial by jury. By

law all trials before the Court of Session are to be held with a jury or with the aid assessors, and every local Government is empowered to extend the system of a trial by jury to any place, to any class or classes of offences, it thinks proper ; but it appears to me that such provisions of a permissive character are not sufficient or satisfactory, and nothing less than a legislative provision, that all trials before Courts of Session should be always with a jury, would suffice.

It appears to me that there can be little injustice in stating that a session trial with the aid of assessors is a force. The opinion of the assessors is not binding on the Judge and he may act on it or not just as he pleases ; and it is not uncommon even in Appellate Courts to treat the opinion of the assessors just as it suits the taste of the presiding Judge. A number of men who are called away from their business and are made to watch the whole proceedings of a trial, deserve to be treated with better respect, if they should be expected to take an intelligent part in their work. "Confidence begets confidence" is a saying, the truth of which no arguments are necessary to establish, and if these gentlemen know that on their shoulders rests the verdict—the conviction of an offender or his release—they would certainly devote more attention to, and show more earnestness in their work, than is the case at present, when they know that they have no responsibility, and that their opinion is not likely to be and is not often cared for. It is difficult to see the use of, or a necessity for, a system of trial with the aid of assessors ; and it appears to me that Sessions trials ought to be either with a jury or by a single Judge.

The advantages of a system of trial by a jury are too well known to require comment here. It is the birthright of Englishmen and has tended in no small degree to make

England what it is. While such a system of trial is considered essential to the safety of the people, even when the Judge is one of themselves, well acquainted with their habits and customs and manners, and understanding well their mode of thought and feeling, how much more is the necessity for such a safe guard in India, where the Judge is a European, often imperfectly acquainted with the habits and customs of the natives, with their modes of thoughts and feeling, and even with their language. There can be no reason for saying that an institution which has been found to work well in England is not likely to work well in India, and, I believe, there are none who would now say that the system of trial by jury has not worked well in India. You might remember that during the Ilbert Bill controversy our Anglo-Indian brethren fought for this privilege as their birthright and succeeded in getting it. It was then said that the privilege which a European British subject had to be tried by one who has himself been a British subject was simply another form of trial by jury, in cases where a sufficient number of juries cannot be found. And there is, and there can be, no doubt that five men of average abilities, knowing the habits and customs of the people, and being natives of the country and members of the same community to which the accused belongs, are much better judges of oral evidence than a foreign Judge, whose acquaintance with the habits and customs and manners of the natives is necessarily less than that of the persons selected to sit as jurors, if not very meagre, however great his learning or his knowledge of the technicalities of law. Such being the circumstances, it is difficult to see why there should be any disinclination to enact that all Sessions trials should be by jury.

Speaking of our own Presidency it might be said that, the system of trial by jury has been recently extended all

over our Presidency; but it must not be forgotten that it is only particular classes of offences that are so triable, and the classes of cases to which the system is extended, are, it appears to me, offences, where there is really no difficulty in weighing the evidence adduced, where the classes of men concerned, in a majority of cases at least, belong to what may be called the criminal population; while serious offences against person, and offences where intention plays an important part, which are cases of real difficulty in the appreciation of evidence, where there are greater occasions for bringing forward false evidence owing to malice, ill-will, &c., are not triable by jury, while these are precisely the cases where a system of trial by jury is absolutely necessary, and will be of real advantage: and with all deference to the High Court, it is difficult to see what were the reasons that induced them to advocate the extension of trial by jury to the classes of offences for which they are now extended. Could it be that there is difficulty in getting a sufficient number of jurors, to attend all Sessions cases, or could it be that unjust convictions or acquittals are feared. It appears to me that there is no ground whatever for any of these fears. The satisfactory working of the system of trial by jury in India, is evidenced by the reports on criminal administration, issued by the High Courts and by Government; and the spread of education and intelligence, the greater interest that people now take in what is going on round them, these appear to me to be sufficient reasons for saying that the fears about our not being able to get a competent jury are unfounded and unreal. It appears to me that it would be throwing an unjust and undeserved slur on our countrymen, on our mirasidars, merchants, and educated non-officials, to say that a sufficient number of persons cannot be got in a district to sit as jurors. The second ground of objection, *viz.*, the fear of unjust or perverse convictions

seems to be equally unfounded. There is no reason for saying that 5 men chosen at random by lot, every one of whom the prisoner has the right to challenge, would unjustly convict a person, or would come to a conclusion which is not right, or which would be not better than the one that is come to by the presiding Judge, whose habits, modes of life and ways of thought are different from those of the accused. It may be that in some cases where the feeling against the particular individual is very strong—and such cases would be very rare—the jury might be said to be willing to convict him unjustly; but in such exceptional cases, one of two courses might be open to him, *viz.*, he might give up his right to be tried by jury, and he might elect to be tried by the Judge with the aid of assessors, or he might move for a transfer of his case to another Court, where he might have more disinterested jury men to give a finding, on the evidence adduced against him. As to unjust acquittals it is necessary to remember that such cases could arise only when the feeling in favor of the accused is very strong, and that is a *prima facie* reason that the evidence against him ought to be carefully watched, or when the jury might be bribed. The latter contingency is likely to be very rare, and can only happen when the trial lasts for more than a day, and even then rarely when the prisoner is in custody; but even if such a thing should happen, the Judge might, if he is inclined to think that the jury give a wrong verdict, under the present law, report the case for the orders of the High Court, whose decision is final: and can we forget the humane principle of law that even ten guilty men might escape rather than one innocent man should suffer.

It would thus be seen that the objections against an extension of trial by jury to all session cases, are of very little value, while the reasons in its favour are innumera-

ble : and there can be no doubt that a system of trial by jury will infuse confidence into the people and that it will check unjust convictions in all possible ways ; and it will, indeed be a source of satisfaction to me if this assembly takes the same views that I do, and by its endeavours, that palladium of our liberties, as it has been happily called, is secured to the people of this country.

It appears to me that Government ought to have no objection for granting this boon to the natives of the country, when it has granted this privilege to our Anglo-Indian brethren. This is a subject of very great importance ; and we must not forget that no " financial demons " are likely to stand in the way of this reform, and it is my earnest hope that this representative assembly will, as a body, lend its weight and its co-operation for getting from our governors this necessary measure of reform.

THE CONDITION OF THE AGRICULTURAL CLASSES.

THE subject of this paper, the condition of the agricultural classes in this Presidency is as vast and comprehensive as it stands pre-eminent in point of importance. In a full and exhaustive treatment of the condition of a community, it would doubtless be desirable to have information regarding their general habits, customs (among other matters) their religion and morals and their intellectual and social advancement. But for our present purpose we must restrict the field of our enquiry and confine our observations solely to their economic or material condition.

In every society, however, there are certain habits and customs which serve as potent forces in the production of economic effects, and there are again mental qualities such as prudence and foresight, possessed in different degrees by different individuals, which import complications in many questions of economy. While in other countries these must be recognized among the causes that affect the condition of the community, the habits and customs of the people in this country acquire a special significance being as they are inextricably interwoven with ceremonies the performance of which is enforced by religion. There is not much of ceremonials among the lower classes, but the people among whom they do exist are completely over-powered by their influence. Having these facts before us, we must see exactly what is the present condition of the agricultural classes, whether their condition is stationary or whether it has changed for the better or worse from what it was 15 or 20 years ago

and how far their present position is due to purely economic causes, and how far to social and other causes such as those abovementioned. We have in the first instance to inquire to what extent the ryots can afford to command the ordinary necessities and conveniences of life such as food, clothing, buildings, utensils, &c.

The importance of the enquiry becomes obvious when we remember the fact that the agricultural population of a country really forms its chief support. This is specially so in a country like India where the people wholly, and the Government to a great extent, depend upon the produce of the land. In the report presented to Parliament the Famine Commissioners observe that "562 per cent. of the adult male population of India are returned as agriculturalists, that besides the adult males large numbers of women and children are engaged in agriculture, and many artizans and professionals besides their trade own and cultivate land, and that inclusive of these and the greater part of the labouring population who live on soil, more than 80 per cent. of the total population are closely connected with the land."

In the pursuit of our inquiry we are confronted with two main difficulties. One is the want of proper statistical information under the different heads bearing upon the subject. As an instance, we may point out how valuable would be a statement which would show what classes of the community have been selling and what classes have been buying landed property. In our country people generally take to the profession of their parents. The son of an agriculturalist adopts agriculture as his profession. The son of an artizan remains an artizan, and the son of a trader continues in trade. Whatever may be the effect of this state of things upon the society in general this circumstance would facilitate the collection of the inform-

ation on the subject and also conduce to ensure its accuracy. And yet no attempt seems to have been made to collect statistics in this direction. The other difficulty has reference to the diversity of social conditions in India which prevents certain inferences being derived from statistics as they would be in Europe or America. With reference to England Mr. Fawcett says: "when wages advance in consequence of an increased demand for labour, the number of marriages among the laboring classes is sure to increase, and it is a demonstrated statistical fact that the number of marriages invariably increases with the decline in the price of bread."

"Again the upper and the middle classes have a more or less fixed standard of comfort and, as a rule, they are prudent enough not to marry unless they can afford to give their children "as good an education as they have themselves received and to place them in a social position similar to what they themselves occupy."

Therefore, in such a country as England any perceptible increase in the average number of marriages is a sure indication of the prosperity of the classes among whom the marriages take place. The relation between the number of marriages and the prosperity of the people is so nearly constant that from the existence of the one we can safely infer the other. But there exists no room for any such inference in a country like ours, where the habits and customs are totally different. Here whatever may be the means and the position of an individual he gives no thought on the question of his own marriage. In fact, that he ought under any circumstance to get himself married is already settled for him by the society in which he lives. Should he belong to the higher classes there is the religious obligation for him to marry as a Grahasta. Otherwise the social custom in respect of which the lower

orders fellow those above is too strong for the exercise of individual choice and settlement.

Thus the number of marriages among the agricultural classes cannot serve as an *index* to show their actual condition.

Under the circumstances above mentioned the only course left for arriving at a conclusion in reference to the condition of the agricultural classes is by close and careful observation and by enquiries made with the object in view. The result so obtained may be compared with the statistical information actually available. We may, perhaps, have to make further observation and enquiries and thus arrive at an opinion on the subject. However tedious it may be this course is necessitated by the want of adequate statistical data and by the peculiar circumstances of our country.

But here again a new difficulty presents itself. It is not possible for one man or even a few men to carry on observations and enquiries throughout the whole Presidency. The work must be undertaken in each district by the leading and intelligent gentlemen who alone can be expected to speak with some authority about the condition of their fellow subjects. This suggestion, I humbly submit for the consideration of the conference with a view of the above course being adopted at least in Districts in respect of which specific information is not now available.

We in Tinnevely united the opinions of gentlemen from different parts of the District and also made personal enquiries of people who are themselves land owners and agriculturalists. Among ourselves too, many are agriculturalists who have been moving closely with the ryots of the district. We feel, therefore, justified in giving our opinion with some degree of confidence upon the condition

of the agricultural classes. Knowing the condition of the ryots in Tinnevely we may to a great extent infer the state of the agricultural classes in the Presidency. For Tinnevely is a fairly representative District, that is, a District which (as remarked by Mr. Stuart the author of the District Manual) "may be considered as an epitome or *fac simile* on a miniature scale of the whole Madras Presidency." It has the well known river Tambrapurni in addition to a few other streams. It produces rice and other grains sufficient, (it is supposed), to feed its own population.

And yet it is of such a district that we are constrained to say that the agricultural population is growing poorer. Whatever views might be held in reference to the causes that have contributed to this result, the opinion is perfectly unanimous that the present condition of the agricultural classes is considerably worse than what it was about twenty years ago. Now they feel the pressure of life to an extent altogether out of proportion to what they experienced in former times. More than half of the landowning population of the district are in possession only of small plots of land and earn their living more by hired labour than from the profits of their own cultivation. From Mr. Stuart's Manual we find there are 1,42,745 ~~potadars~~ for the whole district of whom more than 87,000 pattadars pay under ten rupees as assessment to Government. A considerable portion of these classes, perhaps, are not made to feel any perceptible change so long as they can find scope for the employment of their labours. They seem to rest contented with their lot. But the real pressure and struggle are experienced by those ryots who own larger extent of lands and cannot stoop, even on occasions of need to transform themselves into mere day labourers.

These also form a large class which has its representatives more or less in the different sections of the community. This class may be taken to be composed of Pattadars paying from Rs. 20 or 25 to Rs. 100 as assessment to Government. The landowners who own more extensive properties are comparatively few in number and it would perhaps be better to consider their case separately although many of them are engaged actually as agriculturalists. Now this middle class, so to speak is not characterized by any vicious habits such as general thriftlessness or improvidence. On the other hand they are proverbially frugal and save to the extreme. They exercise the most rigid economy in all the daily transactions of life and in order to facilitate saving there is established in the district a system of monthly, quarterly and half yearly lotteries which are sure to be met within almost every village.

In spite of such qualities, it is a fact that the agricultural classes are now worse than they were, say, 20 years ago. Many of them have been obliged to part with portions of their lands either by private or public sales and many others have involved themselves in debt. In the northern parts of the District more or less affected by the late Famine many houses were deserted and many lands abandoned. But even in places free from Famine the condition of the agricultural classes is really unenviable. If you go to a village in the river valleys or elsewhere stay a few days and enquire, you are sure to be convinced of the difficulties experienced by the ryot in meeting the ordinary wants of his family. It is perhaps better in one instance at least to give the actual income and expenses of a landowner. Let us take the case of a Pattadar that pays a kist of about Rs. 80 to Government and has land of the very first tarum or sort in the District. The extent of irrigated one crop land which pays a tax of Rs. 80 is

6 acres, the rate of assessment as per settlement of 1874 being Rs. 13½ an acre inclusive of road-cess, &c. And as was found by the settlement officers on enquiry and by actual experiment, the yield per acre is 50 harris cullams or 11 cottas of paddy one cotta of ours corresponding to 105 Madras measures. The total yield comes to 66 cottas of paddy. The cultivation expenses for irrigated lands in the District are usually calculated at one-third of the produce and in the river valleys where the cultivation is "most elaborate" the expenses can seldom fall below this mark. Mr. Puckle too, appears to have adopted this proportion and assigned it a money value at the settlement commutation rate. Deducting then 22 cottas for cultivation, and making no allowance for the owner's supervision we have a balance of 44 cottas. Taking the family of the holder to consist of 5 members (this being the average for each house as shown by the last census) we find the expenses to be 1½ cottas a month by way of grain and 1½ cottas for the purchase of other articles of consumption and for firewood, &c. Thus the feeding charges alone come up to 30 cottas of paddy a year. The remainder, namely, 14 cottas is no doubt available for sale. At Rs. 5* a cotta we get Rs. 70, that is ten (10) Rupees less than what is required to pay the assessment itself. Clearly the man has no means wherewith to provide the family even with the necessary clothing. To meet this expenditure, therefore, he is simply necessitated to borrow; and with what effects upon his future prospects we can easily judge from past experience. The ryot has no margin even for ordinary contingencies such as the repairing of his house, the purchase of cattle in case of deterioration or loss, and so forth; nor has he anything wherewith to perform even

* This is the *maximum* average on which calculations are based in all transactions. In places away from towns even the *maximum* average is not so high.

at the lowest cost, the most absolutely enjoined religious ceremonies. Devoid of all kinds of enjoyment and, in fact, devoid of any conception in regard to it the ryot lives and wastes like a mere machine except that while the wastage of the machine is a gradual and slow process the ryot wastes more speedily on account of his debt and is driven into utter collapse. Here again, it must be borne in mind that the calculations in regard to yield have been made assuming all the favorable conditions to co-exist.

The supply of water alone cannot do away with the necessity of timely rains and is not sufficient of itself to ensure a good crop. Often there is a fall in the produce owing to want of rain or untimely rains, locusts, flies, and, in short, by a variety of causes. What the effect of such a state of things would be upon the condition of the ryot it needs not much wisdom to foresee.

The result we have arrived at, is very nearly the same when we take a holding of a comparatively smaller extent of a *double crop land* paying the same amount of kist to Government. Nor does the result any way vary in reference to holdings paying a less rate of assessment per acre. The soil is proportionably less fertile and the fields do not command as good an advantage in reference to both situation and irrigation.

The income and the expenditure of a ryot owning punjah lands paying the same assessment can likewise be shown to differ very little.* But I may observe that not only the yield per acre is considerably less, but the expenses of cultivation often amount to one-half of the produce. There is also the frequent risk of partial failure of short crops or short produce by reason of want of rain, excessive rain and so forth.

* It is necessary in the case of punja, especially, that we should calculate the income by an average taken over a period of five years.

We have thus been forced to the conclusion that the condition of the agricultural classes is anything but satisfactory.

Now let us see how far this conclusion tallies with the statistical information actually available. One important indication of the poverty of the land owners is the sale of property by auction for arrears of revenue. Commencing from 17 or 18 years back, say, from 1867 or 1868 we find there has been a progressive increase in the extent and value of property sold for arrears. In the year 1873 (*i.e.*) three years before the famine the estimated value of property sold in the district was Rs. 26,271; the next year it rose to Rs. 41,008 while in the year preceding the famine the value amounted to Rs. 55,431. Leaving out of consideration the abnormal values for the famine period, we have for 1880-81 such a large figure as 67,174. In the following the value of property sold was 51,001 while for 1882-83 again it rose to Rs. 68,375.

This state of things exists not only in our district, but as we believe in the greater portion of the whole presidency. In the Madras Administration Report for 1874-75 the Government observe, p. 838, that "the result of certain statements which they caused to be prepared in reference to the subject, is to indicate a progressive increase in the use of coercive measures since fusly 1269—(1859-60), which is not to be accounted for by the increase in the demand. In fusly 1269, the proportion of arrears for which process was issued to the demand was, 62 per cent. whereas in fusly 1282 (*i.e.*) 1872-1873 it had risen to 5.53 per cent.* The Government

* The full extent of the pressure felt in the payment of assessment is much more than what is known by figures. When no means are available the ryot prefers borrowing and paying his kist rather allowing his lands at once to be brought to sale. Often the lands are eventually sold for his debts by the Civil Courts.

were not disposed to attribute this increase to the impoverishment of the ryot as the chief cause; but recognising to some extent the effect of reduction on remissions, charges on waste, &c., they were inclined to find a real explanation in the working of Madras Act II of 1864. That this explanation is simply valueless is evident from its insufficiency to account for the "progressive increase" in the revenue* sales subsequent to 1865-66. The value of property sold for arrears in the whole Presidency was Rs. 4,85,300 in fusly 1283 (1873-74) and Rs. 5,59,978 in 1874-75 while for the years 1881-82 and 1882-83 long after the effects of the famine had ceased the value of property sold rose respectively to Rs. 1,129,550 and Rs. 1,011,041. This state of things is reconcilable only with the totally impoverished condition of the ryot.

Having thus shown that a landholder owning lands under the well-known valley of the Tambrapurni and paying a revenue of Rs. 80 to Government is literally unable to support a family and is necessitated to run into debt, we think it needless to say what must be the condition of the landowners whose holdings are not so valuable. We may, therefore, pass on to notice certain circumstances which by some are supposed to indicate a prosperous condition of the community. The prosperity of the agricultural classes, it is said, may be inferred from the increase in the "produce of indirect taxation chiefly Salt, Abkari and Stamp. No inference, it is submitted can be more fallacious. Salt is not a commodity which is purchased out of the *savings* of any class. It is an *article of necessity* in the strictest sense of the word without which not only the ryots but all classes alike including the day labourers themselves cannot subsist even for a day. The increase in the salt revenue is due principally to the increase of population and the enormous price which the

Government have chosen to fix upon this necessary commodity. And so far as our District is concerned the increased revenue is due also to the export of salt to other Districts and Travancore, Ceylon and other places.

To take then the Abkari revenue. It is well known the agricultural classes do not contribute to the consumption of this commodity. It is only the day-laborers belonging to the lowest classes that spend a portion of their daily wages in the purchase of toddy or arrack. Whether this circumstance any way affects the rise and fall of agricultural wages is a separate question for consideration, but it is clear that any increase in abkari revenue cannot indicate the *savings* of the ryot.

The next item is the revenue by stamps. We have no information to show what proportion of the revenue is paid by the agricultural classes. It is perhaps difficult to procure this information but it is nevertheless indispensable for arriving at a correct conclusion on the subject. By means of the capital existing in the country and with the aid of capital imported, trade has been acquiring a considerable development. The facilities of improved communication have also contributed to the same result. This has given rise to a multiplicity of transactions between individuals, and it is only natural that a portion of such transactions should go into Law Courts for settlement. Again, there are in each District pretty well-to-do landholders who from the nature and extent of their holdings can afford to save in favourable years. They, too, often come into Law Courts and thereby contribute to the stamp revenue. Nor are we disposed to deny that the agricultural classes, the middle classes as we called them have paid a good portion of the stamp revenue to Government. The law in regard to inheritance, adoption, &c., was until recently so unsettled that even the best lawyers could not safely

venture an opinion. In that state of matters no rights were safe. Whenever there was occasion, the people were almost necessitated to apply to the Law Courts for relief and often to try their chances up to the highest tribunal. It was not, however, their savings that served to meet the cost of their litigation. Of savings they had literally nothing. It was their capital itself a portion of the very lands on which they subsisted. That was pledged or sold to enable them to advance their claims in Courts of law. Even a casual observer may see how few of the individuals who have had recourse to law suits, have not lost a good portion of their property. The increase in the stamp revenue is due also to the enhanced rate of institution fees, process-fees, &c., and stamps levied on private documents.

Under these circumstances the increase in this item of revenue cannot justify any inference in regard to the prosperity of the agricultural classes.

Again, the increase of the price at which land has been sold in recent years is referred to as showing the moderation of the assessment and the prosperity of the agricultural classes. In this connection, as elsewhere, before drawing any inference from the above fact we must have in our minds the peculiar circumstances of the country. Here there are not many courses of investments which commend themselves to the general public. Trade with all its risks is not possible for people who after a long time have been able to effect only a small saving. As yet our countrymen are not alive to the advantages of Joint Stock Companies and other Associations for carrying out trade or any industrial pursuit. They have serious misgivings in regard to them and look upon them as a mere speculation. Such of them, therefore, as are disinclined to lend their savings on interest invest them on land. Often we find artizans and even labourers purchasing small plots of land

with savings effected in the course of long years. There are also well-to-do land-owners who can afford to effect a saving. With these the purchase of lands, in preference to any other investment, is not a matter of choice but one of pure necessity.

Even where a man earns much from the profits of trade he eventually lays out a major portion of them in the purchase of land as a safe and substantial investment to serve for his children. Thus it is that demand for land exists without a consideration of the relative profits of the investment, and the extent of land cultivable to any advantage being limited, the price must naturally rise out of proportion to the real value. It is, therefore, extremely unsafe to deduce a conclusion from the market value of lands either as regards the assessment or the prosperity of the agricultural classes.

Then we come to the last objection. It is said that high prices having prevailed for a number of years the whole benefit of this rise must have gone into the pockets of the ryots. It will be seen that the increase in prices cannot help a self-sufficing ryot. The wages* of labourers and the expenses of cultivation generally have proportionately increased and there has been an increase also in the price of articles other than food-grains; and high prices can benefit only those ryots "who after recouping their agricultural expenses, paying their assessment and maintaining their families have anything left for sale." How few such landholders there are it is not difficult to perceive. Again, it is not at all likely that high prices will be so frequent in future as they have been in past years. The

* The rate of wages was formerly regulated more or less by the custom of each village, but the custom ceased to have any force when the village institutions were swept away and the condition of village completely altered.

facilities existing by Railway communication for the transport of grain will doubtless prevent any great increase in prices. This has been sufficiently exemplified by the sudden fall in recent years. After the effects of famine had disappeared the price of a cotta of paddy of 105 Madras measures came down to Rs. 4, and this price continued for nearly three years from 1881 to the beginning of 1884. The famine has also given a stimulus to the import of grain from Rangoon and other parts in times of need.*

I fear I have taken a long time in dealing with this portion of the subject. But this much detail was thought necessary inasmuch as the Government and many European officers seem to believe that the ryots of this Presidency are as a class happy and prosperous.

Having thus shown the real poverty of the agricultural classes and explained the circumstances which are supposed to favor a different view, we may proceed briefly to enquire into the causes that have brought about their present condition.

First in the list of causes comes the assessment of the land tax. It is generally supposed that "the Hindu Government was content with one-sixth of the produce." The famine Commissioners observe that "in early Hindu times the Government share was one-fourth of the gross

* It might also happen that wages of labourers should rise owing to the increase of trade, the demand for labour in other pursuits, &c. Again, notwithstanding the crusade carried on by our agricultural reformers against the use of cattle-dung, as fuel, the conversion of dung into bratties for sale goes on at an enormous rate, simply because those that collect cattle-dung find this to be more paying than the disposal of it as field manure, and bratties find a ready sale owing to the heavy price of fire-wood for fuel. By these and similar causes the agricultural expenses would rise very high, while a proportionate increase in the price of grain might be kept down by import of grain from other places.

produce," but that under the British rule "it has sunk to a much smaller fraction" and that in Southern India the amount thus payable is fixed upon each field or block of land. We find, however, that the tax paid under the principles of the Revenue Settlement amounts to more than one-third of the produce and while the ryot is supposed to be entitled to 50 per cent. of the net income, a deduction of 12½ per cent. is really made on account of village-cess and other charges. In laying down the principles that ought to govern the settlement the Board of Revenue observe "the determination of the share of the State was not influenced by any gain or loss of revenue but by the conviction of its necessity in order to stimulate extension and improvement of culture to admit of accumulation of capital in the hands of ryots." In another place they say "the question is not what the ryots paid during the Government next preceding, but whether the assessments were, as a rule, too high for the ryots to pay and prosper. Again, the Secretary of State in his instruction issued in reference to the settlement observes that "the express design of the settlement is to secure to the ryot a definite and liberal margin." How far this object is secured by the recent settlement it is not difficult to decide. Without going into details again, I may remark that enough has been already stated to show that not only our ryots are getting poorer; but that they can in no way be expected to better their position as long as the present system of revenue is allowed to continue.

Another important cause for the impoverishment of the ryots is the system of rigid and regular collection of revenue on all dry lands whether cultivated or not. Prior to 1862 a ryot had the option of cultivating whatever lands he chose within his holding and the assessment was levied on the extent cultivated. The ryot used to cultivate a

certain portion well and allow the other lands to lie fallow for a year and often to serve him for pasturage. These lands were, of course, cultivated in their turn.

Now this practice is no longer possible. The Government collect tax on all lands alike and the ryot has to pay even for lands which do not admit of profitable cultivation every year. In our district a good portion of which is known to possess black soil lands, more than 30 per cent. of punjah holdings is uncultivated apparently for no fault of the ryot, and yet all this extent is taxed by Government. But the injury and loss occasioned to the ryot do not stop here. According to the present system no remissions are, as a rule, granted for failure of crops on punjah lands. In calculating the assessment on punjah lands at the Settlement, about 15 per cent. of the gross produce is supposed to be deducted on account of vicissitudes of seasons. This, we think, will hardly meet the requirements of the case.

But in the case of nanja lands no reduction was made for vicissitudes of seasons as the Government sanctioned a remission for all wet crops that might perish by accident or failure of the requisite water supply. But now no remission is granted on compounded double crop lands for the loss of any one of the two crops. There is no reason for refusing to make a proportionate remission when *one* of the crops happens to fail.

Another defect in the settlement is the failure to make a proper allowance for waste lands measured in with fields.

Then we come to another circumstance which deserves consideration in connection with the land tax. It has reference to the periods at which the different instalments of kist are to be paid. The dates of payment come on before the produce is harvested and this leads to the borrowing of money at a high rate of interest.

It is very gratifying to learn that the Government have recently proposed to remedy the defect in the system, and the Public have also to thank the Government for the recent ruling directing that no interest be demanded on arrears up to the end of the fusly for which they are due. The hardships of the ryot would be further lessened if the Government can do away with what are called "Demand Amins." These petty officers are of no real help in the collection of revenue, and whatever proceedings they take with the aid of village Monigars can be taken by the Monigars themselves. Often the ryot is charged with more than double the small amount of his arrears to meet the cost of this establishment.

A third reason for the impoverished condition of the ryots is the want of sufficient pasturage for their cattle. The cattle have become deteriorated; and the cost of manure and the expenses of ploughing and other operations have considerably increased. It is unfortunate that no proper provisions were made in this respect at the recent settlement. In some places alone lands were set apart for pasturage; but for most villages the settlement officer satisfied himself with merely remarking in the village Register that the cattle are fed on patta lands and Government waste. But patta lands which are only private property were no longer available as grazing ground, and a considerable portion of the assessed waste was since granted on Darkast to private individuals. Any unassessed and uncultivable parts that might be found in the villages, have been brought more or less under the control of the Forest Department. The result is that in many villages the cattle have literally no place to move about. The inconvenience and annoyance to which the villages are subjected are more felt than described. In villages where people have communal rights for cutting firewood, &c., their privileges too have been considerably curtailed.

As regards the operation of the Salt Laws, we have only to observe that the increased price of salt presses heavily upon the ryots as it does on the labouring and other classes of the community.

As to the effect of the procedure of the Courts and the cost of litigation upon the agricultural classes there can, we think, be no two opinions. Out of 153, 636 suits instituted in 1882-1883 more than half, *i.e.*, 70824 were for sums below Rs. 50 and it is really hard that people should be so heavily taxed as at present for obtaining relief from our Courts. Irrespective of the Institution fees, suitors are obliged to incur unnecessary charges by way of process fees, &c. When a case is adjourned by reason of the absence of some of the witnesses or to suit the convenience of the Court, it is certainly unreasonable to demand another fee for serving summonses to attend at the adjourned date upon the witnesses actually present.

Nor can the effect of the ryot's social habits and customs be overlooked in reference to their present impoverished condition. It is true that among some classes certain ceremonies are absolutely enjoined, but what is to be complained of is the extravagant expenditure that is too often incurred in the celebration of marriages and the performance of other minor ceremonies. There is also the effect of the increase of population occasioned, of course, by our peculiar customs in regard to marriage. "In Europe a peasant," as observed by Mr. Fawcett, "will be careful not to marry if he considers that the expenses of a family would force him to give up his position and compel him to sell his land and return to the ranks of the ordinary labourer."

These motives have no power whatever upon our Agricultural classes and the consequence is that sub-divi-

sion of holdings goes on indefinitely until the owners should become actual day labourers. This, however, is one of the evils for which it is not easy to find a present remedy. I take permission, however, to suggest that a Committee composed of gentlemen of learning and experience may be requested to give their advice on the feasibility of adopting measures for preventing any improvident increase of population, regard being had to the circumstances of our country.

In some parts of the District, famine has also accelerated the impoverishment of the ryot, but the foregoing are among the more permanent causes that have contributed to bring about the present condition.

The remedies for this state of things have already been partly suggested, and we should submit an appeal to Government in respect of the following matters :—

- I.—(a.) The assessment of the land tax and the system of collecting it ought to be revised, and the rate reduced so “as to allow a definite and liberal margin” to the ryot.
- (b.) Should the Government be not disposed to grant remissions except in the most exceptional cases, a liberal deduction ought to be made on account of vicissitudes of seasons. The Famine Commissioners refer to the practice of allowing 20 per cent. on this account. But this I beg to state has not been the case in our District.
- (c.) A sufficient deduction should also be made for waste lands measured in with fields.
- (d.) No village cess ought to be levied from the ryot in addition to the ordinary tax.

This cess goes to meet the cost of the village establishment, and the establishment being maintained mainly for the collection of revenue, the cost ought to be borne from the collections themselves.

- (e.) In cases of even partial failure of crops the ryot should not, as observed by the Famine Commissioners, "be forced to pay by borrowing when his crops have been such as to leave him no surplus above the amount needed for the support of his family; but the arrears should be recovered gradually in subsequent years of prosperity.

- (f.) The establishment of what are called "Demand Āmins" ought to be removed and their work entrusted to the monigars of each village.

- II.—(a.) In such of the villages as do not possess sufficient pasturage, such extent of lands should be assigned as, in the opinion of the Collector of the District, will suffice to meet the village requirements. In many villages lands have been recently granted on Darkast, and there will not be much difficulty if the Government wish to secure punja lands for pasturage.* I would strongly urge the neces-

* "It is desirable that the Government should also try by means of officers or private individuals to plant portions of pasture lands with trees that can grow without much water. In this way the pasturage may be made to thrive better as the lands will be prevented from losing their moisture, while at the same time there will be additions made every year to the storage of fuel in the country. The different plots must, of course, be planted by turns.

sity of the Government even buying up punja lands, should no lands be otherwise available. In such cases it would be a less hardship to levy if necessary, a certain fee from the ryot than not to allow any village the benefit of pasture grounds for cattle.

- (b.) The communal rights and privileges of villagers for cutting firewood, &c., should be preserved intact.

III.—The price on salt should be reduced. This, however, is a request which the ryots have to make in conjunction with the whole community.

IV.—The cost of litigation ought to be reduced both by lowering the rate of the Institution Fee and by distributing it, as has recently been suggested, throughout the different stages of the suit. The charges by way of process service fees should also be lessened by levying no second fees for summons served on witnesses present in Courts.

V.—An Institution called the Agricultural Banks should be established for the purpose of advancing loans to ryots who from partial failures of harvest are necessitated to borrow for supporting their families. It often happens that one or two bad seasons place the ryot at the mercy of the money lender who takes advantage of this for securing an exorbitant interest. The Government can command any sum of money at 4 per cent., and it would be conferring an immense benefit if it

should help the ryot with a loan at 6 per cent. per annum. Sufficient security will always be available and there might be an officer to inquire about the *bonâ fides* of the application; and no loan need be advanced unless it be for the support of the ryots' family or for meeting the cost of cultivation. The advantages of such an institution cannot be too highly estimated.

VI.—Measures should also be adopted to discourage as much as possible the extravagant expenditure of money on marriages and other ceremonies. This, however, is a matter in which the people themselves should attempt at reform.

VII.—The provisions of the Land Improvement Act ought to be made known to the ryots in the best way possible, so that they may obtain loans under the Act for digging wells and effecting other improvements. Though the Act was passed 14 years ago, very few ryots have availed themselves of its benefit. The budget allotment for 1882-1883 was 200,000, and the advances actually made amounted only to Rs. 1,200. Village officers should be directed to give due publicity to the provisions, and on receipt of applications proper enquiry might be made.

VIII.—Another effective way of bettering the position of the agricultural classes is by stimulating and encouraging an improved method of tillage. Whatever opinions might exist in regard to the introduction of all the European agricultural implements, the improved

ploughs recently made undoubtedly confer an immense benefit. Not only is the work more efficiently performed relatively to the cost, but a soil unexhausted by faulty cultivation is often brought up to the surface. The advantages arising from this and from the cultivation of better kinds of cotton, on soils wherein cotton can grow, should be made known to the ryots both by the officers of Government, and by our patriotic native gentlemen.

To summarise briefly what has been said :—

In enquiring into the condition of the agricultural classes we meet with two difficulties. One is the want of proper statistical data, and the other is the diversity of social conditions in India, which prevent us from drawing such inferences from statistical data as one might draw in reference to European countries. Therefore the only course left for arriving at a conclusion is observation and on enquiry. On observation and enquiry it is found that the agricultural population is growing poorer. In spite of their general frugal habits, many of the ryots have been obliged to part with portions of their lands by public or private sales and many have involved themselves in debt. We take a holding of 6 acres of the best irrigated land and calculate the income. We find that the ryot who holds these lands is hardly able to support his family, even in favorable seasons. Even in ordinary years and especially when an unfavorable season intervenes, the ryot is forced to run into debt. The result obtained by personal observation and enquiry is confirmed by the fact that the sales of lands for arrears of revenue have always been on the increase both in the Tinnevely District and in the whole Presidency. The explanation

given by Government in regard to this circumstance is insufficient as the number of revenue sales has been found to increase even long after Act II of 1864 came into force. The increase of revenue by salt, Abkari and Stamp no way indicates the prosperity of the landed classes. Salt and liquors are not purchased out of the actual *savings* of the ryots; and as for stamp the increase is likely due to the increased number of transactions and suits and to the enhanced rate of Institution fees, &c.

Even a rise in the price of grain has been of no help to an ordinary ryot as his agricultural expenses and the price of other articles have proportionally increased and as he has had no surplus produce available for sale. So also the price of land is no criterion, as under the circumstances of the country, the investment on land is looked upon as the only safe investment and the savings of all classes are brought to the market.

Among the causes are the excessive land tax and the system of collecting it; the want of sufficient pasturage for cattle, the heavy institution fees and other fees levied from litigants and the habits and customs of the people in regard to marriages, and improvident expenditure incurred in the celebration of marriages and other ceremonies.

The remedies proposed are —

- (1). The revision of land tax and the system of collecting it.
- (2). The abolition of village cess and other charges.
- (3). The granting of lands for pasturage in each village.
- (4). The reduction of salt duty.
- (5). The reduction of institution fees and other fees.
- (6). The institution of Agricultural Banks to advance loans to ryots in case of need.

- (7). The cutting down of expenditure on marriages, &c.
- (8). The advance of loans, under the Land Improvement Act.
- (9). The introduction of better tillage and the permanent improvement of lands by the digging of wells and effecting other improvements.

I.—I would, therefore, propose that measures be taken either at once or on receipt of such information as this conference might deem it necessary to secure, to memorialize the Government for the adoption of the remedies herein suggested.

II.—I would also propose that a Committee be appointed to ascertain whether any and what of the recommendations made by the Famine Commissioners have been adopted by the Government and to consider the measures to be taken to give effect to such of the recommendations as have not yet been carried out. That the said Committee be also requested to draw up a form or statement showing the different headings under which statistical information is necessary in reference to the condition of the agricultural classes.*

III.—And lastly I would suggest that the leading gentlemen of all the Districts in the Presidency be requested to favour the Sabah with their views on the condition of the agricultural classes in their respective Districts.

* The Statistical Returns in regard to agriculture, &c., similar to those contained in the Administration Reports for 1876-80, should, also be given in the Report of Administration for each year.

THE CONDITION OF THE AGRICULTURAL CLASSES II.

WHETHER India with its teeming millions is growing richer or poorer, whether the condition of the agricultural classes, who form the bulk of the population, grows prosperous or not, is a very extensive and difficult subject to treat. The importance of the subject affecting the serious interests of the vast millions of the country who form no less than one-sixth of human race cannot be too highly exaggerated.

Lord Macaulay said some fifty years ago that India, instead of being the land of wealth, as commonly represented and imagined, with its mansions of alabaster walls and gold pavings, was poorer than the poorest country in Europe, poorer than Spain. Several material changes and improvements have been introduced since like Railways, Telegraphs, Education, great freedom and toleration, security of life and property, and improvement in legislation, administration of justice and in other departments. These are immense advantages no doubt, and we cannot be too thankful to the British rule for these great blessings. But the advantages of these like Railway, Telegraph, &c., are only negative, *i. e.*, they are useful in so far as they remove certain impediments and obstacles and give great convenience and comfort to the people; and these negative causes have little influence in checking the causes that contribute to perpetuate the poverty, hardships and miseries. Some people are misled by mere statistical returns and discipline false indications of wealth.

Taking the Statistical Returns of Export and Import trade for the year 1883-84, the value of export trade is 8,901 lakhs, and that of import trade is 6,558 lakhs. As these figures would indicate there is no material prosperity. We do not know how the export and import trades are valued. If we make a correct estimate of what the ryot pays actually for imports and receives for exports the figures will change. Customs duty, European merchants profit, and railway fare which together, on a moderate calculation will form 10 per cent. of the value of the trade must be added to the value of the import trade and subtracted from the value of export trade. To the amount remitted through the Government alone for Home charges add to this item the profit that every European gentleman makes in this country. Even in export trade several articles belong to European capitalists like coffee, tea, chinchona, indigo, &c. Making a total of the debit side of Indian finance the country only loses instead of gaining in a pecuniary point of view. The import of bullion in the country does not help the people in any way as no pie out of it can get into the hand of the cultivator unless exchanged for by his produce.

If more money is brought into the country than before by export trade, the ryots find that it is more than drained away by the purchase of imports and other charges to foreign countries. Instead of there being so much saving in favour of the country, the debt only is increasing. It is in this saving of money, and in the saving of food stock, that the national wealth of a country should be estimated. Though, we may not fully agree with some of the exaggerated views of the authors of "Bankruptcy of India"

and "Spoliation of India," I should say that most of their conclusions are true. It is a mistake, however, to attribute all the hardships of the people and the difficulties of the country to the Government alone, which has its own struggles and difficulties to contend with. The people on the whole have great confidence in the justice and wisdom of the British Rule. Whatever be the honorable intention of the Government, whatever be the excellence of the private and public virtues of majority of European officers, one thing is found to be needful; and that thing is sufficient knowledge of the wants and feelings of the people on the part of the rulers. Nor has sufficient provision been made by the Government for the careful study and faithful representation of the condition of the agricultural classes. The Government is in most instances unable to help the ryots chiefly, and on account of the misleading official reports of the condition of the people for want of accurate knowledge.

Several ryots were complaining to me, that they were feeling the hardships in consequence of the growing scarcity of money. Some said that the difficulty is worse than even in the famine year of 1876-77. The ryots or land-owning classes fared better in the calamitous famine than unthrifty labourers and penniless people, but they have suffered the after consequences of famine, the state of agriculture having been affected in various ways. Several families that were in a prosperous condition very lately among the purely agricultural classes have been ruined and are on the verge of ruin. This distress is perceptible chiefly among the respectable, higher, and non-labouring classes of land owners.

The people in large cities and trading places, where much of money transaction is going on, can have no idea

of the hardships of the people in purely rural places on account of scarcity of money. For money to meet Government tax and other necessary expenses, the ryot has to depend upon foreign export, for which he is obliged to raise crops like cotton and indigo that find ready market, at the sacrifice of cereal crops which diminish in proportion to the growth of commercial crops. In addition to other difficulties, the country suffers material degeneracy by its diminished food-supply, and by the exhaustion of the soil by the growth of exhaustive crops. Indigenous manufactures like those of cloth-making and iron-making have been fairly extinguished by the superior enterprise of European manufacturers. Foreign trade is almost gone out of the hand of native merchants. Inland transit by railways is in the monopoly of European capitalists. All such causes go to take away so much money from the natives of the country.

On account of the growing scarcity of money the ryots feel great hardships in paying their taxes to the Government which have been steadily increasing, in cultivating their lands whose expenditure is increasing on account of costly labour, in maintaining themselves and their growing families. Among purely agricultural classes under these circumstances, the ryots have no means of growing richer and richer. Indebtedness is the inevitable result. The useful though usurious class of money-lenders are not as readily available as they were once for the reason that they are also sufferers from growing scarcity of money and from loss of credit among the impoverished ryots.

Such difficulties of the people require to be remedied and removed. The country requires cheaper, and much simpler system of government than now, and the system of taxation requires revision and the laws of the government

affecting directly and indirectly the agricultural classes should be modified. To begin with legislation, the Rent Recovery Act No. VIII of 1865, has done more mischief than good to the agricultural classes. Instead of protecting the weak against the strong, the oppressed against the oppressor, the innocent against the deceitful, the laws of the government to a great extent go to help landlords at the expense of the poor and helpless ryots. The grossly defective Rent Laws are defectively and unsatisfactorily administered by magistrates and revenue authorities to the ruin of the agricultural interests of the country. Out of 88 sections of the Act only 4 sections are in favour of tenants, while the remaining 84 sections favour landlords. These four sections profess to give remedies to ryots in cases of refusal to issue puttahs, unauthorised or illegal levy of rent, irregularities in distress and attachment for arrears of rent, and in case of refusal to give receipt for rent paid. These remedies and the provisions of other sections, do not touch and remove and reduce the real difficulties between landlords and tenants. The real difficulties in this country, as in Ireland and other countries, are the three Fs according to the Parliamentary expression, fixity of tenure, fixity of rent, and free sale. As the Rent Act does not settle these difficulties landlords and tenants are made to fight with each other the best way they like, resulting in interminable disputes, quarrels, riots, summary revenue suits, regular civil suits and all the consequent ruinous evils and mischief. It is a surprise that the mischievous act does not cause more agrarian riots than now as the commentator justly remarked. When a tenant enjoys his land inherited from time immemorial and handed down by his ancestors from generation to generation, when he has permanently improved the soil at his own expense with

the sweat of his brow, in heat and cold, in hunger and thirst, to be ousted by the unproductive landlord who has not spent a pie in improving the soil and who has not undergone the slightest labour for it, is a gross outrage upon humanity and justice. The real owner of the land is the man who has reclaimed the waste, has improved it at his expense, and has worked on it, while the tenure of the landlord is only by purchase, and by even force and deceit. Whether A or B or C cultivates the soil it makes no difference to the landlord who gets or is entitled to only a share of the produce in any case. By arbitrarily ejecting the tenant who has had permanent interest in the land, and by supplanting him by another tenant who has no permanent interest in it and by thus rendering tenant's tenure insecure, the land gets spoiled, and the landlord and ever-shifting tenants grow poor, and such landlords are fairly killing the goose for its golden eggs.

In good many instances refusal to accept puttahs and execute muchilikas and refusal to pay assessment and rent are not absolute, unconditional, and unjustifiable on the part of tenants. In such cases difficulties and disagreements arise on account of the improper character of puttahs and arbitrary demand or enhancement of rents. When arbitrary conditions are inserted in the puttahs prejudicial to the saleable interest and occupancy right of tenants, and when unlawful and arbitrary enhancement of rent is made, and when landlords plan to deprive their tenants of their permanent occupancy right, the tenants are justified in opposing the claims of the landlords. But magistrates and revenue officers instead of looking into and examining the real and justifiable causes for disagreement, care only to satisfy themselves as to the facts of the refusal and use or abuse their power in putting the law into force against the alleged recusant

and refractory tenants, who are forthwith ordered to accept puttahs within ten days after the date of the order unconditionally on pain of expulsion. If no civil suit is instituted within a month their right becomes time-barred. With regard to attachments and distrains gross irregularities are committed. Landlords for the arrears of their own to the Government, whether real or pretended, most unjustifiably come down upon the tenants for their default and attach their crops as if they were their own, and gross injustice is practised in this way. In such irregularities the remedy or relief is not specific, and the poor helpless tenants have to take ruinous civil action against their landlords for damages. All such difficulties prevail more or less in great many places. Lands and their cultivators suffer considerably. Such defective laws should be replaced by better laws somewhat like the reforms introduced by the Bengal Tenancy Bill. All rights of permanent occupancy under the abovementioned circumstances must be upheld, protecting at the same time the proprietary rights of landlords. Where agreements have been entered into between landlords and tenants with mutual consent, when payment of rent is commuted into money payment law must uphold them for the benefit of both the parties. Even if there be no permanent occupancy right in tenants, if landlords allow their tenants to make permanent improvement in their lands as by sinking wells and by reclaiming wastes at an enormous cost and labour of their own, the occupancy right must be upheld and protected by law within limited periods. A great reform in removing the great difficulties between landlords and tenants is sadly needed.

The Forest Act has a very injurious effect upon the agricultural classes. The ryots fully sympathise with the Government in its intention to preserve jungles and to prevent wanton denudation of trees which exercise a good

influence on the climate, atmosphere, and rainfall in the country. But they want that the restrictions of the Government should be only in so far as is necessary for the preservation of jungle conservancy, and pray that all the articles, the enjoyment of which will not be injurious to Forest conservancy should be exempted from Government tax and interference. Time was, when all forest produce was in the enjoyment of neighbouring villagers. Then restrictions came upon timber trees. Afterwards the Government had the monopoly of mercantile articles like cardamom, honey, galnut, gum, dyewood, &c. Now, tax is imposed on every thing within forest puramboku; fuel, thatching grass, vegetable manure, pasture, wild-berries, and even stones and gravel within the limit. Shooting; hunting, and quarrying within the limit have been made penal, punishable with one month's imprisonment. The ryots say that it is a good thing that the Government has been generous enough to exempt at least atmosphere and water within the limit from taxation and interference. The hardships of the Forest rules have been extended from the hills to the plains. All purambokus in the country have been subjected to the control of the plain foresters. The control of the forester is almost unlimited. While the purambokus were under the supervision of revenue department the people did not suffer so much hardship as they do now. As all purambokus either on the hills or on the plains have become the property of the Government, the people have hardly any place for themselves and their cattle to move beyond their village sites and fields. All communal rights have been extinguished, and free pasture has been removed or curtailed, and the ryots find great hardship in procuring wood for agricultured implements for ploughs, water-lifts, &c., which were formerly given free to the people. Their rights for procuring vegetable manure,

and such junglewood are greatly interfered with, as they are required to have license for these even though they grow on their own puttah lands. Pasture for cattle, fuel, thatching grass, vegetable manure, wood for agricultural implements, &c., are all necessities of life and agriculture. The enjoyment of these cannot be taken or interfered with, without increasing hardship and loss to the people and without rendering life itself miserable. The ryots are very reasonable and just in their request that the Government should exempt the articles, the enjoyment of which will not injure Forest conservancy, like dried sticks for fuel, vegetable leaves from manure shrubs, thatch grass, wild-berries, pasture, stone, gravel, &c. Even if there be slight injury by the removal of these articles, the restriction and taxation and the consequent evils press down upon the people causing great many hardships. While these articles require exemption from Government interference, the only legitimate objects of its interference and protection should be the preservation of the jungles from wanton denudation and from destructive fires, and re-forestment should be a chief aim of the Government, whether that work is undertaken by private enterprise or at Government expense.

But the Forest Department, as it is worked at present, oppresses the ryots where it should not interfere; and yet it does not protect and conserve jungles as it ought to do. The Government has extended its monopoly over every thing within forest limit and purambokus. The articles it has to guard are so many required by the people for so many things, liable to be smuggled in so many ways. The servants employed in guarding the varieties of forest produce are unequal to the work, and supervision over these ill-paid, but very responsible subordinate servants, is very insufficient and lax as the department is quite independent.

They ill-guard or do not guard forests where their work is most needed, but fleece or are obliged to persecute and torment the poor ryots where they should abstain from all interference. Forests are getting burnt by destructive fire in a wholesale manner, and wanton denudation of trees is going on very extensively. These menial servants of the department connive at and abet wholesale destruction of trees, as they would get unfair profit by being bribed by the smugglers of forest produce. As for minor produce the servants employ many "volunteers" or "goomashtas," as they are called, paid from their private income obtained by unfair means.

Great irregularities prevail with the connivance of subordinate officers. The licenseholder or contractor with the help of a single ticket or license is enabled to smuggle several head-loads or cart-loads of timber. The unfair gain or profit is divided between the licensers and contractors and the forest officers. The consequence is that the jungles are getting denuded of trees, the preservation of which will not bring a single pie of illegal gain to the servants. In several instances a sort of black-mail is imposed on certain ryots. The contract system limiting the fuel supply, &c., works immense mischief. By the multiplication of laws as in Forest and Salt Laws, crimes are created and multiplied; and on account of the multiplication of offences thus created, the work of executive officers increases—of the magistrates, the policeman, and the jailor—and the hardships of the agricultural classes considerably increase. Several forest produces are not only wanted for every day life, but are indispensably necessary for agricultural people like vegetable manure, pasture, and wood for agricultural implements. By taxing and controlling them, and by prosecuting and persecuting the agricultural classes in these matters great hardships

are inflicted upon them. Thousands of persons are prosecuted every year for offences against Forest laws. Thousands of persons are prosecuted for offences against Salt Laws. In one year alone no less than 15,002 persons were prosecuted for the offences against the Salt Laws. The victims to Salt Laws are those that are too poor to buy Government salt. Besides, the agricultural interest of the country considerably suffers by the laws. The inhabitants of the Ceded Districts petitioned the Viceroy against the oppressive effect of Salt Laws in depriving them of the use of earth-salt for cattle. In addition to this, the ryots were deprived of the free use of salt-earth or nitre earth for manure for garden plantation like tobacco. The restriction has been removed now. These two departments may with advantage be abolished as separate departments and amalgamated with the Revenue Department; the Revenue officials being more local they can have better control over these things to great relief and saving to the revenue of the country consumed in maintaining these expensive establishment, and also to the great relief of the people. These laws require thorough modification and all the oppressive rules unnecessarily injurious to the agriculture of the country and the well being of the people should be cancelled.

With regard to the D. P. W., the ryots are quite dissatisfied with the present state of things. The public works that had been carried on by one department before 1880, have been distributed between four departments; the imperial D. P. W., the Local Fund D. P. W., the minor irrigation department, and revenue officials. By thus splitting the work done satisfactorily by the same department, the cost of maintaining the new departments has considerably increased, and the work also has considerably increased, but things are executed and managed very

unsatisfactorily and perfunctorily. For the work done by the same officer, four departmental officers have to go to the same place on different undertakings, each drawing his pay and travelling allowance to the same place. With all the wastage of the poor people's money in maintaining these unnecessarily different departments, it is the general cry that public roads are now in worse condition, and the irrigation (minor) are more neglected than before 1880. Most unnecessary and unfair distinction is made between Imperial irrigation works and minor irrigation works for tanks below 200 acres. The Imperial irrigation works are better taken care of, are kept under better supervision, and are supplied with larger fund, than the so-called minor irrigation works. Sometimes the expenditure on Imperial works is more than absolutely necessary. In some taluqs, though the Imperial irrigation works be far less extensive than minor irrigation works the grant given for the former works is several times larger than what is given for the more extensive and more emergent works of the latter kind out of all reasonable proportion. In this district there are about 64,000 acres under minor irrigation yielding a revenue of nearly four lacs of Rupees. But the grant for these extensive works in 1883-84 was the paltry sum of about 23,000 Rupees, a portion of which would be consumed for the maintenance of the establishment. In the chain of irrigation works, both the Imperial and minor irrigation works are so much interwoven, that it leads to great confusion to distinguish an imperial from "minor irrigation work when it is common affecting the interests of both the works as regarding construction of regulating dams and anicuts. Moreover, the ryots object to the Government demand for contribution for minor irrigation works while they pay their water tax to the