SALEM,

AN

INDIAN COLLECTORATE.

BY

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OF THE MADRAS CIVIL SERVICE.

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PREFACE.

In the India of the present day, all questions of any importance are decided almost invariably at a distance. From the size of the empire, this is a necessity in matters of general moment; and from the successful concentration of power, it is equally the case with measures of a purely local bearing. The heads of the several collectorates may originate, may suggest; but nothing can be done without orders from the Presidency, whilst it is impossible for official correspondence to set forth all the various reasons that may have led to the advocacy of the proposed measure by those on the spot. At such times the following pages may be of good service to Salem, as containing the main features of her past history.

Formerly the records of each district were guarded with a jealous care; and it was therefore advisable that the junior members of the service should be moved, whilst still subordinates, to gain general experience. This system does not promote the interests of the people; and, the advantages of publicity having been more generally recognized of late, there is reason to hope that the required information will be obtainable before long in a mode more consonant to the spirit of the age. The change will be a gain to the Government as well as to the people.

When a young civilian, having run up the average amount of debt at Madras, joins his district, the vernacular of which might have been learnt there to much better purpose, he is usually directed to study the records. The extracts which have been given will show that nuggets are to be found; but a deal of sifting is required; and he may be soon called on to take his share in the executive. The Regulations for the internal government of the Madras territories are now for the first time thrust into his hands; and his bewildered gaze will vainly travel over a confused jumble of rules, regarding "the administration of justice, the imposition or levying of taxes, or of duties on commerce, the collection of the public revenues assessed upon the lands, the rights and tenures of the proprietors and cultivators of the soil, the provision of the Company's investment, the manufacture of salt," &c. He begins where all who have gone before him have begun—at the bottom step of the ladder, as regards any previous acquaintance either with the history or present state of the district, or the mere nature of his future employment. Those who commence their Indian career in Salem may now, at all events, have a better start than their predecessors; and the brief sketch that has been given of Madras legislation will, perhaps, form a rough chart of more general use to the unknown sea of Regulations. And on these several grounds the author trusts, that however ill-advised in other respects, the publication of this work, which has been written in such intervals as could be spared from his

official duties, may be deemed on the whole advantageous.

With the present discussions before the Houses of Parliament as to the future government of the East, it would seem at first sight to have no connection. The nations of those far-off lands beyond the Straits of Babelmandeb are as little alike as those of Europe; and a patch of some eight thousand square miles, with a population of only a million odd, is a small matter in the map of India; and yet "Salem" may be turned even to such an end to good purpose. For all India is governed by a distant authority; and to show, therefore, in what respects the results have been bad, is to point out the coral reefs on which a common legislation has been wrecked. Where commerce and agriculture have been rudely checked by an obstinate adherence to a mistaken policy, or the rash introduction of measures that were utterly unsuited to the state of the country, it was beyond the scope of this work to trace the evil to its source; but the reader will readily detect, and the statesman, it is to be hoped, will as effectually remove, the secret worm that has blighted vegetation, though the soil was rich and good; and her prosperity as well as her sufferings may thus be turned to good account. The influences which have led to such happy ends will be as readily recognized: they stand out in strong relief, and they will be as wisely strengthened.

Since, then, these pages may be read in England, all expressions have been scrupulously avoided that might seem strange to an English eye,

though in common use in India; and where the use of technical terms* has been a necessity, the author with this view has given again and again explanations which the Indian reader would deem superfluous, but will readily excuse for such an object. At home it is very difficult to realize the importance of this Eastern Empire, as no financial calculations could give its true worth: perhaps it must be lost to be known. May that evil day never come; but let it be steadily kept in mind, that theoretical legislation might undo in a few short months, what it has taken a century to put together,—and so much was never done before so quickly; whilst, on the other hand, practical measures, based on the experience of the past and the necessities of the present, would as surely secure a brighter future for those countless millions that bow to England's autocratic sway.

Dovenby Hall,
March 22nd, 1853.

* With regard to the orthography, it may be mentioned that the author has always endeavoured to spell these words in the form of most common use, which generally gives the right pronunciation. The great difficulty is the letter *a*; and this vowel sometimes has the value of the first, but oftener of the second *a* in the English word *alas*. In the word "Salem" it is pronounced, however, like the *a* in *sale*. The rupee, it will be seen, has been taken at two shillings, which is about the average rate of exchange; and a lac, or one hundred thousand rupees, a convenient mode of reckoning large sums in such small coinage, is thus equivalent to £10,000.

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ERRATA.

Page 367, *for* "£130,682. 8s." *read* "£129,486. 15s."

Page 394, 625,000 lbs. The statistics regarding the quantity of cotton raised, and exported, the author regrets that he cannot revise, as the data, on which the calculations were founded, are not available for present reference.

SALEM,

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CHAPTER I.

DESCRIPTION OF THE COUNTRY AND INHABITANTS.

Boundaries of the District—Climate and General Topography —Jungles and Wild Animals—The Principal Castes—Three Cultivating Classes—"Right" and "Left-hand" Sects—Social System—Domestic Animals and Crops.

SALEM is the name given to a district in Southern India, of which a portion is now cultivated by 169,961 farmers, holding direct of Government, and possessing a proprietary right in the soil. Nearly half-way between the two great military stations of Bangalore and Trichinopoly stands the town, which has given its name to this district, and is itself naturally the centre of an extensive commerce. All the overland traffic between Malabar and the eastern coast, north and south from Madras to Pondicherry, finds its way chiefly through Salem; and, in addition to the trade between these maritime provinces, this great high road is the channel of

communication for the more inland countries on either side of the district. The Salem cloths also have long been celebrated in the Indian markets; and Salem must be considered as an important town, on account of its manufactures, as well as from its natural position.

The district of Salem is bounded on the south and west by the Cavery; which river, after leaving the Mysore country, thus describes two sides of a square, on its way to the sea past Trichinopoly. The Mysore country is the boundary to the north, and the eastern limit is marked out by three ranges of mountains: the Jewaddy Mully, Colleroys, and Colly Mully. The large tract thus inclosed may be stated in round numbers to contain 8,000 square miles, and the total population may be roughly estimated at a million.

It is naturally separated into two distinct portions. The northern half, called the Baramahl, is a continuation of the high land of Mysore and Deccan; averages between two and three thousand feet above the sea, and ends in an abrupt drop of a thousand feet, from the foot of which stretches the southern division, comprising all the fertile plains that, broken by many a rocky mountain-ridge, surround Salem at an elevation of 1,100 feet, and the gently-undulating country, that slopes thence to the Cavery, where the "holy mother of the Tamil rivers," rolling eastward to the sea, forms the southern boundary of the district.

The climate is very favourable for agriculture,

as the land receives a share of both the western and eastern monsoon. Unlike more northern regions, summer warmth is not required here to ripen the crops, and the harvest has been gathered before the hot weather begins, in the middle of February. The remainder of that month, March, April, and the beginning of May, is usually a period of intense heat; and the setting in of this fiery scourge is accompanied in Salem itself, and rendered more trying if possible, by a gentle breeze, the coolness of which invites strangers to throw away every obstacle to its full enjoyment; a grateful relief from the burning heat, by which all that lives is fairly borne down to the earth. But that wind is certain sickness. It must be avoided, and the only choice left is to brave the fever, or endure the stifling atmosphere of closed rooms. A shower or two sometimes fall in February, and towards the end of April occasional rain may be looked for with certainty. The middle of May is, however, the commencement of the south-west monsoon, and by the end of June the earth has lost the parched and brown garb of the hot months; heavy rains fill the rivers, and in every direction the land is to be seen covered with the greenest vegetation; the plough has been hard at work, and the quick-growing dry crops are showing fast on all the high lands.

July is also rainy, but August and September, in the southern portion of the district, are generally dry months, and it is hot, close, and dis-

agreeable weather, which often continues till the end of October, when the north-east monsoon sets in. Above the ghaut, in the northern half of the district, the weather for these three months is always cool and pleasant. There is often rain, and generally a high wind from the westward; and the hot season there is at an end when the wet weather commences with the south-west monsoon.

The north-east monsoon, which has been blowing some while before the rain that follows it comes down at all steadily, continues till the middle of December, during which time the fall is generally, indeed almost invariably, very great; and before the dry weather sets in again, to insure a good season for the ryot, the tanks must have received their supply of water. The latter end of December, January, and the beginning of February, are the cold season; and it is, if short, enjoyed the more from its very brevity.

The Cavery, which is one of the sacred streams of Hindostan, is the principal river in the district, and receives the drainage of all the southern plains. Before bending towards the sea, the bed of the stream, having a southerly direction, is generally rocky, and its current very rapid; but after its junction with the Bowanny, which drains the eastern slope of the Neilgherries, when the course of the Cavery is to the eastward, the river assumes a navigable character, and for several months in the year affords the means of water-communication to the neighbouring villages, for

the fifty-two miles that it flows along the southern limit of the district. Rising in the western ghauts, the river fills with the south-west monsoon; and in July, when a quarter full, is from 500 to 900 yards broad, with a depth varying from twelve to forty-five feet, and a velocity averaging from two and a half to three miles an hour.

Trichinopoly, standing on the banks of the Cavery, is a little more than thirty miles below the eastern boundary of the district; and as the river increases considerably in width and depth between these points, whilst the stream becomes less rapid, it might be supposed that the navigation in the immediate neighbourhood of so large a military station would be considerable; but the markets, unfortunately, are not favourable, and the merchants of Trichinopoly use the means, thus placed at their disposal, for the transport only of timber and gram, a particular kind of grain, given chiefly to animals. The boats are round, made of wicker-work and skins, and carry somewhat above two tons; but their fragile build is in itself a reason against their being used for the carriage of more valuable goods.

The upper portion of the river is lined with dense jungles, that furnish an unlimited supply of hard woods and bamboos, which, formed into rafts, are thus floated down to the busy bazars. Indeed, the whole western side of the district is very mountainous and thickly wooded, and is all drained by the Cavery; whilst the drainage of

the remainder is effected by several rivers similarly flowing to the eastern coast, but entering the sea to the north of Tanjore, where the waters of the Cavery, dispersed into innumerable channels, under a perfect system of irrigation, cover the country for miles and miles with the most abundant rice-crops. It is the consequent cheapness of rice there, and in the neighbouring district of Trichinopoly, which closes those markets against the Salem ryots. It would of course be no good to send rice, nor would the dry grains be a better speculation; for though these grains constitute the general food of the lower orders in Salem, there, from its cheapness, rice is, and must remain, the staple article of consumption among even the poorest portion of the population.

A large extent of the district has yet to be recovered from the jungles: much has already been won from nature, and thousands of acres still remain to meet the increase of a population which has been nearly doubled in the last fifty years.

On the western coast, clothing the crest and sides of those glorious ghauts with everlasting green, one unbroken forest stretches from Cape Comorin to the burning plains of Rajpootana. Here and there may be a gap; as, for instance, the valley of Paulghaut, or perchance the summit-ridges may tower up some 8,000 feet, where, over the mountain-sides, free from jungle, breathes the climate of Europe, and the Neilgherries might be home, did not the sun overhead, and the

scorched plains seen far below, tell too plainly, if all else were silent, that the wanderer was still in the tropics.

With these exceptions, it is, however, one vast forest, lorded over to the south by herds of elephants, whilst the king of beasts is to be found on the plains that stretch away to the westward of its northern extremity.

The southern boundary of the Mysore state reaches to the foot of the Neilgherries, whence it runs in an easterly direction, till it joins the Salem district, on the Cavery; and along this line the western forest stretches out on every side, dense and almost impenetrable. The valley of the Cavery here has already been described as one vast jungle, and this jungle similarly extends in an unbroken line to the eastward, along the ghaut which divides the upper from the lower half of the Salem district. Here, again, the forest narrows in one or two places, and leaves bare the summit of the Shevaroys, which mountains, rising to the height of 5,000 feet, like the Neilgherries, afford a grateful climate to those who have suffered from the heat of the plains; whilst beyond these hills the jungle once more widens out to the north and south, over the mountains before mentioned as the extreme eastern boundary of the district; and the woods of the western coast, thus stretching across the peninsula, grow within sight of Arcot and Trichinopoly.

The timber, as may be supposed, includes a vast variety of useful species. In the north-west

sandal-wood is found, whilst teak, chittagong and some twenty different kinds of black wood, grow in every direction, in greater or less quantities, according to the distance of the woods from the haunts of men.

Game also of every kind abounds, and elephants, tigers, leopards, bears, wolves, bison, the Indian elk, spotted deer, jungle-sheep, and the wild boar, are to be found in all the large jungles, though the three first are not numerous anywhere; whilst on the plains, hares, partridges, and, in the season, snipe, teal, duck, &c., tempt the sportsman to brave the tropical sun.

On the Colleroy mountains, to the east, which are about 3,000 feet high, elephants still breed; but in a few years, as cultivation extends, they will probably be exterminated in that part of the country. But on the other side of the district, when the Cavery is low, large herds of these animals, coming from the westward, traverse the jungles in every direction in search of food; and here also, on the banks of this river, the graceful neilghai are to be seen in numbers.

From October to March, woodcock and solitary snipe visit the Shevaroys, whilst jungle-fowl, spur-fowl, &c., remain the whole year through. Pea-fowl also abound along the banks of the Cavery; and these fine birds are generally to be found where there is running water and good cover.

Game is abundant, but the denizens of the forest must be sought in the depths of the jungle, where few go often, without falling,

sooner or later, the victims of jungle-fever, that fell foe of the Indian sportsman.

In the countries to the north-east of the Salem district, the people are chiefly Gentoos, who speak Teloogoo. To the northward, Canarese is the general language; whilst to the south, Tamil is the universal tongue; and, in consequence, the Hindoo population of a district thus situated is much mixed. There is also a large number of Mussulmen, who speak a dialect of Hindostanny, and a considerable sprinkling of a peculiar race, called Lubbies, who are also followers of the Prophet, but use Tamil in conversation.

The Hindoos are, however, much more numerous, and, according to the present custom of their race, and for all the purposes of this book, may be divided into three great classes; the Brahmins, the Merchants and Artisans, and the Agriculturists. The Brahmins may be arranged into two sects,—the Mardooloo, who are the most numerous, and worship Vishnoo; and the Smartoloo, or followers of Siva. This distinction has no reference to their several nations, for either division numbers alike within its ranks those whose infancy prattled only Canarese, or Tamil, or Teloogoo, or Mahratta, as the case might be; though the Canarese are perhaps the most numerous in both sects. All Brahmins are again divided into those who take an active part in secular affairs, and those who give themselves up wholly to religious meditations; but this latter class, in these degenerate days, it is to be feared,

comprises mostly those who have failed to get fairly launched on the worldly tide.

The Merchants generally belong to the Chetty caste. Gold, iron, wood, and stone, are wrought by Acharries, who, however, by no means work at these materials indiscriminately, each being considered the inalienable and hereditary right of particular classes; and the weavers of silk, cotton, wool, &c., are divided into Putnools and Kaikullers, the former always being engaged on the finer textures, and the latter, with other still lower castes, in making the coarser kinds of cloth.

Building again, employs a separate race of artisans; and they similarly are divided into castes, according as they use the trowel, do rough stone-work, or merely raise mud walls. But other moulders of clay,—the potters, are generally considered an inferior race to the cultivating classes, who rank immediately below those that have been already described, and take precedence in the order given.

The agricultural body forms by far the largest portion of the population. It may be arranged in three great classes, and these are found scattered all over the district, after the fashion of the Hindoos, more according to the nature of the soil to be wrought on,—as the worker in gold will, neither he nor his, weld iron,—than according to any geographical limits.

The Vellallers like the high land, on which the "dry" grains are grown. With many of the crops they plant cotton in ridges, which is picked

after the harvest by their families, cleaned, spun at home, and sold at the nearest market. They breed cattle, and often pay the assessment on their land with the sale of young stock; whilst the dairy produces plenty of ghee or clarified butter, which is used by the natives in great quantities. They are a very hard-working race, and however rich they may be, the women of the family are not allowed to sit idle. The wives of the wealthiest men may be seen at the markets far and near, selling their thread, curds, ghee, and the produce of the kitchen-garden.

The Pullies, on the other hand, love to deal with irrigation. Low wet rice-grounds are almost always cultivated by these men, or else by the Pullers, who resemble them in disposition, but are a somewhat inferior caste. Their women do not work, if they can help it; and this race generally does not share in the industrious habits of the Vellallers.

The latter are, however, resembled in their pleasing characteristics by the third great class, who are called Reddies, and are employed mostly in garden cultivation. They are a very hard-working race, and their women take an active share in the labours of life, are good traders, and usually shine at the weekly market. This garden cultivation does not answer to European ideas, such as the name would suggest, but in India is a very important branch of agriculture; and when the rains fail, in seasons of scarcity, this cultivation may be the means of averting a famine.

Where the soil is rich and black, a well is dug,

which in good situations gives enough water for two acres all the year round; and on this land a vast variety of kitchen vegetables, tobacco, and some particular kinds of grains, are grown in the greatest abundance. These Reddies are a Teloogoo race, and found straggling down the eastern side of the district from the countries to the north, where that is the language of the people generally. There is also a body of Reddies in the north-west, on the borders of Mysore, who are Canarese. Their lands are generally a fine red soil, on which the best raggy is grown in great quantities; but there, as water can only be got at a great depth, well-cultivation is scarcely known. This latter portion of the district, situated between the Baramahl and the Mysore country close to Bangalore, is called the Ballaghaut, and has an elevation of three thousand feet. There the soil is so dry that the Reddy makes his granary under-ground, and when the small circular opening by which the raggy is thrown in, has been securely closed, the grain, on rolling back the stone, will be taken out uninjured, though perhaps two or three generations shall have passed away in the meanwhile.

The dispositions of the three races similarly differ. The Vellaller is frugal and saving to the extreme; his hard-working wife knows no finery, and the Vellallichy willingly wears for the whole year the one blue cloth which is all that the domestic economy of the house allows her. If she gets wet, it must dry on her; and if she would wash her sole garment, half is unwrapped

to be operated upon, which in its turn relieves the other half, that is then and there similarly hammered against some stone by the side of the village tank, or on the banks of the neighbouring stream. Their food is the cheapest of the "dry" grains which they happen to cultivate that year; and not even the village feasts can draw the money out of a Vellaller's clutches: it is all expended on his land, if the policy of the revenue administration of the country be liberal, and the acts of Government such as to give confidence to the ryots or husbandmen; otherwise, their hoarded gains are buried. The new moon, or some high holiday, may perhaps see the head of the house enjoy a platter of rice and a little meat, but such extravagance is rare.

The Pullies and Pullers are the very reverse; they have no heed for the morrow, but spend their money as fast as they get it. Their women wear the gayest-coloured cloths to be found in the bazar; ornaments are eagerly sought for, and their diet is the best rice they can afford, with meat as often as it is to be had, or can be eaten by the Hindoo without injury to his health.

The Reddies, both Canarese and Gentoo, are as provident as the rice-growers are improvident. They spend their money on the land, like the Vellallers, but they are not parsimonious; they are always well dressed, if they can afford it; the gold ornaments worn by the women or the men are of the finest kind of gold; their houses are always neat and well built, and

(if fairly dealt with) they invariably give the idea of good substantial ryots. They chiefly live on raggy, and are a fine, powerful race. Besides these three classes, there are many others; such as the Lingayuts and Natams, of whom it would be as tedious as useless, in a work like this, to give a distinct enumeration.

The lowest class are the Pariahs; and they too affect numerous divisions, of different degrees of respectability. They are also extensively employed in agriculture, and from their ranks the village watchmen are chosen. As village police, the place of these men is sometimes usurped by another race, called Madigavandloo, or Chucklers, who speak Teloogoo, and seem, like the Reddies, to have originally come from the north. The fights between the two factions are often very serious, and are generally caused by the preference being given to one or other of the two races, contrary to the established custom of the village.

The agricultural classes, as well as the artisans, are divided into two great factions,—the "right" and "left" hand castes; and it is now extremely difficult to make out what the difference is; which perhaps is the reason that the hatred of the rival sects is so fierce and bitter. On all religious occasions, tom-toms are beaten, and horns wake the welkin round. If the "right-hand men" are making high holiday, the Pariahs are the musicians; and if their adversaries feast, the Chucklers come to the front; but if it is a mutual feast, and, by some change in the village,

the weaker party, having got the ascendancy, should try to alter the custom in favour of their own servants, then "Cry havoc, and let slip the dogs of war," for broken heads are sure to be the result.

The Chucklers are chiefly engaged in preparing leather, making up such articles as Hindoos require of that material for ropes, slippers, &c., and occasionally are found as cultivators.

The religion of the Hindoos is a wide field for inquiry. In Salem, however, all the cultivating classes worship whatever may be the village idol, and Marryamah, one of the inferior goddesses, seems to be the most popular. A Pully is generally the attendant priest, and officiates for all alike. "Pillary devadoo," or the "Belly God," also occupies a high place in the religious estimation of the ryot.

If the mild Hindoo would go a journey, or plough the field that is to support him and his family for the coming year, "Pillary devadoo" must be first invoked to help the work in hand; incense must burn, and the milky cocoanut must be broken before the aldermanic god. There may be no idol near, but the god will still be remembered in prayer; and it is common to see a stone set up in the corner of a field, perhaps under the cool shade of the tamarind-tree, which, marked with a patch or two of red or yellow paint, receives as sincere adoration as would be paid to a more pretending shrine, and serves to fix the feeble thoughts of the simple husbandman.

Whatever may be the evil effects of the Hindoo mythology,—and grievous, very grievous, are the evil ways into which an ambitious and grasping hierarchy, mingling with an ignorant and timid race, have strayed,—still, in their social system, all who have had fair opportunities for such observations must see much to admire.

For example, any infraction of the marriage rite is severely dealt with, and subjects both parties to expulsion from their caste. Undoubtedly, if the offenders be rich, the rule will not be enforced with so much strictness, perhaps not at all; but is India the only country where even justice is not always dealt out to the rich and the poor? And who has ever seen the kindly way in which those in distress are succoured by the stranger as well as by their relations, and the orderly manners of the Hindoos, even when gathered together in multitudes, without feeling that here again, even in the religion of the Hindoos, the great truth is borne out,—"All is not bad;" and the social system under which, for thousands of years, these warm feelings of man to his fellow-man have been fostered, and from which these peaceful habits have sprung, cannot be utterly and wholly vicious. It is often difficult to decide which is the cause and which is the effect, where vice is found,—whether the custom that bred the vice be born of the Hindoo religion, or the idiosyncracy of the race begat the custom, and so originated the vice. And doubtless, often, neither could be the truth:—the vice has been

the result of concomitant circumstances,—the growth of national characteristics, bent and twisted by all the influences that turn a nation's fate for weal or woe.

The Mussulmen engage in agriculture and trade, as they find it most profitable; and the Lubbies, whilst equally liberal in their views, are by far the most enterprising merchants in Southern India. The former are always a well-behaved race, and the latter, though from their nature, which is far more energetic than that of the Hindoo, somewhat inclined to be turbulent, if judiciously treated, will rarely give the authorities reason for anxiety.

The domestic animals to be found in the district are a strange contrast to the luxuriant vegetation. The same sun that ripens the fruits of the tropics, and shines on those glorious forest-trees, seems to stunt that portion of the four-footed creation which is more especially appropriated to the use of man. Man himself is of a slight make, and, like the human race, cattle of all kinds, sheep, goats, and pigs, &c., though they thrive well and abound everywhere, are, in comparison to the same species as seen in Europe, very small. Singularly tame, all these animals are, however, made much use of, and the cow in India may fairly be worshipped as the very embodiment of the useful.

The ghee, already mentioned, curds, and milk, in any shape, all are acceptable and eagerly sought for by the mild Hindoo, who is, however, gene-

rally obliged to boil the milk as soon as drawn from the cow, to prevent the ill effects of midday heats.

The finest milk-cows are bred in the south,—very beautiful and very small, and with limbs fine as a spotted deer; but the Cavery jungles furnish the handsomest draught-bullocks, and the breed is called "Allumbady," which is the name of a small town there. Generally pure white, with a well-developed hump, horns rising straight out of the head, and curving a little backwards, with the points to the front, well-shaped ears, and swelling forehead, and with a figure formed in every line for strength, the "Allumbady" bullock is a noble-looking animal; whilst his eye, large and reflective, is perfect. Without his cattle, the mild Hindoo would indeed be helpless. With the manure dried in patches on the sides of the house, his food is cooked; if the well be big enough, with bullocks the water is drawn to irrigate his lands, the ropes being made from the skins perhaps of those very bullocks' progenitors. With bullocks and the simple Indian plough, the soil is turned up for the next crop, when sufficiently moistened by the calavady or ploughing-showers; bullocks tread out the ripe grain muzzled, and bullocks draw the produce to market; or if carts be not the fashion, the grain is carried to the bazar on the backs of the ever-useful bullocks.

Along the skirts, and sometimes through the centre of the large jungles, which have been described, the Coravahs and Brinjarries pass with

immense herds of bullocks, each laden with salt from the coast, which, by these circuitous routes, is thus distributed through the whole of the inland countries, as far as Seringapatam.

To these men the wood-lands are everything; for how else could, perhaps, 2,000 bullocks be fed each night? And with them, therefore, it is not which is the nearest route, but on which line is forage the most abundant. They usually take back the "dry" grains of the high lands in the interior; and if there be a scarcity on the coast, and an increased demand, consequently, for these grains, which then, and then only, become there also the food of the lower orders, the result is, that more journeys are made, the salt is disposed of for a mere trifle above the selling price on the coast, and the scarcity there reduces the price of salt in the interior. The "dry" grains then form the chief source of profit to the carrying race.

Sheep and goats also thrive well. When in large flocks, they are usually in the hands of a particular shepherd caste, and are of great service in agriculture, as the fields are chiefly manured by penning them over each portion in succession; and here, during the starry nights of the East, the shepherds watch their flocks.

The habits and customs of India offer many apt and curious illustrations of the Bible language; and it would also be most interesting to trace the various points of resemblance between the Hindoo code and the Mosaic law; but such

discussions are foreign to the subjects proposed for consideration in the subsequent chapters of this work; and many of these topics, it will be found, are difficult to condense sufficiently.

Indian-bred horses do not generally show much blood, and almost always are vicious; to which rule the few horses reared by the natives of the Salem district form no exception; whilst the ponies, though bred in large numbers, and capable of undergoing great fatigue, are likewise far from shapely. Mules are unknown; and the donkeys, which are used to a great extent in the carrying trade, are also small and ill-looking.

Pigs are to be seen in vast numbers, but they are not kept as in England. They travel in herds round the outskirts of the villages, and are of course held in deep abhorrence by all pious Mussulmen, who will not even name the animal if they can help it, save as "the unclean." The Pariahs, on the other hand, are noways deterred by the scavenger habits of the swine in this country, and pork forms a large proportion of their animal food.

The agricultural productions are very varied, and may be divided into three classes—the "dry" crops, rice, and garden-crops. There are upwards of twenty different kinds of "dry" crops; of these raggy, jawarry, bajerah, and the oil-seeds are the most important; whilst rice numbers not less than seventeen species; and there are, thirdly, some thirty different garden productions, amongst which chillies, being the chief ingre-

dient in the Hindoo's curry, hold of course the foremost place. From time immemorial these have been the crops grown; and generation after generation of these very classes of Hindoos have followed the same course, ploughed the same fields, and paid to the State, direct or through farmers of the revenue, such assessment as might be collected by the cupidity or need, liberality or imbecility, of the then ruling powers.

CHAPTER II.

SURVEY AND ASSESSMENT.

Transfer of the Country from Tippoo—Leases proposed and Survey ordered—Distribution of Labour—Advantages and Disadvantages to be contended against—Native Revenue System—Mistake of the new Rulers—Three Alternatives—Assessment founded on the Village Records—Average Assessment one-third of the "dry" grains and two-fifths of the "wet" crops—Total Result twenty-one per cent. in excess of the Revenue for the first year, but the excess unequally distributed—External and internal Sources of Error.

WHEN the power of Tippoo was curbed, and his armies were gradually driven back on Seringapatam, in 1791, the country between Vellore and Bangalore was occupied by a body of British troops under Captain Read, to whom was intrusted the collection of supplies. Though exposed to the ravages of hostile armies, the village communities of India had remained unchanged; and their new masters were not only able to procure from the ryots provisions for the forces in the field, but a revenue was also collected for the invading army, by means of these singular institutions, which, amidst the general confusion, to a certain extent preserved their usual arrangements. It was the practice, it would appear, to assign a tract of country to some clever native, whose operations

were assisted and superintended by a European officer, detached with a small body of regulars; whilst a fair system of payment soon raised police levies amongst the people themselves; which force, for such a scheme, was almost indispensable. In 1792, peace was concluded with Tippoo; and this country being transferred to the Company, was put under the charge of Captain Read. The 16th March, the date of the treaty, was fixed as the period from which the revenues of the transferred district should be collected by the British Government, and from that time they have yearly been received with a regularity that would be surprising anywhere, and is here scarce credible.

The limits of the country thus acquired, coincided with the boundaries of the present district of Salem, with two exceptions. The Ballaghaut, being on the same level as the Mysore country, and close to Bangalore, one of Tippoo's chief military stations, was then retained, and only came under the British rule after the fall of Seringapatam, in 1799. The highest level of the Baramahl is considerably lower; and the rise thence to the Ballaghaut, sudden and very abrupt, afforded a natural frontier, that stern necessity alone wrung from the Mysore Government. The other exception was a wide tract to the north-east, under the polligar of Cungoondy, whose country has since been made over to a neighbouring collectorate. The district, as then constituted, had an extreme length of about one hundred and forty, with an average width of some sixty miles;

an extensive charge to be in the hands of one man, even if not undertaking more than the current business which each day brought with it; whilst, as it was, Read had calmly to revolve and carry out the survey and assessment of the whole country. At that time but little was known of the general customs of Hindostan, still less of the various landed tenures, which everywhere naturally, in time, become intricate, and in India, even at the present day, are well understood by very few. As early as June, the idea of a lease for not less than five years was mooted. There was no zemindar holding between the Government and the ryot; and it was thought that this system would tend to produce that quiet and stability which was so much required, and give the ryots that confidence in the Government which was so desirable and so utterly unknown under the Mysore rule. In November of the same year, the members of the Board of Revenue, who were Captain Read's immediate superiors, requested that he would lose no time, having now obtained experience regarding the productive powers of Salem and the Baramahl, in forming a settlement with the inhabitants for three or five years, and intimated, in case the headmen should oppose these measures, that the land might be let out in small portions to strangers. The next month, the decision of Government, that the settlement should be for five years, was made known; and it was expected that the survey and assessment of the arable lands, which was ordered and commenced

directly afterwards, would be brought to a close within that time.

Captain Read was thoroughly aware of the difficulties which would beset his path: he felt the heavy responsibility which rested on his shoulders. Ever ready to retrace his steps when in error, he was no less firm when he felt convinced of the justice of his views; and for upwards of seven years he devoted the whole of his energies to the survey and assessment of the country. Three assistants were placed under his orders, and soon after taking charge, he proceeded to divide the district into three separate portions, over which they severally held immediate control. He was thus enabled to exercise a general supervision, and, freed from the details of an Indian office, he could give each fresh subject, as it came before him, a calm consideration; and by observing the several operations of his three assistants, he arrived at conclusions, and originated measures, the effects of which are now to be traced during the fifty years that have passed away since, full of honour and beloved by the natives, he left India to spend the close of life in the country of his forefathers.

Moving from village to village, mixing freely with the people, amongst whom their whole time almost was passed, the able men intrusted with the supervision of this important undertaking soon acquired considerable experience; but it was indeed a work of much difficulty,—it was the first attempt of the kind,—and in addition to

the obstacles natural to such an undertaking in any country, there were many others peculiar to the circumstances under which their operations in this instance were to be carried out. Again, they had advantages such as perhaps no other people in the world, besides the Hindoos, could have afforded. In each village, from time immemorial, accounts had been kept, showing accurately the amount of produce which each field, each successive year, had yielded; what crops had been grown on those lands, and by whom cultivated; how much had been the ryot's share, how much had been surrendered to the Government, and what had been the extent of contributions levied thereon for all the wants, spiritual and temporal, of the villagers. Such registers as these, in a work of this nature, were an invaluable assistance; but even if given in good faith, the entries there were always difficult to reconcile with the survey. Save in those cases where lands held on favourable tenures were concerned, which are called in Hindostanny enams, any measurements attempted under the native government had not received much attention, and had usually been rather the result of guess-work, with reference to the amount of produce, than the actual returns obtained by really measuring the lands, — which was the system to be pursued in future.

Under the native rule, it was usual for the villages of the country to be handed over in lots to the highest bidders for a certain rent, or to some favourite on easier conditions. After these

terms between the Government and the renter had been finally settled, the latter would proceed to his villages, and make arrangements with their several headmen as to the sum to be paid by each village; and this amount would again be apportioned amongst themselves by the inhabitants. It was this system of internal management that enabled the cultivators of the soil to contribute so largely to the Government. The arm of native law was strong, and could reach far; but it was difficult often to set in motion; and no head of the village durst venture to ride roughshod over his neighbours. There was a grievous share of those golden, bending crops to pass into the granaries of the despotic sultans; but in the village the elders were gathered together under their wide-spreading council-tree, and no arbitrary orders were given there. After full deliberation, what each man had to contribute would be publicly fixed, and the poorest ryot might be sure, if the crops of the village could meet the total assessment demanded, what he had individually to give would be within his means. The rich and the high-caste men would, after the fashion of this world, bear a lighter yoke, but all excess was effectually checked by this popular form of village government. There were two heads, the one exercising the police powers and the administrative authority of the village generally; and the other, intrusted with the records of the community, and charged with such duties of that nature as the limited wants of

the village should require; but these men were never, in the council, much more than any other respectable ryot. They were the key-stones of that arch, which, self-supported, had borne unshaken the weight of ages, the fierce struggles of war, and the wearing blows of tyranny.

This system was not, however, understood at first by the Company's Government; and when the heads of the village were recognised as the sole authorities, the whole fabric was destroyed. And again, when Government commenced treating with each individual ryot, a fatal blow was struck at that system of joint-revenue responsibility which had before been so sure a check against the over-assessment of the weak. Secure in the majesty of the new laws, the heads of the villages commenced favouring the rich and powerful, at the expense of the poor and needy. The total revenue paid by the village was well known, but who, save the ryots themselves, could detect alterations in the proportions of the several shares, unless by a long investigation, for which time could not be spared? Throughout the district generally, the lands situated near the houses in each village were well cultivated, their productive powers thoroughly known, and usual assessment proportionally high; whilst further off, there was much ground which was tilled only occasionally, and abundance even of what never had been brought under the plough, though capable of being so. Here was a perpetual source of confusion; but then there was an accurate

system of accounts in the village communities, showing all these particulars, and in most villages giving all other particulars regarding the land for a number of years past, that could possibly be required. Under the village management, these accounts were carefully scrutinized by the other villagers, and might really be depended upon; which ceased to be the case when these headmen were singled out, and supported by the British Government; they could then easily overrule any such scrutiny, and the door was opened, unless some radical change were made in the system, to a course of unbounded fraud and favouritism. For instance, it was evidently more easy to evade the demand of Government on the outlying lands, of which the assessment could only be roughly estimated, than when cultivating the home fields; and hence there was a decided move in that direction, to which, however, other causes, such as increased security, would also tend; and many were the irregularities which, checked effectually under the village system, soon made themselves felt by the new revenue authorities.

Read speedily saw that there had been a vital change, and that half-measures would not do for the future; English freedom had been pitchforked into a purely Indian community, and the component parts would not come together as of yore. The rights of every man were respected in the old village system, but much was to be done before the English and Indian measures to that

end could be reconciled, before such elements would mingle.

It was generally understood that, throughout India, where the cultivating ryots held direct of the Government, a half-share of the produce was the assessment payable to the state, which was also supposed to be the average scale of division, when made between the ryot and any other parties through whom he might hold his land. From the annual division of crops, in the course of time a fixed quantity of the produce of each field had gradually, with reference to the fertility of the soil and expense of cultivation, been mutually agreed upon as the amount of fixed assessment thereon; and over much of the Salem district, this had again been commuted from a payment in kind to a money assessment. In this district the arable lands always have been divided into two great classes,—the irrigated lands, on which rice is grown, and those that produce all other grains for which the moisture of the skies is sufficient. The former, which of course in general only constitute, from the difficulties of irrigation, a very small portion of the extent of cultivation in each village, are usually called "the wet," and the latter, on the other hand, are styled "the dry lands;" for which Nunjee and Poonjee are the two peculiar Indian phrases.

When the channels for irrigation were fed by the Cavery or other large rivers, the water from which came charged with rich silt, or by large artificial reservoirs, known commonly as tanks, the

Government share, or, in other words, the assessment, was estimated at three-fifths of the produce, and was gradually decreased, according to the supply of water, through eight classes, till it was only a fourth.

The assessment on "the dry lands," however, to facilitate accounts, was always entered at a half of the produce, whatever might be the fixed quantity in grain which, in the course of time, had been declared payable on each particular field. The ryots, if they thought themselves hardly dealt with in this latter arrangement, either on wet or dry lands, had always the option of handing over to the officers of Government the actual share in kind, either of the "wet" or "dry crops," though, doubtless, in Indian states, expedients would never be wanting, such as would effectually stop anything short of dire necessity from inducing their subjects to take a step like this, if it were distasteful to the ruling powers. The "dry lands," like the "wet," were also in reality divided into several classes, with reference to their fertility, and according to the value of the grains which they were capable of producing. Those soils on which raggy or natcheny (*Cynosurus coracinus*), bajerah (*Holcus spicatus*,) jawarry (*Holcus saccharatus*), and indigo could be grown,—valuable productions, all of which require to be sown early in the year,—being assessed at four times the rate fixed on the fourth and lowest class land, that could be only cultivated with the inferior grains; to which latter and last class the assessment on second-class lands,

similarly determined according to their productive powers, also bore with the third-class lands corresponding proportions. When the temporary ruler of the village arrived from the native court, the only accounts usually produced were those which gave the general state of the arable lands in his villages; and, to fix the amount of assessment payable to him, it was simply shown how much was cultivated that season of the "wet land" of each class, and similarly, the extent of cultivation in each of the four sub-divisions of the "dry" arable. On this information, which doubtless was thoroughly scrutinized by the eye of self-interest, the bargain was struck between the renter and the villagers for the current season, or perhaps for a short term of years. Now came a very different state of affairs, and the first result of the survey was, to show that the assessment hitherto collected had been by no means the supposed proportion of the crops. When it was a money payment, the prices taken to compute the value of the Government share had been always considerably below the real market rates; and when paid in kind, native ingenuity had met native rapacity successfully. The half-share was, indeed, an exchequer delusion.

There were three courses open to the settlement officers, two of which offered several advantages for the speedy assessment of the country. To continue the village arrangement which has just been described, was the most obvious. A careful examination of the district would have enabled

the officers intrusted with the duty, by comparing neighbouring and similarly situated villages in different parts of the country, to fix at once what each village should pay for the term of years stipulated in the lease; and, with the experience before them of generations past, they would have had very little difficulty in arriving at a tolerably correct conclusion in most cases. But it is a matter of considerable doubt whether such a system could really thrive in juxtaposition with the Civil Courts. To carry out the scheme thoroughly, the management of the village must be wholly internal; and if there be now, assuredly there was not then, in India that intimate knowledge of her nations and their customs which would be absolutely requisite to frame such regulations as would preserve unity, whilst preventing the interference from without, either of the Civil Court or collector, in purely village matters, and, without injury to the harmony of the law, would give that integrity of action which was so essential, and deprived of which, the village communities in all probability could never, for any length of time, have carried on their agricultural operations with vigour.

The second course was to obtain from the village accounts what had hitherto been the fixed portion of the crops on each field, or, where it existed, the money assessment, and on that basis draw up an individual settlement with each ryot; which was a step beyond the usual operations of the village renters under any native government.

This, however, it would be soon found, involved a survey, and the third alternative, which was undoubtedly, as by far the most tedious, infinitely the most just and advisable, under all circumstances; and this was the course, therefore, finally adopted. The whole of the arable lands in the district were minutely surveyed, the extent of each field was accurately ascertained, and the assessment payable thereon having been duly fixed according to certain rules, each and all of these particulars were registered with the utmost care,—a record that might, as far as possible, give back to the ryots what they had lost, when the abolition of the village system deprived them of the protective powers inherent to its municipal institutions; and to which record, in all time to come, the officers of Government, whether to do justice between man and man, or secure the revenue of the State, might refer with implicit confidence.

On proceeding to the village, the surveyor's first operation was to measure the whole of the land under cultivation, field by field, noticing at the same time who in each case was the occupant. A further measurement was then made of all lands, such as were arable, but had not been brought under the plough within the memory of man, and when a rough estimate had been made of the remaining extent included within the village boundaries, jungle, or barren waste, mountain, or swamp, as well as all land covered by water, standing or running, or set apart for roads,

irrigation-channels, building-ground, or any other public purposes,—which lands, however, were measured with more care,—the whole area within the limits of the village, it is obvious had been duly recorded; and the next step was to fix the assessment. The surveyor, whilst engaged in the former duties, had of course been mindful of what was to come, and had acquired some knowledge of the relative fertility of the several fields which he had been measuring. Whilst examining the village registers for such information as they might contain regarding the ownership of the land and the extent of each field, due attention had doubtless been paid to the productive powers of the several holdings, as shown therein; and when the village accounts were missing, the oral information extracted from the neighbours had been generally also elicited with the same object in view. On fixing the assessment, therefore, the surveyor rarely approached the scene of his operations altogether ignorant of the nature of the soil to be examined. Further, during much of the year, there was the crop on the land, or if the harvest had come and gone, there was still the stubble to guide him as to the fertility of the soil; and if both these resources failed, as the hot season approached, even then he had it in his power to correct the judgment formed on his personal knowledge of soils, by comparing the result with previous work performed under more favourable circumstances, on like lands and in neighbouring villages. Having formed his opinion

on this point, as the rotation of crops was then well understood and practised in India, he had next to consider what grains would be sown there, and then calculate, with reference to the productive powers of each, the average out-turn of the field in question; which result had again to be corrected to meet the fluctuations of seasons.

As might be expected, the deduction required on this last account for the "wet," fell short of that found to be absolutely necessary for the "dry" lands, where the crops depend entirely, not only on the fall, but on the seasonable fall, of the periodical rains. With the quick vegetation of the tropics, a week is often fatal to the husbandman, and mildew works as surely as the blight of a long-continued drought. If the sources of irrigation do not fail, an eighth of the "wet crop" is sufficient, whilst on the "dry lands" a deduction of more than a quarter must be allowed for fluctuations in the amount of produce, consequent on the skyey influences and varying nature of the fickle seasons. The average amount of produce having been thus calculated, its value in money had to be found; and here again the average variation in prices had to be estimated, and a corresponding deduction made on that account.

These calculations gave, it was supposed, as nearly as might be what was the total value of an average year's produce in that particular field; and with such information, on examining what hitherto had been paid to the State, according

to the village registers, it was found that, instead of three-fifths of the "wet crops" on the best lands, in reality the assessment had nowhere been more than two-fifths; and that, similarly, one-third had been the extreme demand made on the best "dry lands." These proportions were at once adopted as the basis of the assessment; for it was argued, and very justly, that what had been left to the ryot by a Mussulman Government, would be merely sufficient for subsistence and the reproduction of his farming stock.

But to carry out for each field a calculation like this would have been an endless operation, and a table was therefore drawn up, so as to include the utmost possible variation of fertility.

Though these averages were not followed to the figure, the labour of the surveyors was much simplified by this table, from which, having determined the fertility of the soil, and knowing already the extent of the field, the exact assessment or share of the produce leviable thereon for the State in money, was readily ascertained. It is recorded that the character of the soil was always thoroughly scrutinized; and as it was not found possible to draw up the table of averages so as to meet satisfactorily all such variations, it was left with the surveyor to make corresponding modifications on this account. To his discretion, necessarily, were also left all the numerous considerations which do, or it was then thought did, add to or detract from the value of land. Whilst the proximity of markets was justly taken to be

favourable, the neighbourhood of roads was considered the reverse; and for this latter belief the past state of the social system afforded good grounds. The fields near the great lines of communication were not only more exposed to the depredation of thieves, but suffered considerably from the cattle which passed that way; and the owners, too, of such fields were always more exposed to be called on for supplies. Whether troops were on the march, or that numerous host, the body of Government officials, made up the list of travellers to be furnished with refreshment for man and beast, the result was the same. The prices were nominal, and indeed, as regards the unhappy ryots, the said supplies, for all the purchase-money that would ever reach them, might be truly said to be given gratuitously. The attention of the surveyor, it is gravely stated, was also given to the personal health and strength of the ryot, the quantity of his farming stock, and what small capital he might by his neighbours be thought possessed of; and finally, the result thus obtained and corrected was compared with the assessment paid on the field for the past, and what was offered for the current year. If all three amounts were nearly alike, the average was struck, and that was fixed as the final assessment. It was a new country; it was the first work of the kind; and the officers, to whom were intrusted duties pregnant with the future happiness or misery of the people, naturally felt distrustful of their own judgment.

It would have been easy to cut the knot, and, by fixing the assessment so low that there could be no possible difficulty in its collection, to have avoided the necessity of such comparisons; but the Company were then struggling for existence in Southern India; and if the English provinces were to be held against the foe, it was an absolute necessity to collect from the ryots the utmost that could be fairly taken by the State. Accordingly, when the assessment previously paid and the offer made for the current year were both above the surveyors' valuation, and the ryot rich, the latter amount was raised to correspond with the former; but if both the former sums were below the surveyors' valuations and the ryot was poor, the latter was similarly lowered. If the valuation, the former assessment, and the sum offered for the current year, all three differed, then again the average was taken and modified to the circumstances of the ryots; but in all cases where the survey valuation had been lowered to meet the peculiar circumstances of the ryots in question, in the second, or in the second and third year, the rates were raised again to what it was considered might be fairly demanded with reference to the general position of the agricultural classes; and these were then fixed as the final assessment.

It is true that the survey valuation had only been ordered to regulate the fluctuating demand of a lease settlement; but before this great work had been brought to a close increased experience

had produced very different views in the mind of Colonel Read, and subsequently of his assistants; and the survey valuation of the land assumed ultimately a far different character to what was originally intended. According to the results of this survey, which was conducted with the utmost care, there was not more than a quarter of the whole area of the district then under the plough, and only one-fifteenth of this cultivated area was irrigated; whilst as to the rates at which the assessment had been fixed in the different portions of the country thus carefully mapped out, they varied, it will be remembered, not only as to the productive powers, but according to the inherent qualities of the soil, the advantages possessed by the field, from the personal peculiarities of the occupying ryot and the amount of his farming stock, as well as from the position of the field with regard to the markets and roads; and the rates fixed with reference to all these particulars, after being subjected to the most careful examination, both by comparison and analysis, were finally supposed in some few cases to fix the Government share, where all the necessary qualifications were peculiarly favourable, at a half of the produce on the "dry land," and a tenth more than that in the wet lands." This was the most taken, for Government; but it was thought that, in general, the proportions which had been finally adopted as the bases of the assessment, viz. one-third and two-fifths, gave as nearly as possible the several averages on the whole extent of

"dry" and "wet" arable throughout the district.

Even if all the data in calculating the rates were sound, and such as should be regarded in forming an assessment, still this duty was a fearful responsibility to be thrown on the shoulders of any four men; for it was well known that the scale of former collections, with which and by which all their operations were tested and regulated, had been framed so as to leave the ryots what was barely sufficient to support life and carry on the agricultural operations of the country; especially, too, when it was remembered that there were many irregularities and much concealed cultivation in the hands of the head inhabitants, under the laxity of native rule, which a survey like this inevitably brought to light and carried to account; whilst formerly these secret resources had modified materially the actual proportion of the general assessment to the total produce.

The village registers, from which this scale of former collections could alone be obtained, were nevertheless undoubtedly the saving of the country.

Whatever might be the abilities of Read and his assistants to carry out a work like this, a vast number of native subordinates had to be employed as surveyors and assessors. They were chosen from the people of the country which had just come under the Company's government; and though selected with the utmost care, and other-

wise, as natives of the district, well qualified for the task, the labours of such men could never have enabled their superiors to fix an assessment, capable of standing unchanged from that day to this, though so large a share of the produce was necessarily taken for the State, had not they been almost entirely guided by the village accounts, the embodied experience of agricultural centuries.

The local inquiries of the surveyors were always directed to the village registers; and if those accounts were not to be found, then recourse was had to the ryots of the neighbourhood, to learn from them, if possible, what the missing registers had contained.

The assessment might have been conducted on more scientific principles; the different soils of the district found at elevations varying in the plains from six hundred to three thousand, and on the cultivated mountain-summits five thousand feet, might have been chemically tested, and arranged in classes, and rated accordingly; and, due attention having been paid to the varying climate at these several elevations, and its effects, the distance from markets, and state of internal communications, tolerably correct results might have been obtained. But assuredly, if there is now a body of men equal to such a task, they were not to be found in the India of the last century; and it is equally sure, if operations had been conducted on these principles, when the second Mysore war began, but little progress would have been made. The whole system of

taxation was examined and defined accurately; minute inquiries were instituted into the state of the country, and recorded; more than two million five hundred thousand acres were surveyed, and one million one hundred and twenty-five thousand acres were duly assessed; and these important operations, conducted on Tippoo's frontier amidst the confusion of a newly-acquired country, with the consequent necessity of maintaining all possible military precautions, as well as in addition to the current business of the day, were all brought to a close in five years.

In 1792, when the country first came under the Company's government, the revenue was fixed for that year almost entirely on the village registers; and as these accounts had been the chief guide in the survey assessment, the final result of those measures giving an excess in the amount to be collected from the Salem district of one-and-twenty per cent., would at first sight seem rather inexplicable. But it has been mentioned that the survey brought to light a vast quantity of cultivation, which, in the occupancy of influential ryots, had, under the native rule, hitherto paid no assessment; and over a large extent of the country, from time to time, the favourites from the courts had succeeded in getting favourable rates fixed on their lands permanently. All these indulgences, which tended directly to lower the revenue, the survey assessment entirely swept away, save in certain specified cases. In proportion to the abilities of Read's three assistants, and their

peculiar fitness for such operations, would, of a consequence, be the difference between their temporary settlements in 1792, and the amount of revenue finally fixed in their respective divisions by the surveys which they had severally conducted; and their characters must have been somewhat dissimilar, for this difference is very great.

Colonel Read frankly admitted that he could not account for it; but time has satisfactorily. One assistant was Captain Munro, then known to a few private friends as a man of rare talent, but afterwards celebrated on all sides as one of the wisest men that ever came to India. He possessed wonderful influence with the natives, and his settlement in the first instance would on that account naturally be less liable to error. When corrected by the survey, the total assessment for his division showed an excess of less than four per cent. on the revenue temporarily fixed for the first year, whilst of the other two divisions, the excess in the south was more than thirty per cent., and in the north, the increase, though somewhat less, was still very great. Those to whose charge these portions of the district had been intrusted, were not men of equal ability; and the results of later years have shown too clearly, that over a large portion of the southern division the assessment, though temporarily paid, and perhaps with ease, was not fixed, even by Munro, with equal success for the future prosperity of the country. Some of his lands were high, and bordered on the

Cavery jungles and the hostile state of Mysore. This country had, from its position, suffered much during the wars; and even had the ryots been in better circumstances than they were, his far-seeing mind would have been loth to make a harsh use of subsequently-acquired experience; he would perhaps have hesitated to raise the assessment to its utmost limit, and thus retard, if not wholly preclude, their ultimate improvement.

On the other hand, the south and south-east of the district was much richer; it included the fertile plains of Ahtoor, and the fine lands that border on the Cavery towards Trichinopoly, which are well irrigated by several channels from the "holy river." The inhabitants were comparatively wealthy, and it needs not a very long experience of India to know at once that there the greatest abuses would exist. There the concealed cultivation would be found to have existed under the native rulers, to a greater extent than elsewhere, and there favourable rates would have been, and doubtless were, obtained for far more land than in other parts of the district. But the sins of the fathers were visited on the children. These very advantages, surreptitiously procured, enabled the ryots to pay rates ostensibly high on the remaining portion of their cultivation, which not only misled the surveyors and their superiors, but acted on the next generation with great severity. When there was an end of this, and of such capital as their forefathers had succeeded—which was but rare—in hoarding up, the rates thus fixed,

and till then paid from such sources with apparent ease, were found very heavy, and in many instances what the ryots could not give. The consequence has been, that lands, which are perhaps the best in the village, lie waste to this day. But in the northern division, a small portion of which was surveyed by Read himself, the result has been very different; and all, or much of the success there, is probably owing to these circumstances having been duly taken into account, and the assessment finally fixed with more judgment.

There was of course much liability to error, from the manner in which the survey and assessment were formed. After the first year, the inferior crops would perhaps be grown, to deceive the surveyor, though the field was capable of bearing the most valuable grain; the village accounts, if forthcoming, would be tampered with, and every imaginable artifice would be resorted to, that could in any way depreciate the value of the land. The careful, pains-taking Vellaller, the easy Pully, and the substantial Reddy, all differ much in their idiosyncrasy, but all three classes agree most thoroughly in the necessity of any measure that will tend to lessen the Government share of the produce. "The Hindoos cannot speak the truth, they are so deceitful," is thus the language of many; but after ages of misrule, should this phrenological development be very prominent, is it wonderful? Does it of necessity

stamp the race as wholly and altogether vile and untrustworthy?

Modifying the assessment according to the circumstances of the ryot, was, however, a grave and manifest error, for which the natives cannot in any way be held responsible.

The assessment was to be fixed for good, but the circumstances of the ryot might be changed on the morrow. Bound to their lands and their village, under the native government, the ryots now knew no restriction, and were free to come and go. The lands of the well-to-do Vellaller might the next year be held by a poor Pariah, on whose old fields, perhaps, at the very time, were penned the Vellaller's fertilizing flocks. It was a tax on capital, for the creation of which every nerve should have been strained, and it was, also, one of the principles on which the assessment was fixed. A thriving village was undoubtedly a fair sign, and might honestly be taken as so much proof of the adjacent land being fertile; and plenty of stock, similarly, would indicate that the holding of such a ryot was good soil; but to allow a judgment, formed on the prescribed careful examination of the land, to be influenced by minute data regarding the occupant's private resources, was without doubt a grievous error. The alterations made on this account, when the survey valuation was compared with the demand, past and present, when in favour of the ryots, were only temporary; and most fortunate has it been

for the after-years of Salem, that their wealth could not then raise the assessment in the first instance very much or generally. She was poverty-stricken throughout the length and breadth of her lands, when such doctrines were rife.

Markets, it is also stated, were taken into account, and the assessment was raised on lands situated in their vicinity. This was undoubtedly correct; but Salem was then the western frontier of the Madras presidency, and very many of those markets were military posts, which, after the fall of Seringapatam, were gradually abandoned, as the country changed its character, and British supremacy stretched from coast to coast. Peace does not always follow the steps of war. Grim-visaged, and seated on the scarped and lofty rock-fortress, War scans with watchful eye the far horizon, whilst the timid artisans, the labourer, and all the peace-loving ryots, crowd around for safety. A few deep wells, to insure water for the troops, and what cares War for the nature of the soil? Let Peace smile on the land,—the owl hoots on the lone hill-fort, and the hyena howls round its jungly base; away in the valley, where the rice-crops are waving by river and lake, the ryots have built again the homes of their forefathers; and many a town, wall-less and undefended, all but deserted before, echoing once more to the busy hum of men, shows bravely now in the broad light of day.

Where these changes have taken place, the assessment on the lands in the neighbourhood of

such stations, then raised above the average value, now presses heavily on the ryots, who have thus lost their temporary market. This is particularly the case in the talook of Senkrydroog; but it is common enough elsewhere, and this feature of the times is in other respects very satisfactory. The ryots have left the walled and cramped spaces, in which formerly they and their flocks were huddled up together for the sake of safety; they are now building amongst their fields, where the cattle need not travel far to find pasture; and the ploughman turns up the soil, with his children playing at his side. Sixty years ago, the Mahratta horses swept those plains periodically; but the latter half of the nineteenth century shines out in brighter colours, and this generation has not heard the sound of war.

CHAPTER III.

STATE OF THE PEOPLE WHEN SALEM WAS CEDED BY TIPPOO.

General Poverty of the Inhabitants — Agricultural Stock— The Grain-markets, and what should be the agricultural policy—The Survey Assessments with reference to the State of the People—Land of no value—Small Farms—Frequent Failures.

THE following letter from Munro contains an able and minute report on the state of the people when the country was taken possession of by this Government, as well as his ideas regarding its future management, which Colonel Read had requested should be given in a more liberal spirit than had as yet been exhibited in the policy of the district. "Hitherto the whole internal system had manifestly been framed on the model of native governments, and they themselves had acted as collectors desirous to realize a large revenue easily, and yet with justice to the ryots; but it was now time that a wider scope were given to their deliberations, and the ryots allowed the benefit of a more enlightened policy."

"TO COLONEL READ.

"*Trichengode, 5th September*, 1797.

"SIR,—Since transmitting you my letter of the 18th July, I have received yours of the 25th of

the same month. I shall now, as you request, answer it, paragraph by paragraph, though I have little to observe that will not be mere repetition of what I have already said on the same subject.

"Para. 1. — *Poverty of the inhabitants in general.*

"A long series of oppressive governments, and particularly under Tippoo, had reduced the country, when delivered over to the Company, to such a state that a rich farmer was nowhere to be found; not one among them, perhaps, was worth one hundred pagodas (£35), exclusive of his farming stock; scarcely one of them rented lands to the amount of fifty pagodas (£17. 10s.) a year; one half of all the farms were not above ten pagodas (£3. 10s.) each; and if there anywhere appeared a farm of eighty pagodas (£28), or one hundred pagodas (£35), though nominally held by one person, it was in fact occupied by three or four families of brothers or relatives. The farmers were then, and are now, composed of three classes. The first contains the small number of those who are able to give their lands the highest degree of cultivation; the second contains those who can give them sufficient to produce an ordinary or moderate crop; and the third, which is as numerous as the second, contains those who, from want of cattle, cannot half plough their lands, and never manure or weed them at all. It is among this last class that failures generally happen; many of them have

not a single bullock, but borrow or hire a pair for a short time during the ploughing season. With such a miserable cultivation, the whole produce of the land is frequently insufficient for their subsistence during the year; far less to pay their rent. Many of them have no serious intention of paying any, when they take the farm. If it is an unusually plentiful season, they give what they can spare, if it is otherwise they give nothing; and in either case they gain what they wanted, which was to subsist a great part of the year for less labour than they could have done had they worked as labourers under another man. People of this description ought rather to be labourers than farmers in any place, for the relief of the inhabitants. It is those who have some property and pay their rents regularly, that ought to be the chief objects of our attention; and a lighter assessment than what they have hitherto experienced, will be the only means of bettering their present condition.

"Para. 2.—*Frequency of their removals from the lands which they may have occupied the previous year.*

"Ryots remove from a variety of causes, but the principal is inability to pay their rent; another cause is unhealthiness of situation; and in some few instances family disputes produce the same effect; but all these causes combined are not of such magnitude as to have any very material influence on the stability of revenue. The

ryots have no particular passion for emigration; they rarely can think of quitting their village, while they can live in it, and even when, either from too high an assessment, or from misfortune, they are obliged to relinquish their lands, they generally remain where they are, in preference to removing to another village or foreign country; but they are, notwithstanding, still entered in the accounts as emigrants, for it is the practice to consider all ryots who give up their lands as such, whether present or not; and if a man holding two farms under different names in a village, throws up one of them, and takes a larger in exchange in the same village, he is still written down as an emigrant* from one farm. By these means there is often a long list of emigration, where little or none has actually happened. It is only when farmers remove with their stock to a foreign country that revenue suffers a loss; but this is so rare, that in all the districts of Senkrydroog there has not been a single instance of it during the last twelve months. When a farmer removes with his stock from one village to another, it makes little or no difference to revenue; because he generally pays the same, or nearly the same, rent as before.

"Para. 3.—*Fluctuation of stock.*

"The fluctuation of stock may prove detri-

* The word used is "Furrar," or fugitive, which conveys but too accurate a notion, doubtless, of the bondage to which the ryots were subjected in former times.

mental to the revenue in two ways; either when the cattle employed in agriculture are diminished by distempers, or when a part of them are sold out of the country, in order to pay up the rents. The distemper among the horned cattle is not more common, and is perhaps less destructive, than in most other countries; it usually appears after a very long drought, and ceases on the setting in of rainy weather; its ravages never extend over a whole district, far less over whole provinces at once, but are generally confined to a few villages, and are prevented from spreading by the inhabitants of the neighbouring villages driving their cattle to a distance. The loss on these occasions is said to be commonly from one quarter to one half of the whole. The disorder among the sheep sometimes sweeps away the whole stock; but the contagion, as among cattle, is partial. The greater part of the ryots have no sheep at all, and those who have them, have only a small number, which they can therefore the more easily preserve from this infection; and it scarcely ever happens that the loss among them is so great as to disable them from paying their rents. The great sufferers are the shepherds, who travel about the country with large flocks, manuring the lands of the farmers for hire; but as they pay very little rent, their losses cannot materially affect revenue, nor are they long felt in the general stock of sheep in the country; for as it is the custom among shepherds to give individuals of their caste, who have been unfortunate, a small flock by contribution,

and as sheep multiply fast, the sufferer in a few years often sees himself master of as many as before.

"Cattle and sheep are exported to the Carnatic, and a few to Mysore; but I believe that it is such only as have been bred for sale, and are no part of the farming stock. Numbers of the ploughing cattle of the poorer farmers are sold every year to discharge their rents; but as the greater part had been previously bought at the beginning of the year, by means of the annual advances for cultivation, these farmers are no worse than they were; they have earned their subsistence, paid their rent, and returned the cattle which they had borrowed, or, what is the same thing, purchased with the borrowed money. They again follow the same course the next, and probably several successive years, till they are fortunate enough to be able to discharge both their rents and advances for cultivation, without being obliged to sell their cattle. But some of the ploughing cattle sold belong to ryots who have received no advances for cultivation. These men are, therefore, worse than they were at the beginning of the year; they have lost a part, or the whole, of their cattle, and there is a great fluctuation in their stock; but it does not follow that there is any in that of the whole community; for the cattle have fallen into the hands of richer farmers, and their labour will still be as productive as formerly. In whatever way this subject is considered, there is no ground to

apprehend that, either from distemper among the cattle, from their being sold out of the country, or from any other cause, the fluctuation of stock among the farmers will ever be so great as to produce any change in the stability of revenue.

"Para. 4.—*Precariousness of crops.*

"The crops here are, I imagine, as certain as in any dry-grain country whatever. There is no instance of famine, nor even of any considerable scarcity, having occurred in peaceable times. Different kinds of dry grain are sown from May to November, and wet grain whenever there is water all the year round. There is variation in the mode of agriculture, and in the productions of almost every district; so that failures of crops are commonly confined to a particular tract, seldom extending to more than one or two districts, and frequently only to a few villages; but the failure, where greatest, is hardly ever total, some part of the crop is generally saved; and even where the grain has suffered most, the oil-nut, the cotton, and the pulse sown along with it in the same field, may have escaped entirely. Should, however, the whole be lost, the farmer has still other sources to look to; he has other fields, sown at later periods with the same or other kinds of grain, which may yield the usual crops; he can also plough up the field which has failed, and get a late crop from it, which, though not so abundant as the first might have been,

will help to pay his rent. By having six months of seedtime, to sow, according as the season answers, and by having many different species of grain, some of which are calculated to resist the attacks of drought and insects, by which others perish, the failure of crops is never general, and scarcely ever such as to destroy the whole harvest of any one farmer: this is a misfortune which can only befal some indigent man, who has only one field, and has not the means of labouring on it for a second crop, after the failure of the first. All other farmers, after the most unfavourable seasons, either obtain as much from their lands as enables them to pay their rents, or they get as much as, when joined to the savings of the preceding year, enables them to do so; or if they have no former savings, they find people willing to lend them what they want, from the conviction that their distress is only temporary, and will easily be removed by the produce of the ensuing year.

"There is not much rice-ground in this country, but all that is watered by the Cavery yields constantly two crops, and the smaller rivers one crop every year. There are many small tanks, which do not give above one crop in three or four years; but this is not any fault of the seasons: from their situation, those who constructed them could never have expected that they would give more; the seasons are not irregular because they are unproductive for three or four years, but they would be irregular were it otherwise. This

circumstance will not hurt revenue, because it is supposed that the rent is low in proportion to the supply of water. In villages where there is nearly an equal quantity of wet and dry lands, no variation of the seasons can ever much distress the farmers. If there are frequent gentle showers, not sufficient to fill the tanks, the wet crop fails, but the dry is abundant; if a drought prevails throughout the year, with the exception of only one or two heavy falls of rain, the tanks are filled, and there is a plentiful wet crop, but the dry is lost; so that nothing but what never occurs,—an entire cessation of rain for twelve months,—can ever deprive the farmers of more than half the usual produce of their lands.* Tanks, therefore, contribute more to revenue than what they pay directly; because they give stability to it, by rendering the ryots more able than they would have been, with no dependence but on their dry crops only, to bear up against unfavourable seasons. There is upon the whole, however, no such precariousness of the crops in this country as can in the least endanger the permanency of revenue.

"Para. 5. — *The fluctuation in the price of grain.*

"I have not observed any remarkable fluctuation in the price of grain; it has fallen from the height to which it had been raised by the war, to

* The subsequent experience of Indian seasons, and especially the famine of 1833, have shown that Munro was here too sanguine.

the level of the last two years, and will probably remain there until again raised by war, or some extraordinary event. It did not fall completely till the third year after the war, because there was, for near two years, a great demand from Mysore, and because high prices do not immediately cease when the occasion of them is removed. The present price is nearly that by which the settlements were regulated; every diminution in it will make the condition of the farmers worse, and the difficulty of paying their rents greater than it was intended to have been; but there is no reason to suppose that it will fall any lower; the chance — indeed we may say the certainty—is that all fluctuations hereafter will be above the present standard, and consequently always in their favour. As every rise in the price is to them the same thing as an abatement of rent, it is to be wished that it were somewhat higher, or rather, that the demand were greater; but there is no prospect of speedily accomplishing either of these objects, for it can only be done by increasing the exportation, or the home consumption, or by growing less grain, and more productions of greater value; but as all the neighbouring countries have enough of most kinds of grain for their own use, and as the carriage of so bulky an article is very expensive, nothing but scarcity, war, or some such extraordinary occurrence, can produce a temporary increase of exportation from hence. The home consumption can only be augmented by the

increase of wealth or population, both of which are slow in their progress.

"It is probable that the abolition of all duties on grain at the beginning of the current year will, by lowering the price to the consumers, somewhat increase the quantity which is sold by the farmers. To raise less grain, and a greater quantity of the more valuable productions of the soil, seems to be the most likely method of rendering it a more profitable commodity to the farmer than it is at present; but as the cultivation of these productions is more expensive than that of grain, and as few of the farmers have much stock, every impost, every restraint that might the least discourage them from engaging in such undertakings, ought to be done away with. All the late duties, therefore, on betel, tobacco, and other garden productions, are extremely impolitic, and can only tend to perpetuate the poverty under which the farmers have hitherto laboured.

"When a country exports no grain, and has already more than sufficient for its own consumption, every succeeding addition to the population of farmers who cultivate grain only, can add little or nothing to revenue, and will, by diminishing the price as it increases the quantity, prove detrimental to the whole body of cultivators. In such circumstances, any increase of grain cultivators is superfluous to agriculture; but as the laws of their caste hinder them from engaging in manufactures, they must still continue husband-

men, and in this occupation they can only be usefully employed in rearing productions for which there is a demand; but as most of them are too poor to attempt anything out of the common way, every encouragement should be given to those who can. With this view, so far from imposing new taxes on garden productions, all the old ought to be remitted, and no duty of any kind collected on those which are the growth of the country. The loss to revenue would be trifling and temporary, and the advantage to the farmers great and lasting. It would draw a considerable part of the stock of the principal farmers to the cultivation of garden productions, and as it would by this means diminish the quantity of grain, it would raise the price of it, open a ready market for the sale of the whole of it, and render the price less liable to fluctuation.

"As the whole quantity raised in the country cannot always be easily disposed of, not only all the more needy farmers, who are obliged to sell in order to pay their rents, bring the whole of their grain to market the moment the crop is gathered in, but also many of the more substantial, who are in no immediate want, send a portion of their stock there at the same time, from the apprehension of not finding sale for the whole at a later period. This reduces the price of the quantity first brought to market below the level at which it ought naturally to have sold, and it also has the same effect on the remainder; though in a smaller degree; for when grain is

once reduced below its natural price, as the sellers are numerous and indigent, and the buyers few, it is more likely to continue somewhat below than rise to the proper standard.

"It is not probable that, in its fluctuations, the price will fall below what it has usually been for the last two years; and while this is the case, they can have no influence in weakening the stability of revenue. The fluctuations of stock, the precariousness of crops, and the prices of grain, as far as they regard this point, might be all included under the single head of poverty of the farmers; for it is only the poorest of them who fail from any of these causes.

"Para. 6.—*Present high rental, which generally affords no other reward to the cultivator than the wages of labour.*

"The present rental is what the farmers have always been accustomed to pay, and it is easier to them than formerly, when the times, and the portions of it to be collected, were arbitrary, and the payment of the whole did not secure them from extra demands. It in most cases affords a greater reward to the cultivator than the wages of labour, and this in various gradations, according to his circumstances. There are many who do not pay in rent less than one-half of the produce, some pay only one-third, and others no more than one-quarter, or even one-fifth; but I imagine that about one-third is the proportion which the greatest number pay. The difficulty

that the farmers have in procuring new servants, or even in retaining their old ones,—a complaint which is every day heard, and which is occasioned by every man's taking land on his own account as soon as he is master of a single plough,—is of itself a sufficient proof that farming affords something more than the wages of labour.

"There are several thousand farmers in the country who do not pay more than five pagodas (£1. 15s.) rent; they must receive more than half the produce, for it cannot be supposed that they maintain themselves and their families twelve months on five pagodas (£1. 15s.). The rent of land appears high or low, in a great measure in proportion to the stock employed in its cultivation: the whole lands of this country have not, I am convinced, one-third what they ought to have; and the culture of them is of course extremely defective; they do not yield one-third of the produce which they ought to do, and the rent is therefore said to be high. Only a few farmers are able to bestow on their fields the highest degree of cultivation; many never weed them; a very great number never manure them; and many only plough them once, instead of four or five times. These last cry out against the rental, because it affords them only the wages of labour; but it is all that they are entitled to, for men without stock cannot in any part of the world expect to reap the advantages of it. To such men the lowest rent is oppressive; and to reduce it to meet their wishes, would annihilate

revenue altogether. The other classes of farmers pay their rents without difficulty, and gain something above the wages of labour, according to the quantity of their stock.

"The regulations adopted in the current year for permitting them to throw up as much of their land as they please, as it increases the proportion of stock to cultivation, is nearly the same thing as reduction of rent; for the usage was, to make assessment as much upon stock as upon land, and to make the farmer, who had ploughed twenty acres last year, pay the same this year, though he only ploughed ten, if his stock remained undiminished. This liberty of throwing up their lands was a great concession in their favour; but as their lands are still greatly under-stocked, and consequently unproductive, such an abatement of rent ought to be made as might facilitate their means of stocking them completely. It is only for the purpose of hastening the attainment of this object, that I think any reduction necessary, for there are some arguments against bringing rents to a very low standard.

"It in the first place directly cuts off a part of the revenue, and it forces many of the head farmers to narrow the limits of their farms, from the loss of their labourers, whom it tempts to leave them in order to set up for themselves. In this way, also, there will be some decrease of revenue, because the labour of the servant on new land will not produce so much as it did on that of his master. But this decrease will not be lasting,

for it will soon be made up by the extra labour of the new farmers, who, with the exception of a few of the most indolent, will do much more work on their own account than on that of another; by the increase of population, to which the division of lands and low rents are favourable; and by the multiplication of cattle, and every kind of farming stock, which is always better managed by small than by great farmers. Those men, whose farms have been lessened by the desertion of their labourers, must principally depend upon the increase of their own families for hands to enlarge them to their former size, because, while rents are low, and while there are vast tracts of good land unoccupied, of which anybody may take whatever they want, every man who can purchase a bullock will farm for himself; and this difficulty of obtaining labour will continue until all the lands which can easily be rendered productive shall be brought into cultivation.

"With regard to the probable effects of the survey assessment on the permanency of revenue, I have not the least doubt but that the amount of the rents of all the lands which may be occupied the current year, may be collected without having to wait for any length of time; any remission, therefore, made with the design of securing the realization of revenue, is unnecessary; but such important benefits will immediately accrue to the country, and at a future period to revenue itself, from facilitating the means of increasing the stock of the farmers, that I think

it would be doing an injury to both not to remit fifteen per cent. of the lease assessment. This is apparently less than the twenty per cent. which I recommended in my letter of the 15th November, 1796; but it is in fact more, because I conceive that the advantages which the farmers will derive from the permission of relinquishing a part of their lands, and concentrating their stock upon a smaller quantity, will be at least equal to ten per cent.

"Para. 7.—*Consequent cheapness of the land.*

"The rental is not the sole cause, but only one among many others, of the cheapness of land. The cheapness is occasioned by the poverty of the inhabitants, which hinders them from stocking their lands, and drawing from them the produce which they would yield, if well cultivated. But it may be said that the rental is the cause of this inability. This is not, however, the case; for had not the exactions of Government and its servants, beyond the fixed rent, perpetually stripped the farmers of all their gains, numbers of them might now have been rich, and their lands might have yielded treble their present produce, and been of course so much more valuable. The cheapness is also occasioned by the insecurity of property, arising from frequent wars and conquests, which render the possession of land precarious. It is occasioned by the manners of the farmers, whom a long experience of the violence of their rulers has made distrustful, and

who therefore either squander or bury their gains, instead of employing them in the cultivation and improvement of their lands. It is occasioned by the high interest of money, which induces those who have it to employ it in other channels which they think safer than farming. It is occasioned by the want of confidence in Government, which deters those who might be disposed to lay out their money in improving land, from doing so, from the apprehension that the rent may be raised: and it is occasioned by the great tracts of arable lands which, for want of cultivation, remain in the hands of Government, ready to be given to whoever will take them. It is plain enough, that, as long as these remain unoccupied, no other lands can have any value, because no man will buy what he can get for nothing.

Poverty and high rent are much the same thing to the farmer, for both leave him only a small share of the produce; the one prevents him from making the land productive, the other takes the produce from him. If the rents of improved and unimproved land are proportionable to their produce, and if they are fixed, the situation of the farmer upon the unimproved is better than upon the improved lands, because he may hope by his industry to bring them to the same high state of culture, and to gain all the difference.

"Almost the whole of the farmers of these districts are upon unimproved lands; and though their poverty makes their share of the produce smaller than it ought to be, yet it is plain, that,

after paying all expenses, they gain the usual profits of stock; for were not this the case, what is now employed in farming would soon be consumed. There is even great reason to believe that all, except those of the poorest class, gain more on their stock than men of any other profession. But though their gains were double or treble the usual profits of stock, it would not give land any value. Suppose the total produce of a farm three hundred rupees, the rent one hundred, all expenses and the ordinary profits of stock one hundred, and that the remaining one hundred is an extra profit; this would not make the farm saleable, because, as every farmer could make the same on his own, none of them would give anything for it; but if there was a farm of equal rent, which, in consequence of wells or other improvements, yielded an extra profit of two hundred rupees, a small price would be given for it, but not equal to one year's purchase; because the purchaser could not be sure how much the rent might be raised the following year.

"The want of fixed rents, by discouraging improvements, has hitherto prevented land from becoming of any value; and were they now fixed, it is probable that the want of confidence in Government, which has always hitherto prevailed, would for a long time continue to produce the same effect; it will deter merchants from employing any part of their capital in farming, even though the profits should be much greater than that of trade, because it exposes their property

more to public view and to the exactions of revenue officials; for when they farm, they must, in order to do it to advantage, have a number of cattle and stores of grain, and they must lay out money in the improvement of their land. These are things that cannot be concealed, or withdrawn from the rapacity of Government. If they wish to save themselves by flight, they cannot easily remove their cattle or grain, and they must leave their land with whatever money they have sunk on its improvement.

"But trading property, on the other hand, is little exposed to sight, is easily secreted or transferred, and thereby renders traders more capable than farmers of evading extortion. The want of confidence, therefore, tends to keep land cheap, not only by discouraging the farmers from improving, but also by hindering it from deriving any assistance from the capital of merchants or manufacturers. The rental is so far from being the sole cause of the cheapness of land, that, were it reduced one-half, the cheapness would still continue the same, so long as there should be any unoccupied arable land to be given away for nothing; and were even the whole arable land under cultivation, none could fetch any price until there was some surplus of stock; because no man will purchase unless he has, besides the stock of the old farm, a sufficiency for the new one.

"Though the lowering of the assessments, by enabling the farmers to increase their stock,

would accelerate the arrival of the period in which all the arable lands would be occupied and become saleable, yet it is not to be imagined that this purpose would soon be accomplished, for men must have property before they can buy; and in a country in which there are no wealthy farmers, no reduction of rent can suddenly create them. Were a reduction of fifteen per cent. to be allowed, and lands, after a certain number of years, to become saleable, it is impossible to form any accurate estimate of what the Government share of the gross produce would then be; it would probably vary from one-third to one-tenth, according to the different degrees of culture bestowed on the lands.

"Para. 8.—*Smallness of the farms in general.*

"One cause of this is the assessment; but a still stronger cause is the poverty of the inhabitants; to which may be added the facility of farming and the cheapness of land. High rents and poverty operate much in the same way against the enlargement of farms, by leaving little profit to the cultivator and preventing the accumulation of stock. When farms are small from these causes, they mark the distress of the country; but they are also small from opposite causes.

"To commence farming in this country very little capital is required; the farmer makes his own hut, and has no occasion to expend a single rupee on any kind of building; all that he wants is a pair of bullocks, a plough, and a little grain;

with these he begins, and generally succeeds in his undertaking. It is therefore obvious, that every advance towards improvement in the condition of the labouring peasantry tends to oppose the enlargement of farms, because, whenever labourers acquire any property, they will leave their masters and farm for themselves; and this will constantly happen, as long as land continues cheap, or as Government has plenty to give gratis to whoever demands it. There is also little doubt but that, in consequence of this desertion of labourers, the head farmers, in order to retain them, will augment their wages, and thus hasten what they wish to prevent.

"If a price were put on all waste lands, it would, by checking this desertion, contribute to promote the enlargement of farms, and likewise the saleability of the lands in cultivation; but this measure, though it would be advantageous to the principal farmers, would be prejudicial to the body of the cultivators. There is no reason to regret that farms are small,—it is better on every account, and for general wealth. It does not produce men of great fortunes and overgrown possessions, but it lessens the number of poor, and raises up everywhere a crowd of men of small, but of independent property, who, when they are certain that they will themselves enjoy the benefit of every extraordinary exertion of labour, work with a spirit of activity which would in vain be expected from the tenants or servants of great landholders. If the expense of collection

be somewhat increased by the smallness of farms, it is amply repaid by the augmentation of revenue. There is also less danger of loss by outstanding balances, from small than from great farms; because the failure of the small farmer is for a trifling sum, is known at once, and can be easily remedied; but the great farmer will not stop payment until he has ruined every man under him, and rendered them incapable of paying their rents for a number of years.

"Were there any necessity for making great farmers, it could only be done by wronging all the petty farmers and diminishing revenue; for as there is no man in the country who has more stock than is barely sufficient for his own lands, if waste is given to him, he cannot cultivate it. If other farmers are placed under him, it can be no use to him, unless a reduction of rent is granted, one part of which may go to him, and the other to them. Both will then be gainers; but as they were independent farmers as well as he, they will think, when Government consents to remit a part of the revenue, that they are entitled to the full proportion that falls to their respective lands, and that it is hard to be obliged to share it with him; and many of them even will not consider the remission obtained as an equivalent for being rendered dependent on an equal. It would indeed be extremely absurd to apply any portion of it to the purpose of enriching particular farmers, and raising them above their neighbours. If ever any is allowed,

it ought to be distributed fairly among them all; every one ought to have just as much land as he can stock and cultivate himself; all of them ought to have the same advantages; and they ought to be left entirely to their own exertions, to extend or contract their farms, according to their various fortunes. There would probably in time be no country in the world which could boast of such a numerous race of substantial middling farmers, whose condition, though inferior to that of British landholders, would certainly be preferable to that of the great bulk of the tenantry.

"Para. 9.—*Constancy of change in the number and extent of farms, from necessity of augmenting and reducing them every year in proportion to the number of hands, &c.*

"In a country where petty farmers are so numerous, changes must unavoidably happen among them, and the lands of some be diminished and of others increased, as long as they are subject to the usual vicissitudes of human affairs; but it does not of necessity follow that these interior alterations should materially affect the general amount of revenue, and which, if they do not, they are of no consequence. The loss from the decrease of some farmers will generally be counterbalanced by the increase of others, and the total will thus be kept nearly on a level. The failures which occasion the reduction of farms, arise from high rent, from poverty, from im-

prudence, and, above all, from the facility of farming, which tempts poor people to engage in it without sufficient means; who are often forced by the most trifling accidents to sell their cattle, and return to their former condition of labourers.

"After a farmer has got a certain number of cattle, he has no occasion to be at any further expense on this head, for they multiply fast enough to enable him not only to keep up the stock, but also to sell some, and to make a quantity of ghee, and from the produce to pay a considerable part of his rent. But the farmer who has no cows, but only one or two pair of ploughing bullocks, must always include their price in the expense of cultivation, because, when any of them die, he can only replace them by purchase. But though the poorer classes of farmers, cultivating at a greater expense, are more liable to fail, and therefore cannot be so profitable to the State as the more substantial, it is no reason that they should be discouraged; for after all their failures, the aggregate produce of their industry is more than it would have been had they continued as servants. Were it not, they would not have left their masters; for men are not so ignorant as to persevere for any length of time in a pursuit in which the chances of success are not greater than those of failure. There will always be some losses, and consequently balances outstanding every year; and until lands shall become saleable, Government

must either remit them, or collect them by a second assessment upon the inhabitants."

The remainder of this letter, relating to the final settlement of the country, will be given in due course; but, rightly to understand the conclusions to which Colonel Read had previously arrived, and the discussions which then for more than a year had been carried on by his able assistants on that subject, it is necessary first to have some idea of the state of the country and its inhabitants; and for this purpose, no description written now could be of so much value as the testimony thus given at the time by so talented and, to a certain extent, unwilling a witness.

The several points proposed for Munro's consideration, were not a simple inquiry into the agricultural statistics of the district, but had been laid down with much ability as the grounds on which Colonel Read had founded a system at first much opposed to the ideas of his assistant, and the argument is carried out with equal skill in the subsequent matters, submitted for Munro's further consideration, and duly discussed by him in the remainder of this letter. The drift was manifest, and the spirit of opposition, tincturing even the reasoning of Munro, gave a shape to conclusions based on facts admitted by both, which, at another time, Munro would most probably have drawn very differently. Read, however, had enjoyed great advantages, from being the head of this district, and, whilst thus enabled

to examine, with the calm consideration which that position gives, the whole of the operations in all three subdivisions, he had also, by judicious arrangements, secured for himself comparatively some leisure, some short breathing intervals, during which time he could collect, arrange, and digest the experience that his three assistants gradually acquired. For the subordinates, on the other hand, there was nothing but work. The struggle for life was fierce; the young giant,—the baby empire in the East,—whose faithful servants they were, was always crying out for food, for the sinews of war, which in India means the land revenue; and, perpetually engaged in the collection thereof, it may fairly be considered a matter of surprise, that the great and liberal ideas of Munro had not been more warped, and were so free from such a potent taint as the then every-day occupation of his thoughts.

CHAPTER IV.

SETTLEMENT OF THE DISTRICT BY READ.

Native System of renting as a temporary measure—Plans disarranged by unexpected Fluctuations in the Agricultural Population—Doubts regarding Practicability of the intended Lease Settlement—Ryotwarry System proposed by Read, and proclaimed on the 10th December, 1796—Land given outright by the Government, as the Assessment was fixed for ever—Engagements only binding on the Ryot for the year—Favourable Terms for Waste, or the Cowle System—Rates modified according to Caste—Objections of Munro to these Rules—The Scheme too intricate—Annual Tenures calculated to discourage improvements—Loss to Government from temporary Occupation of Waste—Assessment lighter in the Baramahl than in the South—Large Farms impracticable from Want of Capital—Resources of the Country can only be developed by making over the Lands in Perpetuity.

THE orders of Government for the settlement of the district of Salem were simply that the rates of the assessment should be so fixed that the inhabitants might be compelled, with justice, to adhere to the terms of the settlement for at least five years.

The renter under native rulers, if the sum to be paid for his several villages was sufficiently moderate, had generally tried to get his agreements drawn out as a lease settlement for several years; the profits of a good season enabling him

to meet average losses, and yet be on the whole a gainer; and if the orders from head-quarters had not directed the settlement to be made with the ryots individually, the lease system might have been carried out. Now another race ruled the land. To hand over the people to renters, to be treated as so many slaves, and driven to their fields like cattle, was utterly opposed to all English ideas of freedom, which were equally at variance with the extortion from industrious cultivators of a rack-rent. That indomitable courage, which "does not know what beaten means," has won, but could never of itself have kept together, this Eastern Empire. The bonds, which then held in union the scattered countries of the Company, and now link with kindly feelings the ruled and the rulers, now, when that Company sways the destinies of uncounted millions from sea to sea, from Cape Comorin to the Himalayas, and, following the Asiatic sea-board, from the mouths of the Indus to the Straits of Singapore,—those bonds have naught to do with slavery. A gallant band of armed men might sweep over India, but mere courage on the one hand, and abject fear on the other, could never form an empire such as this.

What is the corner-stone of English freedom? If a nation would be free, there must be good faith between man and man,—that love for true dealing, on which all credit rests, both that of merchants and the credit of subjects in the good faith of their rulers. Mercantile credit has built a

fair structure in the Western World,—not merely what has been made by the hands of men, but all the social wonders of the nineteenth century; and, setting aside what that credit had to do in furnishing the means of carrying on wars in the East, for which the land revenue alone was altogether insufficient, the Hindoo knows that the Englishman's word is truth. His rulers may be mistaken in their policy; the decisions of the courts, civil and military, and the magistracy, may be erroneous, may be wrong; but these rulers would promote his interests, they will do justice as far as in them lies; and let those who have studied the native character, decide what share in the glory of this Eastern Empire must be fairly given to the credit that rests on this English love of truth, of true dealing, without which there can be no freedom. Truth is the keystone of that triumphal arch which spans India.

Honour to that courage, honour to those principles, on which, under the benign influences of Christianity, has been built in the West the most perfect freedom and in the East the most glorious empire, that the world ever saw; but, mingling with these true elements of greatness, there is a spirit of haughty disregard to what the rest of the world is, thinks, and does, springing probably from an innate consciousness of power, before tempered by true knowledge; and it would appear equally inherent in the English mind, which has been the root of many a grievous error in British India, and has at all times led the Islanders,

though scrupulous to a degree as to the justice of their dealings, utterly to disregard the nature of the people amongst whom they may be placed. The right pronunciation even of any foreign name is too much trouble, is apparently considered an unnecessary compliance and loss of dignity.

The country should be settled on a lease, and the Hindoos should be taught English ideas of sticking to a bargain. It was true, that even their own countrymen, when sitting in the high places, had never tried to make their ryot brethren enter into agreements for more than the year, because they knew very well that it would be worse than useless attempting to make half a million Hindoos keep to such terms; but what was that to John Bull? He had no need to study the fashion of the natives,—not he, and he would not; he would have his own way of it; and thus doggedly the Government turned their eyes from the paths which the ryots had followed from time immemorial, and a calm consideration of which would at once have suggested a sounder line of policy.

It was however absolutely necessary to make use temporarily of the native system of collecting the revenue, till, the survey being completed over the whole country, a survey assessment should be fixed; and the Government therefore continued to employ the head farmers of former days, who had lands allowed them rent-free, in payment of their services, as they could not ostensibly derive any advantage in collecting the assessment to be paid

by the ryots; for the portion to be given to the renter by each, which might not be altered, save by Read or his assistants, had been duly fixed, whilst the total amount of collections in each village was also accurately known. These rates had been determined as nearly in accordance to the village registers as was possible in the hurry of the first year's occupation of the country; and it therefore was considered, that, with the corrections made in the following year, the temporary arrangements might be strictly adhered to, till, as the survey proceeded, supplanted gradually by the lease settlement which was to be formed on this general survey assessment.

In 1793 there was a considerable increase in the extent of cultivation; but this was very correctly attributed to the quiet now enjoyed by the ryots, after a long continuance of harassing warfare; and it was supposed, that the following year would show no material change in the agricultural statistics of the district;—expectations doomed to be disappointed, for 1794 again showed great changes. In some parts of the country, much land had been brought under the plough that was waste the year before, and, on the other hand, a portion of the cultivation had been given up, and allowed to revert to its original state of waste, which no man was willing to claim, and still less pay assessment for. Where the season had been favourable, the extent of land taken up greatly exceeded the quantity relinquished;

where unpropitious, the reverse; in short, the agricultural world continued to exhibit considerable variations in those features which, it had been fondly hoped, would remain unchanged for years over some eight thousand square miles. Nothing daunted by these unexpected results, it was still argued, that the inopportune causes, which had been productive thereof, would gradually become less powerful, and that the next settlement would be so near the mark, that, for the rest of the time which the survey might occupy, the officers conducting it would be spared the trouble of making annual settlements as well, such yearly alterations involving then minute inquiries into the circumstances of each individual ryot, and consequently consuming a vast quantity of time, that could otherwise have been devoted to the acceleration of the survey.

Orders were accordingly issued, that the annual settlement of 1794 should be considered permanent pending the conclusion of the survey.

Captain Read and his assistants were all able men, but they had yet to learn that, in the agricultural population whose destinies they wielded, there were fluctuations which the minutest calculations could not foresee, and man's wit could neither stay nor guide. The happiness of half a million of ryots was in the hands of those four strangers; the well-being not only of that generation, but of their children's children, when a million should not number them.

Read soon saw the evils which must arise from

the periodical haggling even of a lease settlement, if otherwise practicable, and in writing to his assistants to the above effect, begged them to remember, that in the survey operations they were fixing an assessment which was to last for a term of years, "and it might be for ever;" memorable words, pregnant with the future welfare of Salem, and on which, and on which only, could the agricultural prosperity of the district be built as on a rock.

Two years later, Captain, now Major Read, addressed another and still more memorable circular to his assistants. After promising that the survey would soon be concluded, and that the Government would then expect from each his opinion how a permanent revenue to the State, and the fruits of their industry to the ryots, might best be secured under the settlement in lease, he proceeded to lay down certain instructions to be at once put in force; and then submits for their opinion sundry rules, to which it is requested that their earnest consideration may be immediately given, and the result made known to him as soon as possible.

The instructions were to the effect that the lease system should be established forthwith in some portion of each of their divisions, which, if carried out before, might have furnished valid data as to how that system would work ultimately, and have enabled them to give more satisfactorily the information to be shortly laid before Government, when the survey and assessment were finally con-

cluded. These instructions had been issued some time before, and regret is expressed that, instead of obeying these orders, they had gone on correcting from year to year the assessment paid by each ryot. The assessment had been annually raised, when, perhaps, the increased value of the holding was entirely owing to the outlay of the ryots' capital. They had struck a double blow at the intention of Government; they had not only discouraged industry, but they had weakened that belief in the fixed nature of the assessment, to the creation of which in the minds of the ryots it was so much the Government's wish that all their efforts should be directed. Read doubtless not only thought that obedience to orders must be duly maintained, but, indefatigable in his observation of the people and the state of the country, he had arrived at conclusions which he probably then felt sure would have been thoroughly borne out by the results, if these instructions had been attended to.

His assistants had not wilfully disobeyed him: Read now knew right well the cause of their having acted as they did; and those causes he also knew equally well would effectually prevent the settlement of Salem in lease, if ever concluded, from lasting for two years together. In this circular he recorded his deliberate conviction, founded on the experience of four years, that the settlement under leases, such as are understood by that name in other parts of the world, was then impracticable in Salem, as the share of the

produce taken for the State was so large. The assessment was to be light; but woe betide Major Read if the year's revenue showed a decrease. Favourable terms to the ryots were as essential to the establishment of a "lease settlement" as just; but "the revenue must not be sacrificed." There was in fact nothing then left to the cultivators from which might be created the capital absolutely requisite for a strict adherence to such agreements. An English farmer might be glad of his lands under a ninety-nine years lease: but this country had not then been nine years under the British rule, which its people still regarded somewhat in the same light as those that had come and gone before in quick succession. How poor the ryots were, Munro has described in able language; they had no confidence in the Government; and the ryots, the Salem Ramasammies, were as fit to become fundholders as leaseholders. A permanent revenue, such as those in high places wished then to consider it, was not to be had; the amount could be gained from the soil, with the most trifling fluctuations, but through a cultivating, not a "leaseholding" ryotry.

So important an objection seems very apparent now, but the lease system was then everything,—in a word, the future regeneration of India; and Read not only detected the error, when all seemed so fair, but had the courage to stem the tide of popular opinion. If leases had been established, what years of misery would have been spent in

vain efforts to enforce agreements, which the ryots had not the means to meet, and to carry out a scheme for which the country was not then ripe, nor, to the extent then proposed, ever will be suited. Read not only secured the Salem ryots from this misery, but the "sundry rules" in this very circular were the foundation-stones of the ryotwarry settlement, under which, though the rates of assessment have remained unchanged, and prices have fallen materially, the Salem ryots have nevertheless prospered.

It was long before this became the law,—before the ryots could till the land after their own fashion; for Read had not invented these rules. No, as he writes to his assistants, "I now build on facts and experience, whilst formerly I could only argue on supposition;" and the ryotwarry system was, what Read's mind foresaw would be, the natural result of a northern sun on tropical vegetation, the growth of the village institutions under the British Government.

Before the ryotwarry system was finally adopted, a dark page had been written in the history of the district; but in the middle of the nineteenth century, these rules are again enforced, and though their free, bold, and statesmanlike provisions have not even yet been fully carried out, population has more than doubled, whilst prices have fallen to nigh one-half what they were at the survey.

This ryotwarry system, it was frankly admitted by Major Read, would seem at first sight "more suited to the management of a private estate;"

but the reason is given at the same time. If the Government is obliged to collect what should be private rather than public revenue; if the assessment is so high as to include all that elsewhere would be rent; then the agricultural code must have this character. The very principle of the system was, however, opposed by Munro, who, as has been observed, had not then the opportunities for calm observation, which Read possessed, and turned to such good account; but the latter was not the man to be moved from the path which his fearless sagacity told him was right, and Munro's objections were overruled.

Hitherto the ryots of each village had been driven to labour, as if they were serfs; now the extent of cultivation was to depend on themselves, and freedom of action was fully secured individually as well as collectively. The assessment must be high, but the proprietary right was to be no curse, and the ryots were to be free to increase or decrease the number of their fields at the close of every year, with a corresponding variation in the amount of the assessment. Over the whole of the cultivated land a money assessment having been fixed, all the evils of a fluctuating demand between the Government and the ryot, with reference to the abundance or scarcity of the crop, had been swept away; and instead of the former community of property, the assessment of each field, as well as its extent, being accurately recorded, not only in the Government accounts, but in the title-deed which every ryot was to receive

who held merely a single field direct from the Government, all possible security was thus given for the creation of individual rights and the mutual protection of the cultivating classes. These were great steps to the creation of capital by the industrious; and finally, when it was enacted that the assessment fixed on each field at the survey would be considered as the limit of the Government demand thereon for ever, all that laws could do to encourage the ryot in the outlay of capital on his land, had been done. If the Government, with the consent of the ryot, should expend capital in improving irrigation, or in other public works by which the land obtained an increased value, then the assessment was to be raised, but then only. All outlay of the ryot's own resources would be for his sole benefit; from that the Government renounced the right to derive, as heretofore, the smallest possible share of profit by way of enhanced rates; and similarly, in declaring the ryot entitled to hold his lands so long as he paid the survey assessment thus fixed thereon for good, whilst his engagement as regards the Government was only made binding on him for the year, in all that concerned his own interests, the ryot henceforth assumed the position of a perpetual leaseholder.

The assessment had been fixed high, because the necessities of the State required that it should be so; but in these true principles of agricultural success, the most liberal views, all must admit,

were embodied; and yet the perusal of the rules themselves affords but little pleasure, for it will be seen, that the chief points involved are mixed up with, and overwhelmed by, a mass of revenue details, which are by no means stamped with the same spirit, and are ill expressed.

The reasoning powers of Colonel Read were generally as strong and clear as his writings are weak and obscure: he sadly wanted that perspicuity of style which was so essential for an office that he held otherwise so worthily, and which his assistant Munro possessed so eminently.

Many will be surprised to learn that the latter was not the originator of the ryotwarry system, still more so, that he was opposed to it at first; but the letter which contains his remarks on, and follows the rules, will show how decidedly he was so; and it is indeed to be regretted that the power of language, by which Munro commanded attention to his views, was not also given to him who is in reality the author of that policy which has stood so successfully the test of time.

On the 10th of December, 1796, Read publicly and formally gave to the ryots of Salem this their charter, which is the basis of the ryotwarry system; and it needs only now to be further stated, that the original from which this copy has been taken, as nearly as possible word for word, was the notification then issued to the people of Tripatoor, the portion of the district that had always been under his own immediate superintendence.

"**Proclamation in the name of the Agriculturists, Merchants, and other Inhabitants of the District of Tripatoor.**

"Rule 1.—*Objects of the Survey.*

"Whereas your district has been surveyed, and the rents of it fairly ascertained, in order to secure to the Circar its dues, and to the industrious the advantages that accrue from the improvement of land, it is proposed to effect these salutary purposes by the following regulations.

"Rule 2.—*General Divisions of Lands.*

"The assessment of all lands that were assessed and farmed out at the time of the survey, being fixed, they are in future to be denominated *putkut-nellum*, or 'holdings,' and those which, not being then assessed and farmed out, remained *nuggady-nellum*, or 'rateable lands.'

"Rule 3.—*Of Lands permanently rated.*

"The 'putkut-nellum' being measured and valued, the assessment of every individual field in it, when at the full rate, is *fixed for ever;* that is to say, the Government is never to require more, or receive less, nor you to pay less or more, than the present rate, unless when those fields actually 'dry' shall hereafter be converted into 'wet' by the constructing of tanks, cutting of canals, or other means that may hereafter be undertaken at your desire, or with your consent, but at the expense of the Government, when the rates will be proportionably raised, according to

the consequent increase of the produce, and in like manner *fixed for ever.* But if you carry on such works at your own expense; plant topes of palmyras, cocoanut, tamarind, mango, orange, lime, or plantain trees; gardens of betel-nut, betel-leaf, sugar-cane, or any other such productions, on which a high rent has been formerly exacted, you may depend on receiving the advantages accruing from these, and from every other improvement of your lands, while you continue to pay the established rates; those constituting, except in the case above mentioned, the annual demand upon them, on the part of the Circar, *for ever.* Upon these principles, you may rent out lands, which you may raise in value by tillage and manure, at rates greatly exceeding the circar rates, if there be a demand for them, while you will continue to pay the fixed rates to the Circar for ever.

"RULE 4.—*Of Lands changeably rated.*

"The 'nuggady-nellum' being measured by meadows or tracts, divided at some places only into fields, and no rent put on it, because cultivation alone gives it value, it will be divided off into fields as demanded, when the rates of it will be determined according to its actual state and the corresponding proportions of the average rates of the village to which it may belong. The assessment of the nuggady of villages in which there is little or no cultivation will be regulated by the average rates of the three nearest villages.

The nuggady-nellum is generally divided on account of the variable properties acquired by cultivation, exclusive of its inherent qualities, into fallow and waste; and the former into seven descriptions, corresponding with the number of years it may have been unoccupied at the time of valuation.

"As arable land is supposed rather to recover, than to lose its productive power, by laying one year fallow, and to lose it from being a longer time unoccupied, each description is to be rated as follows:—For one year's fallow, full assessment the first, and every year after; for two years' fallow, fourteen-sixteenths of the assessment the first, full assessment the second, and every succeeding year; for three years' fallow, twelve the first year, fourteen-sixteenths the second, and full assessment the third year; for five years' fallow, eight the first year, eleven-sixteenths the second, and full assessment the third year; for six years' fallow, six the first, nine-sixteenths the second, and full assessment the third year; and for seven years' fallow, four the first year, eight-sixteenths the second, and full assessment the third year. Moreover, as it is supposed that, by the time lands have been seven years fallow, they lose so much of the vegetative property they acquire by cultivation, as to approximate the state of such as never have been cultivated, all that may be fallow a greater number of years, and all bunjur or waste lands whatever, are to be rated the same; that is, one-quarter the first, one-half the

second, and full assessment every succeeding year.

"RULE 5.—*Of Taxes included in the Land Revenue.*

"The quit-rent of all 'enam' lands is to continue till the end of the current year (Fusly, 1206), as at the time of the survey. All taxes levied upon castes and articles of the land-custom included in the land-rent, to remain as at the time of survey, to the end of the current year (Fusly, 1206); that is, every caste or trade is to be required to pay, jointly, the same amount for the year, which will be more or less than they then paid individually, according as their number has increased or decreased; while they will altogether contribute the same they did that year to Government; for which purpose, those of every village must occasionally meet to assess themselves, and not leave it to their head merchants, chetties, potails, or others, to regulate their share. Such articles as are commonly farmed out, will be given in rent to the highest bidders by the moonsifs and curnums, with the sanction of the collector, by whose puttah they will be held in farm.

"RULE 6.—*Rates to be exacted of the Cultivating Classes.*

"The above rates of assessment being generally equal to one-third of the 'poonjee' or dry, and two-fifths of the 'nunjee' or wet crops, in money, and these being the portions of the produce which

the ryots who divided the crops have always paid to the Government or Circar, their immediate lessors, they are on that account to be required of all ryots who are inhabitants of the Company's districts. As many ryots may desire to cultivate unoccupied lands after the season for sowing the principal crops usually grown in every description of the soil, from which it derives the greatest share of its value, is past, and when there is only time left to sow the inferior kinds of grain in each, only twelve-sixteenths of the ordinary assessment of the dry, and eleven-sixteenths of the wet land, will be required for fields that may be rented after the 10th October to the end of the year.

"RULE 7.—*Rates to be exacted where the Land is held by Castes that do not cultivate themselves.*

"As there are castes who farm, and, being under the necessity of employing the ryots whose occupation is agriculture, to cultivate their lands, cannot afford the ordinary rates, four-fifths only of the ground-rent shall be required of them. This indulgence will be exclusively extended to all Brahmins, whose caste does not admit of their holding the plough, and to all persons who can prove their having served the Company as sepoys twenty years; because they are unaccustomed to labour. It will likewise be granted to such other persons as the collector may think entitled to it from their condition, and may have stock to em-

ploy in farming. But lands so disposed of, are only to continue on such favourable terms while the original grantees may occupy them, and to be resumed by the Government whenever they part with them, that they may be included again with other lands that pay the full assessment. As these individuals thus favourably treated may be bribed to defraud the Circar by procuring lands in their name for others, whoever shall be convicted of doing so, they and their accomplices shall be fined a year's rent of the lands so obtained, and banished the district.

"RULE 8.—*Rates to be exacted of Refugees.*

"As encouragement for refugees from the Carnatic or Ballaghaut to settle in the Company's territory, only half the ordinary assessment will be required of them for three years, or such other period for which lands may be granted them. The increase of population inducing this measure, ten acres of the 'dry,' and two and a half of the 'wet' land, will be given for every two ploughs or ryots; that is, half of each description for every one ryot; and in the same proportions for any number. The condition of granting lands on these terms being the grantees' residing in the Company's district, they will not be continued to any other who may purchase the lease, unless the grantee and all the ryots who immigrated with him, or an equal number, and proved to be his followers, remain in the ceded district. As a further inducement for aliens to come and live

under the Company's Government, the principal of every party that comes shall have the headmanship of any village he may prefer, provided the number of ploughs he may bring with him be equal to a quarter of the ploughs actually belonging to it; that there be unoccupied lands sufficient in it for the additional number of hands; and that he be qualified for that situation. If incompetent, or he should not desire it, any other person of the number, for whom the party may declare a preference, shall be appointed. As strangers from other districts belonging to the Company may pretend to have immigrated from the Carnatic or Ballaghaut, in order to procure lands so much underrated, whosoever shall be found guilty of such fraud, or connive at it, shall be fined a year's rent of the lands so obtained, and punished besides with the utmost severity.

"RULE 9.—*Rates to be exacted of Mulberry, &c., planters.*

"The Company being desirous to introduce the manufacture of silk and other valuable productions, only one-sixteenth of the ordinary rates of assessment will be required for lands growing the mulberry, the Mauritius cotton, the opuntia, black pepper, coffee, cinnamon, cardamums, sandal, or other exotic plants, for the first seven years; and after that, only half of those rates, while they continue to grow them. That being the express condition of their tenure, when such lands are appropriated to the culture of native

productions, it shall be considered an infringement of the engagement on the part of the grantee, and he shall consequently be required to pay their ordinary rates for the period they may have been so appropriated. Any person who shall procure lands professedly for the culture of exotics, but designedly for native productions, thus defrauding the revenue, shall forfeit the produce, be fined a year's rent at the ordinary rates, and banished the district.

"RULE 10.—*Of Annual Farmers and Leaseholders.*

"The period for which you may severally choose to rent lands depending on a variety of circumstances, and distinctions being necessary to your understanding the condition of your respective tenures; those who agree to hold them from year to year, or for the space of one year only, are to be denominated 'annual tenants,' and those who agree to hold them for a number of years, or during the present lease, 'leaseholders.'

"RULE 11.—*The Conditions of Tenure of Annual Tenants.*

"The improvement of lands depending on the means employed for the purpose during a succession of years, every annual holder, who may cultivate certain fields any one year, shall be allowed the privilege of occupying them the year following, and so long as he shall continue to pay regularly the established rent of them; so that such obligations as he shall enter into with the Circar,

relative to farms, shall be considered as no longer binding upon *him*, than from their dates to the end of the current year, but as binding upon the Government to the end of the present lease. He must not, however, quit his village till he answers all demands upon him for the terms of the year.

"RULE 12.—*The Condition of Tenure of Leaseholders.*

"Whoever, from thinking it will add to the security of their possession, or desiring to avoid the trouble of annual stipulations, shall desire to have puttahs for the whole, or for part of their land, in lease for a term of years, will in like manner be allowed the privilege of occupying them, while they continue to pay regularly the established rent; but these obligations must be considered as *mutually* binding from their dates to the end of the lease, unless he procures persons who will enter into the obligations expressed in the lease, and pay up the assessment for the term thereof.

"RULE 13.—*Time prescribed for the Settlements of Annual Tenure.*

"Since the obligations entered into between the Circar and the yearly tenants are binding upon them for the current year only; to the end they may extend or reduce their farms according to their circumstances, by retaining or rejecting certain fields, as they may choose, from year to year, that makes it necessary for them always to

declare, during the ploughing season, what they intend to cultivate, that mutual agreements be exchanged as hereafter directed, and the rents of every farm duly collected.

"RULE 14.—*Time prescribed for the Settlement of Lease Tenure.*

"As leaseholders will often desire to cultivate more lands than they may hold in lease, by the addition of some fields to their farms on annual tenure, it will be equally necessary for them, under such circumstances, to declare, during the ploughing season, what they intend to cultivate, that, mutual obligations for the current year being entered into with them on account of such lands, their rents thereon may also be registered as productive to revenue for the year.

"RULE 15.—*Penalties for ploughing Land without previously engaging to pay its Rent.*

"Whoever, having already ploughed their lands, shall neglect to report the same to their head of the village, shall be fined half the assessment, and whoever shall, after the publishing of this proclamation, proceed to cultivate lands without previously receiving a written permission, shall be deprived of the produce, or, if they should not be sown, an eighth of the assessment thereon.

"RULE 16.—*The whole Rent of every Field to be required of whoever may plough a part of them.*

"As some fields of the putkut are left partly

fallow, by reason that the poorer ryots, from want of means, cannot plough the whole; and many objections occur to the subdivision of them into plots for their accommodation, you are enjoined to occupy such fields only as you may be able to cultivate entirely; for whoever shall hereafter plough any part of a field in the putkut, shall be required to pay the rent of the whole. The rateable land being generally in larger portions, it will be parcelled out and measured, at the time of demand, in such portions as may be desired by the candidates.

"RULE 17.—*Mode of Application for Lands.*

"All persons who desire lands to cultivate, must apply in the first instance to the heads of the village they prefer, in which they see land unoccupied, when, if permanently assessed land, they will be informed of its fixed rent; and if 'rateable,' of its assessment for the year, or portion of the average assessment of the village, according to the number of years it may have been uncultivated; or, if the village be deserted, according to the average rates of the three neighbouring villages. The next step, when they resolve to settle, is to require the heads of the village to draw out mutual agreements, specifying the said rates, field by field, for each description of land, and the condition of tenure. If of the cultivating classes, it only remains for them to sign the obligation-bonds, and give them to the moonsif, who will deliver them the 'puttahs' or grants, on

their receiving the collector's signature; but if of the privileged classes, they must take the puttahs and bonds to the collector, with such persons as may be necessary to satisfy him of the propriety of granting them the indulgent terms held out to them respectively; when, if he approve, he will sign and give them the puttahs, which will specify that a fifth of the amount will be required of those holding by virtue of their castes, half of 'Emigrants,' and a sixteenth of 'Totakars;' and they will then deliver the bonds, or counterpart of their grants, binding them to the performance of their engagements.

"RULE 18.—*Mode of obtaining Advances for Cultivation, &c.*

"RULE 19.—*Farmers who desire it, permitted to throw up their Leases the Current Year.*

"As all the permanently assessed land of your districts was entirely disposed of in lease when the survey was made, these regulations may seem to apply to it but partially; but as many of you, from inexperience of leases, have taken more lands in lease than you have been able to cultivate every year, and suffered, in consequence, from inability to pay up the rents of such fields as you have been obliged to leave uncultivated, it is now determined to absolve you of all engagements you entered into that year, to the end that, after due consideration of your circumstances, you may rent as many fields as you think you will be able to cultivate every year in lease, and as many as you

may choose to cultivate for the current year only on annual tenure.

"RULE 20.—*The Performance of Future Engagements indispensable.*

"Though a consideration for your condition has induced the putting it again in your own power to accommodate yourselves, it must be understood that this indulgence is not to apply to land you may have already cultivated in the current year, for, the rent being fixed upon every field of the permanently assessed land, and that of every one in the 'rateable' being easily ascertained by the rules now laid down for that purpose, whoever ploughs a field must pay the rent of it, whether previously stipulated or not for the current year; and whoever stipulates for one or any number of fields, must pay their rent, whether he ploughs them or not, for the period of his engagements.

"RULE 21.—*Ryots to be individually answerable for the Rents of their own Holdings.*

"The first step you take towards settling in any village must be the demanding of its heads a puttah for the lands you choose, and the giving them bonds binding yourselves to be individually answerable for the rent thereon by instalments, as may be stipulated in the revenue accounts.

"RULE 22.—*Ryots to be jointly answerable for the Amount of the total Assessment on the Village.*

"RULE 23.—*Mode by which Ryots must in-*

demnify themselves for Advances thus made on account of Defaulters.

"RULE 24.—*All the Ryots' Contracts to be committed to writing.*

"RULE 25.—*Between Ryots in Partnership.*

"RULE 26.—*Between Ryots and their Under-tenants.*

"RULE 27.—*Between Masters and their Servants.*

"RULE 28.—*Such written Engagements the only legal Claim upon the Persons or Property of the Cultivators.*

"RULE 29.—*Of Contracts for Tank Repairs.*

"The Government, and the country in general, having sustained great losses by those whose duty it is to repair them, allowing the tanks to go entirely to ruin from the want of repairs, it is hereby resolved, that whoever shall fail any one year to make the requisite repairs to the embankments, the land given him to defray the expenses thereof, shall be escheated and annexed to the Government lands. As the non-performance of this contract might proceed from inability, any such person, who shall apply to the collector for the means, shall be supplied with money at the usual rate of interest; should his agent neglect during his absence the tank intrusted to his charge, so as to incur the above forfeiture, absence shall not be admitted as entitling him to a restoration of the land, or any alleviation."

With a view to obtaining their sentiments on the subject, copies of these rules, with others regarding the village management, had been forwarded, as already stated, to each of the assistants, two months before; and in the following letter the comments of Munro were given, in that free, searching spirit of inquiry which Read always strove to promote between himself and his assistants.

"TO MAJOR READ.

"*Darumpoory, 15th November*, 1796.

"SIR,—I received some time ago your letter of the 4th October, with a copy of Regulations for the Management of Revenue Affairs, and I shall now, as you desire, make my remarks on them paragraph by paragraph.

"Rule 3.*—*The survey assessment on each field, being fixed for ever, so long as that be duly paid by the ryot, so long will he hold possession thereof.*

"As it has been always supposed that the lease is for five years, if the words 'for ever,' here used, do actually mean a longer term than five years, it ought to be made known to the ryots, not joined to a mass of other matter, but by itself; for till this is done, those who wish

* The abstract of each rule has been inserted for the convenience of the reader; but to appreciate Munro's remarks, it will often be necessary to refer back to the Ryotwarry code itself.

to improve their farms will limit their views to five years, and will be deterred from undertaking any expensive work by the fear of a new settlement coming upon them at the end of that period.

"Rule 4.—*The assessment of all such lands as may hereafter be cultivated, which, not being occupied, and consequently not included in the survey, had not then been valued, to be fixed with reference to the survey rates of that or the nearest villages, and such assessment, according to the custom of the country, to be proportionally reduced, in certain cases, for the first or the first two years.*

"If it is here meant that all the uncultivated lands of a village are to be rented for a certain part of the average rate of the cultivated lands of that village, or the three neighbouring villages, it may answer in some few instances; but if it is meant that the uncultivated are to be rated at the full rent of the cultivated lands, there are many objections to it on every side. Were such a valuation just, it ought to follow that the cultivated and uncultivated lands are on the whole equally good. There are some cases where, on account of water or some other circumstances, the village having been built among the worst lands, they are cultivated, while those of a better quality, which are at a distance, are left waste; but nine times in ten the village is near the lands which are naturally best. The uncultivated lands, therefore, being both of poor quality and at a

distance from the village, these disadvantages form such a drawback upon them, that they will never, with the same labour, be able at the most to afford to pay more than half the average rents of those now in cultivation. Assessing them at the full average, so much beyond their real worth, is in fact condemning the greatest part of them to remain for ever in their present state. A partial remedy is, however, applied to this evil by what is called the changeably-rated lands; but the plan proposed for them has so many inconveniences, and is altogether so intricate, that I doubt if ever it can be effectually carried into practice. By their getting a different value, in proportion to the number of years that they have been waste, or cultivated, and by the farmers being at liberty to relinquish them whenever they please, the registry of them will become so complicated that it will be impossible for the district, and far less for division servants, to check them; and the curnums will therefore, as often from ignorance as design, confound the different descriptions. These Regulations will not only introduce confusion among accounts, but they will also discourage long leases, by giving greater encouragement to the cultivation of waste than of arable lands; for the ryots will cultivate the waste the first year for quarter, and the second year for half rent; but in the third year, instead of paying full rent for it, they will throw it up, and take another piece at half and quarter rent, as before.

"Rule 7.—*Proportion of the survey assessment to be paid by such castes as may not themselves till the soil.*

"Brahmins are usually understood to be assessed at three-quarters of the full rent of their lands, but they probably, one with another, do not pay above one-half. They will therefore hardly consider it as an indulgence to be rated at four-fifths.

"Rule 8.—*Proportion of the survey assessment to be paid by refugees.*

"As the inhabitants of the Carnatic contribute largely, though not so directly, as those of the Baramahl, to the public resources, it does not seem to be necessary to hold out any encouragement to draw them back from their present lands. It is, however, otherwise with new settlers from Tippoo's country, for every man who comes from thence is so much gained. But I would never remove old heads of the village, as is here proposed, to make room for strangers; for they might sometimes, from resentment, emigrate with their friends, and we might by this means lose more by the desertion of old, than we should gain by the arrival of new subjects.

"Rule 11.—*The condition of tenure of annual tenants.*

"This regulation will discourage long tenures, and cannot, therefore, be expected to produce any good effects. After the farmers understand it

perfectly, they will prefer annual leases to those of a longer date, because they give them the same security and advantages, without hindering them from throwing up their lands whenever they can get a better bargain anywhere else. Some will take at a low rent the lands of enamdars who want cultivators, and others will employ the greatest part of their stock in cultivating at half-rent in the name of emigrants, who are perhaps little more than their servants.

"Rule 29.—*Of contracts for tank repairs.*

"This regulation is very proper, except that it will not be safe to trust the tank enamdars with money for repairs."

Having thus stated, without reserve, such objections as occurred to him against the rules laid down by Colonel Read, and having further discussed those which related to the village management, the several defects in the proposed system are clearly pointed out as follows; and Munro's letter closes with a clever argument in favour of small farms.

"The great defects of this system are its complicated rules of assessment, which demand too much talent, and minute attention on the part of every class of revenue servants, to offer any reasonable hope that they can long be strictly observed; its checking improvement, by encouraging the farmers to change their lands every second or third year, and its hindering the extension of cultivation beyond its present limits, by the high

valuation of waste. One general regulation for waste lands will never suit the whole country; it must be modified according to the state of every particular district, but in none will they ever pay the average rent of the arable lands, as prescribed in your fourth paragraph. In most of the districts above Tapoor, they may pay three-quarters of it; but below, they will hardly ever give more than one-half, and in many places not more than one-third. They will give a greater or smaller proportion, according as the districts are poorly or highly cultivated. In the northern districts, where there is so much waste, and where the arable lands have received so little improvement from industry, waste is often taken the first year at three-quarters of the average rent of the village; but in the southern districts, where agriculture is better understood, where most of the fields are inclosed, and where, in many places, there is no waste except such as is utterly unfit for cultivation, no man will give so much in less than three years, and very seldom even then. Your valuation of waste is therefore too low in the northern districts the first and second years, but on the third it is too high everywhere. The high valuation might be useful, if it discouraged the farmers from giving up the lands which they have taken in lease; but as it does not come into play till the third year, it is too late to have this effect, for the low terms of the first and second years will have already tempted them to abandon them. When, therefore, the other districts shall,

like Tripatoor, have the option of keeping or not keeping lands which they have taken for five years, there is no doubt but that they will give up a great part of them, for the sake of getting waste on low terms. The total cultivation of the country will not be increased by this means, for waste requires more labour than arable land; and as it is less productive, the total gross produce of the country will be diminished by the difference between the produce of all the arable lands thus relinquished and that of the waste taken in exchange, and the public revenue will be diminished by the difference between the full rent of the one and the half and quarter rent of the other; and though it will be everywhere advantageous to the farmers to cultivate waste the first year, yet, as the rent of it is too high in many the second year, and in all the third, some of it must be given up the second, and all of it the third year. There must, therefore, always be such a portion of waste in the country as will supply the demand for these exchanges; and by these means it will become impossible ever to bring the whole land of the country into cultivation, or, at least, it will be practised much beyond the time in which it might be accomplished by proceeding upon other principles.

"A system never can be good which causes the ryots to forsake productive for unproductive lands, or which either totally prevents or retards the increase of cultivation. All regulations are only so far useful as they contribute, in the first

place, to secure the cultivation of all the arable lands, and in the second place, to accelerate that of the waste. If the inhabitants are not allured by the prospect of getting waste on favourable terms, they can have no other motive for giving up their arable lands, unless that of their being over-valued. Where this is the case, they ought to be lowered. The best rule for disposing of waste would perhaps be to have none at all, or, if there was any, it should only be, that the rent of it should never exceed the average of the village, but that there should be no limitation to the degree it might fall below it. The demand for it, and of consequence the rent of it, must follow the natural course of improvement, and be high or low, in every different place, according to the varying circumstances of the inhabitants. The great object to be kept in view is, by extending cultivation as much as possible, to increase the gross produce of the country. When this is done, there will be no difficulty in afterwards drawing from it a proportional revenue. Every restriction which can in any manner impede cultivation, ought to be abolished; for it is better that the whole, or as much as possible, of the waste should now be cultivated at the most trifling rent, than it should be delayed to a distant period, for the sake of bringing it to the average of the arable lands.

"With the exception of the lands belonging to tanks, of which the supplies of water are uncertain, no other lands ought to be given in rent by

Government for a shorter term than five years. The objection to the expediency of a lease, that many of the ryots have failed, might with equal propriety be applied to annual settlements, for as many have failed, and will fail, under the one mode, as under the other; and under either, the amount of them will always be less than the additional revenue which will accrue from new cultivation. The cause of them cannot be speedily removed, for it lies in the universal poverty of the farmers, among whom there are scarcely any gradations of rich and poor, as in other countries. We received them from Tippoo with no property, except a few cattle; many of them have not even a single bullock, but hire two or three during the ploughing season; and when one man fails, another cannot purchase or even rent his lands, because he has hardly stock to cultivate his own. The few merchants who have a little money, will not lay it out on land of which they cannot be sure of having a lasting possession. Were a remission to be made of half of the revenue, failures would still be almost as numerous as ever, for, as perhaps near one half of all the farmers in the country do not pay above ten pagodas (£3. 10s.) each, if we suppose their share of the produce is twenty pagodas (£7), and if we remit half their rent, they will then have twenty-five pagodas (£8. 15s.); but the difference to them is so inconsiderable, that it is not likely that it would so much increase their savings as to make any great alterations in the number of failures. This

inconvenience will therefore exist until the greater part of them shall, by the exertions of successful industry, have raised themselves, in different degrees, above their present distressed condition. In most of the districts above Tapoor, the rent is so very moderate, that it can hardly be much reduced without abandoning revenue altogether.

"By surveying this year Penuggur, Adamamcottah, and Tengricottah, I have had a better opportunity than ever I had before of comparing the situation of the inhabitants of the southern and northern districts, and I imagine that, after making every allowance for the superior fertility of the soil, and all other advantages, the assessment of the southern is, on an average, twelve or fifteen per cent. higher than that of the northern provinces. The southern pay about twenty-four, and the northern eleven fanams, for every acre of dry land; some of the principal farmers who, under the former Government, acted rather as revenue officers than as cultivators, pay more now than they did then, because many of them paid very little, and a few, by throwing their own rents upon the under-farmers, paid nothing at all; but the great body of the cultivators pay now less rent than formerly, and they are also relieved from fines and numberless other exactions. It is not, however, from this to be inferred that failures will not in future happen: they will always happen, when farms are so numerous and so small. Though small farms have this inconvenience, it is better that it should be so, than that

they should be enlarged; for if a number of them were incorporated into one, as the principal farmer has no more stock than is sufficient for the cultivation of his own original share, he could give no assistance to the under-farmers; their lands would, therefore, be no better cultivated than before they joined him; and of course failures would be just as numerous as ever. If, in order to prevent failures, the rents on consolidated farms were reduced, the head farmers would be gainers, but revenue would be diminished, and a great number of industrious men would be deprived, by the consolidation, of the advantage of making the most of their labour.

"As the assessment now stands, the amount of failures, one year with another, will probably be about half per cent. The produce of new cultivation will be more than this deficiency, as it will go on accumulating from year to year; Government will always receive somewhat more revenue than at present; but as, in order to preserve things in this state, a degree of persevering attention will be required, which cannot always be easily found, I would recommend that the gross revenue of all the lands included in the lease settlement, exclusive of service enams, should be reduced twenty per cent. If this is done, the collections will be made without difficulty, and will not require much experience to manage them; the farmers will have no temptation to abandon their arable lands to occupy waste, which will render the complicated details of changeably-

rated lands in a great measure unnecessary. By degrees, though slowly, lands will become saleable, new settlers will be induced to come from the westward, and cultivation will extend so rapidly, that in ten or fifteen years the amount of revenue will probably be as much as it would have been had no abatement of it ever been granted; while the inhabitants, by having within that period the whole of their property at least doubled, will then pay with ease what they now pay with difficulty.

"Nothing will so much tend to hasten the accomplishment of this object, as the making over in perpetuity the lands to their present occupants. This alone can show all the resources of the country, and bring into action all the property that the inhabitants actually possess. Under leases of five or ten years, they will not think themselves secure; the recollection of former times, when new demands always followed close upon the ability of paying them, will dispose them rather to hoard their gains than to employ them in useful labour. This will be a great obstacle to lands becoming saleable, and, until they shall be saleable, cultivation will never be carried to any high point of perfection, nor will revenue be permanent, unless with more good management than can usually be expected from collectors.

(Signed) "THOMAS MUNRO."

So far, therefore, both parties were agreed on the absolute necessity of one grand and funda-

mental principle—all lands were to be made over to the ryots outright. The assessment on the land is so much; so long as it is duly paid, do what you like with your property, lay out your capital fearlessly, increase the value of the ground a hundred-fold, the Government will never call for more,—the land is yours. There were two points on which they differed:—the rules gave perfect freedom to the ryot to transfer his capital from one land to another without let or hindrance, and to make such changes annually, whilst, making the engagement on the part of Government irrevocable, the ryot had the option of throwing up all such obligations at the end of each year; and, without any risk to himself, as regards all advantages therefrom, he was in reality a perpetual leaseholder. Munro, on the other hand, then strongly deprecated the abandonment of so much of the original scheme as bound each ryot for a term of five years, and allowed him to pick and choose annually as he liked; being of opinion, that the revenue must inevitably suffer, if the ryots could thus yearly give up what fields they did not fancy, and, without any restrictions, exchange the valuable and highly-assessed lands for less-productive waste, generally at a distance from the village, and on which no specific rates had been fixed at the survey. He would give the soil away outright, because, as he most justly observes, nothing would so effectually induce the outlay of capital. But the revenue!!—the revenue of the Government!!!—the total amount to be

remitted to the Presidency of Fort St. George!!! In those days, that subject was regarded by Munro with great awe, and, sooner than the Honourable Company should receive less, the ryot's risk must be more. If free to suit his little means yearly, the ryot's circumstances might improve more rapidly, but the interests of the Government might suffer. Although the survey assessment had been fixed on each field, and it was, to all intents and purposes, in itself a separate and distinct holding, still the sons of the soil should not exercise their simple minds as to this field yielding well, and that not; no, they should be content with what they had got, and be bound down for five years at least.

CHAPTER V.

CONVERSION OF MUNRO TO THE RYOTWARRY FAITH.

Lands to be assessed with reference to the general State of the Country—Assessment made in the belief that Concentration of Stock would not be allowed—Lands not assessed at the Survey, to be rated at the Average of the Village—All Variations in the fixed Assessment unnecessary and unadvisable—No Tax to be levied on the Outlay of Capital, otherwise people will remain for ever poor—The Ryots must not be obliged to cultivate their high-rented Lands—With perfect freedom, lands thrown up any one year, will not amount to ten per cent.—Remissions under Annual Settlement rarely requisite—Land has no value, from the poverty of the cultivating classes—Joint Responsibility necessary and justifiable—Share of the Produce taken by former Governments precluded the existence of head Farmers—Their Creation augments the number of labouring Poor—The Claims for Government Revenue to take precedence of other debts—Necessity of delegated Authority—Nature of Litigation in those days—Rules proposed by Munro for the Settlement of the Country, differing from Colonel Read's, as to the Management of the Waste and the Rejection of Caste as a principle in Assessment.

Up to this time, the members of the Board of Revenue at Madras have not appeared much, indeed, not at all, upon the scene; but it must be kept in mind that the survey and assessment were to be conducted, and the district of Salem settled, under their orders. In the following year, the Board began to call for reports; the Board wanted to

know how the settlement under the lease system was getting on down in the Salem district, and the members of the Board, his very worthy superiors, not only wished to receive soon a final report, informing them of the successful conclusion of those operations, from the head of the district, but they also would like to hear what his assistants thought of the principles on which the assessment had been fixed, and the advantages which might be looked for under the lease settlement—a settlement which had in fact, a year before, been formally abandoned and given up as impracticable. Munro had not, however, then come round altogether to Colonel Read's views, and his reply to the call thus made on him by the Board shows the struggle going on in his mind,—man's natural unwillingness to be convinced in argument, and, at the same time, a kindly wish to support his friend at the head of the district in the warm discussion which, it was then clear enough, must inevitably ensue, when the "Board" at Madras learnt what had been done in Salem, without—indeed, in direct opposition to—their positive orders.

"TO COLONEL READ.

"*Yerapaddy, 18th July*, 1797.

"SIR,—You have frequently strongly insisted on the necessity of valuing lands by their intrinsic quality, without any regard to the circumstances of the cultivator; but this conveys but a vague idea, for land is good or bad in proportion to the degree of labour bestowed upon it; and it

depends upon the condition of the cultivators whether it is ploughed one time or seven, or whether it is completely manured or not at all. The value of its produce will be influenced by the general wealth or poverty of the whole body of the people; and the person who makes the valuation must consider the general circumstances of them, though not that of individuals; for what was reckoned high rent at one period, may be low at another; so that it is impossible to separate the idea of the value of land from that of the state of the country. The assessor has only to take care to be so moderate, that any man who has the means of giving the land the most ordinary degree of cultivation, may be able to pay the rent: he who gives more ought to reap all the benefits of his extra labour and expense; he who gives less, as he will be continually falling in arrears, would be more usefully employed as a labourer than as an independent farmer.

"When, in my letter of the 15th November, I gave it as my opinion that it would be proper to reduce the rents on an average twenty per cent., it was on the supposition that all the lands included in the lease settlement were to be kept in cultivation; but as the ryots may now give up whatever part of them they choose, I consider such an option as an equivalent for the proposed reduction, and therefore no longer think it necessary, because I reckon that the ryots will give up ten or fifteen per cent. of their land entirely; that,

besides this, they will always give up annually such fields as they mean for late crops, and not take them till the year is far advanced, when they have seen what the season is likely to be, by which means they will escape the losses of bad years; and thus, from these two causes, they will gain nearly as much as they could have done by the reduction. No allowance is to be made for the ten or fifteen per cent. of land which the ryot relinquishes, because, as his whole farm was but poorly cultivated, he may still have the same amount of produce by employing his extra stock on his remaining fields.

"As the demands of the former Government always rose in proportion to the degree of culture, and as the man who carried it further than his neighbours was frequently exposed to the imposition of arbitrary fines, on suspicion of being rich, the ryots found it more convenient to occupy a great extent of ground badly cultivated at a moderate rate, than to pay an equal, or a greater sum, for a smaller extent well cultivated. The valuator of the land at the time of the survey calculated that the ryots would, as usual, take much more land than their stock could fully cultivate, and he made his assessment accordingly: had he known that they were to give up a part, and employ their whole stock on the rest, he would have raised his valuation. The ryots have therefore gained by this circumstance, in proportion to the quantity of land they throw up.

Should they, however, contrary to my expectation, not give up ten or fifteen per cent., I think it would be proper to make a reduction of rent equal to the difference.

"I have already given the preference to a lease on a reduced rent; but if annual settlements are to be adopted, the following rules would, I imagine, afford to the ryots every advantage that could be granted to them, consistent with the insuring of a future permanent revenue, whilst they would enable us to dispense with a great part of the troublesome or perhaps impracticable details inserted in your code.

"1st. All lands included in the lease should remain invariably at the rent then fixed.

"2nd. All lands not included in the lease should be rented at the average of the village to which they belong.

"3rd. Lands included, being given up and allowed to lie waste, no matter how many years, should, when again occupied, pay, the very first year, the full rent, as before.

"4th. All castes, whether natives or aliens, should pay the same rent for the same land.

"5th. No additional rent should ever be demanded for improvements. The ryot who, by digging a well, or building a tank, converts dry land into garden or rice-fields, should pay no more than the original rent of the ground.

"6th. No reduction of the established rents ever to be allowed, except where the mulberry plant and cochineal are cultivated.

"7th. All ryots to be permitted, every year, to give up and take whatever lands they please.

"8th. Villages and districts must be jointly responsible for all.

"These rules seem to comprise the substance of all that is necessary for conducting an annual settlement. I shall in a few words give my reasons for each of them.

"1st. *All lands included in the leases should remain invariably at the rent then fixed.*

"Were rents not fixed, no estimate could be formed of the probable amount of revenue for any future year; a rise in them would discourage agriculture, and destroy all confidence on the part of the cultivators; a reduction of them would tempt the ryots to plead poverty continually, and even to throw up a part of their lands, in hopes of obtaining a further abatement; and in either case, not only the inhabitants, but also the collector, would be more dependent on the cutcherry (that is, his officials and subordinates in the Revenue Department) than he would be if rents were permanent. Many fields have, no doubt, been overrated in the survey; but it is better that they should stand so, than that reductions should be made, which, when once begun, cannot easily be limited. It is no hardship on the ryots, for they can throw them up for the present, and occupy them again at any period hereafter, when they find themselves better able to pay the assessment.

"2nd. *All lands not included in the lease should be rented at the average of the village to which they belong.*

"Rents are so low in these countries, that the average is not too high even for the worst lands. It will be as accurate, though not so much in detail, as the assessment of surveyors, who seldom can pronounce with any certainty on the quality of land, and who, even where they can judge, are easily brought to give a false statement. It will save the expense of valuation and of numerous accounts; it will simplify the collector's business, lessen the influence of his revenue servants, and enable him to comprehend at once, as well as any of them, the whole detail of every future settlement; and it will answer the important purpose of keeping the ryots to their present farms, by removing the motive to change. Were the waste valued according to its supposed worth, with almost every field at a different rate, and almost every one of them greatly below the average of the village, which would be the case in a measure of this kind, the ryots would by degrees abandon a great part of their old fields for new, because a little labour will make the one nearly as good as the other. They will give up a field that produces one hundred and pays thirty, for one that yields ninety and pays ten; and, after making allowance for the extra expense and labour required by the worse soil, they will perhaps gain five by the change, though revenue loses twenty. The country at large also loses by this operation,

because, with more labour and expense, there is twenty per cent. less of produce. I consider the objection which may be made to an average estimate, of there being numberless gradations of good and bad soil, as of very little consequence. The ryots have it in their power to select, and they will take the best first. There is so much land of every description now uncultivated, and so thin a population, that it will be long before they are constrained to take what is now bad; but before such an event can happen, there must be a vast increase of population and surplus of stock; and these very circumstances will of themselves continually raise the value of lands in their progress, and may at last render the most barren as productive as are now those which are under the highest cultivation. It may be also objected, that there are, from a variety of causes, a few fields lying waste in almost every village, equal to the best lands in it, and that to rent them at the average would be a loss to revenue; but this loss would be trifling, and it would be better to incur it than to introduce confusion, by departing from the rule.

"3rd. *Lands included in the lease being given up and allowed to be waste, no matter how many years, should, when again occupied, pay, the very first year, the full rent as before.*

"It is intended by this to discourage the ryots from giving up their best lands for waste, with the view of getting them again on more favour-

able terms, and to induce them to turn their whole attention to the improvement of such lands as they have; which they never will do as long as they have an interest in making perpetual changes. To lower the rent of lands in proportion to the number of years that they remain unoccupied, would not only diminish revenue now, but would also, by taking away the necessity of a more perfect cultivation, retard its increase hereafter. By insisting always on the full rent, there is no danger of checking the extension of cultivation. There are few fields which, after having been long suffered to lie waste, may not in two years be rendered as productive as ever; and the ryot who is in a condition to occupy highly-asssesed lands, will not be deterred from it by any trifling loss which he may sustain the first year; he who cannot afford to run this risk, must content himself with improving those he already holds.

"Some deviations, however, from the above two rules will be necessary with respect to 'wet' lands and palmyra plantations. The waste of 'wet' lands must be valued, not according to the average of the whole 'wet' of the village, but of the particular class to which it belongs, either of land yielding two crops a year, one crop a year, or only one crop in two years.

"In palmyra plantations the rents fluctuate, because the produce depends not only on the soil, but also on their age; young plantations will pay more and more, as they approach to maturity;

plantations containing a mixture of young and old trees may pay always the same, as the young trees will supply the place of those which decay; but some plantations, which contain old trees only, will cease to pay rent when their juices are exhausted. The rent of the young plantations must be altered from year to year; that of the mixed plantations may be made permanent, and that of the old may also be made so by granting such a reduction as might encourage the holders to plant young trees, which might begin to yield some return before the old were entirely decayed. It would be much the simplest method, and would, I imagine, be the most advantageous in the end, to relinquish the extra revenue of the trees and to give all plantations for the ground-rent. They ought to be divided, as other lands are, into fields, which would prevent all imposition; for at present, as there are no marks of separation, and as they are rented in lots of trees intermixed with each other, the people who rent only one quarter of a plantation may take the produce of the whole, without any danger of discovery.

"4th. *All castes, whether natives or aliens, should pay the same rent for the same land.*

"The rents almost everywhere in the country are adapted to the rudest state of cultivation; they are so low, that every man who has the means of ploughing and manuring his fields, may easily pay them. I therefore think that the whole

of your rules respecting fallow and waste, and remissions to various privileged castes, are altogether unnecessary, and that all descriptions of people should pay the same rent. Under the head of castes entitled to a favourable term, I believe you comprehend Brahmins, Moormen, merchants, and almost every man who does not belong to the Sudra or cultivating caste; and even among them, the head farmers.

"Were the rent so high as to require some extraordinary exertion of industry to discharge it, a few particular castes might have claim to some indulgence; but this not being the case, there is no reason why a Brahmin should pay less than a ryot. He may perform every operation of agricultural labour except that of holding the plough;—many of the principal farmers never take it more than he does. It is want of stock, rather than of personal labour, that usually occasions failures. If the Brahmin has it, he may manage his farm and pay his rent as well as them; if he has it not, his only remedy is to get land at an under-rate; but as he furnishes neither stock nor labour, it is evident that, whatever he receives is in fact a gratuity, and a deduction from revenue, which the cultivator gives to him, instead of paying to Government.

"Merchants have still less right to indulgence than Brahmins, because they have usually the means of stocking their farms. There are no religious restraints on the labour of Mussulmen, and there is therefore nothing to hinder them

from paying the same rent as ryots. If it were admitted that the rents of different castes were to be diminished according to their idleness, there would be no end to the task of regulation; for there is a wider difference between the more industrious and less industrious castes of ryots than between them and the Brahmins. Such distinctions are customary, under most of the native governments, but rather with respect to individuals than castes, because they take from all as much as they can get; by which means it often happens that the poorer ryots pay less than Brahmins.

"I do not think that any advantage will be derived from holding out favourable terms even to aliens. The people on both sides of the Cavery are so much connected with each other, that it is difficult to say who are aliens and who are not. The same man has frequently lands both under Tippoo and the Company; and he is sometimes on one side and sometimes on the other. The regulation would encourage many of our own ryots to cross the river, and return next year to another district as aliens; and we might soon see revenue reduced, without any increase of population. There is no scarcity of land beyond the Cavery; and if Tippoo's amildars saw their ryots going off, they could easily counteract us, by granting terms still more favourable. We ought to trust to a long continuance of mild and just government, rather than to extremely low rents, for drawing emigrants from the neighbouring

countries. All these distinctions are liable to abuses, without being of the smallest real advantage. Threats of fines and punishments would little avail in checking them, because it is the interest of every man in the country, except the collector, to conceal them. The collector, isolated in the midst of strangers, has nothing to depend upon but his own vigilance, which, at best, is only a casual aid; but that which opposes him—self-interest—is a principle which acts without intermission. Were it even possible that every fraud could be prevented, it would still be unadvisable to make distinctions, because such system would swell accounts beyond all bounds, and draw along with it such complicated details as could never be followed out. A system of revenue, to be permanent, should be so simple that every future collector may be perfectly able to conduct it. It will, therefore, be better that the rules should be few, as well on this account, as in order to diminish the expense of collection.

"5th. *No additional rent should be demanded for improvements.*

"I have sometimes thought that this regulation might diminish revenue, but I am now perfectly convinced that no such consequence is to be apprehended. It may in some instances appear to hinder it from rising so rapidly as it would otherwise have done, but it will never bring it below the point to which it has already attained. It may be said, that, when a ryot digs a well for the

purpose of making a garden, as the garden requires much more labour than his other lands, he will give up a portion of them in order to cultivate it, and thereby lessen revenue; but as wells are expensive, and are always attended with the risk of not finding water after all, the probability is, that when a ryot becomes master of a little surplus stock, he will rather take an additional field or two, in which there is little expense and no risk, than try the experiment of digging a well; but should his circumstances be such as to enable him to venture a small sum without materially injuring himself, it does not follow that, after making a well, he will give up any part of his farm; for as the work of the garden is performed at different hours from that of the other lands, and is continued during the dry season, when there is nothing to do upon them, he can cultivate it without increasing the number of his labourers. Should he afterwards save any money from the profits of this garden, he will employ it either in taking another field or digging another well; but most likely in taking the field, because water can only be found in certain situations.

"Before many wells can be dug, we are to suppose that the stock of the ryots has been in general augmented; but in all places where there is no water near the surface of the earth, the whole of this additional stock will be employed in extending the limits of the old farms; and even where, in watery situations, it is used in making wells, it will hardly ever diminish, and will always

ultimately increase cultivation. It may therefore be concluded, that the state of things which enables ryots to make gardens, will almost always augment, and scarcely ever lessen revenue.

"These observations may be equally applied to the building of private tanks, with this difference, that, as they are more extensive than wells, they ought to excite the less fear of a decrease of cultivation. There are other very essential advantages to be expected from wells and tanks, which make it expedient to remove every obstacle to their construction. It is chiefly from the profits of them that we must hope to see arise, what does not at present exist in the country, a class of substantial and rich farmers. Nothing would more tend to secure a country from famine than numerous wells. They are so little affected by the seasons, that their crops seldom fail; they require no expensive repairs, they do not fill up, nor are they liable to be swept away by floods, or to be destroyed by an enemy, like tanks; but they enable the cultivator to resume his labour, without even waiting for rain, the moment the danger is over. Private tanks, as they would be so small, and scattered over every part of the country, would be less subject than those of Government to the accidental loss of their produce, and would therefore be a better security against scarcity. Had it ever been the practice, under Indian Governments, instead of building tanks themselves, to have let the ryots do it, without raising their rents, there would now have been infinitely more wet lands than there

are, an equal or a greater revenue from them, and without any expense to the public. If the old system of imposing an additional rent on every improvement be persevered in, the people will remain for ever poor, and revenue uncertain.

"6th. *No reduction of the established rent ever to be allowed except where the cochineal plant, mulberry, &c., are cultivated.*

"The exception in favour of these articles is agreeable to your cowle; and as great benefits may be expected from it, and every abuse easily detected, it ought to be carried into effect.

"7th. *All ryots to be permitted, every year, to give up whatever old and to take whatever new lands they please.*

"The ryots now understand pretty well that their rents will not be raised, but they imagine that they may still be lowered. Having, therefore, no inducement to wish for a lease of five years, so very few of them have asked for it, that I have not thought it necessary to make any deviation from an annual settlement on their account. So long as there is no apprehension of rents being raised, the demand for lands in lease will be very gradual, and only from the more substantial farmers. Those who desire it, ought to have their lands made over to them in perpetuity, without any charge of purchase-money.

"A great deal of the lands which are above the average will be given up, but a considerable part of them, where the advantages of fertility or situ-

ation counterbalance the difference of rent, will still be kept. The diminution of revenue by those given up, will be more or less in different districts, according as the lands in general approach to, or recede from, the average. The ryots must not be obliged to cultivate all their old high-rented lands as the condition of their receiving waste: such stipulations as these could easily be evaded by using fictitious names, and would only serve to perplex the collector and harass the ryots, to no purpose. The whole loss to be incurred by changing the lease into an annual settlement, will be known in the course of the current year; for, though a few high-rated lands may still remain to be given up next year, this loss will be made up by lands relinquished in the present year with a view of obtaining a reduction of their rent, which the former cultivators will again occupy, when they find that their project has failed.

"Revenue having reached its lowest point of depression, will, after next year, begin to rise regularly and uniformly; the ryots having changed every field that they wish to get rid of, and having chosen such as they like, will consider their farms as an inalienable property, and will begin in earnest to improve them with their whole means; revenue will be permanent; settlements will consist merely in adding the amount of the new lands demanded by the ryots to the rent of the former year, and in some few instances making a deduction of fields left unoccupied on account of death or failure; and the ryots may

have their lands made over to them in perpetuity, from time to time, in proportion as they demand them. All the effects of a lease will thus be naturally produced, though under a different name; and the system is so simple, and the rules so few, that it may be easily managed by any collector who bestows on it the most common degree of attention. After removing all restraints on the occupation of Government lands, it will perhaps be necessary to impose some on the cultivation of private enams. There is enough of this description lying waste to employ a very great number of ryots, and of course to occasion a correspondent reduction of revenue. To prevent this, these enamdars may be prohibited, as they have always hitherto been, from drawing away ryots from the Government lands; or all enams which are now waste may be made subject to a quit-rent, whenever they are brought into cultivation, or they may be completely resumed. The quit-rent appears to be the mode to which there are the fewest objections."

Captain Munro then proceeds to insist on the absolute necessity of joint responsibility, pointing out again, at the same time, that it is more to the advantage of Government to collect from the numerous small farmers direct, than to establish a body of middle-men. He urges,—and in Salem experience has thoroughly borne him out,—that, to enable these few large farmers to bear the risk and expense of collection, the remission which must be made in their favour on the original

assessment, would far exceed the cost of a direct collection of the revenue by the officers of Government, though that must necessarily be large; whilst the relative merits of the systems are thus admirably contrasted:—

"I do not think it is a thing to be desired, that Government should have no tenants but a few great proprietors. They would contribute nothing to the security of the revenue, for they are as likely as the petty farmers to fail, from misfortune or imprudence, and more likely to do so from design; for they are more capable of intriguing and combining together, in unfavourable seasons and times of hostility, for withholding their rents, under various pretexts. On the contrary, by adapting the system of collection to the condition of the inhabitants, the country is filled with a multitude of small independent farmers, who extend or contract their farms according to their different success. This freedom will in time produce all the various gradations of rich and poor proprietors and large and small farms; and by leaving every man who does not choose to serve another, to set up for himself, the fairest chance and the widest scope is given to the progress of industry and population; the people are themselves happier than they could be parcelled out among great landholders; they are also more easily managed, and the collector, by being obliged to enter into engagements with them all, is better able to judge of the state and resources of the country."

Though in the first part of this letter his adherence to the original lease system is again declared, the latter portion points out very strongly the manifold advantages of Colonel Read's plan; and Captain Munro evidently looks on the ryotwarry system as destined to be the inevitable arrangement under which the district was in future to be managed. In most able language he has he fairly and fully demonstrated, that "this annual settlement," if founded on a survey assessment, fixed with due regard to the ryots' prosperity, is in fact "a lease settlement" for the ryots. Let the rates of assessment be low enough, the land must become valuable; there will be no reckless abandonment even of fields taken up only yesterday, still less of hereditary holdings; and the ryotwarry system, where suited to and formed, as in Salem, on the customs of the country, must do well.

Munro's opinions were changing, and the remaining half of his letter to Read, of the 5th September of this year, is the only link now required to complete the chain of reasoning by which he, whom after-times call the father of the ryotwarry system, came to think, not only that yearly settlements were best, but that the ryots must also further be left to choose for themselves, and must not be bound to hold for a second year what they do not want,—fields which they find it better not to keep.

The facts detailed in the first half of the letter had been fully admitted by both parties: the

ryots were poverty-stricken; the lands ploughed to-day were left waste to-morrow; the agricultural stock was insufficient; the crops were, to a certain extent, precarious; and the price of grain had fluctuated hitherto, whatever it might do in future. Further, the ryots in general only drew from the land the wages of labour, the land having itself no value in the market; and the number of fields in the hands of one man rarely, if ever, made more than a very small farm; notwithstanding which, the ryots were obliged by their poverty to be constantly altering the extent of these limited holdings. These were realities which all had observed, and reasoning on which, Read had deduced the impossibility of the lease settlement. Munro is therefore asked, Could ryots with such inadequate means be bound to hold their lands for a term of years; could such agreements be enforced, however much the ryot had suffered; why remissions were found absolutely necessary, where the number of fields was annually increased or decreased as the ryot thought fit; and if payment were insisted upon, and the ryot a beggar, in such cases, what security could they get to fall back on, seeing that the land had no value;—make the neighbours stand security, and seize their property; or hold the whole village answerable, and levy jointly? The first would be hard,—would merely ruin the industrious; the latter, it is declared by Read, would be unjust; and it is finally pointed out, that head farmers, or men holding land on a

large scale, were rapidly disappearing, whilst the mass of ryots, tilling only a few fields each, was as rapidly increasing.

The last subject is at this day one of debate, not only in India, but in the western world, where the law of primogeniture has been abolished; and the whole discussion was, what any statesman might be proud to grapple with; but Munro's arguments, it will be observed, are still influenced by the spirit of opposition.

Continuation, from page 136, of Munro's letter to Colonel Read, dated the 5th September, 1797.

"Para. 10.—*Constraining all the ryots, without exception, to rent their farms a number of years, whether agreeable or not to their inclinations or interests, which is indispensable to settle a whole district in leases, &c.*

"14. It depends entirely upon circumstances, whether a whole district may, or may not, be rented in lease without constraint. If the rent is lowered as much as every farmer wishes, there is no doubt but that the whole of them would be glad to take their lands in lease; if the rent is higher than this, but such as it is imagined they can pay without much inconvenience, all the more substantial farmers will prefer a lease, in order to secure themselves from further demands; but the poorer sort, having nothing of this kind to fear, and being also apprehensive that losses

may disable them from fulfilling their engagements, will prefer an annual settlement; but if they are told that those who do not agree to a lease must give up their lands, most of them will rather consent than relinquish them. But this alternative may be considered as some degree of constraint; that is to say, it is violence to them to insist on retaining the power of making your own assessments. But the whole of a district might be settled in lease without even the least appearance of constraint; for were it published, that all who consented to take their lands for a certain number of years would obtain a remission of fifteen per cent., and that all who did not would be obliged to pay the usual rent, there is not a man in the country who would not agree to the lease. This shows that there is no absolute necessity for constraint. If the remission is made without any such condition annexed to it, the number of farmers desirous of a lease would not be thereby much augmented; for, as the circumstances that give a value to a lease are certainty of possession and security against any increase of rent,—if these also exist under an annual settlement, there is no cause to lead the farmer to prefer the lease, but several to make him prefer the annual settlement.

"This is precisely the state of things in this country. The farmers know that they may hold their lands as long as they choose, and that their rents will never be raised: by this they have already all the benefits of a lease; but as, by not

binding themselves, they have the chance of getting better lands than their own, by the death or failure of the former occupant, and are at liberty to take advantage of every opportunity that may offer of changing their situation for one more favourable, there is not one of them who will willingly accept of a lease. As long as they are convinced that there is no danger of a rise of rents at a future period, any present remission would only tend to confirm them in their opposition to a lease; for as they would think that the remission had been granted solely for the purpose of prevailing on them to agree to it, they would think that, by persisting in rejecting it, they would obtain a still further reduction.

"The inhabitants of these districts have everywhere this year been released from the engagements into which they entered last; it would therefore now be in vain to attempt at present to renew them; for, having already seen that they were set aside whenever it was suspected that they were unfavourable to them, they would imagine that the same indulgence would be shown again; and if they even agreed to leases, they would do it without reflection, and without any serious intention of abiding by their agreements longer than it suited their convenience. As there is, however, no likelihood that they will agree to a lease while rents remain unalterable, and as the privilege of throwing up whatever lands they please every year will render the amount of revenue uncertain, expedients might be adopted for introducing

fixed settlements by degrees, which is all that is wanted; for the matter is not of so much importance as to make it necessary to hurry it forward.

"Though the farmers have the option of throwing up their lands, they will cultivate nearly the same quantity every successive year, and they will cultivate at last the same quantity as now, upon an average of years. In some particularly dry seasons, they will give up a part of their dry lands, and all the wet under tanks that have not been filled; but this will seldom exceed five, and will probably never amount to ten per cent., and will not, therefore, occasion any very material error in the estimates of revenue. This liberty, though attended with little loss to the public, is of wonderful service to the farmers, because it enables them to accommodate themselves to the seasons, and thus to save, in the natural way, that which, after much expense and labour of investigation, must necessarily have been wholly or in part remitted at last, or else collected by a second assessment, which, by keeping them poor, would impede the progress of cultivation and the future increase of revenue.

"In the present state of the country, it is right that this advantage should be continued to the inhabitants some time longer; but in proportion as their circumstances improve, it might be withdrawn, in order to render it more easy to ascertain accurately the probable amount of collections. The best way of doing it, I think,

would be to publish, that all farms not taken on lease would be given to whoever agreed to purchase them,—one year's rent for any particular field, or one half-year's rent for the whole farm. All lands which, at the time of the lease, were underrated, and all which have been since improved, would be immediately taken on lease; the same would happen to all lands improved hereafter, to all that were worth six months' rent, and only those which were worthless would remain under an annual settlement. The lease would thus keep exact pace with the improvement, and would show, better than any investigation or accounts, the actual state of the country.

"Para. 11. — *Constraining them, after that (however reduced in their circumstances), to perform such forced engagement, to make the settlement permanent.*

"I have already said that a lease may be made without any constraint; but if, by forced engagements, is meant the farmers' taking land on your terms, rather than give it up, I certainly think that they ought to be constrained to perform such forced engagement. No assessment, however low, would perfectly satisfy the farmers. The collector must make it; and as it is to be supposed that he has considered their ability to pay it, he must insist on the fulfilment of agreements; for, did the farmers imagine that a remission would be granted for every accident, they would not pay half their rents.

"As the lease settlement has been done away with, it is now of little use to discuss it; but had it been followed up, it might have been made permanent, though not upon the very same lands: the failures in one quarter would have been made up by extra cultivation in another. Where villages are so widely scattered, and so small, consisting often of only four or five huts, and where many of them are in jungles, where the inhabitants are frequently swept away by sickness, and where nobody will go to supply their place, it is impossible, by any means whatever, to draw always the same rent from the same lands; but the same rent might always be drawn from the same district, under the lease; the deficiencies caused by land being uncultivated, from death or misfortunes, might have been remitted; the same stock still in the country, that of the farmers who had failed was in other hands, but was still productive, and, along with the natural increase of that of the more fortunate farmers, would have yielded a produce, but on other lands, equal to the deficiency: if greater, the excess would have been added to revenue; if less, the difference must either have been raised by a second assessment or remitted.

"Para. 12.—*Necessity of remissions, even under annual settlements, when their farms are proportioned to their circumstances, &c.*

"Where farmers are so numerous, failures must happen, under every kind of settlement; but it

does not appear that remissions are absolutely necessary under annual settlements. As the farmers have the power of throwing up their lands, and keep only such as they can easily cultivate, their losses in any one year can seldom be very great. If they are unable to discharge their several balances, it will not bear very heavily on the country to levy them by a second assessment; it would be needless, therefore, to grant any remission under annual rents, except on some extraordinary occasion, such as a war, or the total loss of the crops.

"If the lease settlement is too high, there will be numerous failures; and as the contributions to discharge them will distress the other farmers, they will accumulate from year to year, and at last render large remissions unavoidable. But this will not happen if the assessment is moderate; for the very idea of moderate implies that the gain must exceed the loss, and the increase the decrease of cultivation, and of course, that revenue will not fall. If a deficiency happens from the failure of a detached farmer in a remote situation, the loss will be compensated by increase in other quarters; if it happens in a large village, the other farmers will be able to make it good, without distressing themselves. There is no foundation for believing that losses will accumulate; but if they did, it would not be in so great proportion as the gains, and would not, therefore, bring revenue below its level. It does not necessarily follow, that because they happen in a

village one year, they must again occur there, to the same or to greater amount, every succeeding year; for if a timely remission is granted to the defaulters, though not to the village or district, it is probable that many of them will recover themselves the ensuing season, and be able to pay their rents as usual. There would therefore be a revenue, not only secure from a defalcation, but also continually increasing, though not on the same lands; and there would therefore be no positive necessity, after whatever length of time, for making any remission on the total of the lease settlement.

"It may be a question to what extent demands against defaulters ought to be carried, and whether or not their whole property, as far as it will go, should be applied to discharge their debts. I should think it best never to carry the rigour of exaction so far as to deprive them of their ploughing-cattle; because they, as servants, will not be so productive as when working for themselves, and because the sale of their cattle would not, in general, yield so much as this difference of produce, and would therefore, in the end, be a loss to the other farmers, who are every year to pay up the deficiency occasioned by their failure.

"The objection to leaving them in possession of their cattle is, that it would encourage them to conceal their property and exaggerate their losses; but this would be obviated by always requiring that the balance should be made up by

the remaining farmers, who, in order to save themselves, would make it their business to discover the truth. Though, upon this principle, if strictly adhered to, there would be no remissions, yet it might be proper to keep up the custom of always granting a few, but within a small limited sum; for the practice of doing it renders the manager of the country acquainted with the circumstances of the inhabitants, and qualifies him to judge, in times of public calamity, when it becomes unavoidable, how far it ought to be extended, which, if he had not learned from experience, he might at once, upon misrepresentations, and without any cause, remit a greater sum than the amount of all his former savings.

"Para. 13.—*Want of landed security, because the land in general, not yielding any profits of stock, under the present assessments, it is worth nothing, &c.*

"17. I have already stated the reasons (para. 7) why land is not saleable, and why it is therefore no security for defalcations; it is not, however, because it does not yield any profits of stock under the present assessment. It might yield the full profits of stock, and still be of no value as security; for, besides all these profits, it must yield an overplus as rent, before it can become saleable; and it is only in proportion to this overplus, that it can be worth anything as security. It is not easy to believe that it does not at present yield the profits of stock, for it

certainly must yield the profits of all that is employed upon it; because, if it did not, this stock could not be kept up, and would either be consumed or withdrawn. If profits are small, it may be imputed as much to the poverty of the people as to the rate of assessment; for as their stock is usually inadequate to giving their lands even a tolerable degree of culture, great returns cannot reasonably be expected.

"Para. 14.—*The consequent necessity of making securities pay up the rent of defaulters and absentees, which is hard; or obliging the ryots of the village jointly to pay them, which is unjust.*

"It has been before observed (para. 11), that a lease settlement, agreeable to the present assessment, cannot be permanent, unless individual losses are collected from the great body of the farmers. With respect to the hardship or injustice of such a measure, it does not seem to be harder that a farmer should pay for the failure of a person for whom he has stood security, than that a tradesman or a merchant should do the same. It is also hard for a man to be obliged to pay his own losses; but neither the one hardship nor the other has anything peculiar in themselves, but are common to every condition in life. The person for whom the security is given, is often merely the labourer of the farmer, who receives his wages, and has nothing to do with the produce of the land. In this instance, when a loss occurs, the farmer, in the character of a

security, is only paying for himself; but the greater part of farmers are so ignorant, so simple, and so little accustomed to security transactions, that it is impossible to impress them with a proper sense of their nature, or by any warning to deter them from becoming bound for much more than they can pay themselves, on account of men who, they are certain, will fail. For this reason, I think that no individual security should ever be taken for rent, except where the security has an interest in the engagement, as in the case of a father for a son, or one partner for another.

"There is not the same objection to general securities, or to whole districts becoming responsible for the amount of their rent, and they ought certainly to be adopted, as, without them, there can be no dependence on the permanency of revenue. As to their being unjust, it is not at all clear in what light they can be considered as such. If it be not unjust to raise a land-rent to answer the demands of Government, or even to increase this rent on particular emergencies, it cannot surely be regarded as more unjust to collect the deficiencies of the fixed revenue by a second assessment. The increase of revenue and the levy of the deficiency are both taxes of the same nature to the inhabitants, — they are somewhat more than they had expected to have been called upon for; but as they are raised by a measure which has no partiality in its operation, but is the same to all men, they may be disagreeable,

they may be even oppressive, but they cannot be deemed unjust.

"Para. 15.—*Removal of head farmers and increase of small ones, consequences of reducing the profits of farming, &c.*

"19. Small farms are increased by cheapness of land and facility of farming (para. 8); and though head farmers are certainly diminished by high rents, it does not appear that this has been the cause in this country, or, even if it had, that, if no other consequence has followed, any harm has been done. If by head farmers we are to understand men holding large tracts of ground from Government, which, not being able to cultivate all themselves, they let in part to other men, who cultivate with their own stock and pay them a rent, if the increase of rent were carried so far as, upon the under-farms, to equal both the share of Government and the rent to these head farmers, they could no longer remain as head farmers, because the under-farms, being now of no value, they would give them up; but the under-farmers, paying no more than usual, would cultivate the same lands as before, and both they and the head farmers would just occupy as much as they could respectively manage with their own stock. If the advantages thus lost had always been enjoyed by the head farmers, the taxation which abolished them might be considered as extremely oppressive; but I have never been able to discover that any such race of

head farmers ever existed in this country; indeed it was impossible, from the nature of things, that they could. There was no property in land, no fixed rent; whoever gave most for a field, got it; demands rose with improvement, every man was obliged to pay as much as he could; and as Government had plenty of land to give away, it is evident that those only could be head farmers who had lands to give to under-farmers at a lower rent than the waste of Government, a circumstance that could scarcely ever happen excepting through the collusion of the revenue farmers. It did, however, sometimes happen, but was confined to the few who were useful to them as agents in raising extra collections, &c.; but as these head farmers were merely temporary, depending entirely on the favour of their friends in the cutcherry, seldom preserving their situations and advantages of low rents more than a few years, and never for life, it may be said that there never was any class of head farmers in these districts; and as there are none now, it is neither the interest of Government, nor of the people in general, that they should be established. The fair mode of settlement is, that rents should be equal to all men, and that every man should just have as much land as he can cultivate with his own stock. If rents are everywhere equal, that is to say, proportioned to the nature of soil, there can be no head farmers, however low rents may be, while any arable land remains unoccupied, because every man who has stock will take land

from Government for himself. If there are no head farmers, and if rents are equal, a proportional augmentation of them will not increase the number of small farmers, but will rather tend to oppose it, by increasing the expense of farming, and thereby rendering it more difficult for the servants of farmers to obtain a sufficient stock, in order to leave their masters and set up for themselves. It therefore appears, that when rents are equal, head farmers are not always increased by their being low, or small farmers by their being high.

"Para. 16.—*The necessity that this involves of Government conducting the affairs of husbandry by prescribed and fixed rules, which, not applying to all times and circumstances, are detrimental to agriculture, &c.*

"Government does not meddle with the affairs of husbandry further than collecting the rents. It, however, may be said, that in doing this from such a number of individuals, its ignorance of their circumstances is often hurtful to agriculture, by making it exact payment where remission ought to have been granted; but that the head farmers, being fully acquainted with the condition of all those under them, would proportion indulgence to the extent of their various misfortunes. It is not certain that they would always make the proper use of their knowledge, and if they did, it would not, after all, make it advisable that the country should be rented by

them; for the casual and temporary evils which might arise from the ignorance of the servants of Government, would be nothing in comparison to the lasting injury which the country would sustain from being divided among great landholders.

"Para. 17.—*The loss which must be generally felt by the petty farmers or labouring poor in times of scarcity from the want of the head farmers, who used to supply them with grain.*

"Great farmers are more likely to produce poverty than to relieve it, for, in proportion as they increase, small farmers decrease, by being converted into labourers. Though there are properly no great farmers in this country, there are many who are something similar to them. These men, when a poor farmer has not stock enough to cultivate his farm, supply the deficiency, on condition of receiving a share of the produce; but their terms are either originally so hard, or afterwards rendered so by taking usurious advantage of his inability or want of punctuality, that these contracts most frequently terminate in their getting possession of all his little stock, and even insisting on his working for them until he discharges,—which he probably never will,—some real or pretended balance that they have contrived to accumulate against him. His labour is now so much more profitable to them than to himself, that in times of scarcity they will supply him with grain, and endeavour to preserve him, for the same reason that they wish to preserve their

cattle. This is merely what often takes place under all governments, but more especially under those which are arbitrary and rapacious. The great farmers, being uncertain how long they may hold their lands, have no motive for improving them, and still less for being anxious about those of the under-farmer; and though they may know that his future prosperity would be beneficial to themselves, they seldom have patience to make the experiment, but follow the shorter road of making the most of him for the present. They feed him when in want, but they prevent him from becoming independent and able to feed himself. Wherever a country is divided among great farmers, the poor are numerous, because there are then only two classes, — rich proprietors and poor labourers. The more the lands are divided among small farmers who have the means of cultivating them, and the fewer the number of great farmers, the fewer also will be that of the labouring poor, and the less the necessity of supplying them with grain in times of scarcity.

"Para. 18.—*Increase of public revenue, which is a lac* (£10,000) *more than Tippoo's village rental of* 1788-9, *when it was higher than it had ever been before, &c.*

"The public revenue of the centre division of these districts is not greater now than it has been in former times; it was as high in other years, under Tippoo, as in 1788-9; and has been higher still at earlier periods. But even taking

1788-9, it is not higher now than it was then. The rental of that year, by the village account, was as follows :—

	Land-rent.	Enams.	Land-rent and Enams.	Customs, &c.	Grand Total.
	£.	£.	£.	£.	£.
Settlement ..	56,852	4,628	61,480	3,997	65,477
Collections ..	50,124	4,628	54,752	3,963	58,715
Balances	6,728	..	6,728	34	6,762

"The balance of land-rent here is a false balance, for the whole settlements, and even more, were collected from the farmers. In these settlements are included lands, amounting to 9,000 pagodas (£3,150), given to the cundachars or militia, at a low rent, in lieu of pay. These lands, at the usual rates of assessment, now yield near treble their former rent; but taking them at double, it makes an addition of 9,000 pagodas (£3,150) to the land-rent of 1788-9. To this might also be added the rents of the circar lands formerly entered as enams, but now resumed, and of lands greatly underrated, and more frequently free of all rent, enjoyed by the revenue servants or their connections, some resident in the country, and some not, who contributed nothing to revenue, but drew the full rent from the cultivators. These might amount, at a low estimate, to 3,000 pagodas (£1,050); so that the total land-rent of that year was 171,433 pagodas (£61,052).

"The collections of land-rent last year, including lands not entered in the jummahbundy, were 167,000 pagodas (£58,450), which is higher than the settlement of 1788-9, but rather less than the actual collections of that year, when the deductions for militia and other lands are added to the account. It may be said that the profits on lands held by revenue servants, being generally spent in the country, were of advantage to it. This they certainly were in some degree, but as they were scarcely ever appropriated to the improvement of land, they could only be of use to agriculture in the same way that so much money would have been, if issued as pay to troops, by increasing the demand for the productions of the soil. But even in this view, the disbursements to the present civil and military establishments are greater than they were under Tippoo, added to the peculations of all his cutcherry servants. The peculations, or by whatever name they may be called, the extra profits of curnums and potails, above what they now receive, were those only which could be said to afford the cultivator any direct benefit superior to what he now possesses. But even of these, only a small portion was applied to the purposes of agriculture; the rest, from the dread of its bringing on the possessor the reputation of wealth, was either buried, or squandered in pagoda-feasts, shows, and marriages. There can be no doubt but that this is the case, for there is scarcely a substantial curnum or potail in the

country, and they are in general as poor as the other farmers, and often more so, from the effect of past extortion. It appears, therefore, that as much rent was drawn from the great mass of cultivators under Tippoo as at present, and though less was carried to the public account, that the balance retained in the country did not afford any immediate relief to the lower orders of the farmers, or any permanent advantage to the higher, beyond what they now enjoy. Were it even admitted that the former was a lac under the present rental of Salem, it would be no proof that the condition of the inhabitants was better; for when there was no fixed rule or period of collection, no security of property, and when any exertion of industry was discouraged by never-ceasing exactions from every man who had anything to give, and often by imprisonment and punishment, to extort imaginary concealed treasure, it might have been more distressing to the country to pay the smaller sum, than it is now to pay the larger. The present rental will, however, now no longer exceed the former either in fact or even by a comparison of accounts; for the option given to the farmers of throwing up one part of their lands, without raising the rent of the other, as was then the custom, will probably reduce it to the level of what it appears to have been in 1788-9 by the false statements of the curnums. But though I see no reason to believe that the actual collections from the country have ever

been higher under the Company's Government than at earlier periods, I still think that they ought to be diminished.

"Para. 19.—*Consequent extension of Government's interest in agriculture, which gives it a greater property in the produce than any other Government has been known to have, &c.*

"I imagine that every government in India demands as great a share of the produce as Government does here. The observation is very just, that an increase of taxation increases the difficulty of recovering lawful debts, for it diminishes the means that the debtor has of discharging them; but it does not seem so clear that Government, having a large or a small number of farmers to deal with, should make any alteration on this head; for it never can be the interest of any government to impede the course of justice in the recovery of legal debts. The only possible case in which numerous farms held immediately of Government could interfere with justice, might be when a revenue servant might hinder a creditor from recovering a just claim, from the mistaken notion that it might injure revenue, by disabling the debtor from paying his rent. But it is plain that a preference of the public to private interests could never dictate such a conduct, because, if the creditor is a farmer or a merchant of the country, his losing the money, or the debtor's paying it, would have nearly the same effect on revenue;

and if a stranger, the distrust which it would create, the difficulty of borrowing which would ensue, and the consequent rise of the rate of interest, would occasion infinitely more mischief to the country, and loss to revenue, than could have been counterbalanced by the temporary advantage of realizing the rents of the debtor; but lenders might advance their money with the same confidence to the immediate tenants of Government as to those of head farmers, were it published that the same rule of recovery would be observed in both cases. It might then become a question whether Government, or, what would be the same thing, head farmers, should, on the failure of their tenants, share only in proportion with other creditors, or should first seize effects for the amount of the rents, before the creditors could be entitled to any division. It would probably be best that rents should always be paid before the admission of other claims. This is generally understood at present, and the lender does not regard the rent, but the overplus, as that which constitutes his security for the debt; he knows how far his right extends, and has no reason to complain if he is not allowed to go farther. And it is, perhaps, on the whole, as well for him that it should be so; for if the landlord found that the rents of his tenant could be seized by a creditor, he would give the land to another man, and by doing so deprive the tenant of the only means of his paying his debts.

"Para. 20.—*Multiplication of labour, which such an extension of Government's concerns occasions to its servants, and which must increase demands upon the collector's time, or oblige him to delegate authority to others.*

"If assessments are so high as to be oppressive, the collection of them will be difficult, and will therefore occupy the whole of the collector's time; but if they are moderate, it would make very little difference to his time, whether he has to demand them from a few great farmers, or from many thousand small ones, as at present. It would employ a few more accountants, but would scarcely give him any additional trouble. When lands are held immediately of him, the grants are all of the same form, the conditions of all are exactly similar, and as they are perfectly well known, there are rarely any disputes or references about them, so that, however great the number of farmers, they seldom take up any extraordinary part of his time, except when they apply for remissions. But were the country portioned out among great farmers, the endless variety of their agreements with their tenants,—for personal service, for rent, for kind, or for a part of both; sometimes merely verbal, or, if written, written in different forms, often confusedly expressed, and of doubtful meaning,—would give rise to such continual disputes and complaints, as would probably give him more trouble than he could have suffered from giving the lands to small farmers. To guard against this, the great farmers

might be required to adopt certain specific forms in drawing out their agreements with their tenants; but the very endeavour to introduce this practice, and the perpetual attention which would be necessary to keep it in force, would occupy as much of his time as if the whole had been transacted in his own cutcherry. In these districts, it is not the number of small farms, but the want of any fixed system of management, changing a part or a whole of it every year, and the details connected with the survey, which have hitherto created so much labour for the collector. When changes are at an end, and a fixed plan determined upon, though farms should remain as small as at present, the discharge of every part of his duty will demand no very extraordinary degree of application.

"Para. 21.—*Inefficacy of delegated authority, from the want of moderation, zeal, or ability, and oftener from the abuse of it; which indicates that the conduct of agriculture should be left to the husbandman, who can yield to all times, &c.*

"The conduct of agriculture, so far as regards every man's having the management of his own farm, should certainly not be interfered with by the revenue servants; but if, by leaving it to the husbandman, it is meant that farmers should have whole districts, or villages, or even any portion of land beyond what they can stock themselves, under their charge, reasons have already been given (para. 17) for thinking that such a system

would be extremely prejudicial to the general welfare of the country. As to the evils of delegated authority, it may be said, that they must always exist; the collector cannot do everything himself, nor is it necessary that he should: were he to lose himself in detail, a single village would be as much as he could manage, and the revenue would be swallowed up in the expense of collection. There are men enough among the natives, who are better acquainted with the state of the country and the manners of the people, and who are better qualified to carry on the details of revenue, to detect imposition, and to investigate to the bottom, and settle all disputes and litigations, than any European ever can be. It is his business, not so much to lose his time to no purpose, in the vain attempt to do everything, as to make those do work who can do it better than himself.

"With respect to the separation of the judicial from other powers, it may be doubted if it would produce any good. One of the strongest arguments against the union of the judicial and executive functions, that the administration of justice may thereby be converted into an engine for destroying the liberties of the people, has no existence in this country. The people are already under a foreign dominion, and can look for nothing more than the preservation of their own laws and customs, so far as they are compatible with the security of the authority of that Government. It would be impossible to communicate

to them all the advantages of English jurisprudence, without first making them Englishmen. Were native courts of justice established in each province, their decisions would be partial and corrupt. Were European judges appointed to superintend them, they, as being also officers of Government, could have no more inducement to guard the people from wrong than the collector; and the nature of their office precluding them from acquiring so intimate a knowledge of the people, would render them, on most occasions, more liable than him to be deceived in their judgments. There is yet but little property in the country to go to law about,—litigations are chiefly about the boundaries of fields, stray cattle, and the wages of the farmers' servants, or the shares of their partners; and as they are connected with revenue, they could no way be so easily or so expeditiously settled as by the collector and his tahsildars, or by punchayuts under their direction. It would be proper to have a superior court to appeal to from the decisions of the collector, and to complain against himself, when guilty of any act of oppression; but it should not interfere with the interior management of his district. The whole authority, civil and judicial, should be vested in him; for if a court of justice is established in his districts, the expense of government will be greatly increased, and the collections of the revenue impeded, without the smallest benefit to the people.

"I have now fully stated my sentiments on

your different queries, and shall proceed, by combining the result of them with what I have said in my letter of the 18th July last, to deliver my opinion as to the best mode of forming a permanent settlement of the revenue of this country. The lease founded upon this survey having been abandoned, cannot possibly, for many reasons (para. 10), be re-established as before: its duration, of only one year in most districts, and two in a few, was of too brief a date to admit of any accurate estimate being formed of its probable consequences. It appeared most likely, however (para. 11), that, though the settlements might always have been realized, yet the condition of the inhabitants would have been little bettered without a considerable reduction in them. The great point in making a settlement is the rate of assessment; all other regulations connected with it are of very inferior importance. It needs no arguments to show, that the lower it is, the better for the farmers. I have proposed such an abatement as, when the cheapness of cultivation and the great returns from the seed are taken into consideration, will be found to leave them in possession of as great advantages as any race of husbandmen in the world. It must not, however, from this be inferred that land will become saleable on a sudden; for the frontier situation of these districts, and other reasons, must long prevent it from generally attaining any value at all, and perhaps for ever from attaining that value which it bears in Europe. The plan which, it

appears to me, would be best calculated to secure to the people the fruits of their industry, and to Government a permanent revenue, is comprised under the following heads, in which reference is made to the paragraphs in which the particular reasons for each are given at length.

"1. A reduction of fifteen per cent. to be made on the lease assessment. (Para. 6.)

"2. The country to be rented immediately of Government by small farmers, as at present, every one receiving just as much land as he demands. (Paras. 8, 15, 17.)

"3. Settlements to be annual; that is to say, every man to be permitted to give up, or take, whatever land he pleases every year. (Para. 10.)

"4. Every man to have a part, or the whole, of his lands in lease, who wishes it; and in order to encourage the application for leases, all lands held under annual tenures, to be taken from the occupants and given to such other farmers as may demand them in lease, on their paying to Government, as purchase-money, one year's rent for any particular field, or one half-year's rent for the whole farm. (Para. 10.)

"5. Villages and districts to be responsible for all individual failures. (Para. 14.)

"The following regulations are from my letter of the 18th July last:—

"6. All lands included in the lease, should remain invariably at the rent then fixed, after the proposed reduction of fifteen per cent.

"7. All lands not included in the lease, should

be rented at the average of the village to which they belong.

"8. Lands included in the lease, being given up and allowed to be waste for any number of years, should, when again occupied, pay, the very first year, the full rent as before.

"9. All castes, whether natives or aliens, to pay the same rent for the same land.

"10. No additional rent ever to be demanded for improvements. The farmer who, by digging a well, or building a tank, converts dry land into garden or rice-fields, to pay no more than the original rent of the ground.

"11. No reduction of the established rent ever to be allowed, except where the cochineal-plant, mulberry, &c., are cultivated.

(Signed) "THOMAS MUNRO."

"I have already given the preference to a lease on a reduced rent," writes Munro in his letter of the 18th July, and similarly in this he affects to consider the propriety of introducing leases when the condition of the ryots should hereafter be much improved. He justly observes that regulations must be framed so as to insure the occupation of all the arable lands; and leases had been selected as most likely to gain this end, but without considering the state of the people. Munro now admitted that all the advantages of the lease, would be secured by the proposed ryotwarry system naturally. He no longer thought that annual changes cannot be expected to pro-

duce any good effects, or that as many have failed and will fail under the one mode as under the other. On the contrary, he had been led to think that this liberty, though attended with little loss to the public, is of wonderful service to the farmers; that restrictions can be easily evaded; and that adopting the system of collection to the condition of the inhabitants is the best policy. He did not affirm, as has been urged, that the ryotwarry system should be introduced anywhere and everywhere, that it was the grand panacea for all the agricultural ills of India. He was no enthusiast; he had simply been convinced that at present leases could not possibly answer in Salem, however admirable their effects elsewhere; and the ryotwarry faith to which Munro became a convert, is, in other words, the firm belief that human laws, to be of real use, must be not only theoretically good, but practically suited to the condition and customs of the people.

CHAPTER VI.

THE ZEMINDARRY SYSTEM.

Larger Revenue formerly, because fixed on the Ryot's Stock—Munro's Private Opinion of the Ryotwarry System—The Board of Revenue demands information why the Lease System had been abandoned—The second Mysore War breaks out, and the District passes into other Hands—Creation of the Zemindarry Tenure — Zemindars put in possession—Average Extent of the Mootahs—Boundaries of the District finally fixed—Rapid relinquishment of Landed Property—Law of Equal Division among the Heirs Male radically opposed to the Zemindarry Policy — Favourable Terms granted to Zemindars by Government—Zemindarry Defalcations and consequent Loss of Revenue — Clashing of Rights, Distrust of Government, High Assessments, and Suicidal Powers of Distraint possessed by Zemindars against their Tenants, all causes of failure—Read's Survey Assessment the only Protection to the Ryots—The Office of Record established, but, from ignorance, to little purpose —The Legislation of 1816.

THE immediate and expected result of the new agricultural policy was a heavy falling off in the revenue for 1798. Colonel Read, in anticipation, had again written to his assistants, and requested that they "should report so fully on the cause of so great a decrease, as will either prove the expediency or inexpediency of the measures that have been taken; that the Board, being thereby enabled to judge of them, it may finally direct

our conduct in regard to settlements." War was lowering in the horizon, and if Read felt some disagreeable doubts as to the nature of the remarks which would be made when his balance-sheet was inspected at head-quarters, he only felt like many another stout reformer, who has found himself obliged to put before Parliament what must generally be the first effect of any great and good measure. The rock in the way is blown up, —there must be the explosion—the shock; the fragments will be thrown in every direction; some of the bystanders may be hurt; and every parasite that clung to that obstacle to progress, will be utterly destroyed when the road is made clear. The results all will claim, but the man who boldly fired the train but too often is victimized,—may be at once, by what he himself has put in motion; and may be, the very recoil shall cast him down. Read had laboured six years, and it was hard to think that the end might be disgrace.

The eleventh rule of the ryotwarry charter did state that the annual agreements of the ryots were binding on the Government only to the end of the present lease; but in the third rule it was distinctly laid down that the survey, or as Munro calls it, the lease assessment, was fixed "for ever;" and the ryotwarry system was looked on as equally fixed. The people of Salem had good grounds for believing it to be the final settlement of the country, and Read was not justified in considering this still an open question for the Board's decision.

Munro answered promptly, that the causes of so great a decrease were simple enough. The assessment was high, and hitherto, if a ryot relinquished any of his fields, the assessment on such lands was charged additionally, for the future, on what he kept, as it was considered that he had merely concentrated stock. If he positively could not pay, if the stock had passed into the hands of others, still there was no diminution of the total revenue, for the deficit was collected from the neighbours, whose gains, it was supposed, would, and ought to, if they did not, equal his losses. And some such system was absolutely requisite for the first few years, when the native revenue officials were neither so zealous nor so trustworthy; but now their efforts for the collection of revenue have to be carefully scrutinized and sometimes counteracted.

The present "ryotwarry" freedom of action was then utterly unintelligible to them, and diametrically opposed to all they had hitherto been accustomed to; and, fearing the result, they were not much inclined to communicate the system in all its free details to the ryots generally; in which they were perhaps partly influenced by the recollection of losses of revenue, and pay stopped in consequence, in times past,—a disagreeable process, that they doubtless reasoned might likewise be a concomitant result in times to come. They had seen it ordered, that the assessment should be fixed lightly, but the revenue should not be sacrificed; and they

might think similarly, the ryots are to have perfect freedom, but they must not pay less to Government. Munro, however, foreseeing this, had gone through the whole of his division, and explained personally to the people what was the real nature of the charter; and states it as his opinion, that the freeing the ryots of the proposed lease restriction was on the whole extremely proper.

When a point of importance has been publicly discussed for some years, it is hard, even at the last, to forget the views of other days, and Munro's letter ends, accordingly, with a qualifying clause that a reduction of the rates of assessment would nevertheless have been preferable to cancelling the lease; an opinion which, it would appear from a private letter, he utterly abandoned four months afterwards. It is given in his Life by Gleig, addressed to his father, and written in September, 1798.

"The Baramahl has now been completely surveyed, and the rents of it fixed: they are, on an average, nearly what they were under Tippoo; the inhabitants paid the same then as now, but the deficiency of his receipts arose from the peculations of a host of revenue officers. The rents here, as I believe in every other part of India, are too high. This circumstance, joined to the general poverty of the people, is a great obstacle to every kind of improvement, and it has hitherto prevented the lease from being settled. Government have desired it to be made so as

to sit light upon the inhabitants; but they were not aware that, in order to effect this, they must relinquish twenty or twenty-five per cent. of the present revenue. This reduction will be recommended to them by every argument that can be thought of; but I am not sure that they will have resolution enough to agree to it. I do not myself approve of attempting to establish a general lease at once over the whole country.

"There are many arguments against such a measure, founded on the poverty, the ignorance, and the manners of the people, which it would be tedious to detail. I rather wish to continue the plan now followed, which consists in letting every farmer please himself: he may take as much or as little land as he pleases every year; he may reject his old fields and take new; he may keep a part or the whole, for one year or twenty, as he finds it most convenient; and as every field has a rate of assessment, which never varies, he knows perfectly what he has to trust to, and that this rent can never rise or fall, but exactly in proportion to the extent of land he occupies. All that is required of him is that he shall give notice, between the 12th of April and the 12th of July, of whatever land he means to relinquish, in order that it may be given in these months, which are the principal seasons of cultivation, to any other man who wants it. If he fails in this, he is obliged to pay the rent for the ensuing year. By persevering in this system, the farmers would soon know how much land they could manage,

they would cease to abandon whatever fields they had in any degree improved; and this practice, which would answer every purpose of a lease, would gradually extend over the whole country. If we endeavour to establish the lease everywhere at once, it could not be permanent; for ignorance and inexperience, both on our side and on that of the farmers, would lead many of them into engagements which they would not be afterwards able to fulfil.

"The Baramahl contains about six hundred thousand inhabitants,* among whom there are above sixty thousand farmers, who hold their land immediately of Government; but as the same man is frequently reckoned two or three times, from having farms in different places, and as a father and son often appear separately, the whole number of independent farmers is probably not above forty-five or fifty thousand. There are not ten men among them who pay one hundred and fifty pagodas of rent (£52. 10s.);—the rents of the middling class of farmers run usually from about ten (£3. 10s.) to twenty pagodas (£7); so that you see we have no great landholders in this part of India.

"Many causes concur to prevent the existence of such an order of men: the oppression of Government and frequent wars, which hinder the accumulation of property, by fines or plunder; the universal practice of early marriage, and of equal inheritance of all male children, and the

* The whole district of Salem apparently is meant here.

simplicity and the cheapness of cultivation. Whenever a farmer's servant saves a few rupees, he buys a pair of bullocks; his plough does not cost him a rupee (two shillings); he rents a few acres from Government, and commences farmer himself. If he is successful, he continues his business; and if he meets with an accident, he sells his cattle (probable value £1. 10s.) to pay his rent, and returns to his former employment of common labourer. In such a state of things, it is almost impossible that great landed property can ever be obtained by any one man, unless by fraud or violence.

"The great number of farmers in the Baramahl necessarily occasions much detail in the management of revenue; but there is no difficulty in it,—nothing is required but constant attention; and where this is given, it is both better for the country and easier for the collector to receive the rents directly from sixty thousand farmers than by the medium of ten or twelve zemindars or great landholders. The rent of the division of the country under my charge last year was one hundred and sixty-five thousand pagodas (£57,750), which was collected within the year, without a single rupee outstanding, and without any trouble, from about twenty thousand farmers.

"The rent of dry land, or land which is only watered by rain, is never less than half a rupee (one shilling), or more than one pagoda, per acre: the rent of 'wet' land, or land which can

be overflowed by tanks or rivers, is usually four times as much. I shall probably write you more fully hereafter of these matters; but I am in some measure deterred by considering how improper it would be that any revenue details should by accident get public, before they had officially reached the directors.

"Your affectionate Son,

(Signed) "THOMAS MUNRO."

In October next down came the expected communication from the Board, calling for Colonel Read's final report. The members of the Board of Revenue in the strongest terms point out how it had been their impression all along, that the annual and temporary settlement for 1794 was to be upheld till progressively supplanted by quinquennial leases, as the survey of each district was concluded; whilst now, to their extreme astonishment, they learn for the first time, after the lapse of no less than four years, not only that neither policy has been carried out, but that the whole lease system, in direct opposition to the opinion of his three assistants, had been formally annulled, and that, too, on Colonel Read's own responsibility, though such authority was vested in the Government alone. The revenue had fallen short of that for 1794 by £18,900 (nearly two lacs), and even below 1792 as much as £8,750; and for these measures, and this sad result thereof, a minute explanation is peremptorily demanded.

The required information was never apparently given; the trump of war rang through the western passes of the Baramahl; the blow was to be struck for the sovereignty of Southern India, and the last year was come of that century, which, another wave in the sea of time was to roll on the shore of eternity over the wreck of a madman's throne. The ploughshare and the pen gave way to the sword, and Colonel Read, with Munro as his secretary, left the Salem district and minute revenue details, to hold a command in that army which took the field for the second war with Tippoo, stormed Seringapatam on the 3rd of May, 1799, and finally overthrew the Mussulman dynasty of Mysore.

Read never again returned to his old charge, but before starting for England he drew up and presented to the Board of Revenue a long report on the Salem district, in which he gave not only the system, and standards on which its survey and assessment had been made, but also a vast amount of statistics, both agricultural and commercial, classified with great care and accuracy, and forming most valuable data for comparing the state of the district now and then.

Neither did Munro return to the Baramahl; Mysore had been lopped of many fair provinces, which, robbed by Tippoo or his father from other kingdoms, retributive justice now saw,—ill got ill kept,—again in the hands of others; and to settle the newly-acquired countries, who could be selected in preference to one that had already

acquired so much experience in such matters as Munro?

Before leaving for the seat of war, he had heard a report that the ryotwarry system was to be bound up into large farms, and he accordingly addressed an able letter to Colonel Read, giving what he thought should, in such a case, be the course to be adopted. He had now altogether cast aside the lease hallucination, and boldly states his firm conviction that the ryotwarry system is the best for the country in its present state, and neither so intricate or troublesome to the collector as it would appear at first sight. It would, he argues, be in the end a source of much more trouble to the authorities, were the country parcelled out, and the ryots put into the hands of a set of men who knew nothing of what their duties were in such a position, even if the portion given to each were small; whilst such a process on a large scale, though reported as probable, he does not believe ever could be seriously contemplated. (But, alas! it was made the law, and carried out in four years.) This would be, he continues, still more troublesome, grossly unjust to all, the small proprietors included; and would, from its very principles, effectually prevent any real protection being given to the labouring classes against the tyrannical acts of their new masters, who would not believe for years that they themselves were not mere renters. The mode in which the assessment had been fixed, the produce being calculated from past rents, is

then cleverly sketched, and a somewhat theoretical scheme is finally given for parcelling out the country in small farms, which, however, scrupulously avoided any arbitrary interference with the privileges and rights possessed by the cultivating classes.

But the nineteenth century had now commenced; the people of Salem had been eight years under the same rulers, who, traversing the length and breadth of the land, not only knew the natural characteristics of the country and the people, but had obtained a thorough insight into that system, which, unaltered, had withstood all the changes of Hindoo, Mahratta, and Mussulman dynasties. When the south-west monsoons had blown, they had looked with pleased eye on the luxuriant crops that waved over Salem's plains, and the forest-clad mountains, glittering with each hue of the spring, from whose cool valleys came gushing forth on every side fertilizing streams; but in their times they had also seen the wonted rains partly fail; they had marked the scorched earth, and heard the groans of the starving ryots, whose hoarded capital was then found all too little for mere subsistence. They knew the country, they knew in what state the people were; what was bad in the village system they threw aside, what was good they kept.

Now a change comes over the scene; dark night again covers the district, and all British India, with the pall of ignorance; Salem is to be managed by those who know her not, have per-

haps scarce passed wayfarers through her towns: Salem, and all India marked red upon the map, was to be systematized; and they who now, holding afar off the helm of State, learnt the little they knew from maps and reports, did they do equally well? did they even remember the good counsels which those who were so able had so often given? India was to be systematized, to be assimilated; with a stroke of the pen, a body of country gentlemen were to be begot throughout all the territories of the Company. These prototypes of the English squirearchy would hold country meetings and quarter-sessions, would be good justices of the peace, and doubtless in time would fix bridge-rates, and assess themselves, their friends, and their tenants for poor-rates. Who, however, were to be their tenants?

The ryots of the Salem district had just been most solemnly told that the land which they tilled, so long as the fixed assessment should be duly paid to the Government, was theirs for ever. In the hilly country were one or two petty chiefs, but the ryots of the plains knew no such superiors, and had invariably paid direct to Government, through the heads of their villages, or else through farmers of the revenue, who undertook that office for a term of years,—perhaps three, perhaps five,—but were never considered the masters of the land; never were long enough in possession to become so; and never were much more than a match for the people from whom they had to

collect the Government revenue. Zemindarries were unknown; but no matter, there were zemindars in fertile Bengal; ten years before, they had been made there hereditary landlords, and Englishmen must have all India zemindarry. There should be zemindars in Salem, and the Salem zemindars should possess the same rights as had been given in Bengal. The intention, in creating zemindars with the power of actual landlords, was, it is well known, most excellent; but if just and suited to Bengal, before the general adoption of the system was decided on, had it been ascertained that it would do equally well all over India, and nowhere would overturn the rights which centuries of possession had given and confirmed either to individuals or village communities? Blood and circumstance form a nation's character, was the remark of a wise man, or, in other words, the customs of one race cannot be rudely grafted on another, without regard to those essentials, and flourish. In very plain English phraseology, you cannot make a silk purse out of a sow's ear; which means, in reality, no reflection on the sow, but that if you want a silk purse, you must get the right sort of thread. John Bull of course did not think there was any need for him to ask whether the gift of such powers to the zemindars was suitable to the country, was compatible with the hereditary rights of the Salem ryots; it was quite enough that the system tallied with English ideas of landed property; and John Bull's mode of going

to work to carry out this most notable scheme was also most English. There should be no arbitrary orders, no irregular carrying out of measures, however arbitrary or irregular in themselves; there should be a law, and there should be courts of justice, to carry out this mighty injustice.

In the second year of this century, the Government of Fort Saint George, commonly called the Presidency of Madras, enacted thirty-five regulations, three of which created a new property in the land and defined what it was, as clearly as might be expected, when it is remembered that strangers and Englishmen were legislating for civilized races, with whose languages few, very few, of them were then even slightly acquainted; and were establishing legal rights in direct opposition to the time-honoured customs of India.

Regulation XXV. of 1802 set forth that, "under all Asiatic governments, whether Hindoo or Mahomedan, the assessment had fluctuated, and to increase the revenue, or for any other purpose, the zemindars had been removed at pleasure, the State thereby reserving the implied right and the actual exercise of the proprietary possession of all lands whatever; but the British Government, deeply sensible of the injurious operation of such principles, of their own freewill and accord now decree the assessment should be finally fixed, and that the proprietary right of the soil should be vested in the zemindars and their heirs, or other lawful successors, for ever."

The Salem ryots, six years before, had been solemnly told that the land was theirs, but only by the agent of the Government, and Salem must be assimilated. Perhaps the cultivators did think that Read's proclamation merited some little notice from his masters; but it is a far cry to the Council, and the district had been too lately a part of Tippoo's dominions for the ryots to think of canvassing over much the acts of Government.

After the usual fashion of the English, along with the enactment of the zemindarry regulations came a special commission to superintend the formation of estates throughout the Presidency of Fort Saint George, and a commissioner was duly deputed for that purpose to Salem. When Read and Munro left for the Mysore war, the south of the district had been put under the sole charge of the assistant there, to whom had also been intrusted the countries again to the south of that and the Cavery; but when the commissioner arrived, the old boundaries were reverted to, and his charge was exactly, as regards extent and limits, what had formerly been under the control of those wise men whose measures were now to be reversed.

The lower portion of the district was first parcelled out, and sold at auction, so many lots at a time, to the highest bidders, who, by virtue thereof, under Regulation XXV. of 1802, forthwith became landlords, but in Salem were called mootadars, instead of zemindars. Many of the properties went off pretty briskly, but the sale of

others was very difficult, and the commissioner had no little trouble to persuade any one, if only for the honour of being dubbed mootadar, to become the purchaser of a small landed property in Senkrydroog. Two years, however, saw the whole of the south sold, and his office was then transferred to the pleasant Baramahl, the head-quarters, some five years before, of Munro, when he declared, in discussing the future fate of the country, that he did not believe so destructive a system could ever be thought of as that now being summarily carried out.* The price fetched fell short there of what had been obtained below, but all the sales had been effected before the close of 1805. Altogether, counting above and below the ghauts, two hundred and five estates had been thus created; and the total amount of revenue to be annually paid to Government by these regulation-born landlords was rather more than sixteen lacs and a half (£166,622. 2s.), which gave an assessment averaging on each estate £800, and on no single estate exceeding £1,800 per annum. When the country to be sold was very mountainous, the villagers themselves in some instances had been left the zemindars; for, whatever might be done with the aid of regulations on the plains, none were willing to try the experiment of collecting a landlord's rent from the wild tribes that inhabited those jungles, who were often regarded by the low-country

* 31st August, Para. 6.

natives, and are now, with superstitious awe, as great and successful dealers in the black arts.

The Ballaghaut also escaped the general fate. It had only become part of the district after the fall of Seringapatam, and had not, consequently, been either surveyed or assessed when the commissioner commenced his labours; whilst one range of the Salem hills, — the Colleroys, — had defied not only the commissioners, but even the energy and perseverance of Read and his assistants. There the jungles were too thick for even a surveyor to penetrate, and the inhabitants, with their neighbours the wild elephants, have preserved their pristine independence to this day.

After closing the sales, the lower half of the district had been handed over to a collector, whose only duty it was doubtless supposed would be simply to collect the revenue from the landlords,—and take good care of his accounts and treasury; and in 1808, the commissioner, who was then in charge of North Arcot also, similarly handed over to the same officer the Baramahl and Ballaghaut. The wild tract to the north-east, under the polligar of Cungoondy, a sort of hill chieftain, did not, however, go with the Baramahl, but was kept and permanently added to this neighbouring collectorate; and from that time to 1850 no farther changes have been made in the shape or extent of the district of Salem.

All sales in the Baramahl had been completed by the end of 1805, and the country had been

permanently settled according to the regulations; and great must have been the astonishment of those concerned in that measure, to see how little it did really possess of this vaunted permanency. For four years the revenue continued tolerably stationary, but from that time there commenced a steady decrease in the amount so collected, and in the same proportion in the number of those who paid. The landed gentry were not firmly seated in their new possessions, and as their ranks became gradually thinned, there was a strange difficulty in finding others willing and fitted to fill, in a pecuniary point of view, the honourable yet still responsible office of zemindar, in the several eligible estates successively lapsing to Government. In ten years there was a falling off to the extent of nearly two lacs (£17,496. 18s.), and in another four years of more than five lacs (£53,142. 8s.).

This was not a dead loss. When the new system was found not to answer, a change was again made in the mode of managing the country, and a revenue was ultimately collected, though in a different manner; and, it will be shown hereafter, how much impaired by this legislative experiment. Its financial results may be briefly stated. In 1806 the landlords of Salem had paid the Government £166,622. 2s., and in 1821, only fifteen years later, the revenue received from them was considerably less than half that; indeed under eight lacs (£79,834. 16s.). Their downward progress, it might be supposed, would have

assistance, and whose capital, if to the front, was but a share of what had been perhaps but just enough to meet those demands in the first instance. Very likely that share had been spent in the due performance of his marriage ceremonies, together with the pull on his purse for suitable pomp in conducting the funeral obsequies of so distinguished a character as the late zemindar; and very often, the whole of it having been squandered away in profligate extravagance, demands like the above had to be met with borrowed money. Then, where was the capital by which the ryots were to be so effectually succoured in time of distress?

Some attention, however, was paid in the first instance to this little peculiarity of Hindoo laws, which many would have thought an insuperable bar to the whole principle of the zemindarry system; and Regulation XXV. of 1802 did permit division of estates, but not under a certain amount of assessment; which provision was enlarged in later years, when wiser counsels prevailed. It was afterwards enacted, that any division might be made which preserved intact the village boundaries, or, in other words, that for the future a single village or hamlet should be the smallest zemindarry that the law could recognise. But even this extension of the original scheme, to meet the requirements of the Hindoo code, obviously must often be all insufficient, and it is equally obvious, could not well be extended any further. The village boundaries are

always well known, and hence this forms a convenient limit to place against the infinitesimal fractions into which each zemindarry must inevitably have been split, unless the Hindoos could be converted to the law of primogeniture.

In two or three generations, with large families and prosperous ryots, it would without doubt happen occasionally, that the well-to-do tenant must pay his rent to two or three zemindars, who would again, in their turn, pay to Government the public assessment on their small fraction of the original zemindarry; a state of things nowise compatible with that permanency and stability of revenue which was also an object to the Government in creating the zemindarry system. Even the power given was carried out to a great extent, being also made use of to defraud the Government, and in 1820, the two hundred and five estates, for which purchasers were originally found, had been divided and subdivided into three hundred and eight separate zemindarries.

The idea at first was that the zemindars, always on the spot,—men of the country, born amongst their ryots, and linked to them by those feelings which can be only so engendered, would naturally possess the experience by which the country, it was fondly hoped, would speedily be regenerated, and the rigid upholding of the laws be most materially aided. Munro, it is true, had prophesied that the country and its cultivators would pass into the hands and under the cruel rule of strangers; but his words in those days were not

attended to. Who was right? What was the result of a few years? Of these Anglo-Indian hereditary zemindarries, in that time one hundred and ninety-five had changed owners all once, and many, it may perhaps without exaggeration be said, annually; and only thirteen remained in the families of those by whom they had been originally bought. Could there be a more convincing proof, whether just or unjust to the ryots, that the zemindarry system was utterly unsuitable to the district of Salem.

Great care had been taken in making the original arrangements, and the commissioner, an able man, had exerted himself to the utmost to bestow fairly, and to the full extent, the remissions which Government wished should be made in favour of their protégés the zemindars. It was estimated that, according to the rates at which it was proposed to assess these landed interests, there would have been a direct reduction on the net revenue collected from the ryots in 1802, of about a lac and a quarter of rupees (£12,079. 2s.); in addition to which, as this had been collected according to Read's survey rates and system, there must be added the whole of the fallow, for the assessment on each zemindarry was calculated chiefly with reference to the actual revenue paid by the cultivators; in which accounts, as has been seen, the fallow formed no part, and it therefore was in a measure a free gift to the state favourites.

Some years later, it was found that, taking

both heads into consideration, the actual reduction in favour of the zemindars below, was eight, and above the ghauts, was twelve per cent. Twenty per cent. had been declared by one well qualified to give an opinion on the point, the minimum reduction which must be conceded to carry out effectually any such scheme; but then the whole of the waste was also thrown into the bargain; and to appreciate fairly its value, the state of the district then must be taken into account. Only one quarter of its whole extent was then under cultivation, and for every acre, therefore, on which the zemindar had to pay assessment, on the average, three acres were given to do what he liked with. Some of these acres,—indeed very many,—would defy man's utmost skill to turn them to good account; but undoubtedly there were then, and are now, immense tracts which capital might change from an unproductive jungle into a smiling and profitable sheet of cultivation.

The collector subsequently made a calculation as to the extent of waste which it was supposed might be reclaimed, and which had been handed over to the landlords in the two divisions. In the Baramahl, it appeared that these lands bore a general proportion to the cultivated of three hundred and sixteen per cent., whilst even below the ghaut it was no less than seventy-six per cent.

The Government had therefore, to a certain extent, been liberal in carrying out their pet

scheme; but whilst the landlords of Salem had been invested with rights which were not the Government's to give, the interest of the State had also been duly cared for, and the rules against such defaulters were sufficiently strong.

When the land was thrown back on the hands of Government, these rules were found to have been of little avail to secure the country from injury, or to secure the Government from ultimate loss, though the revenue for the time being had been rendered tolerably safe. The assessment on each estate was not collected at one time, but by a series of payments, commencing after the early harvests and continuing to the close of the revenue year, which ends on the 11th of July. Under Regulation XXVII. of 1802, if the instalment, or merely a portion thereof, payable in the course of any one month, remained unpaid on the first of the next, it was deemed an arrear of revenue; the estate was immediately taken under the management of the collector, and if the balance was not cleared off, sold at the end of the year, either wholly or in part, in proportion to the arrears. It was, however, optional with the landlord to surrender at first his personal property, which otherwise only became liable when the sale of the estate failed to meet the demand. If the proceeds from the sale of both the estate and personal property proved insufficient, or if there were no purchasers, then came confinement of the person, and the landlord was liable to imprisonment.

These provisions were all enforced before the first year after the introduction of the zemindarry system below the ghauts had come to a close. A portion of an estate had been sold for arrears of revenue in Razipoor, where the soil is remarkably good and the best sugar-cane is now grown, but with a high assessment; and the zillah gaol had already been the temporary residence of several members of the Salem squirearchy, and by the middle of 1803, thirty-two estates had been attached or taken possession of by Government for arrears of revenue. In the Baramahl, the whole body of landlords were able to fulfil the terms of their agreements with the Government for full two years, but they soon followed suit. During the short period that the revenue did remain stationary, and the zemindars were apparently answering the end for which they had been created, in reality matters were very different; the official reports to the Government of the day are one wearisome and sickening narrative of estates taken under the temporary charge of the collector; and the unhappy ryots were thus passed from hand to hand. In 1805, when the system had just been fully introduced over the whole Baramahl, no less than forty-nine estates were thus attached below the ghauts. Instead of "the district is flourishing, the zemindars are helping their ryots and laying out capital in the zemindarries, whilst the punctual payment of the revenue leaves nothing to be wished for,"—"estates attached,"—"zemindars

in gaol as usual,"—forms the invariable burden of the collectors' reports for the next eight years.

As early as 1813 there was a total of no less than one hundred and ninety-seven sales for arrears, and there had been a dead loss in the Baramahl of eleven, and below the ghauts of twenty-six per cent. on the total revenue. The zillah gaol was constantly occupied by different members of these regulation-born squirearchy; but a good understanding had been effected with the prison officials, and the collector indignantly writes to the Revenue Board, that the defaulters supposed to be undergoing durance vile, were so much at their ease, that the fear of imprisonment would certainly, in most cases, be of little use in realizing the just dues of Government. Unprincipled speculators managed to purchase an estate; for six months the unhappy ryots writhed under the new master,—worse, if possible, than the last. The adventurer never had an idea of paying the revenue fixed on the estate. Before the year had closed, he was living in gaol at the government expense; his ill-won gains had been securely stowed away, to be enjoyed when the storm blew over; and the ryots?—Why, those ryots, fools enough to enter a civil court against the scoundrels whom the laws had put over them, were most probably, with their wiser brethren, all in the hands of another, worse even than the last, long before the suit was decided.

The collector of Salem was nevertheless keenly alive to their interest, and, powerless as to those

estates in the possession of the landlords, strove his utmost to help the unhappy peasantry of the villages which were taken under the temporary charge of Government. He had been employed in the district from the formation of these estates, and not only remembered the prosperity of the country in the times before that, but also was fully aware of the fleeting nature of such benefits as he could thus confer, and had consequently requested the permission of the Board, four years before, in 1809, to retain in his own hands some of the worst estates, till each could be so far improved "as to render them worthy the purchase of a man of property and respectability."

His wish had been granted; for many estates there were no bidders, in 1806, whose offers could be listened to, according to any scale of propriety; and out of the one hundred and ninety-seven sales by public auction before the close of the year 1813, thirty-nine had been purchases on behalf of Government. The distress of the country had become known at last to those in high places, and not only had the collector been empowered to retain under his own care such of the attached estates as had been most seriously mismanaged, but an outlay for purchasing up at these sales, on behalf of Government, the estates in the first instance so rashly sold, had also been duly sanctioned. The price was afterwards limited to the amount of arrears thereon, and it cannot therefore be said that the rapid return of the country to the ryotwarry system, which followed

this order, was a mere matter of trading. The one hundred and ninety-five zemindarries, stated to have changed owners by the end of 1820, had been all bought in for Government.

The collections in only ninety-four estates had fallen a lac. When handed over to the zemindars, they amounted to more than five lacs (£53,142. 8s.), and when the zemindarries reverted, the revenue on the land under cultivation was only four lacs (£41,610. 6s.). The proprietary right had certainly fetched in the first instance, for these estates, a total of nine thousand odd pounds, but the property, on the other hand, had deteriorated to the extent of considerably more than a fifth of its annual value. One of the fourteen subdivisions of which the district is composed, had altogether changed hands; its fate was speedily decided: some of the estates there could find no purchasers in 1806, and in ten years more the whole of this talook of Ahtoor was in the hands of Government, with the marks in every village of the devastations which had been committed by those whose attacks had been sanctioned by Government, and whose cruelty far exceeded the ferocity of foreign foes.

In 1835, the results of the zemindarry system were still the same:—two hundred and twelve estates, altogether, had by that time been purchased for Government. The total assessment at which they had been transferred was more than eleven lacs, and the collections made direct on the behalf of the State, now that the zemindars

had passed away, were only nine lacs and thirty-seven thousand rupees, or £93,700, which sum was still a falling off amounting to nearly a fifth of the annual value; and it will be most interesting to trace what were the causes which led to this invariable deterioration in the value of the lands, the proprietary right to which had been so rashly sold to the highest bidders.

In this rapid sketch of the career that the zemindarry system ran in Salem, figures have been given, by which at first sight it would appear that there had been an extraordinary falling off in the total land revenue; but this, it has been before mentioned, was not altogether the case. Under the above orders, the land had passed gradually but rapidly out of the hands of zemindars, and the ryots in such villages paid, as under Read's administration, direct to the officers of Government, the assessment fixed on their several fields, according to his survey. Read's survey had survived, with wonderful success, the fierce struggle to which, in its very infancy, it had been so ruthlessly exposed; and it had in those times of misfortune formed the ryots' only bulwark against the extortionate demands of their zemindarry foe.

But why this signal instantaneous failure? Why did the Salem zemindars kick the beam when the whole weight of the Government of all India was thrown into the balance? Was that mighty name found but a mere empty shadow when linked to oppression? Did justice hold the

scales, that justice, the innate love of which in the English breast is the very heartstring of this mighty empire? What had been given to the zemindars — the proprietary right to so many square miles of a new country? Or had they been made landlords in a land that was well cultivated in the halcyon days of Greece; where there were large cities when Rome was founded; and where, notwithstanding a constant series of internal wars, the arts of peace and commerce, letters and agriculture, had been sedulously maintained to the present day without interruption?

To suppose that there were no private rights in the lands of such a country, would be as idle as to think that legislation could give the proposed power to strangers over one, or five, or perhaps fifty square miles for an estate, and yet draw up a law that should meet all difficulties, and prevent the interminable clashing of such antagonistic and immediately conflicting interests. Every zemindar might look for endless litigation with his neighbours,—his tenants, who, many of them, were just then passing out of a state of almost serfdom to one of comparative freedom. Each estate would average eight hundred ryots; and to collect the assessment from so many tenants, when all arrangements had been duly matured, might be tolerably easy, but for the first few years would certainly require no little care and ability.

Again, men of capital would be loth to enter

into this speculation. The freedom given to all the ryots was based on principles repugnant to Hindooism. If they were rash enough to accept the proffered honours at the expense of a small disbursement, — themselves born of a gigantic innovation,—how could they be sure that a few years more would not produce some new regulations, that might effectually derange their plans?

To remain a respectable man and also a zemindar, requires always no small outlay of capital. The ryots just then were difficult to manage, and the first season's assessments would perhaps have to be paid out of his own pocket; and how was that to be recovered, should he lose the zemindarry the following year? As for sinking capital in the improvement of the land, repairing works of irrigation, or helping the ryots in their agricultural operations, it was a long day before these ideas made way; and though the uncertainty then of the public mind regarding the permanency of any legislative enactments tended much to discourage from becoming zemindars even those who had merely enough to keep the estate out of the market, time would gradually dispel this cloud; but the survey rates were found to be too high; and like the first, this third was a very serious and lasting obstacle to the success of the zemindarry scheme.

During the few years that the revenue remained stationary, and the measure was succeeding as far as outward appearances went, the Government having become aware of the number of estates

that annually came under the temporary management of the collector, had also given orders that he should ascertain, if possible, the cause. In his report for the year 1813, he gives it as his opinion that the survey rates were too high, and had of necessity been reduced by the zemindars all over the district. It was calculated that these rates had been lowered on the "wet lands" everywhere one-sixth; and on the "dry lands" in the Baramahl one-eighth, but below the ghauts as much as one-fifth. These estimates were necessarily incapable of much exactness; but the collector had repeated opportunities of ascertaining the existence of such reductions, inasmuch as they would be pleaded by the ryots most lustily on every occasion of an estate coming under his temporary management; and the comparative lightness of the assessment on the "dry land" had doubtless no small share in the greater stability of the zemindars in the Baramahl, where only fourteen estates had changed hands up to that time. The lower portion of the district had been two years longer, it is true, under the zemindars; but that is not sufficient to account for the wonderful difference there. One hundred and ninety-seven was the total number of sales, and out of this number one hundred and eighty-three had been sales below the ghauts.

The power of division possessed by the landlords acted in both ways,—accelerated the return of some of the country to the ryotwarry system, and elsewhere established more firmly the new

landlords; and the mode of conducting this operation was the cause of this double effect. The estate was divided on accounts which the zemindar himself produced, and of the accuracy of which he alone could be thoroughly cognizant. It is not strange that the Government assessment was generally found to sit lighter on one portion than another, but it would have been strange if the Government could have found even the mild Hindoo willing to take for granted that this was either accidental or temporary, or that the unfortunate portion which the astute zemindar had thus got rid of, would change its character under his own management. No; whilst one portion remained in the hands of the zemindar, whose circumstances were considerably improved by this easy process, the rest of the estate speedily passed from the man of straw, whose services had been procured for love, relationship, or a consideration, and at the next sale it became ryotwarry,—became the Government's.

There was still another and a very detestable reason why this system should not prosper. Powers of oppression had been given to the zemindars, such as cannot fairly at any time, or for any purpose, be intrusted to one man to be exercised against his fellow-men for his own interests. This told with a force that increased in proportion to the unfitness of the man whom an arbitrary regulation had placed in a position to which he was neither entitled nor suited. Did the Government think that self-interest would

teach the zemindars to treat their tenants kindly, and that the legal powers put into their hands would be merely a weapon of intimidation? Did they, in short, think that the zemindar would hold friendly intercourse with his farmers, after the fashion of the English country gentleman? They might as well have thought that these ryot farmers would give their ryot labourers roast beef and plum pudding at Christmas.

Regulation XXVIII. of 1802 declares very distinctly what those powers were, and why granted: "It being necessary to the punctual collection of the public revenue, that landholders, &c. should have the means of compelling payment from defaulters, without being obliged to have recourse to the courts of judicature, and incurring the expense and delay necessarily attending a law process for recovery of arrears of rents or revenue." And accordingly, these men of yesterday,—and not only the zemindars themselves, but their under-farmers of the revenue, without obtaining leave from any courts, by this regulation were empowered to distrain the personal property of all ryots holding lands of them, and to cause the sale of the same for arrears "of rents or revenue." The definition of what were arrears did not give much security to the unhappy cultivators. Written agreements even were no[illegible]olutely requisite; in such cases it would be [illegible]if local usage bore out the zemindar in his [illegible]s; and with Indian evidence, "local [illegible]a wide door for a hard landlord.

The zemindar, as has been seen, was allowed to the end of the month to pay his arrears to Government, but a day's grace even was not given to the wretched ryots. The moment the demand was made, that moment, if not satisfied, the ryot became a revenue defaulter, and his household goods and chattels, his cattle, the crops that were on the land, the grain that was stored, ay, and if not enough, the seed-grains, the cattle that drew his plough, and the implements of agriculture by which he and his children alone could get their daily bread, all was at the landlord's mercy, all was liable to immediate distress; in five days it might be sold; and these sales were to be conducted by certain native commissioners, who were appointed in convenient localities to superintend such operations.

Neither did the zemindar's power to cause payment of rent stop here. If the sale did not meet the alleged demand, the zillah gaol was at his disposal; and with the help of his friend the native commissioner, personal restraint could be forthwith resorted to. The ryot was sent up in custody to the judge, and by him was committed to the zillah gaol, to be detained there a prisoner till the arrears, with interest at twelve per cent., were discharged. But this final attack against the liberty of the subject was not probably very common; for if the ryot, on appearing before the judge, had the courage,—and it would be the case sometimes,—to deny that the demand was fair, a summary inquiry into the justice of the landlord's

proceedings was the result; and if that should be successfully met, there was still another and a very serious objection to this exercise of power: Government was willing to give the use of the gaol to the zemindars, but would not feed their prisoners—the landlord had to pay for his prisoner's keep. If the arrears were not discharged at the end of the current revenue year, the landlords could make such arrangements as they "may judge proper" for the future; and if the defaulters were leaseholders, or "other tenants, having right of occupancy only during payment of certain rents," the landlords of whom they held "had the right of ousting the defaulting tenants from the tenure." They had, farther, authority to summon and, if necessary, compel the attendance of their ryots for any lawful purpose, two or three only of which were defined; and persons opposing them therein were subject to penalty for breach of the peace in the criminal courts.

These were extensive powers to be intrusted to any set of men in the most civilized country; but to give them where the people had been only ten years under the British rule, seems little short of madness. All the landlord's proceedings were of his own accord; and if he even had to enter a court of justice, the court was to make a summary inquiry. The ryot could only seek redress, if rash enough to make the attempt, by a regular civil suit; and if he were found to have been wronged, no penalty was to be awarded against

the powerful defendant, unless gross neglect or wilful inattention to the prescribed rules should have been proved; which left to the zemindars the widest scope for the exercise of every bad passion. If the proof failed on this point, the judgment was to be given only for the actual damage sustained; and not even for that if the distrainer could show that compensation had been tendered and refused, any time before the action was brought. Let the decree be given either way, it had still to be enforced; and the difficulties attending every step in that measure, when directed against a wealthy and unscrupulous native, would of themselves effectually deter the timid ryots from being much of a check in those days on a tyrannical landlord.

But even these powers were not deemed sufficient by the adventurers who thronged those unhappy sales. The future squirearchy of Salem probably objected to the wholesale restriction of Section XXIX. of the above regulation, which declared that "landlords, &c., shall not confine or inflict corporal punishment on under-farmers or ryots, &c., for the purpose of enforcing payment of arrears of rent or revenue." For this, and for this only, the ryot's remedy was not the uncertain result of a civil suit, but the offenders might be forthwith prosecuted in the criminal courts.

The estates in the Baramahl, it has been shown, were much more valuable, and yet they fetched less than those sold below the ghauts. The

natives are shrewd hands at a bargain; circumstances may, and did, lead them into a very short-sighted policy in the management of those estates; but to form an accurate judgment as to their relative value, none could be better qualified than the Salem Ramasammies; and this result of the sales would have been puzzling, had not the collector accounted for it in his report of the year 1813, to which reference has been before made.

"When the estates in the Salem division were offered at public sale, the judicial system was not known in this part of the country, and in Salem was not at all acted upon till near a year after the introduction of the permanent rent; and many people, among whom of course were some adventurers, were induced to enter into the speculation from an idea that they would be possessed of a very unlimited authority, similar to that enjoyed formerly by the Natawars or heads of villages, whose sway was very absolute. On the other hand, when the Baramahl mootahs were sold, the judicial system had obtained some time in Salem, and it began to be clearly understood that the ryots were free agents, and could give up land, or move from one part of the country to another at pleasure, which was not formerly the case."

It has been shown that the ryot, under this dreaded judicial system, could only get redress through a civil suit, whilst the administration of law was tardy. Here is a story of an attempt to seek redress from the civil court in Salem two years later, told by an aged ryot of the Baramahl

to one whom he had known in other and very different days, and by whom it is thus detailed in a letter to a friend.

"One of the most important benefits that will accrue to the inhabitants from appointing the collector magistrate, will be the prevention of distraint. Many ryots are now with me on this subject, from the Baramahl and the Ceded Districts. The exactions of many of the zemindars are carried to a most ruinous extent, and cannot be prevented by the courts; I sent an old ryot, of eighty years of age, from the Baramahl, to Mr. Cochrane yesterday, to take down the case, for the information of the members of the Revenue Board, who believe that our ryots are protected by our courts. He gives a clear statement of his case; he has paid his rent regularly during seven years, and within that period has been compelled by different distraints to pay more than double his rent. He has given in two petitions to the court at Salem for two different cases, one five years, and the other three years ago; he has paid deposit-fees, stamps, &c., and visits the court almost every month; but the number of his first petition has not yet come round. Under a collector-magistrate, the injury could not have happened."

The zillah judge then was the only magistrate; the whole system of police, the maintenance of order,—all was in his hands; and through his magisterial office must pass to the courts of circuit every criminal case from theft to murder.

All civil suits, whether founded on the common law, civil law and equity, or on the Shastras or the Koran,—all must be brought before this zillah judge. There was an appeal; but the only legal authority that stood, in the first instance, between the strong and the weak, was vested in this one man, whose proceedings were conducted in Persian, who was himself perhaps utterly ignorant of any single Asiatic or Indian language; and before whom half a million of Hindoos and Mussulmen, scattered over eight thousand square miles of a hilly and jungly country, were to seek for justice.

No wonder that the country was blighted,—no wonder that the ryots groaned under a rod of iron,—no wonder that the low cry of misery rose up throughout the length and breadth of the land;—and is it strange that such a system in ten years devastated the country far worse than the hostile armies even of Mysore, which were fed on the plundered stores of the peasantry? The welfare of the ryots it was doubtless thought had been amply secured by Regulations XXIX. and XXX. of the same year. The latter enacted that the finite system erected between the Government and the zemindar should be carried out between the latter and his tenants, who were to be severally free to demand, and should mutually exchange, written agreements specifying accurately the terms on which the lands were held. The assessment paid the year prior to the formation of the estate regulated the rates of those agreements, and the zemindars

were strictly prohibited from attempting to collect, on any pretence whatever, from their ryots, what was not duly entered therein, or otherwise authorized by Government. In this district, the minute survey that had been concluded only four years before, became of course an invaluable protection to the ryots, who had been thus summarily transferred to the tender mercies of those they knew not, and whose acts needed not the sanction of any courts.

If the zemindar refused to give his ryots this agreement, or if there was any dispute as to terms, again the slow process of a civil suit was the ryot's only resource, and he was to prove in the civil court, poor man, if he could, that the rates at which he claimed to hold his lands were in accordance "to the rates prevailing in the cultivated lands in the year preceding" the formation of the estate in question; or if that were not ascertainable, according to the rates established for lands of the same description and quality elsewhere. Where no survey and assessment had been made before the introduction of the zemindarry system, this was an impossibility, and the law in that respect was so much waste paper. The documents which the ryots could claim were called puttahs, and when obtained, formed always a partial, and often a very effectual safeguard against oppression. They were renewable at the end of each year, but were to be considered in force until renewed, so long as the estate remained in the same hands; and it

was farther enacted, "that all puttahs should be regularly signed, and registered by the curnum of the village in which the lands engaged for are situated."

The curnum was the accountant of the old village community, and if his office could be but preserved in real independence, here manifestly was an office of record, which would be inestimable in all disputes between the landlords and their tenants. Accordingly Regulation XXIX. of 1802 was passed to this specific end. The preamble sets forth: "But the office of curnum being still of great importance to the preservation of the rights and property of the people, it is expedient to provide for the continuance of that office on an efficient establishment, for the purpose of facilitating the decision of suits in the courts of judicature, of preventing the diminution of the fixed revenue of Government, and of securing individual persons from injustice, by enabling the police officers of Government and the courts of judicature to procure authentic information and accounts. In conformity, therefore, to the ancient usages of the country, the following rules have been enacted for the establishment of the office of curnums," &c.

The nomination was vested in the zemindar, and on vacancies occurring, the heirs of the preceding curnum were invariably to be selected, except in cases of actual incapacity, which it was further ordered should be proved before the judge of the zillah. This hereditary officer could only

be dismissed "by the sentence of a court of judicature;" and stringent rules were laid down for the due preservation of the village accounts, which were intrusted to his sole care, and which were to specify every possible particular regarding all the land within the village boundaries, occupied or not occupied; the nature of all the tenures on which held; the amount of gross produce; the share thereof collected by the zemindar, whether in money or kind; and amount of fees payable thereon to the several village officers.

He was to keep also "monthly registers of the price of grains" and "registers of strangers passing or repassing," as reported to him by the village watcher; which last provision directly involved this important officer in the maintenance of order and the due discharge of the police regulations within the limits of his village. In his hands was the only information on which the ryot could rely, if, goaded to desperation, he should at last resist oppression in the civil courts; and he, again, exercised the sole effectual espionage over whatever went on within the limits of the zemindarry, that it might be wished should be kept concealed from the police of the district. It was an office that an ill-disposed zemindar would strain every nerve to render null and void, and proprietors of land neglecting to appoint curnums were liable to fine for such neglect, at the discretion of the court. But who was to bring such neglect to notice? Surely the Government did not, even in those days of ignorance, think that natives would

come forward to expose a breach of the regulations. Could it really have been supposed that an Indian ryot would complain against his landlord, to preserve the integrity of the law,—that law which had been made a scorn and a laughing-stock, if the abuse should not have been set to rights before the court required that information which this office had been specially created to supply? Yet it was only then the courts, in the ordinary course of events, could become cognizant of the success of measures which a child might have seen that every bad man would instinctively adopt.

If a vacancy occurred, the zemindar was bound to report it, with the name of his nominee, to the collector, within thirty days. From which it might be inferred, that the collector was the man who should bring any infringement of this regulation to the notice of the court; that it was the collector's duty to guard the interests of the ryots in that particular village, and, as a matter of police, of society generally. But when those regulations were passed, it was expected that he would simply have to receive the zemindarry assessment, and would, in short, be merely a land steward on a large scale. He was especially prohibited, on pain of being fined by the courts, from summoning the curnums, or attempting to examine their accounts and records, save for the purpose of dividing an estate; and if inclined, could not, therefore, except in such particular cases, ascertain whether the office was properly

kept up or not. If the zemindar did not report a vacancy, it was a great chance that it ever came to his knowledge otherwise; and it was next to impossible, so long as the zemindar remained in possession, that the collector could ever know whether the provisions of this regulation were duly carried out, whilst neither here, nor anywhere else in the regulations of this Presidency, is there any provision either directly or indirectly requiring or authorizing the collector to move in the matter.

It was the same throughout. Every enactment in favour of the ryots, — well meant no doubt,—ignorance of the country rendered a mere dead letter. A "monument of human wisdom" was this legislation called? Rather a warning stone to future legislators over a gravefull of good intentions. The zemindar could, of his own will, seize and sell all that the ryot possessed; could by force compel him to spend day after day, night after night, insulted and ill-treated, away from his home and his family, at the cutcherry, or office attached to each estate; and at the end of the year, when every pice had been wrung from the wretched ryot that lawless wrong could extort, finally might thrust him out of the lands which his forefathers had tilled from generation to generation; might thrust him forth into the world, a homeless starving beggar.

Yes; the ryot had the majesty of the law to protect him; but all these acts were to be proved by a tedious civil suit, which with luck might be

brought to a hearing in two or three years; and the sole stay in those prolonged proceedings, that the ryot could look to for support,—the curnum's records,—an infatuated legislature had virtually given over to his oppressors. In days of yore, the ryots rose and the zemindars fled; but the whole weight of the English Government had been thus unwittingly given to the carrying out of ruthless wrongs that can scarce be imagined. Had they been foreigners, the zemindars would have been murdered,—the people would have risen. It was their own countrymen who ground the ryots to the dust.

Again a change comes o'er the scene. With the rest of those millions that people the wide territories which lie between the coasts of Coromandel and Malabar, the ryots of Salem had been succoured in the hour of their utmost need, by one whom they had well known in days bygone, whom, possessing more wisdom than is usually given to man, after the fashion of their forefathers, they had reverenced almost as a superior being. He, Munro, who, thoroughly read in the social history of the people, and foreseeing the evils that would surely come, had in the strongest words denounced the indiscriminate introduction of the zemindarry system; he, whose counsels, had they been listened to, would have saved all this night of misery;—he, Munro, the statesman, the philanthropist, had once more come forward to their help, and, intrusted by the Government with the reform of the law, had thrown around

them the mantle of their village institutions, that protection which had proved a safe bulwark against ages of anarchy.

The weary hours of that night of misery had passed away; there had been a long dawn in the ryots' horizon, but at last the voice of the public opinion of England came,—the morning gun thundering across the ocean. Up sprung in the East the glorious orb of enlightened legislation,—legislation that sought for, studied, and was founded on the habits and customs of the people; and Southern India was glad. Those rays for a while fell slanting; but, as the day has hitherto brightened, surely those rays in the zenith shall ripen a glorious harvest; it may be not all the fruits of temperate climes, but what the tropics can produce, and very good of their kind.

The village police was restored, and the paid hirelings of the courts, whose exactions had brought dishonour on the Government, were swept away. The Punchayut, or Indian jury, was restored; the administration of the civil law was intrusted to a certain extent to natives; and the judge, thus freed from an insupportable press of business, was enabled to exercise over these subordinates a watchful control; and thus, avoiding in more important cases the inevitable delay of former days, his court ceased to be a mere mockery of justice. The harmony of the law was restored, and the judge no longer controlled the police. The police was placed under a magistrate, who, with his assistants, moved through

the country, and instead of travelling a hundred miles to the courts, as formerly, the ryot might now sometimes have justice done him at his very door, perhaps under the old tamarind-tree that had sheltered in days of yore the village elders when in grave council met.

This was a sweeping change, the extent of which can scarcely be appreciated by those who have not had actual experience in police matters, and it produced, without doubt, a great change in the position of the landed gentry.

At first, when an estate had been completely ruined, the last occupant was sent to gaol, and it was taken under the collector's care. With nursing, it gradually came round, the greater portion of the assessment being remitted for the time to the ryots, which was indeed a measure of necessity; and when the condition of the estate rendered such a measure possible, then it was once more handed over at public auction to another zemindar, to run again the same course. But the above process had been stopped by the order to buy in for Government to the extent of arrears; and then came this legislative reform in 1816, which materially crippled the zemindars' summary powers. Those who had refrained from using to the utmost the wild license that an ignorant legislation had so unjustly given, even the more prudent, were now affected. The sales became more numerous, and more estates were bought in for Government. Nearly all the Government purchases were made subsequently; and in 1820

and the next year, one hundred and one — a large proportion—of the ruined estates were thus transferred for good. A new collector had set to work, and very minute inquiries were made into the misdeeds of the Salem landlords.

One man, whose estate paid annually about £400, and who had been, and remained, notwithstanding his new dignity, the curnum or village accountant and money-changer, it was considered to be proved had managed to wring from his ryots unlawfully more than £2,000. Very likely several of the charges were false, and still more likely, not a tithe had been discovered of the thousands that this scoundrel had really wrung from his unhappy brethren. He was no stranger,—he was the village accountant,—the curnum, whose office had been specially preserved by Regulation XXIX. of 1802, when all else that belonged to the village system was wrecked, to be a security to the ryots! He was to be a check on his own villany!! Very likely he was not the curnum when he bought the estate, perhaps succeeded to this hereditary office; and if he was, no regulation directed or authorized the collector to refuse his bid. Again, if he became curnum afterwards, and took the trouble to report the vacancy, the name of the nominee, and mentioned that he himself was the successful candidate; if the heir, the collector had no power to refuse to register him as curnum; and as there was no disputed inheritance, the matter could not possibly come before the court till too late. How

could it ever? What ryot would think of going seventy miles to a tribunal that could only get information in support of the charge through the defendant himself?

What materials for a drama or a tragedy that same curnum's history would furnish. Yesterday he, or his aged relative, was writing the accounts of the village, and the ryots were discussing the coming sale, that would hand them over the slaves of a stranger zemindar. The skill with which the suggestion would be made, that they should all contribute and buy the estate in; it would not be lending him the money; he would of course be obliged to buy in his own name, but they would all be brother landlords, a happy, peaceful village-full of zemindars. The comfortable Reddy, the penurious Vellallers, and extravagant idle Pullies, all would gladly contribute anything, rather than have some low-bred Pariah hanger-on of the collector's cutcherry thrust over their heads as zemindar of Natrumpillay,—a needy adventurer, who would speedily ruin them; though, of course, their faithful curnum and his family would do all they could to save their brother ryots from the impending destruction.

Poor innocents! Act second,—the curtain drew up on his lordship the zemindar. Comedy might point the ill-fitting dignity, the surprise and indignation of his old friends and masters; and, when they and their families had been ruined, when the people had fled, and the hearthstones of

their once happy homes were the lairs of the hyena and the jackal,—when the village was silent as the grave, and in the fields, covered with weeds, a few wretched cultivators laboured on in misery and silence,—when all this had been brought about,—and it was,—what tales of tragic woe could each ruined and deserted hovel have told! what indescribable misery it must have been which had made the mild Hindoos, in time of peace from foreign foes, forsake the homes of their forefathers!

This is only, however, one of many such cases. There were numbers of estates so completely ruined that their owners would gladly part with them, if in doing so they could but save their ill-got wealth. Nevertheless, so many as one hundred and one estates reverting to Government in so short a time, was attributable perhaps in part to the well-intended, though somewhat too zealous exercise of the new collector's influence to that effect, of which due notice was taken by the Board of Revenue. It was pointed out that, "situated as the collector is, it is no less due to the character of the Government than necessary to the success of the negotiation itself, that his conduct should be discreet and guarded. He should keep in mind, that, however desirable it may be to obtain the relinquishment of the land still under the zemindarry system, any injudicious attempts to effect that object could not fail to be followed by consequences which it should be his first endeavour to prevent;—distrust of

our good faith, on the part of those who may be anxious to retain their estates, and the demand of extravagant terms by others, who may be willing to part with them."

Whether this remonstrance had the desired effect, or the sweep that had been made was the cause, or a share in the result is due to both, the subsequent years of this collector's reign show no similar changes on so large a scale; and from that time to this the zemindarry system in Salem has evinced symptoms of permanency, such as it never exhibited before. The zemindars or mootadars of the present day, who are a very different set of men, manage their estates in many instances remarkably well; and fully to understand how this change has been brought about, it will be necessary to review briefly the legislative history of the Presidency of Fort Saint George.

CHAPTER VII.

LEGAL REFORMS AND ZEMINDARS.

Powers of Caste to bind—Chetty Courts—Attempt to annul their Powers—Code of Regulations in 1802—Regulation I. and its Contents—Use of Persian and Mooftie—Anglicized Courts and Results—Their Badness to good purpose—First wrong Step in Police Arrangements—General Disorganization of the Country, and Results—Spirit of the Reform and its Limits in the Police—Effects on the Zemindars—New Civil Courts and use of the Vernacular—Zemindarry Regulations defined—Laws of Distraint modified—Hereditary Rights of the Cultivator maintained.

When the Hindoos were gathered together in villages, in those communities "caste" was the great bond of union; "caste" was the policeman and the gallows, the high courts of Parliament and public opinion: within the walls of the village were all castes; and caste it was that held them together. With such jarring elements, what else could have preserved order? The Punchayut might decree, the head man of the village might direct; but where was the physical or the moral force to carry out their will and make the culprits obey?

The heads of the caste spoke, and their word was law,—ay, and possessed a despotic power, that no English regulations ever will or ever could exercise. Was a man accused, he would appear; false charges would be rarely made, for

it was not only a searching tribunal, but the members were as likely to know the truth as the parties themselves. Before the people and their gods, the decision would be given; often it would be on the simple oath, before those same gods, of one of the parties concerned; the decision would be in accordance to their laws;—to hear, was to obey; and were the decree disobeyed, hanging was far preferable, for then came that awful power, which moved and firmly bound together this simple car of justice:—"the wrongdoer was turned out of caste,"—excommunicated,—denied fire and water,—as regards this world and its ties, a living corpse. In the narrow pale of the village community, this fearful sentence might be thoroughly carried out, and with a rigour that none could withstand. The village well even might not be approached, and the cowering outcast, spurned even by the Pariahs, speedily sued for mercy.—Such were the powers of caste; a vicious system, but an iron chain.

For all offences there was a fine. Taking the life of a cow or a fellow-creature, the Brahminy kite or a cobra, which they call "the good snake," and worship; for all thefts and trespasses, for adultery and fornication; for all these, and every other offence against their gods and religion, or against man, there were fines, the payment of which was enforced by the potent wand of "caste," that worked far more surely than the dread of imprisonment in these latter days.

There is, however, a remarkable difference be-

tween the right and left-hand castes, the trials of the former being always conducted under one head man, and those of the latter, on the other hand, before a council of several members, who are invariably of the Chetty caste. The head man of the "right-hand caste" is also always called "Chetty," though in reality of somewhat lower caste; and the fines amongst his people, as a matter of course, formed part of his official income, which, doubtless, was the fate of the greater portion of what was so collected in the left-hand courts. The members, indeed, did generally make a talk about "charity" and the maintenance of the religious institutions, but not, apparently, so as to make much impression on the Government of those days; for Read writes, that on taking charge, he found the native Government, in consideration of these privileges, had imposed a tax upon the Chetties: "but conceiving that I and my assistants might administer justice throughout the district, and that, probably, we should do it with greater impartiality than the Chetties, their judicial powers were annulled, and with them the tax upon castes." By a stroke of his pen to relieve them of their tax, was quite within Read's reach, and the Chetties would be very grateful; but summarily to "annul their judicial powers," amongst a people like the Hindoos, was what neither Read, nor all the authority of the Government which he served, could do.

The Christian faith looking on all men as equal

in the eyes of God, the English law most justly ignores caste as much as possible without injustice being done to others, and the influence which that most remarkable institution has exercised, for ages preserving social order, is gradually becoming fainter and fainter. Notwithstanding Read's prohibition, however, the "Chetties" have continued to levy fines,—and very heavy fines occasionally,—up to this time; and in all small matters, as well as in more serious offences against morality, the assistance which they have rendered in the preservation of order will not be fully known till "caste" shall have lost its virtue.

Caste and virtue are a strange combination, but, like mineral and other poisons, this great social vice had healing powers, and was often a social corrective. If altogether bad, would the Almighty have let it stand so long? For a long time it was not affected even by the English law, which is based on the great truth that all men are equal; but now the boundaries of caste are becoming daily more obscure; and as its power to keep in order the millions of Hindostan gets less and less, it will be well for us if improved legislation shall have given a proportionately increased efficiency to our foreign code;—and this is a great fact that must be kept in mind.

Moving through the country, the new legal authorities exercised powers, which, from the changes that had taken place, were found to be necessary, and acceptable to the people generally, and, it is possible, even to the Chetties themselves,

whose jurisdiction had been thus summarily invaded; whilst it will be seen in Munro's letters, that these collector-magistrates had frequent recourse to Punchayuts or Hindoo juries, which would necessarily deprive this innovation of much of the repulsive aspect that such measures must always wear at first in the eyes of the people of India.

For ten years, no further changes were made; but in 1802 the whole law of the presidency was Anglicized.

The second year of this century deserves to be immortalized as the date of the most absurd code of regulations that ever was imposed on conquered nations. The laws were utterly unsuited to the state of the country. The first regulation explained the advantages of a code of laws, and declared that each law should be called a regulation,—should be numbered,—have a title, and possess a preamble,—"be printed on paper of the same size as the paper on which this regulation is printed,"—be bound up at the end of each year with all others passed during the course of it;" and a copious index. They were to be the sole guide of the civil and criminal courts of justice to be hereafter created, and "were to be translated into Persian, Teloogoo, and Tamil." "One part of a regulation is to be construed by another, so that the whole may stand;" and the component parts, it is further enacted, are to be called "sections;" four of which in this regulation (No. I. of 1802) are given to enacting who

the translator shall be, and how his duties are to be performed.

There were no Persians in Madras, and the necessity for this translator does not appear very evident, at first sight; but Regulation XI. of the same year established, in both the civil and criminal courts, a law officer to expound the Mussulman law. His own language, it is true, was Hindostanny, which, being the tongue used by some millions inhabiting the Presidency of Fort Saint George, it might perhaps be thought would have been the more useful channel of communication; but these gentlemen affected Persian, which was to all intents and purposes, in this part of the world, a dead language, and possessing respectively all the advantages and disadvantages of such, to the low, corrupt minions who hang about a court of law, and the wronged thousands obliged to go there.

Great care was taken to preserve the respectability and integrity of this law officer; for it is enacted that he should swear, every six months, that he had not received a present of any kind, "in any suit instituted or to be instituted;" a system which has probably a different effect, as regards the estimation in which he is held by his neighbours. Receiving a present from the party who wins, and is supposed to have justice consequently on his side, natives of India generally do not consider venal. This solemn bi-yearly oath, to the honest man, who adhered to the regulations and the terms of his

first engagement, was an insult, and in the mouths of the corrupt, gross perjury. The man who has taken a present or bribe, will not hang back at the oath, and if discovered, could be sufficiently punished without the help of this useless mockery.

It was perhaps thought that the use of Persian would give dignity to the court. The law was to be Anglicized; and the legislators had probably vivid recollections, that the courts in England once used a jargon of Norman French and dog Latin; but that was when legal lore was poorer than now; and they had clearly forgotten that the English of those days did not like being tried save in their own tongue.

By the second regulation of this year, a court was established in each district, to receive and decide all suits that should hereafter arise, regarding both real and personal property; all questions comprised in the civil law; all matters in which caste was involved, and every other question that civilization gives rise to;—an extensive jurisdiction in a strange country. And the proceedings of these courts were not facilitated by the long pleadings prescribed, which somewhat resembled the practice of English courts of equity.

When first established in Salem, this court's authority extended only to the limits of the low country; but four years later, the Baramahl, which till then had been under another court, was also brought, as well as the Ballaghaut, within its

jurisdiction; and when it is remembered, that in this one court of justice were to be instituted all civil suits that might arise amongst the half million of people that were then inhabiting this large district, some idea may be formed of the chances that nine out of ten suitors had of getting an early decision.

In the police arrangements and the formation of the criminal courts, the system approved of at Westminster Hall was strictly carried out. Courts of circuit were established, for the trial of all crimes and misdemeanours, and, to expedite justice, there were to be two general gaol deliveries annually in each zillah or district.

Each district was placed under a magistrate, whose duty it was "to apprehend murderers, robbers, thieves," and "all disturbers of the peace," and "persons charged before him with crimes or misdemeanours." If of opinion that there were not sufficient grounds for commitment, the parties were to be released; otherwise, he was to commit them for trial, and was to deliver to the judges of the courts of circuit, upon their arrival at their respective places of residence, a calendar in the English and Persian languages. Persia was a long way from Salem; England was further still; and in all probability, whatever might be the learning of judge and moofty, there was not a zemindar or a ryot in the district that knew either of these languages.

It is strange that no rules were laid down for sheriffs or javelin-men, or for an assize ball.

The spear-men could have been had in any number, as the state of the district for the next ten years clearly demonstrated; but the latter characteristic,—the gaiety,—was not suited to the domestic ideas of the new-fledged squirearchy.

The magistrate was further "empowered to try and punish slight misdemeanours, and, under restrictions, petty thefts;" and he had the control of the whole police force, which was modelled after the most approved European fashion. The magistrate was the superintendent; there were to be so many divisions; at the head of each division an inspector (tannahdar), and so many policemen (peons), under whom were placed the village watchmen, those faithful servants of the old village communities.

The duties of each grade of this establishment, and their several insignia,—the (constable's) staff with the silver head, to be carried by the sub-inspector, and the leather belts with brass badges, to be worn by policemen,—were described with great precision; and superintendents were to be appointed by the magistrate, but removed for misconduct or incapacity, only by order of the Government. The gaol, with prisoners under trial, and one, two, three, or five hundred convicts working in chains, was also put under the magistrate, who had further, perhaps, a few state prisoners to take charge of, and whose various duties, it must be admitted, were what would fairly tax to their utmost the abilities of any one man amongst a strange people.

The legislative wisdom of that day thought otherwise: these were small matters, and the judge of the zillah was made the magistrate also. Few then had studied the native languages; the zillah judge and magistrate most likely did not know a word of his district's vernacular, and most certainly neither he nor his superiors, in nine cases out of ten, could speak a word of Persian. The police of the district speedily became frightfully disorganized, and the people were pillaged by bands of banditti, as well as by the regulation-born zemindars.

To these men, an overburdened court like this was of course no check. In civil matters, if unfortunate in the "zillah," the suit might be carried up successively to two higher courts,—before the "circuit" judge, sitting in the "Provincial Court of Appeal," and then to the "Sudr,"—that is, if the cultivator had the means to follow it out; whilst a clever man, with a troublesome inferior, would never be at a loss to make out a clear case before this harassed Indian magistrate for the commitment of his tenant, on some false criminal charge or another, till the next general gaol-delivery.

Even in all this there was some good, however. When the Government determined to buy in the estates, the very badness of these regulations was to good purpose. Under such laws, the greedy, grasping adventurers, who had in the first instance bought the zemindarries, cut their own throats quicker. They could not, or would not,

see that a slower application of force, by allowing their tenants from time to time to accumulate some little savings, would in the end enrich themselves the more. Sometimes from necessity, sometimes from greed, no mercy was ever shown; and the work of ruin went on at a railway pace; the oppressors were blotted out, and the unhappy ryots might look for better days.

Read had, however, taken the first wrong step in the police of Salem. When the ryots received their charter in 1796, a code of instructions was issued at the same time to the heads of villages; the second, third, and fourth rules of which, it will be seen, were aimed at the two great distinctive features of the village system. From the days of Menu, certain lands had always been allotted to the village officers for the discharge of their several duties, and those offices had been invariably hereditary.

The rules to which I have above alluded, were the following:—

"Rule 2.—*Reasons for Reforming the Village Establishment of Servants.*

"The want of service-lands and provision from the village taxes for your support in some villages, and the great disproportion of them in others to the labour of your respective situations, point out the necessity of a reform in regard to your allowances; while the numerous instances of such lands and perquisites being sold and mortgaged to people unqualified to fill your stations, and

frequently to those who conceived they have acquired in them an heritable property, without the necessity of performing those services on account of which they were originally bestowed on their incumbents, mark the necessity there is for reannexing them to the circar lands, and of entering you, like other servants of revenue, on the establishment of monthly servants.

"The measure being, therefore, resolved on, your allowances will henceforth be paid you in money, and your service-lands will be escheated accordingly.

"RULE 3.—*Regulations respecting their pay.*

"RULE 4.—*Method of keeping up the Establishment.*

"The tahsildar will immediately form the establishment here prescribed, according to directions he will receive, when official puttahs will be sent you, and muchlikas will be required of you; and afterwards, when any head of the village or curnum shall die, he will supply his place by some other of ability from among the ryots of the same village, who may produce security, when puttahs will likewise be made out in their names and muchlikas required of them.

"Your allowances will be paid at the tahsildar's office every six months; the first payment on the 9th January, and the second on the 10th July, after all your rents are collected. The arrears of persons that may abscond, will be retained in the treasury; those of people who

die, will be paid to their nearest relations, or according to the customs prevailing in their caste. The pay of those who have balances of rent outstanding, will accordingly be stopped to discharge them."

According to the second and third rules, these offices were to be in future remunerated by a monthly salary; and by the fourth, a still greater change was introduced. Let Munro, who thoroughly understood the subject, explain in his own clear language the advantages to be gained, and the damage to the public service that must ensue from the proposed innovations.

"It has at all times been the custom of the country to give the different classes which compose the establishment of village revenue servants, an allowance for their support in land, but never in money. Were there no other reasons, the very antiquity of it ought to be a strong reason for continuing it, and it ought not to be departed from, unless it is proved that it is inadequate to meet the purpose of its original institution, or that what is intended to supersede it, is not merely a change, but a very essential improvement. The objection, that service-lands are sold or mortgaged to people incapable of discharging the duties annexed to them, is very easily done away with; for it has only to be published that no such bargains will be considered as legal, to deter any person from advancing money upon them.

"All curnums have at this present time ser-

vice enams, and yet we do not find they are ever deprived of their subsistence, or that their business is interrupted by their creditors seizing them for their own use. It may be said in favour of money allowances, that they show more correctly than land what deductions are made from the gross revenue; but the difference is so very inconsiderable, that it is hardly worth ascertaining; and it may be also said that, the potail's salary being a per-centage on the rent of his village,* he will for his own sake exert all his industry to increase cultivation; but when it is considered that on five hundred pagodas he has only thirteen, and that if he doubles the rent and raises it to a thousand, which in all probability not one of them ever will do, he has only twenty, and that, therefore, the greatest attention, attended with the greatest success, cannot gain him seven pagodas a year additional, it is not likely that will operate as any great incitement in this way.

"The attachment that all men naturally have to a place, when they possess a property in land, would be more effectual than the prospect of any trifling benefit from the per-centage, in stimulating them to extend the agriculture of their village. It is better for the inhabitants that the potail and curnum, who are the two chief men of the village, should have been born among them, than that they should be strangers; because they

* So proposed by Read.

will from this circumstance be more interested in their welfare, and more inclined to do them justice on every occasion. It is also better for the cutcherry servants, because, in all disputes respecting lands, they can get more accurate information from them than from successors, perhaps, but newly appointed. Land, therefore, seems to have the advantage over a money allowance, because the offices to which it is annexed, not being usually so subject to change as those which are paid in money, it is more likely to exclude strangers from the management of the village. The money allowance has likewise the disadvantage of swelling the details of accounts, and of giving to the district servants opportunities of malversation in the payment of such a number of ignorant people.

"Whatever may become of the Potails and Curnums, the Toties, or village watchers, ought to remain in every respect as at present. The Potails have no enams; those of the Curnums have been more or less at different periods; but amidst all the revolutions of government, in which the enams of Fakeers, Brahmins, and Pagodas have been resumed, those of the Toties have always been left untouched. Though they are not held by sunnuds, they are held by ancient usage, much older than any sunnud. The terms of these are regarded as more secure than those of any other lands, and the Toties are on this account called zemindars, to which title, as far as permanency of possession goes, they have a

better right than any other set of men in the country.

"The whole inhabitants of a village are frequently, from war or from calamity, driven to settle in another quarter, and never again return; but the Toties never forsake it: they are therefore better able than any other people to answer all questions respecting its lands and interior management; they may be trusted at all times with the carriage of letters or public money; and they are therefore always sent with it to the cutcherry, whenever there is any suspicion of the peons usually employed on this service. It is to their having a heritable property in land that we owe these useful qualities.

"If we take away this land and give them money, we shall convert a most useful body of men, remarkable for their attachment to their villages, and for their inviolable fidelity to the public service, into a set of hirelings, in whom no trust can be placed, and who will be ready to abscond on every occasion. If the project of resuming their lands, which appears not only useless but unjust in the highest degree, should be finally carried into effect, the allowance proposed to be made in money is nothing like an equivalent. Their per-centage on a village of a thousand pagodas (£350) is eight pagodas (£2. 16s.). There are usually four Toties to a village of this rent; so that they will get two pagodas (14s.) a year: they ought to have at least the full value of their lands. This would give them more than both the

Potails and Curnums together; but no money allowance, however high, will ever make them so good public servants as they now are."

The Board of Revenue, in 1798, when they reviewed the reforms which Colonel Read had made on his own authority in the revenue arrangements of the district, animadverted in very strong terms on these changes in the village institutions, and especially with reference to the above remarks on the subject from his assistant Captain Munro.

The abolition of the hereditary right could not possibly, then, be productive of good; the appropriation of these lands was not only unadvisable, but very unjust; and their partial restoration, four years later, was one of the few good features in that sad period of the Madras legislative history. The police head of the village was not restored then, and the village watchmen, who before were responsible, and made good whatever was stolen in the village, were now put under the regulation police-men or peons, whom they doubtless feared fully as much, but to whom they would never be so faithful or communicative as they were to their old masters.

The change made by Read was not long in exhibiting its nature and effects. The lands of the village watchmen had been duly escheated, and in 1799, within three years, it was found necessary to raise a force, which was paid by an additional tax levied on the people for the purpose. These men became the police force created

under the regulations of 1802; and their inefficiency as regards the preservation of order, is fully described in the annual reports from 1804 to 1816.

This change in the time-hallowed village institution of India, made in opposition to the opinions of Munro, had been merely local; the regulations affected the whole presidency; and the disgraceful state of its police in general gradually became known at home.

In Gleig's "Life of Munro," a vivid description is given of the results which ensued on the attention of the British public being directed, though but for a moment, to their empire in the East. The fifth Report of the Select Committee on East-India Affairs, in 1812, compelled inquiry; and he who had resisted the first change, when an unknown assistant, was now sent as head of a commission, to rectify, as far as might be, the glaring errors of the second change made by the regulations passed in 1802. Of course Munro's views on such a subject were before the time, but nevertheless he had then the satisfaction of effecting a great reform, and six years later, when he was Governor of Madras, those views were still further carried out.

There were no more pernicious attempts to force on the people of India the laws of a race as different as the climes they lived in; but the ancient usages and customs of the country to be ruled, were now the legislative guide. Great changes were made in the police, and, as has been

before mentioned, the stationary Zillah Judge at Salem ceased to be the magistrate, the superintendent of that police, the immediate scene of whose operations covered eight thousand square miles, whilst he received instead a limited criminal jurisdiction.

The spirit of the village municipal institutions was carried out from the lowest to the highest official in the district, and (no small step to self-government) native judgeships were now created. From Hindoo or Mahomedan might their countrymen seek for redress; before natives, might natives plead their native rights.

"The zemindars of the soil," as Munro had styled the village watchmen when he argued so ably against the resumption of their service-lands in 1796, were again put under their hereditary masters, and it was distinctly enacted, that their office also was purely hereditary; and all the allowances (even where the office had to be created) allotted by Government for their maintenance, in lands, grain, or money, were to be hereditary in their families. They are to "apprehend persons whom they may discover committing any criminal act or breach of the peace, and carry them before the head of the village;" to whom also they were bound to give all information which they might obtain, "connected with the peace and good order" of the community. They were the servants of the village, they collected the revenue, and they preserved the peace.

Regulation IV. of 1816 enacted, that "when there is more than one head man in the village, without reference to the name," the person who collects the revenue, and under whose authority the village servants act, shall be considered as the head of the village; and no person shall act as head of the village who does not generally reside in it." And Regulation XI. of the same year further enacted, that the "heads of the villages shall be *ex officio* heads of the police of their respective villages."

Throughout the presidency, each collectorate or district, to facilitate the collection of the total revenue, had from the first been portioned out into so many subdivisions or talooks, under the superintendence of tahsildars or native collectors, who, by the same regulations, were similarly declared to be heads of police, *ex officio*, of their respective districts, charged with the maintenance of the peace, and bound to report to the magistrate all their acts, and all informations which they might receive connected with their police duties.

"Heads of villages were authorized and directed to apprehend all persons charged with committing crimes or offences," to search for stolen property, and in all cases of death under suspicious circumstances, to hold an inquest themselves, should the heads of police, in whose division the village was situated, not arrive in time. To this latter officer, if there were grounds for suspicion, the parties were to be at once forwarded; and except in trivial mat-

ters, which they themselves disposed of, this was the course to be pursued in all other cases of arrest.

The immediate control of this village police was vested in the local tahsildars; and these native collectors again, as heads of talook police, were severally placed under the direct orders of the magistrate. They similarly were instructed to arrest all parties accused of heinous offences, "if the charge appear to be worthy of credit, and forward them, with the witnesses, &c. to the court." They were likewise to cause the attendance before the magistrate of all parties accused of small offences, and could pursue offenders into whatever district they might fly. All the officials employed under them for the collection of the revenue were also to perform the duties of police, and they were all to be considered officers of police, as well as of revenue.

Hitherto the ill-paid peons and darogahs had been composed of strangers, whose exactions were the counterpart, on a small scale, of their contemporaries the zemindars of 1802, and the very sight of whom was loathsome to a respectable ryot. Now the whole weight which the revenue servants of an Indian Government must always possess, was thrown into the scale; and not only that, but the reforms of 1816 had re-established the ancient usages of the country, when the native revenue servants were made the sole officers of police.

The next step is obvious; they could not serve two masters; and the collector of the district was

made the magistrate. After the fashion of India, like the lowest, he, the highest servant of the state, was to collect the revenue and preserve the peace of the district.

There are undoubtedly many objections to the union of the two offices, but, setting aside that it is the custom of the country, and supposing that the Government could afford to create and maintain a really respectable, efficient, and distinct police force, would it be equally effective?

An Englishman will go and give information at once to the next policeman, and the mild Hindoo, in the state of exasperation which immediately follows the commission of an outrage, will sometimes do likewise; but only then.

The information that a distinct police could collect, in general, would diminish as the necessity increased, for the timid native would think twice, at any time, before he made himself the object of suspicion, perhaps of revenge, to his neighbours. But let the head of the village and the head of the talook be in the ranks of the police, and the case becomes very different. There are innumerable reasons for a visit to the tahsildar or native collector: some of these trips are compulsory, some voluntary; so that an excuse is never wanting either to the heads of villages or their neighbours; and with this check upon check, it is quite impossible that the tahsildar of a ryotwarry district, if he knows and does his duty, could ever be long kept in ignorance of the true state of the country under his control.

The magistrate who has been some years in his district gradually becomes acquainted with the respectable members of the community, and obtains information independent of what his subordinates may choose to give him; but the ryotwarry collector, from the very day on which he joins the district, if he does his duty, is thrown at once into the company of the head men of the country; and only let him know the language, and it is utterly impossible that any extensive movement could be long carried on, or even indeed set agoing, without its coming to his ears.

The system only extended to the collectors,—to the heads of revenue districts, the limits of which, generally, elsewhere, as in Salem, corresponded with the boundaries of the courts' authority. As regards that jurisdiction (styled "zillah"), and as regards the collection of revenue, the bounds of both in the collectorate of Salem were the same; and outside the district, the necessity for the police and revenue duties being vested in the same officer ceased. The collector-magistrate had different superiors, according to the capacity in which he acted.

The second year of the nineteenth century had seen the creation of that legislative code which has been called a "monument of human wisdom," — justly, inasmuch as that all human wisdom, as regards the counsels of the rulers, had then been lost sight of,—buried from the Madras world, when that code was passed; justly,

most justly, styled a "monument of human wisdom," as raised over the grave of a nation's rights and privileges. The third year was given to the formation of the requisite revenue offices.

A Board of Revenue was created, to exercise an active and effective control over all collectors, whose duties by a second regulation, also passed on the 1st of January, were defined with the same precision. They were to be tax-gatherers, and were to "keep the public money in a strong chest, secured with two locks of different constructions; the key of one lock shall be kept by the collector, and the key of the other lock shall remain in the possession of the public shroff."

Bramah and Chubb, if known then, would have just suited; but these precautions were, like the rest of the code, suited neither to the country nor the real position of the collector. The changes of 1816, whilst altering materially the nature of his duties, did not affect in any way this official relationship. The revenue head of the district, as collector, was responsible to the Board of Revenue, and, like the zillah judge, who before held the office, as magistrate, to the Court of Circuit, and, through them, to the Foujdaree Adawlut. Neither were "the rights of the subject" overlooked; for he might be sued either for his acts as collector, or breach of the regulations as magistrate, before the Zillah Court.

Not only was the police of the district thus efficiently reformed, but great changes were made in the administration of justice, which again was

modelled on the customs of the country. In the village communities, as in days of yore, the heads of villages again exercised magisterial powers. For "abusive language, and inconsiderable assaults or affrays," they might either confine for twenty-four hours in the village watchhouse, or might place the offender, if of low caste, in the village stocks, and in like manner the tahsildars, in more considerable cases of this nature, might exercise more extended powers.

The collector-magistrates similarly had again still higher powers in such matters. They could fine to the extent of five pounds, or imprison for fifteen, and in cases of theft, for thirty days, and could further, with their tahsildars, "prevent the forcible occupation or seizure of lands and crops."

Here was another radical change, to which due weight had not been given by the Board of Revenue when they attributed the lapse to Government, in one year, of more than one hundred zemindarries, to the injudicious zeal of the collector. The zemindars found these police tahsildars a somewhat different set of men to the ill-paid and pliant police darogahs of former days; and this collector-magistrate, roaming through the district, was an intolerable nuisance to the lawless oppressors of the poor.

This week the white tents were reflected in the holy waters of the Cavery; next week his camp might be far away up in the distant Baramahl. There was no calculating with any precision for

the safe perpetration of a quiet bit of wrong. Even those who had been wise in their generation, who had not robbed their tenants outright, had not tortured their ryots to desperation,—even their moderation was now of comparatively little use, and the regulation-born squirearchy, the frost of more northern regions, melted when exposed to tropical heat.

In 1835 there were only one hundred and nine zemindarries, of which number no less than seventy-three were subdivisions; and as the subdivisions which remained in the hands of the zemindar (on whose account and information the assessment was apportioned) generally paid somewhat less to the State than the survey accounts of Read would have fixed, it might be supposed that this would have prevented any further diminution of that respectable body; but by 1850 there had been a still further decrease of some seven per cent., the whole of which had taken place in three years. From 1838, the landed gentry of Salem have stood firm,—the ryots' friend had held out a helping hand to them also.

All the weight of the law had at first been given to the blind carrying out of every bad feeling in man's nature. When the change came, the wrongdoers had found that there was the power in that same law, if rightly directed, to check the foul oppression of the weak; and whilst such men had been made to feel the weight of its blow, what was better, the good also had received from the hand of Munro a system of

civil law, that could be made free use of, and which afforded that check, though imperfectly, on all transactions between man and man, that every good citizen would desire, and in proportion only to the vigilance of which, can be secured the permanent prosperity of this or of any other country.

As in the police administrations of the country, the village authorities formed the foundation of the new civil courts. The head of the village, as village moonsif, was authorized by Regulation IV. of 1816 to receive and adjudicate all the petty disputes of the little community, where the property involved did not exceed one pound in value; or, acting as an arbitrator with the consent of both parties, up to ten pounds; and if the decision were given by a punchayut similarly assembled, there was no limitation as to value, though the jurisdiction in both cases was confined to "sums of money or other personal property."

Against these decisions no appeals are allowed, save on the plea of corruption, when the proceedings assume more the character of a criminal prosecution than a protracting of civil litigation; and the decision of a second punchayut is declared to be final.

The zillahs, or local jurisdiction of the courts, were likewise portioned out into so many divisions or districts, the limits of which were to correspond as nearly as might be with the police and revenue divisions of talooks. At the head of

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each was placed a district moonsif, or independent native judge, who was employed to carry out the decrees of all the village moonsifs and punchayuts within his range, save that those decisions of the latter tribunal which exceeded in value the limits of his own jurisdiction, had to be executed by the higher courts.

There had before been native commissioners, employed by the zillah judges to dispose of the suits which weighed down the overburdened files of those courts; but the transfer of these men into independent judges was a great step. Each had his court, and to each court an independent Bar was appointed, by whom all proceedings were to be conducted; and the jurisdiction of these judges was extended to real property. It was then limited, as to personal property, to the value of £20, but has since been extended to £100; and if the value litigated does not exceed £2, from the first their decisions in such suits have been declared final.

A distinction is made in the limitation as to value, when the suit is for land on which the Government has alienated its right to levy an assessment, but the scope of their jurisdiction otherwise is most comprehensive.

To have scattered through the district independent tribunals like these, against many, very many, of whose decisions there is no appeal, is an incalculable benefit to the people generally, to the merchants, as well as to the zemindars and their ryots.

These courts were also furnished with punchayuts, by whom all suits could be decided, with the consent of both parties, whether for land or any other property, and without limitation as to value. Like the decrees of village moonsifs and punchayuts, the decision of a district punchayut was similarly final, though it also might be upset on a criminal prosecution, conducted by either party in the suit, and in each case at the peril, if not proved, of being themselves cast in damages to the moonsif or members of the punchayut accused, as well as fined to the value of the alleged bribe.

The legalizing of their punchayuts, or native juries, for which the Hindoos in all times have had a reverence that scarce belongs to a human tribunal, was a wise measure, worthy of Münro; and those who were only theoretical legislators, simply well read in the Hindoo jurisprudence, as regards their knowledge of this country and its wants, would have been inclined to think that the coping-stone had been put to legal reform for some time to come. Then, however, there was a practical knowledge, in its fullest extent, where indeed most requisite, of what really was wanted for the country's good; and another step was made in the right direction.

In simple money matters, delay was not of so much consequence, and the administration of civil justice had been very much improved and facilitated by the number of native judges, whose courts were created under these regulations; but

where the perishable products of the earth were concerned, or the supply of water for irrigations, without which the rice crops in Salem must inevitably perish, there the delay that would ensue, even under the new arrangements, before a civil suit could be brought to a close, Munro well knew, was a sheer denial of justice to thousands.

The tahsildars, acting under the orders of their superior, could "prevent the forcible occupation or seizure of lands or crops," and when the lands or waters in dispute had not previously been in the occupation of any one party, could determine by whom they should be held possession of till the matter was settled by a regular suit; but this manifestly did not meet the conflicting claims of the zemindar and his ryots, or disputed boundary cases. The collector-magistrate might see the grossest injustice done, and yet not be able to give real redress. He might, as magistrate, punish for the assault, but of what good was the fine, if he could not right the weak man at once as to the occupation of the land on which his forefathers had lived from generation to generation, and to which alone, perhaps, he looked for the support of himself and family for the coming season? Or, worse still, the young rice-plants are just showing; if the irrigation be stopped for a week, they perish, whilst the ryots' kist must be paid to the day; and after staving off starvation for a year, of what use would be a decree in his favour,—to him and his little

ones. Damages? The decree would have to be executed, and a rich man finds that a troublesome operation. A beggar, the land could be no good to him; and, successful or unsuccessful, the result to the wretched ryot of such a civil suit must be ruination.

To meet this evil, collectors were authorized, under Regulation XII. of 1816, to take cognizance of all such cases, and to summon the parties accused. If they admitted the justice of the plaintiff's statement, decision was passed forthwith, and carried out; or if it was denied, then the suit was to be referred, with the consent of both, to a village, or, at the request of either, to a district punchayut, which was to assemble within fifteen days, to "investigate and determine the suit."

This, to a certain extent, provided against those Indian cases of "might is right" which are of constant occurrence. From the very nature of the natives, all men who have had practically any insight into the working of our revenue and judicial systems, must have felt this to be one of the most difficult subjects to be effectually dealt with, and greater opportunities are thus afforded to the powerful, than almost in any other way, for oppressing and ruining those who have either incurred their resentment, or have failed to satisfy, if zemindars, their exorbitant demands. Regulation XII., though far from being sufficient, was to a certain extent a check on this defect in the code of 1802.

"The monument of human wisdom" had been raised upon the model of foreign courts, with forms of procedure borrowed from another and very different country; the laws of 1816 were built upon the old native tribunals, the spirit of which was preserved throughout; and the two last regulations of this legislative epoch, remarkable for the sound sense of its enactments, were directed to the reform of the native Bar and those strange forms of procedure in the civil courts.

The use of Persian was now declared not to be absolutely indispensable for the due administration of justice; but by the same regulation, the judges of the Sudr, Provincial, and Zillah courts, are alike required to write their decrees in English, to which a "translation" was to be appended, in the current language of the country.

It is subsequently explained, with the nearest approach to irony that could be tolerated in a code of laws, that the "current language" shall be the language most familiar to the party or parties concerned; and "if a party shall be desirous of having a Persian translation of a decree or order," his application was to be complied with.

A radical reform had thus been effected in the management of the police and the constitution of the civil courts, whilst a system of practical law had been introduced for the punishment of lawless wrong against the person, with its immediate

prevention, to a certain extent, when directed against the property of the Indian ryot. But this was not enough for Salem, whatever it might be for the rest of the presidency. Munro had not forgotten the "charter," or the poor old ryot of the Baramahl, who had paid his rent twice over, and made monthly trips to the Salem court but without success, as the suit, instituted five years before, had not yet come up for hearing.

Munro wished to strike a blow at the execution by the zemindars of legal wrong. Lawless wrong had been dealt with, but the lawful wrong,—the power of summarily selling up and turning out a man with a better title to the land perhaps than himself, to realize a demand which ten years after might prove to have been from the beginning a grossly unjust and wicked exaction,—this authority, given to the zemindars by the legislation of 1802, still remained, and, alas! did remain in full force for six years more. The annexed extract of a letter from Munro, as head of the Law Commission, to the Government, in 1814, would show that the Court of Directors, however, had determined that some immediate modification of these powers was immediately and absolutely requisite.

"The fourth should be a regulation authorizing the collector, as magistrate, to enforce the puttah regulations; the fifth should be a regulation to prevent zemindars and proprietors of land from distraining without the authority of the collector;

the sixth should be a regulation placing the decision of the cases of disputed boundaries, alluded to in Regulation XXXII. of 1802, in the hands of the collector. These six regulations, together with the one for transferring the authority of the magistrate to the collector, will comprise all the points on which the orders from home are positive, and which therefore require immediate attention."

The three first regulations were for the transfer of the police to the revenue servants of Government, and the erection of civil tribunals, presided over by natives, which became the law; and the sixth was partially carried out by the power given to collectors of referring such matters to punchayuts; but the enactment of the fourth and fifth required the authority of Munro some years later, as governor.

The "puttah" was the title-deed which every ryot was empowered to claim, but could only obtain by a civil suit, according to the regulations of 1802. Now different counsels prevailed, and it was thought desirable, not only to give the ryots summary redress in that matter, but to compel the bringing of all cases of distraint under the primary cognizance of the collector.

When the zemindarry system was first established in Bengal, the power of Government to recover arrears had been made summary, but the zemindars had been left to recover their rents, from perhaps a few thousand ryots, by the rapid process of a civil suit against each individual

defaulter, which of course acted on them pretty much in the same way as the summary powers given to the newly-created lords of the soil in the Madras presidency did subsequently affect the ryots of Salem.

It was exactly a case in point, and the argument seemed clear enough. The original zemindars in Bengal had been ruined by an unequal law, and the condition of the Salem country showed plainly, what might have been inferred in the first instance, that the effect on the ryots here had been the same. With the assistance only of civil courts, the proceedings of which were often prolonged for some seven or eight years, the ryots of Salem were utterly unable to stand up against the summary powers of the landlords. It was necessary that the zemindars should have summary powers, and it was not only politic, but a mere matter of justice, that the ryots should have summary redress; that some tribunal should be appointed, where such matters might be summarily investigated, if the proceedings or demands of the zemindars were appealed against as ill-founded.

The Government of Fort Saint George would not admit the cogency or logic of such reasoning. Perhaps the recollection of all the confusion that had ensued in Bengal when the zemindars' powers to realize were limited, was still too vivid for a reform at present in that direction to be carried out successfully. Much had been done that year (1816) to the ryots, of glorious memory, and with

that much they were forced to rest contented till 1822. Two years before, Munro had returned to Madras as governor, and in a private letter then mentioned his anxiety to see this defect remedied.

"The points of improvement in our general system which I wish to carry into effect soonest, are the regulations proposed in 1816 by the Board of Revenue, for the prevention and punishment of extra collections, and embezzlements, and the drafts of regulations proposed by the commissioners in 1817, upon puttahs, distraints, &c., in consequence of the orders of the Directors. I have always thought that ryots ought not to be imprisoned for arrears of revenue, and I wish to abolish the practice. I think that it may be done away with entirely, without any risk of loss of revenue."

When an assistant in Salem, Munro had often seen the extent to which the ryots were pillaged by the village officers; and the success in that district of Read's administration was attributed by him, in a great measure, to the pains taken to counteract such malpractices.

To this end, the powers then exercised by the head of the district were sufficient; but that was before the new code had travelled down from Bengal; and the regulations subsequently enacted, whilst doing away with all such authority in the collector, had little effect in checking abuses of this nature. The want was thoroughly met by Regulation IX. of 1822.

"The ryot's friend," now that he was governor,

was not the man to forget those amongst whom the days of his youth had been spent. When Read, having studied the customs of India some years longer, had declared that the ryots of Salem were the hereditary occupants of the soil, entitled to hold possession thereof so long as the State's assessment fixed thereon was duly paid, and, carrying out the real principle involved in the zemindarry regulations, had from his knowledge of the country conferred the benefits of a permanent right in the soil on those who could most justly claim it, Munro had opposed him; had upheld the lease system; denied the propriety of fixing the assessment for good, and had contended against the issue to the ryots of perpetual or permanent puttahs. But his mind was big enough to be convinced, and, if once that mind should be made up on any point, infinitely superior to the petty feelings of pride and jealousy, Munro bent his whole soul to carry out the measure; he cared not by whom originated, by whom supported or opposed; to him, it was sufficient if for the country's good.

The regulations which had been passed when the century was young, and all knowledge of the country, as regarded those who made the laws, also in its infancy,—those regulations were now to be amended. They "had been enacted for insuring the prompt realization of the rents due and payable by the actual cultivators of the soil;" and after laying this much down in the preamble, Regulation IV. of 1822 declares that

the zemindarry regulations, enacted twenty years before, "were not meant to define, limit, infringe, or destroy the rights of any description of landholders or tenants, but merely to point out in what manner tenants might be proceeded against in the event of their not paying the rents justly due from them; leaving them to recover their rights, if infringed, with full costs and damages, in the established courts of justice."

This is a bold assertion. Munro was employed then in India, and might have had personal knowledge of what the real intention was in passing the zemindarry regulations; but those who framed them in that case were very unfortunate in the language which they used. "The proprietary right of the soil shall become vested in the zemindars or other proprietors of land, and in their heirs and lawful successors, for ever," was the way the enactment ran; and with regard to the tenants, whose rights were neither defined nor limited, the language used seemed equally explicit: — "Proprietors, &c. shall enter into agreements with the inhabitants and cultivators of land, on the terms on which they respectively occupy such lands."

If the proprietary right had not been so distinctly vested in the zemindar, "the terms" used here might have been made to comprise every description of right; but the context clearly shows that these "terms" referred merely to the rates at which the land was to be rented; for refusal involved the summary ejection of the tenant.

The abstract justice of this rider to the zemindarry regulations is manifest. The destruction of immemorial rights by an arbitrary law could of itself give no just title; but what weight must be allowed to twenty years of undisturbed possession, was another matter, and is as yet an open question; for, up to this time, the legislature has not decided to what extent the ryots may be considered the proprietors of the soil.

If capital is sunk, and the land be improved by irrigation, solely at the expense of the cultivator, and without loss or detriment to any one, there is no security for the capitalist. Should the zemindar, with a short-sighted policy, endeavour to raise the assessment, on the strength of those improvements, and the matter be brought before a legal tribunal, the regulations of this presidency are silent. There is no legal guide even as to what should be the judgment, still less is there any enactment on which that judgment could be satisfactorily formed.

The question was mooted twenty years ago in Salem, and the collector was of opinion that the ryots should enjoy the full return of their own capital; but they have no legal security as to what would be the decision, were the case taken into court to-morrow.

Not only on this, but on many other points, is the law between the ryots and the zemindars equally defective. The zemindarry laws have been declared to be so and so, by this regulation; but as to the other rights, which were not to be

overturned thereby,—in the definition of what those are, no further progress has been made, though the experience of thirty years has since been added to our knowledge of the country, its rights and customs.

With all this uncertainty regarding his tenure, what chance of success had the ryot in a civil suit, or even in the summary inquiries directed to be held in the Zillah Court before he might be cast into gaol as a debtor? After being sold up, and turned out of house and home, a civil suit was not a bright prospect—was indeed a denial of justice,—a judicial mockery.

But Regulation V. of 1822 gave the ryots far more effective protection, if the collector was but equal to his work. The whole weight of his authority, as the head revenue officer of the district, had been thrown into the police of the country, and he had also been vested with the magisterial powers that have always accompanied that office in India. He was now to receive a limited civil jurisdiction, with full powers to dispose summarily of all those vexatious points of difference that inevitably arise between the zemindar and his ryots. The power of the former to realize his just dues was placed under control, but not cramped unfairly; and the undisturbed occupation of his fields was effectually secured to the latter, against all violence, whether lawless or legal.

According to the above regulation, no ryot's property can ever be sold without the distraint being

duly reported to the collector. If the claim is objected to, a summary inquiry must be made, and judgment passed accordingly, which effectually prevents a wrong being committed without the party aggrieved having a chance of being heard in self-defence for years; whilst due care is taken that the check thus imposed should not operate unfairly on the zemindars, who themselves for arrears of revenue are liable to summary proceedings at the hands of Government.

All matters connected with the distraint and sale have been put most effectually under the immediate supervision of the collector, acting in his judicial capacity, instead of being intrusted to the overburdened court, that was fixed to one, and perhaps to a distant, station; but if no appeal is made, the distrainer or zemindar has authority to sell at the end of thirty days.

The hereditary rights of the people to hold the land, received by this regulation the benefits of an immediate and summary inquiry. No man could now be turned out of his holding, on any pretext, save by order of the collector, who was not only authorized, but bound to inquire into the justice of the terms offered by the zemindars; and if they did not seem fair, he had the power of compelling the issue, within a month, of an equitable agreement or puttah; the zemindar, in case of any delay, being liable to damages.

The survey was still in force throughout Salem, and the collector therefore, with this invaluable guide, had generally no difficulty or choice in

fixing what rates were to be paid, or what rates were just in each particular case.

Not only was this jurisdiction given to the collector, but its vitality was rendered independent of his exertions; for it was enacted, that neither could the collector authorize a sale for arrears, nor could the civil court entertain a regular suit of that nature, unless these prescribed forms had been duly gone through, and unless the puttah had been duly granted, or tendered and refused.

Thus the ryots received some legal protection against an unjust use of power, the possession of which by the zemindars is an absolute necessity, whilst, at the same time, still more stringent provisions were enacted against those difficult cases, the occupation of land and seizure of crops by force.

In such matters, the collector, as judge, now, not only could put the party ousted in immediate possession, but could pass judgment against the wrongdoer for damages, as well as cause the restitution of the crops seized, or their value.

In these affrays, serious violence is by no means an uncommon result. When it comes to blows, the wealthy native invariably gets out of the way. Knight-errantry forms no part of his creed, and if hard blows are going, he is more likely to use his spurs than couch a lance against his hostile neighbours. But this same regulation enacts that such cases shall be forwarded to the criminal courts, and that there, on the proof of

mere "connivance," the "actual claimants shall also be proceeded against" "in the same manner as if they had been present."

In the above matters, the decision of the collector was not conclusive as to the permanent right. The benefits of a speedy decision were secured; but, should either party be dissatisfied, it was in their power to make the matter in dispute the subject of a regular suit, provided that the suit was instituted within thirty days from the date of the collector's decision. The time was thus limited, to prevent ill-disposed people from raking up old differences for the purpose of annoyance or intimidation; and the decision could be set aside on the merits only.

Twelve years was the period allowed for appeals against the summary proceedings of the zillah judge; but this latitude in such matters was wisely deemed objectionable, and ignored in Regulation V. of 1822; by which, should the parties, on being confronted, mutually wish that the points at issue might be finally set at rest, the collector was further empowered to assemble a punchayut, whose decree was of course final.

With a view to preventing litigation in the courts of law as much as possible, the provisions of Regulation XII. of 1816 were freed from all restrictions as to the relative position of the disputants, or the country being permanently settled; and a final decision might thus also be obtained through the collector, at the request of either party; though, in this latter instance, it is neces-

sary to obtain the assistance of the district moonsif, by whom such punchayuts must always be assembled.

The punchayuts, or arbitrators acting under the above regulation, may be of much service, but their proceedings are slow. On this account, the transfer of the summary jurisdiction, when the confinement of the person or sale of the real property of the defaulter may be sought, from the zillah judge to the collector, must be considered highly advantageous; whilst the creation of such a check, when none previously existed, on the proceedings of the zemindars against the personal property, or the holdings of perhaps justly dissatisfied ryots, can only be looked on as an inestimable boon to the cultivating classes.

Yet this salutary enactment was vehemently opposed by the Court of Sudr Adawlut. It is even stated in Campbell's edition of the Regulations, that the Government had directed that this regulation should be rescinded; and the reasons for this measure are explained in an annexed and lengthy letter from the judges. Their first objection was clearly well founded. The language of Regulation V. was very inaccurate, and the hypothesis that summary powers had been previously vested in the zillah judge to any extent, and were now transferred, was palpably wrong.

Such summary scrutiny could only reach the arbitrary and summary acts of zemindars, when directed against the person or real property of

their ryots, who might be ejected at once from the hereditary holdings; and the new regulation had been passed to correct these very defects. The necessity for these powers was not denied; but the regulation was also apparently viewed then by the Sudr with a hostile eye, as an invasion of the jurisdiction of the courts.

A subsequent objection can scarcely be accounted for otherwise. The sixth section declared, that when the arrest of a defaulter might be desired, the procedure should be as heretofore, save that the seizure was to be effected through the tahsildar, who was to proceed in such matters as the native commissioner had formerly been directed to proceed.

Under the old regulations on this subject, the native commissioner was to cause the defaulter to be arrested and conveyed to the zillah judge, who was forthwith to make a summary inquiry into the justice of the alleged arrears, if denied. These summary powers had been explicitly transferred to the collector; and it is as plain as a pikestaff that the defaulter under Regulation V. of 1822 is to be forwarded to the collector, and that the collector shall now conduct the requisite inquiries before the defaulter may be placed in confinement. But no—with admirable subtlety of intellect, it has been ruled, that summary cognizance in such cases is expressly reserved to the courts! because the tahsildar has been directed to proceed as the native commissioner, and the native commissioner was instructed (in

A.D. 1802) to forward defaulters to the zillah judge!!

This ingenious reasoning must, however, be treated with due deference, for it has also obtained seemingly the sanction of the Revenue Board as well. In Regulation XXVIII. of 1802, it was laid down that the sale of real property should not take place till the close of the revenue year, the immediate arrest of the defaulter, if desired, being provided for by a preceding clause in the same section; and some think that the zemindar has no option; that, unless such arrest has been made, these further steps for the recovery of arrears cannot be taken. Whether on such grounds, or for other reasons, is not stated, but in 1846, when certain zemindars had applied to the collector for the sale of real property situated in their estates, he was directed by the Board to inform them that such applications must be made to the judge of the zillah.

According to this interpretation of the law, in case of arrears the zemindar must prove the justice of his claim before the collector, to obtain the sale of the personal property, and again before the judge, if there is still a balance to be realized. The collector has perhaps given it against the ryot, but with the judge it may be the reverse. The inquiries are quite distinct, and the unhappy zemindar perhaps will thus find claims admitted by one tribunal as good and valid, denounced next day as extortionate and unjust! But if the land be held direct of Government, the sanction

of the zillah judge is not deemed requisite. The sale of real property is then authorized by the Board of Revenue, on the report of the collector, who similarly, if requisite, orders the confinement of such defaulter; which latter course is, however, of very rare occurrence.

Now by Regulation II. of 1806 it was enacted that collectors should enter into agreements with these ryots according to the zemindarry regulations, and "such subsequent regulations as may particularly apply to them;" whilst it is expressly stated that the provisions of Regulation XXVII. and Regulation XXVIII. of 1802, or, in other words, the rules for the recovery of arrears of revenue, "shall be extended to all districts in which zillah courts may be established."

The Board of Revenue can of course direct that sanction shall be obtained for such sales, but that is simply a matter between the members of the Board and their subordinates the collectors. And as regards the regulations of the presidency, the law is clear enough. If there is no necessity for the case to be brought before the judge of the zillah when the ryot holds direct of Government, neither is such a course requisite when a zemindar demands the confinement of a defaulter, or the sale of his real property.

It was manifestly intended in 1822 that the summary inquiries should invariably be held by the collector, whether the liberty of a defaulter, his real or his personal property, was at stake,

and whether the land be held of a zemindar or direct of Government; and the sooner such inconsistencies are swept away, and Regulation V. revised, if necessary, the better will it be for all parties.

The jurisdiction thus intrusted to collectors is very extensive, and all that has to be kept by way of a record is an abstract diary in the language of the district, giving the names of parties, abstract of plaint, and decision, and date of its delivery; yet the authority is limited, in cases of distraint, to those in which puttahs have been duly offered, and if a period were also specified, after which the recovery of arrears, or redress for forcible dispossession, must form the subject of a regular suit, there need be no fears for any ill effects being the result of such summary powers.

From the size of the district, it would frequently be more convenient were the inquiries made by the local tahsildars; but decisions passed by collectors on such proceedings have now been declared illegal. The jurisdiction given by this regulation should therefore be extended to these officers. Their judgments might also be reported to the collector, so as to secure a due supervision, but, as soon as passed, should be forthwith communicated to the parties, who, if discontented, should be invariably required to carry the matter direct to the court. No appealing to the collector or his assistants. The benefits of a summary

inquiry have been obtained, and any further proceedings on either side should be invariably by way of a regular civil suit.

The effective discharge of the powers given by this regulation must depend, let it be again repeated, on the knowledge of the district and the rights and customs of its inhabitants, and of their several languages, possessed by the collector and his subordinates. That much must be left to the care of future rulers; but all that wise laws could do to protect the weak against tyrannical acts on the part of those to whom a former Government had given rights that were not the Government's to give, that much was done, and Munro was fully justified in his belief that, in affording the ryots speedy means of redress, and adapting those measures to the customs of the country, he most effectually secured the immediate good of the people, and most surely legislated for the future prosperity of India.

"I wish to see the usages of each country or province adopted as the bases of our revenue system; to protect landed property, as we find it, whether in small portions or large masses; not to vex the people by regulations; neither to subdivide what is great, nor consolidate what is small; and to lower the assessment generally, wherever it is too high; to leave the rest to Providence and their industry. I shall never review my own proceedings, because they can have no sensible effect in my time, or for many

years after; for it is the nature of measures calculated for improvement, to be slow in their operation."

These remarks were penned in 1824; and thirty years have gone by since the above regulations were passed. A policy founded on principles like these,—principles in all times stamped as the only true foundation for a nation's law, and the neglect of which had caused twenty years of misery,—such a policy must succeed; and to sketch the history of the next generation must to a great extent be only a source of pleasure. He would not review his own proceedings, but after-times must.

Would we account for the stability of the zemindars in later days, the measures of Munro are the explanation. The interests of landlord and tenant are identical; yet many fail to recognise this truth. The policy which the wise of themselves would adopt in their dealings with the ryots of their zemindarries, that same course he compelled all to pursue, as far as laws could affect the foolish or the bad. Summary redress was given alike to the rich and the poor, to the zemindars and their ryots. When the prosperity of the people shall be traced, then also must Munro be mentioned; the good of the ryots and his name are woven together,—they cannot be written apart.

Peace be with thee, wise Munro,—peace be with thee! In India, where the best days of thy

life were spent, working for the people, there are thy bones laid; there is thy name held in honoured recollection, — to the country of thy birth a worthy pride, to the ryots a rock of mighty strength.

CHAPTER VIII.

DISTRESS OF THE RYOTS IN 1820, AND MEASURES FOR THEIR RELIEF.

First Impressions as to the State of the Country bought in by order of Government—Measures then adopted to recover its former Prosperity, and why they failed—State of the District A.D. 1800 and A.D. 1820—Annual Fluctuations in the new Collector's opinion on the Assessment of the District—Increase in the Land Revenue, and conclusions thereon at Madras—Real State of the District, and means taken to help the Ryots—Real nature and tendency of those means—Strange Mistake of the Government on this point—State of the District under "Cowle"—Restrictions on Cowle.

WHEN freedom of cultivation was given to the ryots by Colonel Read, in 1796, the revenue of the whole district fell off in one year nearly £20,000. When the permanent zemindarry system tumbled to pieces,—that tenure which the Legislature had fondly declared was "to be for ever," and the estates were bought in by Government, there was also a decrease in the revenue collected on such lands only, of £20,000; but the similarity ceased there. The causes and their results were alike widely different: in the former instance it was the concentration, in the latter the destruction of agricultural capital. By the first reform, the fertility of the country was in-

creased a hundred-fold; by the last experiment, the ryot's means of improving the condition of his fields were for the time utterly destroyed.

Under the native Government, the amount of revenue obtainable from any particular village was well known, and must be paid by the community. Seated under the cool shade of some old tamarind-tree, or beneath the wide-spreading branches of the same banyan that had sheltered from the tropical sun the councils of their forefathers, the elders of the village, after due deliberation, fixed how many fields each man should plough, and what share of the whole assessment each ryot should bear. Bound to his village by the love of home, strong, always strong, in the Hindoo's breast, the ryot was no less bound by the custom of the country, and when driven to desperation through excessive tyranny, could only escape from his patrimonial acres by precipitate flight.

The liberal views of Colonel Read altered this system materially: the ryot might extend or contract his holding at pleasure; the assessment on each field had been ascertained; and to secure the just demands of Government, it was only requisite that for every annual change self-interest might dictate to the cultivator in the extent of his holding, a corresponding increase or decrease should be made in his total assessment.

No longer compelled to turn up the land to the extent to which his neighbours considered

that his means were adequate, and so only able to bestow on his fields the most superficial tillage, the ryot, under the new rule, concentrated his stock, and rejecting the least profitable of his fields, by working the soil more thoroughly, increased many fold the productive powers of the better lands; with fewer fields, and consequently with a smaller assessment to pay to Government, the returns were greater; and agricultural capital thus gradually growing, the extent of cultivation, and in proportion the amount of Government revenue, would as a consequence have greatly increased.

When the estates reverted to Government, after the lands had been racked and the ryots pillaged by a succession of unprincipled adventurers, all trace of these early improvements had long been lost, and the work was to be done over again.

The villages now showed very different to what they were when this zemindarry blight first fell upon the land: these locusts had eaten up the whole substance of the people. In those years of unwonted tranquillity which the ryots enjoyed when they first came under and blessed the British rule, the country had prospered exceedingly; then the ryots, watching the weather, contracted or extended their holdings; took in, or made sail, as the wind blew, and prospered accordingly. Read and his assistants, constantly moving through the district, had seen to the due maintenance of the means of irrigation; they had not

been neglectful of the roads; and the face of the country was fair to behold.

Then came the change, and the villages were rack-rented for years, by men who knew, not what pity was, but that the next day they themselves might likely be in the zillah gaol, for arrears of an assessment which they never intended to pay. They made hay while the sun shone, and they plundered and robbed the unhappy ryots, by law, if not openly, so long as their honourable title of zemindar or mootadar gave them the means of doing so.

The ryots had been utterly beggared; the channels for irrigation, and the wells for cultivation, had long been out of repair; the tanks which, altogether neglected, had burst from time to time, were useless for the present, and could only now be put to rights at a great expense; and in a word, if the rains should fail, there was nothing for the people to fall back upon for subsistence,—they must starve.

This terrible result of an ignorant and rash legislation had been reported to the Government, year by year, and in 1816, after a careful inquiry, the Board of Revenue came to the conclusion, that, to effect any real and lasting change for the better, a reduction of the assessment, as fixed by Colonel Read and his assistants, was absolutely requisite; and the collector was accordingly then authorized to reduce the assessment on the lower portion of the district to an average extent of ten per cent. But these reductions in the survey

rates were not to be made in the zemindarries; it was only on the lands of those estates which the collector had been previously authorized to purchase in, and which had come for good under the direct management of the Government, that this boon was to be carried out.

Increased experience, however, gave reason to consider that the pecuniary extent of this concession was insufficient; greater latitude was wanted, and in 1818 the collector was directed, in cases where a personal and accurate inquiry had convinced him of its necessity, to reduce the assessment as much as thirty per cent.

It is a very arduous duty to impose on the head of a district; and well would it have been for Salem had the authorities in Madras remembered that the collector then was past that time of life when men, generally speaking, in India, are capable, not only of great mental labour, but also of undergoing at the same time no small portion of bodily fatigue.

To revise efficiently the assessment of a district, the collector must be as much at home in the saddle as in his cutcherry; and a strong constitution is also required; for though a dashing gallop will save an hour's sunning, the natives cannot often be collected at the very moment they are wanted, and must, at such times, be waited for.

Not only, in most matters, is a short inquiry on the spot generally worth days of examination elsewhere, but in many cases such an investigation is absolutely necessary; and of course, to carry

out a general reduction efficiently, the collector must be always on the move.

The collector had sixteen years' experience of the district, but, as might have been expected from the enervating effects of a long residence in India, the other qualifications were wanting; the whole inquiry fell into the hands of his native subordinates; and when his office, in two years more, was transferred to another, the reductions which had been made, to the extent of more than £12,500, were found to have been chiefly given, not where most needed, but to those who could afford to pay best for the boon.

Probably thus misled, the new ruler soon afterwards gave it as his opinion, that, as far as he could see, it was not an excessive assessment, but it was the cruel conduct of the landlords which had ruined the Salem country.

The experience of another year changed his views, and calling to the recollection of the Board, that Munro had many years before declared a reduction of twenty per cent. to be indispensable to the prosperity of the country, he recommended that the assessment should generally be reduced to the extent of fifteen per cent., and declared it to be his firm conviction that, without this concession, any attempt to improve the condition of the ryots would be in vain.

Before leaving the district, returns had been made to Colonel Read, which showed not only the population, but, after the fashion of the East,

the number of cattle, sheep, and goats in the limits of the country under his control; and on comparing these statistics with those prepared under this new collector for the whole district, the decrease is not found to be so great as might have been expected.

A considerable change had, however, been made in the extent of the collectorate. Instead of the wild and hilly Cungoondy, the boundaries of the Salem district now included the Ballaghaut, which had never been under the zemindarry system; and the steady increase there, of course had a considerable effect in making the total result more favourable; whilst, without doubt, some of the zemindars had acted very differently from the suicidal policy pursued by others.

On the estates of these men would congregate those whom legal tyranny drove from their hereditary holdings. These ryots would of course again prosper, and these returns similarly be so favourable as to counterbalance, to a certain extent, the desolation elsewhere.

There had been a decrease in the population of six, but in the cattle of only three per cent.; and if these returns were at all near the truth, it would still seem at first sight that the distress of the country had been very greatly exaggerated. But it must also be remembered, that the number of the people, during the past century, had been kept down by constant wars; that there were extensive tracts of waste land, much of which was available to meet the wants of

any possible increase in the population, and that the last twenty years had been a period of profound peace, as regarded the aggressions of external foes; all of which were powerful causes for a rapid augmentation of the population and the agricultural resources of the country, that could only have been counteracted by the greatest oppression. The flocks of sheep and goats showed a decrease of nearly twenty per cent., and altogether the comparison gives a result far, very far, different from what it would have been if the ryotwarry system, established by Colonel Read, had been made from the first the law of Salem.

Of the reductions made by the late collector, a small portion, to the extent of some £3,000, in the annual assessment of certain rice-lands under the Cavery channels, was confirmed, as being urgently required; and the collector commenced a minute examination into the state of the district prior to carrying out the general reduction, which he also now considered indispensable. His measures, however, to this end, were as little to the purpose as those of his predecessor; and the Board of Revenue subsequently was "constrained to observe, in reviewing his operations, that the subject appeared to have received far less attention than its importance deserved;" and "that the acknowledged experience, talents, and industry of Colonel Read and his assistants leave little hope that any attempts to correct their labours could be attended with advantage."

The issue of the inquiry, such as it was, rendered the Board "very averse to the institution of a new survey, or the reduction of existing rates of assessment;" and, strange to say, their views were not only acquiesced in, but supported by the collector himself, whose labours for the amelioration of the agricultural interests had been thus severely criticised. After four years' experience, he again was of opinion that the depressed state of the district was not the result of over-assessment.

Generally speaking, the true state of a district is ascertained with the greatest correctness by those who have it in their power to make personal inquiries on the spot; but in this instance the collector was convinced that the conclusions which the Board of Revenue, two hundred miles off, at Madras, had formed on his own inquiries, were more correct than the deductions which he himself had drawn from the same source.

There had of course been a considerable change for the better in the condition of those estates, which, having been speedily ruined by the regulation-born landlords, had early reverted to Government, and, after the ancient fashion of the country retained under its direct management, had been cultivated on the ryotwarry system. This had told on, and so far is proved by the averages. The revenue from these lands had rapidly increased, and as to the rest of the district, the surviving landlords paid their tribute with comparative regularity. And to none would this

apparent improvement in the condition of Salem give more pleasure than to Colonel Read's old assistant Thomas Munro, who was now the Governor of Madras.

In 1820 the land revenue of the whole district, thus paid partly by zemindars and partly direct by the ryots, where the ryotwarry system prevailed, was somewhat more than £175,000, and in six years it did rise to more than £180,000. These sums, however, show the settlements,—not what was paid, but what it had been arranged should be paid; in the actual collection of which there are always arrears.

The balance to be deducted on this account from the last sum, was more than £10,000. Much of this would be paid in the following year; but to ascertain correctly the resources of the country, no credit should be given to that portion of the balance which is recovered subsequently. If the heads of the villages could not collect the full assessment in the current year, its realization at a later period impairs the ryot's means for the future, and is assuredly no sign of those easy circumstances in which it is as much the object as the interest of the Government to place the agricultural classes.

Arrears stood alike against the country managed under the zemindarry and the ryotwarry systems; the zemindars, or mootadars, were as fond as the ryots of protracting the payment of their respective shares of the Government revenue; and where the country was divided into thousands

of small ryotwarry holdings, that could be given up at pleasure by a comparatively indigent population, though the people got back their hereditary rights, the Government revenue, of course, was subject to fluctuations, and the actual collections would fall short of the settlement, or the aggregate assessment of all the lands which above a hundred thousand ryots had individually agreed to cultivate during the current year.

The extent of this difference would vary undoubtedly with the seasons, and also depend much on the judgment and experience of the collector; but it is always, to a certain extent, a sure index to the state of the district,—whether the country is managed on sound principles, and whether the rates are not too high. It is in fact an assessment barometer.

Another balance of £14,300 still less corresponds with the collector's belief that half the lands of the district were then saleable, and that the collection of the revenue was the easiest portion of his duties. This opinion had been recorded a short time before, when reporting on the result of a past settlement, with nearly as great a balance again uncollected at the end of the year. But the land revenue for that year also bore out the flattering view which the authorities of Madras now had determined to take of Salem affairs, in so far, that not only was the total demand almost £180,000, but of the balance uncollected, more than half had been recovered in another three months.

The Board of Revenue now noticed with much pleasure the observation of the collector on the facility with which the revenue was collected, and the members were glad to find "that farther inquiry and examination had satisfied that gentleman that the existing rates of assessment in his district do not require the alterations he at one time supposed."

The Governor, Sir Thomas Munro, had, it would appear, arrived at this conclusion two or three years before. In a private letter regarding the rate of assessment in several other districts of this Presidency, penned as early as 1823, Colonel Read's old assistant observes:—"And Salem, notwithstanding all that has been written about over-assessment, will require very little revision." Munro would be the last man to let any personal feelings influence his judgment on this point; but the very fact of his having been concerned in fixing that assessment, would in itself be a great bar to his ever, as the Governor of Madras, obtaining correct information on the subject. Of the thousands who would line the road that he walked along, and with whom he would gladly converse of his old haunts in the Baramahl, how many would dream of telling this high official that the results of his survey were found to be oppressive, and that the rates of assessment were too high?

The improvement of the district latterly had been universally admitted; and if in reality the assessment on the land had not been reduced,

during the six years under review, between 1820 and 1826, and the conclusions of the collector and the Board of Revenue were correct as to the prosperity of the country, the amount of land revenue thus showing a steady increase from the proportionate extension of cultivation, must be considered a strange instance of the elasticity of agricultural capital.

Legislative alterations, it has been shown, had done much to improve the condition of the labouring classes, and as a consequence, of their landlords. The summary judicial powers intrusted to the collector doubtless increased incalculably his chances of managing Salem satisfactorily; and the ryots, by the speedy adjustment of their private disputes and innumerable mutual differences connected with land, were also thus able to give more attention to agriculture, and have, so far, a better chance of paying that assessment which, after a long inquiry, had been previously declared by this very collector to be fully twenty per cent. too high.

But human nature is the same in all ages, and it is scarce to be believed that the same Indian ryots, from whom, for twenty years, the assessment had been wrung by every imaginable device, —first by one and then another unprincipled adventurer, under the name of zemindar,—should now come forward so freely, even if they had the means, as to render the collection of the revenue the easiest portion of the collector's duties; and fully as strange would it have been, after suf-

fering extreme poverty for years, had cheap and speedy justice alone put them now, and at once, in easy circumstances.

An average balance of £15,000 in arrears, at the end of each year, shows with sufficient clearness that, whatever judgment the collector might have formed on the subject, had he gone more into details, the inevitable conclusion to be deduced from such researches would have been far different; and as regards assessment, in the very same report the collector fully explains how the ryot had been helped, and how the assessment, where too high, had in reality, though not in name, been lowered considerably.

"Cowle" is an Indian term for any agreement, but is, however, usually applied to the favourable tenure of land, either at the same rates for a long period, when it corresponds with the meaning of a lease, or on an ascending scale, which closes the engagement within a few years; and it was an essential portion of the agricultural system under native Governments.

When properly used, it is the means adopted by an arbitrary power to induce ryots not overburdened with means, and fearing the good faith of their rulers, to clear and bring into cultivation lands that may be covered with jungle, or otherwise difficult of culture on the usual terms. If the restrictions be relaxed, and the system brought into play where high assessments, and not natural causes, are the obstacles to cultivation, it is manifest that the effect will be the

same; that an increase in the extent of cultivation will ensue, and that it is in good truth, though not in name, a reduction of the survey rates.

"It must be remembered," writes the collector to the Board of Revenue, "that the high-assessed lands in the villages alluded to, not being under cultivation,—in fact many of them being hardly susceptible of culture,—the rent is never demanded; so, of course, the ryots are not impoverished by making payments which they are unable to afford. Almost the whole of these lands are immemorial waste, for which the 'cowle' rules provide, by allowing a decrease to the extent of twenty-five per cent.; and many of them have been taken up on these terms."

How lands under cultivation at the survey, some twenty-five years before, and then assessed as the best in the village, could either be considered "immemorial waste" or could have become, from natural causes, "hardly susceptible of culture," is hard to understand; but that these cowles lowered the assessment, and so made the land susceptible of culture, is easy of proof.

The fixity of tenure on which land was held in Salem, from the minute survey that had been effected before the introduction of the zemindarry system, had no doubt exerted all along, to a certain extent, the beneficial influence which, in India, must always attend such a measure; and it was chiefly on this ground that Munro had formed such favourable views of the future pros-

perity of his old district, when he wrote to a friend, in 1823, that the existing rates of assessment would require but little alteration. He clearly was not then aware of the cowle rules, which had been published in Salem the year before, or he would have stopped at once a system, to the sanctioning of which in that very district during the days of Read, he himself had been so diametrically opposed.

By these rules, if a ryot took up land that had not been cultivated for three years, only half the assessment was to be paid the first, and three-quarters the second year. After that, the full assessment was to be paid; but there was no provision to compel the retention of such lands for the future at the regular rate; indeed, on the contrary, provision was made for a permanent reduction, if the ryot found that it would otherwise be necessary for him to abandon the holding. In the last rule it is thus expressly stated, that if a field cultivated on progressive cowle should be left waste, because the survey assessment was too high, a suitable deduction is to be made in that assessment, with reference to the state of the land; but this deduction was never to exceed thirty-one and a quarter per cent.

These might be considered very liberal concessions; and a permanent reduction of twenty-five per cent., at the close of progressive cowle, was to be granted on all fields that had been waste for ten years or more, no assessment whatsoever being paid for the first year.

If the lands had not been cultivated for twenty years, immunity from all assessment was granted for a still longer period, at first starting, besides the cowle and the above permanent reduction, to the extent, ultimately, of a quarter of the survey assessment.

The action of these measures was therefore simple in the extreme. They might be called "cowle rules," but they legislated most directly for over-assessment. Where the survey rates were very high, the lands had been of course relinquished; and in such cases, by these rules, not only were such fields, if they had been but ten years waste, cultivated at first for nothing, but, ultimately, a fixed reduction was made in the survey assessment, as a matter of course, of no less than twenty-five, and if thought necessary, of as much as thirty-one per cent.

Nor was their action cramped by any minute limitations as to who should exercise these ample powers,—who might reduce the revenue of the state, to secure the welfare and prosperity of the ryots; for every head of a village could authorize the cultivation of land on "cowle."

Whether a system, the fairness of which rested in the first instance on such feeble integrity, or whether a straightforward and open reduction of the assessment, conducted by the European officers of Government, was most likely to benefit the country effectually, will be seen, if indeed there could be two opinions on the subject, by

the after-results of this doubtless well-meant subterfuge.

The immediate result, it has been already shown, was an increase in the revenue. In the very year when the Board had arrived at the conclusion that the assessment could safely be allowed to remain as it was, under this name of cowle, reductions had been made, which amounted to more than six per cent. of the whole assessment, and subsequently, when thus avowed by the collector as absolutely requisite, the reduction under the same head was seven per cent.

The Board of Revenue attempted to look on "cowle" only in its legitimate light, and would ignore the collector's candid admissions. To this end, in 1826, orders were reiterated, "which went to guard the collector in the Salem district, where the waste has not been yet accurately assessed, against encouraging the occupation of waste on cowle, so as to interfere prejudicially with the cultivation of the regularly assessed land already occupied. Indeed, in the Salem district, no land should be newly given on cowle, except to substantial ryots possessing stock to improve it, and who, on occupying it, can furnish security that its cultivation, if continued by them, shall not interfere with that of the land already occupied by them; and that they will not draw away any other circar ryots from Government land, for the occupation of the land thus newly granted on cowle." These were restrictions on "freedom of cultivation."

It may be urged, that these restrictions only extended to those who availed themselves of the advantages of cowle; but the cowle system was so widely spread, that the rules influenced the greater portion of the ryotwarry cultivation; and whatever might be their effects in that respect, whether the predictions of Read, and subsequently of Munro, as to the danger of curbing in any way such freedom, shall hereafter be seen to have been fully proved, or not, by the subsequent history of the district; as regards their immediate object, these restrictive rules were utterly useless: the cowle tenure increased rapidly.

In 1830, nearly sixty-five thousand acres were so held; and five years later, the accounts showed lands under this head to the extent of one hundred and twenty-one thousand odd acres. Of this large quantity, nearly two thousand acres were held free of any assessment whatsoever for two years, and the ryots cultivating eight times as much land enjoyed a similar immunity for one year.

The result was, a total reduction of the survey rates, on the whole cultivated area of the district, of a clear lac of rupees (£10,000). Fluctuations to such an extent as this, in the rates at which the lands were held, might well alarm the Board of Revenue. Yet there was still a lingering idea that the lands so taken could not possibly be a portion of those that had been originally surveyed, and still a hope that there was no

need for any reduction in the rates then fixed on those lands. Even in 1842 the discussion was still going on; but the collector this time adhered somewhat more firmly to his own ideas than had been done by his predecessor, when the Board had determined that no reduction of assessment was requisite; and he recorded his opinion, after a careful investigation of the past, that cowle had been chiefly granted, not on the real waste lands, as the Board would wish to think, but on the highly-assessed lands, which had become waste in consequence. In the previous year he had similarly expressed most distinctly his belief that "the Salem ryots required all the indulgence that could be shown them; and if deprived of the same assistance, do not appear to have the means to bring under cultivation, and render valuable, the waste lands which they now take up on cowle."

Reasons have been already given for believing that the opinion of the collector in 1825, as to the real condition then of the labouring classes, was far from correct; and this view of that subject, it must be admitted, is so far borne out by the remarks just quoted, of a successor in the same important office, sixteen years later. But the point had been definitely set at rest, when the energetic man into whose hands the management of the district immediately passed, wrote to the Board of Revenue, in the usual annual report, as follows:—"The extent of land newly taken up on cowle, in 1830, was 15,735 acres, being 3,351

acres more than in the previous year. From the mistaken zeal of tahsildars to keep up an appearance of extensive cultivation, too much encouragement appears to have been hitherto given, in this district, to the unrestricted tillage of waste lands, and from the same motive, too little latitude appears to have been allowed the ryots in relinquishing a part of their lands, when they found them either unprofitable or more extensive than they had the means of properly managing. When a ryot had once engaged for any land, he was ever afterwards saddled with it, while he had any means at all remaining. The complaints of the ryots were general, and numerous, of having been for years obliged to retain, and pay the full assessment, on fields which they had found unprofitable, and had ceased to cultivate.

"In the month of February last I issued circular orders to the tahsildars, strictly enjoining them not to force any ryots to retain lands which they wished to give up, either from want of means or from finding them unprofitable. This rule will not in its operation, I have reason to believe, reduce revenue, as it will induce ryots who have the means, freely to engage in the tillage of lands given up by their poorer neighbours, from the certainty that if, after a trial of a year or two, they do not find them profitable, they may, when they please, relinquish them."

It is always, to a certain extent, the practice of the native officials to prevent as much as possible the relinquishment of lands; and their "mistaken

zeal" received subsequently not a little assistance, from its being made a condition of "cowle," that the favourable tenure should be immediately, and of necessity, null and void, if any portion of the other lands held by the ryots were relinquished.

When the resolution to decrease the rates of assessment was finally abandoned, in 1825, the cowle rules, which had then been in force for three years, gave the utmost latitude for lowering the assessment in reality, not only to the collector, but, as has been shown, to every poor ryot who happened to be born the hereditary head of a village; and the result was, of course, an immediate increase in the extent of cultivation and land revenue. The "cowle" tempted the cultivators to take up more fields, whilst in practice neither those fields, nor what they held before, could be relinquished, save with great difficulty or by bribery.

The bait of course succeeded; the revenue was increased, and the total had been kept up by artificial means, by "cowle" and restraints on freedom of cultivation; but the revenue ceased to be an index to the true extent of cultivation, and as a matter of necessity fell, when a sound policy was thus insisted upon, most fortunately some time before the famine year of 1833 had commenced.

Before 1830 the extent to which this system of "cowle" had been carried was not well known to the Board; but full and searching inquiries were

made into the revenue accounts, when the district came under the management of Mr. John Orr, the third collector in Salem. The next collector to him, it is true, as has been already shown, had again, in 1842, to reiterate the real state of affairs, before the Board would be convinced, to the full extent, of the result of Mr. John Orr's inquiries; but even so much as was credited at the time, must have been very unpalatable.

In official correspondence, the assessment had been finally declared by the late collector not to be too high: the Board had been quite of the same opinion. In his management of the district, the rates had been systematically reduced; and not only that, but the ryots, it was found, had been compelled, contrary to all sound policy and European usage, to pay for more fields than they wanted.

This latter error Mr. John Orr had at once rectified; but to move in the other matter was more difficult, and, sooner than do aught that could tend to shake the trust of the ryots in the unswerving good faith of the Government, these acts of the late collector, though utterly unauthorized, and, however well-intentioned, equally illegal, were allowed to stand, as they affected injuriously the pecuniary interests of the State alone.

The fortunate incumbents of permanent cowles were, however, to have only a life-interest; and when freedom of cultivation was insisted upon by his successor, Mr. J. D. Gleig, it was found that other than natural causes would accelerate the

gradual return into the hands of Government of much of the lands so held: they were thrown up by the ryots of their own accord.

After seven years had been passed in the discharge of his duties, and in acquiring experience in every portion of the district, Mr. J. D. Gleig wrote to the Board of Revenue, that the "cowle" tenures were everywhere falling in. "Notwithstanding the apparently favourable terms on which these lands are held, it is curious to observe (he adds) how rapidly they have been relinquished; from which it might be inferred, that the fixed assessment generally is too high, when lands held even at three-quarters of it are not permanently occupied." A justifiable conclusion.

The cowle rules had been revised in 1833, and no land, from that date, was allowed to be held free of assessment for more than one year, however long it might have previously lain waste; and again, ten years later, the scope of these rules was contracted still more.

The various rates were on both occasions altered, so as to discourage the system materially, and on the latter occasion, it was declared that no lands should be considered entitled to cowle that had been cultivated within five years; though up to that period a three-years' fallow had been considered a full qualification for the temporary reduction of the survey rates.

The influence of "cowle" was thus gradually compressed; but it would be curious to know how much of the Government revenue, thus

remitted, with scarce a single check, with scarce an attempt at supervision, had been sacrificed,—thrown away; and still more curious, more galling, would it be to learn how much of the ryots' resources had been paid in bribes, to the further demoralization of the natives of this country, and for the tardy attainment of a doubtful boon, all the objects of which an honest, straightforward reduction of the assessment would have given them, in a year, and for ever.

Munro, in 1796, had denounced "cowle." That the experience of a quarter of a century should not have suggested to others the inevitable results of such a system, which his eye saw at a glance, is strange; but stranger still is it, that the system was ever for a moment seriously thought of, when an examination of the records of the district would have brought to light Munro's repeated and convincing arguments against its proposed introduction by Colonel Read.

It gave immediate relief to the ryots, and so far did good; but the effect on the general agricultural policy of the district was utterly and entirely bad. The evils which sprang from this vitiated cowle tenure tainted the whole ryotwarry system, and are felt in those rules, with even greater severity, at the present day.

CHAPTER IX.

GOOD AND BAD AN ANTIDOTE.

Suggestions of the Revenue Board as to some of the Duties of a Ryotwarry Collector — The Famine of 1833, and use to which Cowle might have been put — The checks on Cowle spread over Legitimate Cultivation — Repeated Remonstrances of the Collector, to no effect — New principle introduced into the Ryotwarry System, and its effects — Mahratta Brahmins — Unfair severity towards Hindoo characteristics — Subsequent Modifications in the Rule of "Good and Bad."

In attempting to curb the inevitable tendencies of the "cowle" system, the Revenue Board and the collector commenced a course of minute interference with the farming economy of the ryots, that was clearly and utterly opposed to the enlightened spirit in which Read had drawn up the rules of the ryotwarry system. And from checking the changes in the extent of the holdings, when the holders held "cowle," the revenue authorities, as they found that the highly assessed and most productive lands throughout the country were being gradually relinquished, taking a step still more dangerous, began to prevent freedom of cultivation, where "cowle" did not exist; but the ryots, perhaps prudently, from loss of resources, wished to relinquish lands that had hitherto formed part of their holdings or putkuts,

as these are styled in the following remarks of the Board of Revenue:—

"It is observed that the extent of poonjee land previously paying the full assessment, but thrown out of cultivation this year, is 21,934 acres, being a little more than the extent taken on cowle, as above noted, at half the assessment. The Board formerly thought there was reason to apprehend that the cowle system in practice in this district had a tendency to disturb the regular occupation of land fully assessed, and the attention of the principal collector was directed to this point in their proceedings on the settlement of 1835.

"With reference to their remarks, the principal collector states that no cases of ryots relinquishing in the last year, lands which they had before cultivated at the full assessment, and taking new lands on cowle this year, have occurred. He adds, that the standing rules on the subject are sufficient to prevent this; but the Board do not see that there is any rule to prevent a ryot, who has thrown up a part of his putkut land in one year, from taking land on cowle in the next; though there is a bar to his taking land on cowle, instead of putkut land relinquished in the same year; and even in the same year, it would seem that it may be done by a substitution of names.

"The principal collector states that he has reason to believe that the great portion of the land newly taken upon cowle has been taken by the principal resident cultivators for the new settlers; but it is possible that a part may have

been taken by resident cultivators in the names of others, instead of land for which they were before paying the full assessment.

"What the Board intend by these remarks is, merely to excite the attention of the principal collector to the practical working of the cowle system, which appears to them to be a subject of much importance, requiring vigilant observation when the land taken upon cowle is not immemorial waste, but has been under cultivation within a few years. It is worthy of inquiry by whom it was formerly cultivated, and whether any connection subsists between the former cultivator and new occupant; and circumstances should be noted for reference in considering the operation of the system."

Had but the Board, when all the abuses incident to cowle were pointed out thus clearly to the principal collector, determined forthwith to reconsider the subject of assessment in Salem, they must have seen that other causes besides cowle were affecting the revenue system; and instead of dictating minute inquiries into the family ties of some thousands of ryots, had they but directed the able and energetic man who was then collector to give his attention to the removal of those causes, far brighter would have been the result of subsequent years, the history of which is now to be reviewed.

But, no, the spirit of the day was still that which Read, the father of the ryotwarry system, had described so forcibly. Matters were still

viewed only with the eye of a collector, who was desirous to realize a large revenue easily, and yet with justice to the ryots. There was the English love of justice, but, alas! though Colonel Read in 1797 had earnestly besought his assistants to lay aside the narrow views of native governments, which till then had manifestly tinctured the whole system, and to allow the ryots the benefit of a more liberal policy, still, in 1837, these same narrow views, this Mahratta policy, was far too apparent in all agricultural legislation with respect to the ryot classes.

The Mahratta Brahmins are the cleverest revenue servants in Southern India, and usually hold in that department the highest offices that are open to natives; but if left to themselves, they can never quite forget the grasping and rapacious ideas of their forefathers.

The collector was at that time much engaged in bringing the roads of Salem into that state of improvement for this country, which has since made her means of communication the boast of the Presidency; and well would it have been for her, had those energies been turned to the reform of the revenue system. Such, however, was not the destiny of Salem, and obedience was duly promised to the orders of the Board, when reporting on the state of the district the following year, in these words:—

"I fully concur in the observation of your Board, communicated in the 30th para. of your proceedings, and every attention shall be paid,

on my part, to the practical working of cowle in this district. Instructions have been already issued to the several tahsildars, directing their vigilant attention to the subject, and requiring them, when waste land, which has been under cultivation within a few years, is taken on cowle, to ascertain by whom it was formerly cultivated, and whether any connection subsists between the former cultivator and the new occupant; and also to note for reference, when a putkutdar takes up land on cowle, whether he has relinquished, in the preceding year, any portion of the extent of his putkut land, and whether there has been any collusion by the substitution of names. And, to provide against ryots relinquishing the whole or part of their putkut lands, and even throwing up their cowle lands before the expiration of the cowles, the tahsildars have been directed to obtain sufficient security from such as they had reason to suspect applied for them with that intention, and also from those whom they thought of unsettled habits, and would likely abscond before their cowle lands arrived at the full assessment."

When the collector first joined the district, stringent instructions had been issued to secure that "freedom of cultivation" which had always and was still believed to be not only essential to the success of the ryotwarry system, but a mere matter of right to those who held on that tenure.

The abuse of cowles, however, had given a fatal

warp to the views of those in authority, and the Revenue Board had already commenced a crusade against this liberty of cultivation, which was as indispensable as that of cowle was injurious.

Cowle was now to be checked, according to the suggestion of the "Board," by inquiring not only into the village registers for the cultivation of the past year, but into the connections that might exist amongst a hundred thousand ryots, into the village registers of births, deaths, and marriages, which in this country, unfortunately, were no portion of the public records, and thirdly by the clairvoyance of fourteen tahsildars, as to what might be the plans of each applicant for cowle in another two or three years! Cowle might now have been allowed in its fullest freedom with justice, for the country stood in need of assistance.

During the discussions regarding cowle, and prior to the introduction of these minute and injudicious inquiries, a worse enemy had come upon the land. In 1833 there was a famine throughout Southern India, from the effects of which some portions of this district have not yet recovered.

In the beginning of the year, the season promised well, and the ryots commenced agricultural operations on a large scale. Then came, when they were least prepared to meet the storm, not the dreaded deluge of northern climes, but the drought of the tropics. The periodical rains failed, and Disease dwelt with Want on the

parched earth throughout the length and breadth of Salem. The raging heats scorched all nature, animate and inanimate; and lo! there was no water to assuage the universal thirst.

The price of grain rose seventy-one per cent., for there was a famine in the neighbouring districts also; and the people robbed, that they might live. They eagerly sought for the wild fruits of the jungle and of the trees that lined the way-side; they turned up the earth for such roots as possessed nourishment; there was nowhere to fly to, and the country was covered with the bodies of those who died of starvation. Fourteen thousand deaths were reported from cholera alone, which probably was not a tithe of the number that so fell; and the sickness extended to the brute creation; for the cattle also were exterminated by herds.

Somewhat more than five hundred and twenty-five thousand acres had been cultivated, but even official inquiries showed that the crop had entirely failed on no less than fifty-four thousand acres; and such investigations could not extend to half the losses.

On the ryotwarry lands alone, from all these different causes, there was a total falling off, in the revenue in one year, of not less than £30,000; and from this alone it might have been inferred that there was then a great famine in the country. The amount of assessment is in proportion to the extent of cultivation, and consequently, to the produce raised. All changes in the one must be

proportionately marked in the other; and in this instance it may be considered that, for such scanty crops as the earth did yield, the extent fell short of the preceding year by at least a hundred thousand acres. The crops on these lands were all the people had to look to; and the effect of such a decrease in the amount of produce may be easily imagined, even if horrible sickness had not added to the general distress.

It was not till the new grains came into the market in the following year, that prices fell at all, and by that time had become cent. per cent.; but it was long before they fell to any amount. Such prices would enable the ryots to pay the revenue, but they placed wholesome food beyond the reach of the bulk of the people; and it would be in vain to calculate what was the full effect of this great calamity on the population of the district.

Now comes fairly into view the elasticity of the ryotwarry system, and with a few favourable years, though it took longer to regain the lost population, the district in general fully recovered its agricultural losses.

After a great calamity like this, cowle might have been given with the utmost benefit to the country. Thousands had been ruined; thousands of ryots were on the turn; the slightest help would save them,—would cover the country with crops. And cowle would fill the exhausted granaries sooner than any other practicable measure. What if it did discourage the outlay of capital on

the land, by enticing men away as soon as the assessment had risen to the full rate, that they might crop out and again abandon other fields to be got on the same terms.

It is desirable that land be well used, but it is better that ryots should live. Cowle threw the whole accounts into confusion, as constantly altering the amount of assessment on each field; but a little additional trouble would rectify this when only temporary; and cowle was bad as a permanent measure, not only on this account, but because, amongst other reasons, too much responsibility was necessarily thrown on the heads of villages. But were these objections to weigh for a moment when the lives of thousands were in the balance? An immediate relief was required; and the very fact that it could be afforded through so widely spread an agency, clearly pointed out cowle as the means that should be used. Every effort was then given to restrict its operations!!

When rescued from the zemindars, the ryots were assisted to a great extent; but after this famine they had to work for themselves, and that, too, under restrictions which had never been before officially recognised.

The tahsildars had doubtless often exercised great severity in private to increase or maintain the extent of cultivation; but when this power of interference was publicly authorized, the liberty of the ryot was affected much more seriously. In the famine year itself a revised code of agri-

cultural rules was published, which materially restricted the liberty enjoyed latterly as regards cowle, and placed on official record many usages which had crept into the revenue management of the district during the confusion that ensued on the abandonment of the zemindarry system, but which were altogether foreign to the original purity of the ryotwarry code, as first given to the people of Salem.

This revised edition was brought into practice the very next year, and was of course sent to Madras for approval. In one rule it was provided that "any ryots who held direct of Government, and gave up such lands, to cultivate instead fields belonging to zemindars or other landed proprietors, should themselves, if the lands so relinquished were not cultivated by others, be still responsible for the assessment thereon." And on this rule it was remarked, that the Board felt very doubtful whether it be proper to make the ryots pay for the land so relinquished, if the usual conditions in giving up a portion of the holding had been duly observed. But alas! the liberal views of the Board in those days stopped here, and the next sentence involved a far more deadly blow. The collector had but raised his little finger, whilst here the whole weight of the Board of Revenue was hurled against that liberty, that freedom of cultivation, which both Read and Munro had declared to be essential to the prosperity of a ryotwarry district.

Free to take up, free to relinquish annually

each field, which, on the other hand, was theirs for ever, so long as the survey assessment was duly paid, under Read the ryots knew no restraint: now, after forty years had passed away, a harsher policy is the order of the day, and the Board of Revenue goes on to remark that "the ryot has no right to pick out the best fields of his holding, and to leave the remainder waste."

This little sentence, penned in 1835, and diametrically opposed to the very essence of the ryotwarry management of 1796, was the corner-stone of fifteen years' mistaken policy: it became, and is even yet, a portion of the system.

To these remarks of the Revenue Board at Madras, whose members perhaps had never had any practical acquaintance with the working of a ryotwarry district, the principal collector made no reply. Probably he did not foresee how pregnant the words were of future mischief; and he contented himself with merely defending his own measure. He endeavoured to show that "freedom of cultivation" could be carried out in its fullest extent only where the district was entirely under the same system; and that in Salem, where some lands were in the hands of zemindars and others held on more favourable tenure, or entirely rent free, it was absolutely necessary that a check should be imposed on the desertion of the lands directly under the management of Government; otherwise the ryots would be tempted on all sides by liberal offers to transfer their labour and stock to increase the resources of private

estates, at the risk of a direct and serious loss in the total revenue of the country. The Board were doubtful on this point, but as to freedom of cultivation in the ryotwarry lands, they felt quite sure of its impropriety!

"The ryot has no right to pick out the best fields of his holding." Each single field had been duly surveyed, and assessed on its own intrinsic value. If the ryot, who, the last year, held ten fields, in the next said, "I have only seven now," and under the regulations claimed a puttah for those seven, by what right could the collector refuse it? He is bound to compel a zemindar to give a puttah, when the terms are fair and equitable; and where there has been a survey assessment fixed on the lands, those are the terms by which he must be guided.

In the survey of Salem, it was distinctly laid down that each field was assessed as a separate holding, and could the zemindar legally be allowed to plead that the nature of these survey rates had altered on those ten fields, because temporarily held by one man? Where the land is cultivated under the ryotwarry tenure, the collector in this respect stands in the position of a zemindar, and justice demands that the law as regards the ryot should be alike in both cases.

It might be disagreeable to some to see the ryots picking out the best fields of their putkut or holding, whilst to others it would be a source of satisfaction, as insuring the growth of agricultural capital, and so securing on the surest

foundations the extension of cultivation and the permanent good of the country. But whatever might have been the views of those in power at that time as to the results that would ensue from insisting on the retention of all these ten fields, each of which is a distinct and separate holding, assuredly there is no legal right which would authorize such compulsion in the Salem district.

The rich could easily evade the rule, and so did not care to try the point in a court of law; whilst with the poor, in this case, might has been right. The wedge had been introduced, and the Board in the next year wanted to be informed whether there were any restrictions at all on ryots relinquishing from year to year any portion of their holding. To which the collector replied that there was no such check on the ryots in this district, save that they must do so before the commencement of the season for next year's cultivation, and "by whole fields;" that is to say, as the land was surveyed and assessed.

Such, it has been shown, had been the ostensible rule from the first; and to the merits of this Salem system his successor, in 1839, when reporting on the state of the district, bore testimony in the following able lines, that it would seem required but to be read to be conclusive also of the real use to which cowle had been put in Salem:—

"As a general question, there can be no doubt that so large an application of the cowle system can neither eventually be profitable to the people

nor the Government, as it prevents the gradual improvement of the land, by the withdrawal of the necessary labour after two or three years' cultivation; but there are circumstances connected with this district which render it more than doubtful whether any great present change would operate for the benefit of either.

"Were those highly-assessed lands profitable at the full assessment, they would not be relinquished, as they almost invariably are, when they come to that rate; and it is also in vain to expect that any rules or orders will induce a man to bestow his time and labour on lands which do not remunerate him. The consequence which I would therefore anticipate from placing any very material hindrance to the cultivation of these lands on cowle, would be their being thrown out of cultivation altogether,—an effect of over-taxation, which I have endeavoured to show is already in operation.

"If it was proposed to cause the ryots to take a portion of the higher assessed lands with those of the lower rated now on hand, this would interfere with the freedom of cultivation now enjoyed by Salem ryots, and to which, more than anything else, is to be attributed the punctuality of their payments. It would also have the effect of driving many ryots from their present holdings to take lands under the zemindars, who are ready enough to give reductions, in order to increase the number of their people.

"The Board, in para. 22 of their proceedings

on the settlements of 1838, refer to the acknowledged lightness of the land-tax throughout Salem generally, compared with what it is in the other district referred to; but from the recollection I possess, I am inclined to think that the average assessment on the dry lands in Salem will show much higher than that of the neighbouring districts. In some parts, it is true, the rates are not hard, especially in those settled by the late Sir Thomas Munro; but over a great portion, especially below the ghauts, the assessment is high; and to this cause must be mainly attributed the extension of the cowle system, which, as I have before said, if suddenly restricted before reduction takes place in the over-assessed lands, a considerable loss of revenue will be the probable result."

The Board of Revenue had discovered at last, that the best lands, which at the survey had been assessed at the highest rates, were now being held systematically on cowle, instead of those waste lands which had not been cultivated from time immemorial, and for which these favourable terms, as a general rule, should alone be granted.

The collector confirmed the justice of their suspicions, but at the same time, by a short statement in figures, showed that the average assessment on those lands of which the cowle had arrived at half the survey rate, exceeded considerably the general average of the fully-assessed "dry lands" then under cultivation throughout the whole district.

From this he argued that these lands clearly could not be cultivated with profit at the full rates fixed upon them at the survey, and therefore were abandoned, to be again reoccupied on cowle after lying for a few years fallow.

It was, however, the opinion at Madras, that this general move from the best survey-assessed lands was the result of a freedom of cultivation only recently given to the ryots!!! The order of the collector, ten years before, insisting on the ryots being left completely to themselves, as to the extent of their cultivation, and the other rules of 1833, might be treated as recent; but surely the rules issued by Mr. Cockburn, when the district reverted to the ryotwarry system, now deserved some more notice. That was nearly twenty years ago, and no avowed restrictions on freedom of cultivation could be found even in that short code, which, however, related chiefly to the baneful provisions of cowle.

The ryotwarry system had been organized in this very district; and the code then published, had it been consulted, would of course have shown in every line that the whole scheme was founded altogether and entirely on perfect freedom of cultivation; but that was written a long time ago; was now buried under heaps of records; was probably utterly unknown to any one member of that Board; and sooner than look back forty years, with true English love of assimilation, it was determined to cure this injurious transfer of labour from the more productive to the less fertile

and lighter-assessed lands, by adopting the system pursued in Bellary, a country on the other side of Mysore, and between which and Salem there was scarce one single point of resemblance.

This wild license! this dangerous novelty!! this new-fangled "freedom"!!! should be checked; and it was fondly hoped that thus a sound state of prosperity would again be secured for the nursery of the ryotwarry system!!! such as she enjoyed in the days of Read and Munro. Again the collector lifted up his voice in remonstrance, respectfully but firmly; and comment on his able argument would indeed be superfluous.

"By Mr. Cockburn's 'rules' a ryot was allowed to hold 'cowle' although he relinquished his 'putkut' (or fully-assessed lands); a general permission was given to the tahsildars to subdivide fields above ten acres; and a ryot relinquishing his putkut, but taking new lands, either more or less than those relinquished, if cultivated, only were they to be brought to account; if fallow, no assessment was to be collected.

"There could scarcely be greater freedom than this. Mr. Orr prevented the enjoyment of 'cowle,' if putkut was relinquished. Assessed lands are now never divided, except on special report and sanction from the collector; and there is a specified time within which a ryot must relinquish his land, in order that it may be available for cultivation by another.

"The observation of the Board, that, under the present system, lands naturally connected with

each other will be dissevered, and the rejected portion rendered useless to any one else, does not in practice exist, for there is a provision in the rule which prevents this. The idea which the Government has adopted, as stated in the minutes of consultation, that portions of fields, or minute patches of unassessed lands, in places which may impede irrigation or right of way, are given for cultivation in Salem, does not obtain. The first was prevented by the rules of 1833; and to remedy the second, orders were issued by me specifying what portion of newly taken up immemorial waste was the minimum to be granted.

"Referring to the instructions of the Board that my attention should be directed to the rules for cultivation promulgated in the Bellary district A.D. 1824-25, in order that I may prepare and submit a modification of the rules of this district with reference thereto, I beg to state that, having received a copy of the aforesaid rules from the Bellary collector, I find nothing in them that is applicable to this district which we have not already in operation. The rule for the cultivation of the enam lands at the same time with pûtkut, which obtains there, is not required in Salem; for in Bellary the enam lands are a large portion of the whole cultivation, and particular provision is necessary to prevent the withdrawal of the whole labour from the Government lands.

"Other reasons also exist, which it appears to me might be sufficient cause for not assimilating

the two districts. The district of Bellary has a comparatively much more wealthy population, and the holdings are very much larger than at Salem; so that, if it were the intention to make a ryot give up equal portions of profitable and unprofitable lands, the Bellary ryot would still have a sufficient employment for his capital and stock; but if the same rule was to be enforced on some of the numerous holders under ten rupees [one pound], who cultivate in Salem, they would be left without land.

"There is another difficulty in this district. In Bellary the lands are all in classes, and if a ryot wishes to give up a part of his third-class land, he may be called on to relinquish a portion of his second and first also; for although the higher classes may not be actually more profitable, still they are rated superior, which may be sufficient to carry out the rule. In Salem we have no such classification of land; and if the ryot was called on to relinquish equal portions of good and bad land, there is no one to point them out; and the rule would be a source of constant dispute and disagreement both with the authorities and with the villagers themselves.

"The Salem district is gradually progressing since the depression of 1833, and in the present year the land revenue, inclusive of the various taxes under the head of Moturpha, is 36,804 rupees [£3,680. 8s.] above the average of forty years from 1801. It would appear, therefore, that no loss has been occasioned by the cultivation

rules; and taking into consideration the regular realization of the revenues, as will be observed on reference to the cultivation of the previous years, I am in hopes that the Government will not direct too much interference with the cultivator in his attempts to find out the most profitable mode of employing his labour.

"Did the district suffer loss, I would not offer a remark; but having a poor population and a very extensive space of waste land lying useless, I think it best not to interfere too much in preventing them from following out their own interests in their own way. There is no fear of any little profits that they may obtain being diverted from the land,—they will all return to Government through the means of increased cultivation; and as the practice of calling on the ryot to give up equal portions of his good and bad lands has never obtained in Salem, I am in hopes that it will not be introduced at this time, when, to all appearances, the district is steadily advancing to prosperity."

The principal collector, Mr. Gleig, who gives this decided opinion after having held that office for three years, might be a man of great practical experience in revenue matters, might have the state of the district and the results of the present revenue system daily under his eye; but the members of the Board of Revenue refused to believe that matters were not in reality such as they had appeared at a distance, such as the Board had in fact made up their minds that they

should be, or that these ideas, so opposed to "Board" opinions, could possibly be right.

Still ignorant of Read's rules, the Board subsequently did call for information as to the usages of the district before Mr. Cockburn's were published; and Mr. Gleig gave in reply an extract from a report made in 1800 to the same Board by Major Macleod, the assistant who was left in charge of the district when the second Mysore war broke out; and to this were appended further remarks, that show with equal clearness the principal collector's thorough knowledge of Salem.

"Every farmer," writes Major Macleod, "is allowed the exclusive right to all the lands he occupies, so long as he may continue to pay the rent which is fixed on the fields that he possesses. He may relinquish one or more of his fields without prejudice of his right to the fields he may retain, but his right to a particular field ceases from the period of his giving it up; that is, from the season of his declaring that he will no longer occupy it. A field as it stands in the register cannot be subdivided, and if a farmer cultivates a tenth part only of a field, he must pay the rent of the whole field for that year."

"It thus appears," adds the collector, Mr. Gleig, "that this unrestricted freedom in the choice of their land is a usage of very long standing in the Salem district; and I confess, taking into consideration the circumstances of the Salem ryots, I should be grieved to see any measure

adopted that would tend in the least degree to deprive them of this right. After so long a period as has elapsed since the lands in this district were assessed, it is not to be supposed that they retain the same relative value now as then. A poor ryot and constant cropping soon bring highly-rated lands to an inferior value; whilst, on the contrary, a ryot who can afford to do justice to his farm can bring inferior lands to equal in value the highly-assessed.

"In the objections of the Board, that unlimited freedom would be inconsistent with the maintenance of the public revenue and inimical to the interests of individuals; that, instead of protecting and relieving the great body of cultivators, it would enable the substantial and influential few to select and retain the best locations, to the prejudice of the village community, I think the Board have taken a limited view.

"As to the first of these objections, no ryot will quit lands which yield him a profitable return, unless he can find others of more value. The welfare of the ryots is the foundation of revenue prosperity. There is no doubt that his profits will eventually be placed in the land; and I should rather consider any impediment to his employing his labour and capital as was most suitable to his own views, a bar to revenue improvement.

"As regards the substantial few getting and keeping possession of the best locations, to the prejudice of other members of the village commu-

nity, it appears to me that this is the great object we should strive to attain. The great want is capital among our cultivators; and whoever possesses it will no doubt command the best possessions. And it is well it should be so; for superior land in the hands of a poor cultivator is a constantly decreasing source of wealth; and the attempts so often made in this country to protect the poorer classes, and keep all on an equal footing, are mere fancies. For the possessor of capital must enjoy the advantages it ought to insure him, whether employed on land or elsewhere; and the idea of forcing a man to retain an unprofitable location is equally futile; no one will, under any circumstances, give his time and labour without a profitable return.

"I think I mentioned to the Board in my last report, my objections against the remedy they pointed out, to prevent the relinquishment of small portions of land, by causing the lands to be held, not by fields, but by more extensive allotments, which, containing good and bad land, should all be given up, or all retained; and reference to the marginal note* will, I hope, impress the Board with the impracticability of this plan in Salem, where sixty-three per cent. of the cultivators have farms under ten rupees of yearly value. The only consequence of such a

* "Cultivating ryots holding—

Under 10	rupees,	98,781
„ 20	„	33,704
„ 50	„	20,341"

restriction would be to lay the land waste; to have a large demand, which could not be collected; and to come before the Government annually with a heavy balance for remission.

"In districts where this system does obtain, it is easily evaded. There is no prohibition against a person selling any portion of his lands, and the unprofitable fields are nominally sold to a poor dependant; payment is made for one year, and in the next the whole of the portion sold is given up by the purchaser.

"This was the plan pursued when I was in Cuddapah, and I fancy it may be found elsewhere. In comparing Salem with other districts, I would earnestly solicit the Board's attention to the difference in the circumstances of the people inhabiting each, before assimilating a system of management which, though innocuous in the one, might be very prejudicial to the other."

The fight had been fought, and victory remained, as usual, with those in power—with the Board. In 1844 a fourth set of rules was promulgated to the ryots of Salem, by order of the Revenue Board; and in one rule it was duly set forth, "If any ryot wishes to relinquish a part of his putkut, he should be allowed to do so, provided it is a whole field, and so situated that it can be conveniently cultivated by another who may choose to take it up; or give up good and bad together in fair proportions; and shall on no account be permitted to throw up bad lands alone."

This was the gist of the new code; and though the wording might with ease have been more distinct, the ryots soon learned, in its fullest sense, what was the legislative intention. The "ancient rule," as it is sometimes styled, that a ryot relinquishing any portion of his putkut or holding should "give up good and bad together," was to be put in force for the future in Salem, and invariably adhered to.

Whence sprang this "ancient rule," Indian history sayeth not; none know what people rose to prosperity, and saw plenty throughout their lands, beneath its fostering influences. Salem, it has been seen, knew it not; and well would it have been had those who ordered the introduction of this rule, before carrying out the measure, studied somewhat more closely the system of the district under Read and Munro, and caught, if possible, something of the spirit that breathed through such rules as those men enforced. They would then have known that, on the 18th December, 1796, "perfect and entire freedom of cultivation" had been openly and publicly given to the ryots of Salem by the father of the ryotwarry system.

The spirit of Read and Munro had now, indeed, ceased for a while to animate the revenue system of Salem. The old rule, that the ryots should relinquish their lands at such time as to allow of their being cultivated by others, was a just restriction, which had always been maintained; and if the lands of each village were really cultivated

as in England, the adjacent fields being all in the occupation of one man, then a prohibition against fields being given up to which others could not get easy access, was also equitable, though difficult to uphold in a court of law. "Right of way will be given you," would be the probable reply there, if such a point should ever be mooted.

And if this latter portion of the order was to the end that land relinquished might be conveniently cultivated by another, was that the intention also, in the further provisions, which required that good and bad should be given up together in fair proportions? This surely was a mere attempt to compel the ryots to cultivate lands that they had found to be unprofitable, by means which it had been so clearly shown could not be made use of in Salem without exposing the ryots to the most grievous oppression. But wherever the rules now in force for the revenue administration of the country may seem too harsh, it will generally be found that they have been based on measures more suited to the grasping policy of former dynasties, and that in this code they appear, as in the present instance, under some pleasant disguise.

The Mahratta Brahmins, who served Tippoo and administered the affairs of all eastern princes, are equally eager to swell the revenue of the English Government. A Brahmin never considers himself of any nation,—he is "twice born," and by virtue of this second birth thinks appa-

rently that he is to be bound by no such ties. If asked what countryman he is, the reply invariably will be, not that he belongs to such a race, but that in his family such a language is used. He and his fathers, from the first lords over the various castes that people Hindostan, have nothing to do with one nation more than another. And whoever may rule India, he fully believes that all financial affairs will be administered as hitherto by the Brahmin "twice-born," and in the south more especially, through those "twice-born" that speak the Mahratta language.

Here is a case in point. If "good and bad" were to be relinquished "in fair proportions," in order that they might form an eligible holding for another, they might be so relinquished; but who had the power of compelling the next ryot to take them up in these same fair proportions?

In this district there was no necessity that the ryot who wished to cultivate relinquished land should also drink of the Board's mixture; there was not even a provision to that effect, and the ryots are quite wise enough to like the "good" in its pure state, to take the "good" without the "bad;" and as they may, they always have, and will continue to take up lands not as relinquished, but in such proportions as they think will pay best.

If, indeed, the eligible holding was the idea, well might this device have been described as a Mahratta wolf in sheep's clothing—real English wool. The real action of the rule was simply to

compel the ryots to cultivate lands that they found did not pay, and the scheme was clearly Mahratta, well worthy of Seevajee the free booter's countrymen.

Singularly able and devoted to the interests of Government, the Mahratta Brahmins are equally unscrupulous with the cultivating classes, if unfortunate. Should the ryot find that his load of "bad" land was too much for him, and that it was likely he and his would all shortly sink in the slough of despond, vain would be his appeal to the "twice-born." "Work," they would say, "work, or we will cut off a hand. The Government accounts!! are they to be thrown into confusion, and the revenue destroyed—Oh, ryot? Work, work, or both arms shall go, and your legs shall follow." And, alas! too often did this mistaken policy, this lopping off of lands that really were profitable, leave to the State, in the shape of worn-out fields, but the bare bones of what was once a substantial and valuable holding.

It is perhaps the wonder of the world, this Indian empire. Whilst the native soldiery give their hearts' blood on the battle-field, and, dying, bless the power which they well know will be a father to the families that they shall never see again, know even in that hour when all else is nothingness,—that same devotion to a strange race sitting in the seat of the rulers, is equally shown by the men of the priesthood, the hierarchy of Hindostan. And the secular members of that body which has ruled the political destinies

of the country since the days of Menu, no matter who held the sword, whether Mussulman, Mogul, Hindoo, or Mahratta, have from our first assumption of power ever striven to their utmost to fill the coffers of the State.

Crude in some of their ideas, they are apt to think too much of the year's revenue, and give too little heed to counsels that would increase the morrow's resources; but thousands and thousands are there of these wonderfully able men, who, with their official brethren of lower castes, can truly point to a lifetime spent in unswerving devotion to the Government.

If the European head be idle, they will of course take advantage of a superior's indolence; but a great deal of the corruption urged against these men, if fairly examined into, would be found not so far different from the European notions of the last century. To take a present from the successful party in a suit is the usage of the country; and let those who would cast a stone, first scrutinize well the customs of Europe.

If not at the present day, in many countries a few generations back, somewhat similar ideas were tolerably prevalent. The present high state of public honour and morality has been brought about by the spread of true knowledge, and the might of a people's voice speaking through an enlightened press, — the very influences which are now struggling against Indian vice with an irresistible force.

To take a bribe for injustice is thought by all

good and respectable natives to be as utter an abomination as the most thorough-going English lover of justice could portray the crime; and if they should receive presents from those who win, do not let them be judged too severely for following what has been the custom of India from time immemorial. The strangers who now rule the destinies of this mighty empire, have other and purer views as to the duties of those in authority; but assuredly in time the descendants of these very natives will see the error of their ways, and bribery in every shape will be discarded; things will be seen in their true light; an enlightened public opinion will be gradually created; the strongest possible check will thus be provided against the solitary corrupt; and then, as surely shall the records of this country show that those strangers, however mistaken at times has been their policy, have nobly and heartily striven to do justice to the millions of Hindostan.

This result of the "cowle system,"—this overcare, which followed an improper laxness,—this interference with the details of each ryot's farming economy, which, called "good and bad," was an unmitigated evil, did not long disfigure the revenue system of Salem. In 1846 the Revenue Board was urged to allow at least that lands separately taken up should be similarly relinquished, as such fields of necessity could form no portion of that "hereditary and compact holding" which each and every ryot in the eyes of the Board seems to possess, and would as surely, with

freedom of cultivation, recklessly abandon, to the great loss of revenue and grievous discomposure of Mahratta accounts and Mahratta accountants. Mahratta accounts in a Tamil district sounds strange; yet Law wore Persian, and Revenue, alas! is clothed in equally dignified robes, as regards the ryots of Salem. Calculations in the vernacular may be clumsy; still the cure is worse than the disease, and might well be abandoned along with the rule of good and bad, that real bad antidote.

But it is difficult to cast aside at once any treasured maxim; and the following year a relenting Board only permitted that the circumstances of the ryot should be taken into consideration by the collector, and directed that the "ancient rule" should not be driven over the ryot's hearthstone. This concession was gratefully acknowledged; but each year the injustice of this restriction on freedom of cultivation was pointed out with the same ability and energy, and in 1850 the Governor in Council commanded that the ryots of Salem, if desirous of husbanding their resources, and contracting their holdings, should in future be allowed to throw up at pleasure all such fields as they may have taken at one time; a measure which the ryots could justly demand, will fully appreciate, and, by increased confidence and industry, will amply repay.

CHAPTER X.

THE AUTHORITIES OF THE DISTRICT.

The Legal Reforms of 1843—The Sessions Courts facilitate Criminal Justice—Subordinate Courts, Defect in, and further Reform necessary—Supervision of the Sessions Judge over the whole Police—The Magistracy; relative positions, and with reference to the Sessions Court—Increased Powers now given—Advantages of the Judge over the Magistrate—Numerous and various Duties devolving on the latter—Joint Proceedings of Magistracy and Native Police, their Abolition desirable—Preventive Police—Adverse Influences and Means of Encouragement—Reasons for giving Criminal Jurisdiction to District Moonsifs—Their Operations in 1850—Other Civil Tribunals of the District, and Nature of Litigation—Minute Subdivision of Property—Increase in the Population—Collection of the Ryotwarry Land Revenue.

In 1816 a sweeping reform had been made in the Madras Regulations; whilst, six years later, those measures were carried out still further, and, instead of there being one law for the rich and another for the poor, both then had been put on the same footing. Again, in 1843, another judicial reform was effected, and the courts of India were once more altered, not to obtain some fanciful resemblance to the time-honoured institutions of England, but to meet the wants of the country.

The Courts of Circuit were swept away, and each criminal case was now to be tried as soon as committed. The wearisome delay of former

times, pending the arrival of circuit judges, now became a mere matter of tradition; — another stone in the "monument of human wisdom," and the action of justice was again quickened. The old Zillah Courts were also abolished, and their jurisdiction was distributed between the two new legal tribunals now created in each district, the chief of which everywhere was to be called henceforth the Civil and Sessions Court of that particular zillah.

To the judges of these new civil and session courts were intrusted the more important of those duties that had been originally allotted to the late circuit judges, both in that capacity and when sitting as the provincial court of appeal in civil suits. There still remained at the presidency, it had better here be mentioned, the Sudr and Foujdaree Adawlut, which tribunal, created in 1802, from the first has been, and continues to be, the highest court in the country. But the jurisdiction of this latter court is not local; as the Sudr Adawlut in civil, and the Foujdaree Adawlut in criminal matters, the three judges of whom the court is usually composed, exercise general powers of supervision and appeal over and against all other tribunals throughout the presidency, whether the point at issue be a simple matter of police, a heinous crime, or an intricate and important civil suit.

The Civil and Sessions Court of Salem, as regards its jurisdiction both in civil and in criminal matters, thus became the highest legal tribunal

in the district. Before this court, all cases of murder, robbery by open violence, and of thefts, where the value of the property stolen exceeds thirty pounds; every case of arson, perjury, forgery, and all other crimes of a serious nature that annually occur in this scattered population of upwards of a million, must be tried and disposed of.

Where life has been taken, the capital punishment awarded in such cases in England, is usually the sentence in India; but if there are mitigating circumstances, or other reasons opposed to the exaction of this extreme penalty of the law, instead of hanging, the sentence will be perpetual banishment, to the Straits of Malacca, or elsewhere. In all capital cases, the records are forwarded to the judges of the Foujdaree Adawlut. The sessions judge who presided at the trial, gives his opinion, but the final sentence, whatever its nature, must invariably be passed by this highest tribunal in the presidency. There are many good grounds for thinking that there is but one way in which this sentence should ever be given; and one reason applies with infinite force to India. Even in England men have been hung by mistake; even in English courts, on English evidence, the awful sentence of death has been passed against the innocent. To weigh probabilities and take life, is a terrible picture; on the one side, all that is fallible; on the other, the irrevocable; and yet the lives of others must be protected: the judge's duty is a necessity. Life for

life was the law given by God,—is a universal law. When the laws of God and man have been set at open defiance, and "guilty" written in characters of blood that those who run may read, the mind of itself at once awards sentence of death; but there are again many cases where all the ends of justice would best be secured by a sentence of perpetual imprisonment. It may justly, therefore, be demanded that the awful sentence of death should be made an integral portion of the verdict or opinion of the presiding judge, and should only be carried out when thus declared a stern necessity. The other heinous crimes are punished by imprisonment, varying in duration from two to fourteen years, and accompanied with hard labour in irons, on the roads or other public works.

In each trial the judge is assisted by the moofty or Mahomedan law officer, whose duty it is, at the close of the inquiry, to give in his futwah or legal opinion on the merits of the case, viewed according to the Mahomedan laws of evidence; and should his opinion, thus formed, differ from the conclusions to which the sessions judge may have arrived, the whole record, without reference to the nature of the crime under trial, must be submitted to the judges of the Foujdaree Adawlut, whose decision in this, as in all other cases, is final.

The technicalities of the Mahomedan law of evidence are evaded by a very effective artifice. If the moofty opinion has been founded on

frivolous objections, not recognised by the practice of English courts, the judge is instructed to ask what would have been the "futwah" if such technical objections had not had any existence. It is also in the power of the sessions judge, where he may consider such a course advisable, to summon, instead of this Mahomedan law officer, a species of jury, whose verdict is taken in writing; but apparently this exotic does not find much favour in the eyes either of European judges or the native community.

Where the former understands the language of the people, and especially when the case is one that requires an intimate acquaintance with Indian customs, the presence of respectable and educated natives must always be a great assistance; but even where a knowledge of their language is not wanting, it is difficult to prevail on the timid Hindoos to give a straightforward opinion in open court, and it is almost impossible if an interpreter be necessarily the medium of communication.

The welfare of the whole district is intimately connected with the fitness of the civil and sessions judge for the high office which he has been selected to fill. Ignorant of the people, their customs, and their language; thrust into a district with the police of which he is utterly unacquainted, what chance has such a man, however desirous, of satisfying either his own conscience or those that seek for justice in his court? He will most probably distrust the police; consider each

case that comes before him some grievous act of oppression, and with true John Bull feelings will identify himself with the oppressed, acquit the accused, and thus, frustrating the efforts of the magistracy, he will throw open the gates of the gaol, to the great joy of the ill-disposed, and the utter dismay of the helpless thousands whose humble homes are scattered amidst the lone mountains and jungle-bounded plains of Salem. Or perchance the police of the district is then lax, —their statements to be received only with the greatest suspicion; and here, on the other hand, an unwise confidence in their veracity on the part of the stranger judge would also be productive of great evils. There are many other and all-important duties likewise intrusted to this high tribunal. Let but the judge know the district, and the language generally spoken there, and in that Civil and Sessions Court a scope is given for doing good, that the proudest intellects, the greatest talents, if rightly directed, could scarcely deem confined.

The rest of the powers possessed by the old zillah judges were to be in future wielded by the lower courts now created; the officers presiding over which were styled, if of the covenanted civil service, Subordinate Judges, otherwise, Principal Sudr Ameens; and Salem comes under the former class. These courts are empowered to try such offences as do not come within the jurisdiction of the Sessions Court, and for which imprisonment up to two years, with hard labour in irons, is deemed a sufficient punishment.

The duties of these lower courts are, however, somewhat anomalous. Although strictly judicial officers, the subordinate judges, or principal sudr ameens, as the case may be, are required, according to this Act (No. VII. of 1843), to perform in part the duties of a magistrate. The legal absurdities perpetrated in 1802 still tincture the whole judicial system. Then it was not deemed advisable to intrust the zillah judge with any criminal jurisdiction, though no limits were placed to his authority in civil suits; and he was merely empowered, in such cases, to commit for trial before the Courts of Circuit.

When the spirit of the times had changed, and the zillah judge was invested with jurisdiction in criminal matters also, by the regulation then passed, it was enacted, that all parties accused of offences such as did not fall within the extremely limited authority which had been so given, were still to be committed by the zillah judge for trial before the Courts of Circuit; and at that time this course was absolutely requisite.

The heads of the district police, that is, the tahsildars, had only just been invested with police powers, and then were neither fit for, nor possessed of the extensive magisterial authority that has since been most judiciously intrusted to them; whilst at that time, if for no other reason, justice demanded that such cases should receive some further inquiry before the unfortunate prisoners were cast into gaol, to spend in anxious wretchedness, surrounded by a deadly atmosphere of vice

and crime, the weary months that must elapse before they could be tried; before it could be decided by the circuit judges whether they were really guilty or not.

The zillah judge of necessity then retained thus much of his old duties as magistrate; but why was this anomaly kept up, when the Circuit Courts were done away with, and the heads of district police had exercised magisterial authority for nearly thirty years? Would it not be better that the case should be committed direct to the court by which it is to be tried? And what are the results of the present system? Are they so satisfactory as to warrant the further continuance of this anomaly?

Every case committed for trial by the covenanted or uncovenanted magistracy, by the European officer of twenty years' standing, or by the native tahsildars, possessing the experience generally of full as many years spent in the public service, every case must still pass through this lower court. A murder takes place; the murderer is arrested by the moonsif, or head of the village police; a brief account is drawn up, and the case, with the report, is sent to the tahsildar, or native magistrate of that division. Full inquiries are now made, and the depositions* of all concerned are committed to writing. The tahsildar's office may be ten, may be ninety, miles from Salem, where both the subordinate and

* These are written in full. Every question and every answer is minutely reported word for word.

sessions judges have been stationed; and the cause is thence forwarded to this subordinate court, where it cannot be tried, but must be re-examined. And why?—for what purpose? The witnesses have told what they knew of the facts of the matter to the head of their village, and as the murder had just taken place, their statements then were most likely correct. They had given their evidence at the village,—again before the tahsildar; and now they must manage, somehow or other, to adhere strictly to the same statement before the sub-judge, or else the murderer will never be tried at all, and on his return with them to their native village, it is not improbable may do what he can to requite their disinterested exertions in the cause of justice.

In a murder, the evidence is often very simple. But let it be a "gang-robbery:" twenty or thirty men agreeing to meet on a certain night at some trysting-tree, a well, or solitary temple, known to all. About midnight they gather together; many have been perhaps two days on the journey, and their usual haunts are sixty miles off; liquor is served out freely, and with lighted torches the gang rushes down on the doomed village, shouting and slinging stones in every direction. The timid ryots cower down in their huts, but rather steal off, if they can, to some hiding-place; for frightful are the cruelties but too often practised on such occasions to compel the wretched villagers to show where their jewels, money, and other valuable property, have been

hidden. In an hour the work of spoliation is over, the property stolen is collected, and hid, to be distributed hereafter; and the gang disperses.

Well, a clue is got by the police; the evidence is gradually collected, and in time the gang is arrested, and the case committed to court. At the robbery the witnesses were half-stupified with fear; they have been questioned in their village; they have been examined by the police; and before they may give their evidence in the final trial on so difficult and complicated a subject, they will probably be closely cross-questioned by the subordinate court also. An educated Englishman would find it difficult to depose minutely on any point four times over, without some discrepancies creeping into his testimony; but this is all lost sight of, and the gang, should the ordeal of the subordinate court have been successfully passed, but too often is acquitted and released on this very account by the sessions judge, probably with a sweeping denunciation against the worthlessness of native evidence.

It is in such cases as this that the magistracy of a ryotwarry district have immense facilities in the discovery of crime. These gangs cannot be collected without the heads of villages, and most assuredly the village servants of the neighbourhood, sooner or later hearing all about it. A smart tahsildar can make himself master of all this information, and if the collector-magistrate knows his district, such gangs must be eventually apprehended; though to little purpose, if the law

placed in custody; and inquiries are simply made as to previous possession, to determine which of the claimants shall be maintained in occupation pending the result of a civil suit; and in the former are included those cases which were committed to and disposed of by the courts.

But a very large proportion of the offences really perpetrated during the year, it is equally true, never appear in the statistics of crime, as they are carefully concealed from the police, to avoid the trouble, loss of time, and probably of money also, that invariably attends on a criminal prosecution. In such cases especially, as the people know that the matter must ultimately be decided in the Session Court, sooner than run this judicial gauntlet, the sufferers prefer to let their wrongs go unredressed; and even if they do come forward, the police have often great difficulty in persuading the necessary witnesses to expose themselves to this ingenious legal experiment on the tenacity of native memories.

The covenanted magistracy consists of the collector, the sub-collector, who is styled joint magistrate, and the head assistant. There is also generally a second, and sometimes a third assistant; and as the names of their several offices would imply, they all more or less are under the orders and direct control of the first,—the collector and magistrate of the district.

When an assistant, having passed the prescribed examination in two native languages, enters upon his public duties, for the first year he is not

allowed to hold an independent charge; otherwise the same original powers, within the limits of the district, are exercised by the whole of the magistracy, without reference to their standing in the service. To each so many subdivisions or talooks are assigned, and they are severally responsible to the collector-magistrate for the state of the police within their range, and the correct performance of the various duties appertaining to their office. Against any acts of the assistants, the appeal lies to the collector-magistrate in the first instance, whose decision, however, may further be carried before the sessions judge. And the same rule applying to the heads of district police, with the other native subordinates, the collector-magistrate's office thus becomes an appeal court in the first instance against all proceedings of the covenanted and uncovenanted magistracy within his district. Should he differ in opinion from the sessions judge, who, generally speaking, is an officer of about the same standing and experience, the matter must be referred for decision to the Foujdaree Adawlut. Both officers are paid alike, and, apparently with a wise policy, the powers and influence of the collector and magistrate and of the civil and session judge are by the present system nicely balanced.

The jurisdiction of the magistracy was increased when the criminal courts were last remodelled. Munro, at the time of the first reform, when the zillah judge ceased to be the sole magistrate and superintendent of the police, had recommended

that greater powers than were then allotted should be given to the new collector-magistrates; but in vain. As usual, he was before the times in which he lived; and his views were not carried out till this Act VII. of 1843 had become the law of the land. The magistracy were then authorized to fine and imprison for any period not exceeding six months, which might, however, be extended to a year, in default of the fine; and in cases of theft, instead of the fine, was to be accompanied with hard labour in irons. In the latter cases corporal punishment with a cat-o'nine-tails may also be awarded, which power has always been vested in the criminal courts and magistracy.

When a petty theft has been committed, instead of dooming the wretched culprit to spend a month with men hardened in iniquity, a severe flogging is a better punishment. The apathetic native cares nothing for a short confinement; he gets a good house to live in, and as much as he can eat; but he dreads the pain as well as the ignominy of a flogging. In the one case, his theft has supplied him with food, and detection equally saves him from the pangs of hunger; but to be lashed and forthwith released to shift for himself, must be set down altogether on the losing side, and has a proportionate effect on the calculations of crime.

To fill efficiently the office of collector and magistrate, requires great tact and experience; and there is one marked difference between the

work of such an office and that which is brought before the judicial bench. In the court, every case comes up for consideration in the presence of an intelligent native Bar, by the members of which, if rightly encouraged by the judge, each subject will be discussed with a freedom and ability that is of the utmost assistance in the formation of a just decision. All proceedings, before being submitted for his judgment, have been carefully prepared; and a judge's work invariably must come to his hands more or less ready cut and dried. Not so with the magistrate: he and his assistants have no such aids in detecting wrong when they peruse the numerous and lengthy reports which may have been received by that day's post, and are duly produced by the native secretary in formidable array.

A head of police forwards a long statement of the steps he may have taken in the detection of some gang-robbery or other serious crime, and details the various circumstances which cast suspicion on others residing at a distance in a different district. The whole case must be carefully gone through, and warrants issued without delay, if justified by the evidence, for the immediate arrest of the parties accused. The next bulky inclosure contains perhaps the result of a lengthened inquiry, in which a verdict of accidentally drowned has been the opinion given by the head of police who conducted the inquest; and here again great caution is requisite, for murder is sometimes thus disguised.

The women of India value life low, and to rid themselves of any temporary ill, often will not hesitate to do so by quitting this world for ever. There is also a strong belief that the spirits of those who thus seek a voluntary death will forthwith, in some devilish shape, haunt the oppressor's path to his grievous harm; and some thus seek to revenge their real or imaginary wrongs. At stated periods they are also considered impure: by the Hindoo laws, in some castes, they are then forbidden even to sleep within the house, and, thus left by themselves in the darkness of the night, racked perhaps by real bodily pains, and tormented assuredly by all the goblin spectres that their ignorance and untutored minds can picture as peopling the horrid gloom around, no wonder that to these poor creatures the still waters of the neighbouring pool should seem a happier home. It is also not uncommon for these untaught daughters of Eve to commit suicide, which they almost invariably do by drowning themselves, when no grievance exists, but when simply carried away by any temporary transport of passion, however excited. And these known facts, there can be little doubt, are often taken advantage of to cloak dark deeds of ruthless violence. At the same time, the daily visits of the women and children of this country to deep wells and tanks, which in many places can alone be approached by slippery worn-out steps, and from which must be drawn all the water required for household purposes, are frequently the causes of

accidental deaths; and to all these reports no small share of the magistrate's attention must be rigidly given.

Standing on a narrow step as far out as she dare venture, the graceful Hindoo maid may be seen in the calm light of the evening seeking to fill some ponderous brass vessel with the purest water of the lotus-veiled pool. Her task accomplished, she strives to raise the vessel to her head: she has done so many a time before, but this may be the last; a slip of the foot, and the silent waters close for ever o'er the ill-fated Lutchmee.*

It may be considered, indeed, a matter of surprise that there are not more cases of drowning; and nine out of ten are accidental deaths; but it the more behoves the magistrate to use his utmost vigilance to prevent so easy a disguise from hiding murder.

There is no regularity in the work of this office, and the next reports perhaps will all involve caste. Ramasammy would walk through Veerasammy's street with his slippers on, or would bind his ambitious brow with a red turban; and John Bull would of course decide that men may do as they like in such matters, that Ramasammy may put on leathers and top boots for his walk, or as far as Veerasammy is concerned, may cover his head with a black hat or a wide-awake. Or, perchance, Permal's bullock has died. Unlike the Yorkshire jockey, the mild Hindoo's title in his

* A common female name amongst the Hindoos.

faithful servant ceases with death, and by the immemorial village laws the carcass, skin and all, must be given to the toties, or village watchmen. All dead animals found within the boundaries of the village are their hereditary right, and if given to their rivals of the left-hand caste, the quarrel shakes the little community to its centre.

A curious custom has been founded doubtless on this right. If there should be a dispute as to the boundaries of any villages, the watchmen decide the matter. After performing certain religious ceremonies, they walk the boundaries, and the line traced by their steps is received by all parties. The right to every carcass gives to the toties alone an interest over all the land, whether occupied or immemorial waste, within the village boundaries; and hence they are justly supposed to be better qualified than others to speak to such matters.

In some few cases where the left-hand caste has a great preponderance in the village councils, the servants of the latter are, however, found to be the fortunate holders of the title; and woe betide the magistrate, if, inexperienced, he should give a rash order on any of these subjects. The local usage in each case must be accurately and minutely inquired into, and the Indian magistrate, setting aside his English love of assimilation, will labour most effectually in the cause of justice by strictly respecting the customs of the people over whom he has been placed, and so

preserving the good order of the district that has been committed to his charge.

These customs may all seem, according to European notions, very frivolous and absurd, and the magistrate would doubtless gladly enforce ideas more consonant with that liberty which surrounded his childhood, if it could be done without injustice. To wean a people from superstition, is man's most glorious mission; but to use his "little brief authority" to force upon conquered races customs which they abhor, is as base.

It not only is a matter of justice, but of positive necessity, to uphold these local usages; for a wilful disregard to the prejudices of the people would immediately create riots that disciplined troops could alone repress; whilst there is not a regiment in the district.

At Salem there are a few old veterans, and at Royacottah some fifty sepoys from one of the regiments stationed at Bangalore. This detachment from Bangalore is to take charge of the strong hill-fort of Royacottah, which they perform after a somewhat amusing fashion. Guard is kept from sunrise to sunset on the lone rock that towers some thousand feet above the broken ground around its base; but with the twilight the heavy gates are closed and locked, and the red-coated sepoys are to be seen hastening down the winding path that leads from the battlement-crowned precipice to their humble cottages below. They say that there is a subterraneous passage

near the massive gateway; and a story is told of the place, that may be given here as strongly illustrating one of the great holds which the British Government possesses on the fidelity of the native army.

Down this mysterious chasm some five or six adventurous sepoys had once rashly wandered, in search of treasures said to be hidden there. They never came back, and their troubled spirits were nightly heard wailing around the rock. In those days the castle was guarded at all hours; and each night, as the clock struck twelve, the sentry at the gate heard a wild and unearthly voice asking three times over, "Where is my family?" The boldest of the garrison were afraid, and three successive nights none durst answer; but at last one more courageous than the rest, when the sad question was once more put,—"Where is my family?" loudly replied, "In Raya Vellore, in Raya Vellore, drawing a pension, drawing a pension;" and then, say the sepoys, the ghosts went down to their long home, glad, and for ever. Their families safe, the ghostly minds were at rest, and the ill-starred treasure-finders troubled their comrades no more. Now there are but few of these simple-minded and faithful sepoys to assist the magistrates of Salem, nor are they needed: the authority that respects their customs, the natives will themselves respect and uphold.

In all cases where parties are accused of heinous crimes, the preliminary investigation is almost invariably conducted before the head of police, the

prisoners having either been forwarded with a report by the heads of villages, or arrested by his own peons; and he has the power to order their immediate release, should he be of opinion that there are not grounds to warrant further proceedings. All that he may have done in the matter is at once reported to the magistrate or assistant magistrate, in whosesoever charge his subdivision may be included; and the records of a case of accidental drowning may be succeeded by voluminous proceedings, which had failed to bring home to the accused, elsewhere, a wilful and cruel murder. Again the magisterial mind is bent to the work in hand; perhaps the parties are summoned for a re-examination, and every precaution must be taken lest the guilty should escape, when good and valid evidence could have been brought to light by a little more research on the part of the police.

Besides those cases which they themselves may dispose of, the original inquiry is often conducted by the heads of police, where the offence requires a more serious punishment than they can award, but is still within the powers intrusted to the magistracy, with the exception of those exercised under Act VII. of 1843.

In such cases, on closing the investigation, a report is drawn up specifying what, in the opinion of the head of the police, should be the sentence, which the magistrate is authorized either to confirm, or modify and have carried into execution without further proceedings on his part; this

class of cases of course considerably outnumbers those of a like nature which are personally examined by the magistracy. Some influential ryot has stopped up a road through his fields; or has turned on his rice-lands the water which poorer neighbours think should come to them, or, by chance, a needy ryot has borrowed of some wealthy Chetty moneys, which he finds hard to repay, and has in consequence been roughly handled by the audacious followers of his powerful creditor. All these offences, and their like, are usually punished by a fine, and in default, imprisonment, on the report of the head of police; as well as all cases of theft which are not sufficiently serious to warrant committal to the courts, or to be dealt with under the extended powers now given to the magistracy, and yet merit a heavier punishment than the head of police can inflict of his own authority.

In this country, where a goat is worth perhaps a shilling, and sheep and cattle are proportionally cheap, the people have been left more to their own resources, and the law has not attempted, by the severity of its penalties, to save farmers the trouble of looking after their own flocks. Some wandering Coraver, passing through the jungle, has killed a sheep without strict inquiry as to who was the owner; or the brass pots, that were a neighbour's pride, have been found in Veerun's possession. Ramun had lost, and Veerun is found in possession; and in all such cases of theft, sentence is summarily passed by the magis-

trate, on the report of the head of police or tahsildar.

But it may be doubted whether this joint jurisdiction is now necessary or advisable. Would it not be better that the heads of police should be empowered to carry out such sentences without this sanction? The magistrate confirms the sentence proposed by the head of police, and perhaps the next day receives an appeal against the police proceedings; the case has to be re-examined, and the result may perhaps be a second and different judgment from the same authority. Let the heads of police decide such cases offhand; let the whole proceedings be forwarded to the magistrate, and in cases of appeal, he would thus avoid the embarrassment of a previous decision, whilst still able to exercise a sufficiently watchful control over his native subordinates. For there is a marked difference in the position of the European and native magistracy. Surrounded by friends and relations, the head of police has often to carry out the stern dictates of justice where men, bred under a stricter code of morality, would occasionally fail; and in addition to the known weak point of the Hindoo character, on this account also the careful scrutiny of the isolated European superior is ever requisite.

Such is the varied work of an Indian magistrate, to be conducted to-day in the lofty cutcherry, to-morrow in tents with canvass walls, that bend to the breeze, as it gently sweeps through the neighbouring cocoa-nut tope, or rustles amidst the

leaves of the wide-spreading banyan. A long march may have been made in the morning; and when others would be thinking of rest, the magistrate must be at work. There, on the space before the tent, is many an eager applicant for justice, and within is the daily pile of reports. A theft or an assault, the sanitary state of some distant town, or dissipated gamblers surprised at play, an inquest or murder, each report is to be carefully read, suitable orders must be sent to the head of police, and the wants of those without duly attended to, whilst all this time perhaps there may not be a breath of air to soften the scorching rays of the tropical sun; or perchance it is an Indian sirocco, and, driven by the fierce blasts of the hot wind, clouds of dust obscure the arid plains.

The district is divided into fourteen talooks or subdivisions, and each tahsildar or head of police has from sixty to eighty peons to assist him in preserving order, with a very numerous staff of native clerks, to enable him to prepare and forward all these voluminous police returns, as well as attend at the same time to his revenue duties. It is not, however, by the number of his peons that the head of the district police can preserve order in his dominions, but by the degree to which he succeeds in winning the confidence and cordial co-operation of the village moonsifs. These hereditary heads of villages, whose sway is upheld by the iron chain of caste, and anointed in the eyes of the Hindoos with the holiness of im-

memorial custom,—these local chiefs are the men to whom he must look for assistance, not only when wrong has been done, but, far better, for the prevention of crime. These men are really a preventive police.

Gang-robberies, it has been already said, are the most difficult crimes to deal with; but the members of these gangs must be harboured in some village or another; and if the heads of these communities can only be induced to exert themselves against this crime, not only is the arrest of such persons comparatively easy, but the collection of any "gang" becomes a very difficult matter in an agricultural population. If the moonsif possesses that influence which he ought to have amongst the villagers, setting aside the increased chances of detection, his "subjects," in deference to his known opinions, will be loath to engage in such serious crimes; and it is well worthy of consideration how that influence and authority may best be strengthened, and most surely bent in the right direction.

Encouraging the free exercise of their magisterial powers is undoubtedly the best means of effecting this important purpose, as it improves the social condition of the village community whilst strengthening the authority of its head; but this measure depends entirely on the exertions of the magistracy. The native subordinates of the cutcherries are generally very averse to such a policy, because it weakens their own authority. Innumerable petty offences are brought before

the tahsildars, which might be disposed of by the heads of villages, but which are given to some subordinate to examine into; and whether handed over to that end or not, are as surely converted by these official understrappers into a source of pecuniary profit.

The tahsildars have no time to investigate these petty matters, and should be invariably compelled to send the parties back to their village, where such disputes can always be settled best. The astute Brahmins of the collector's cutcherry smilingly ask their European superiors how these half-naked and poor — very poor — villagers can possibly decide a case; but the "twice-born" themselves know right well that under the village tree justice is done to all.

The labourer unyokes his oxen from the plough, and scantily clothed, it is true, takes his seat to try a neighbour. He himself may be a fool, but his brother or his uncle will manage for him: he is not the isolated European, for here are all the elders of the village gathered together; and the offender had better be tried thus than, with those whom he has injured, be sent perhaps to a distant town, condemned to buy his way back to the village, through the various and unscrupulous harpies that haunt the office of every tahsildar.

Again, as regards the "report" written by the village moonsif within a few hours after any serious offence has been committed. The young and inexperienced magistrate will be utterly lost in amazement, should he chance to see his corre-

spondent, for the language is almost invariably clear and concise to admiration. All natives of India possess the power of recording what they would say, whether the cadjan-leaf* or paper be used, with great facility; but, as in trials, this report was in all probability the joint production of the wisest men in the village. A copy of each report should be passed on without a moment's delay to the magistrate, to prevent its being subsequently tampered with; and the original sent with the case when committed to the court, should be looked on as most valuable evidence. This report very rarely tells a lie.

And rendering to these reports the attention that they can so justly claim, and will so well repay, is another source of encouragement to the heads of villages. The estimation in which they are held soon becomes public; they naturally feel gratified in finding that their statements carry such weight with the highest authorities in the district; and thus they are led on to increased exertions.

There are of course many other ways by which they can be stimulated to the efficient discharge of their duties in a ryotwarry district; and it will be almost invariably found, that the village police are directly implicated wherever crime abounds. From their very position, they cannot remain

* The dried leaf, which is used by natives instead of paper, and on which the words are pricked with an iron pen, and with a rapidity scarce conceivable, save by those who have witnessed the process.

neutral; they will repress or they will encourage offences against society; they will either seize the robbers, or they will share in the spoil; and it rests with the collector-magistrate and his assistants to determine to which end the efforts of this all-powerful police shall be directed.

Let the European magistracy traverse the length and breadth of the district, and exchange for the formal cutcherry the freedom of a life in tents; let them know the language of the people, and be accessible to their village prototypes; let them encourage the active, and reprove those that are backward; and for this purpose, the mere mention to one of these men, in the course of conversation, of any case in point that has been sent up from his village, is worth quires of written orders. Above all, whilst seeing that the rest do their duty, let him sternly prohibit all needless interference from any quarter with these hereditary heads of villages; and assuredly, in the end, the state of the district, as regards freedom from crime, will be what the people and the Government can fairly demand that it should be.

The action of the criminal law has on the whole been quickened considerably; and to give speedy justice in this country, is to increase a hundredfold the efficiency of the police. Formerly the natives dreaded the long-protracted trial, that might avenge the public wrong, but was only an additional loss to themselves individually: now, generally speaking, the case is speedily decided one way or another; and, setting aside those

heinous cases where the evidence is so unfairly tested, it is chiefly the great distance to the courts at Salem from some parts of the district, as well as the unhealthy nature of the place itself, that renders the people averse to coming forward when injured.

This might easily be obviated to a certain extent, were the district moonsifs invested with criminal powers, as their courts are situated at more convenient distances; and a reference to the efficient way in which their present authority is exercised, would certainly show that a limited criminal jurisdiction might with safety be given to these native judges.* As the action of the law would be still further quickened, the police would undoubtedly be much assisted by this onward step in the path of legal reform, the true direction of which has already been so clearly marked out; and the general prosperity of the district would also be proportionally increased, in the same way as it assuredly has been by the other improvements, that have been already made, from time to time, in the criminal courts.

There has been a great change for the better amongst the people generally since the zemindarry system fell, and legal reforms were first commenced in 1816; but much of this must also be attributed to the success which has attended similar measures, having reference to the civil tribunals of the country.

* Since this was written, a draft Act to this effect has appeared in the official *Gazette*.

The District Courts, presided over by native judges, and also created in 1816, perform by far the greatest amount of work. In Salem there are six district moonsifs, before whom, in 1850, no less than 3,771 civil suits were disposed of. The property involved was not much, being £9,650. 16s.; but scarcely one of these suits was of more than a year's standing; and it needs not much thought to obtain some idea of the immense advantages that must result from the speedy adjustment of nearly four thousand conflicting claims,—of nearly four thousand sources of dissension. About one-third of this large number of civil suits had been settled by the parties themselves and withdrawn, whilst only eight hundred odd were for sums of above two pounds, and therefore appealable.

How the duties of this most important branch of the public service are performed, can best be described by the result of those appealable proceedings. During the year under review, only nine per cent. of these suits had been appealed; and it might have been thought, that, when exception had been taken, comparatively speaking, to so few of these judgments, the reversals would have a very different proportion; whilst, on the contrary, in almost half the suits the appeal was dismissed, and the judgment of the lower courts confirmed. The amount of property disposed of by these tribunals was rather more than a third of the total value for which suits were brought, during the year under

review, before the whole of the civil courts collectively.

But it would now be better to enumerate briefly what these other tribunals are. Above the six district moonsifs, the extent of whose jurisdiction has been given in Chapter VII., are two sudr ameens, who receive a higher salary, but exercise no power over their learned brethren, and are with them directly under the authority of the civil and sessions judge. Suits for land paying the full assessment to Government, or for personal property to the value of £250, can be tried before these latter courts; and one is always presided over by the Mahomedan law officer, who sits with the sessions judge to expound the Mahomedan law in criminal trials. Then comes the subordinate judge, with a civil jurisdiction up to £1,000; and above him the civil and sessions judge, with unlimited jurisdiction in original suits, and appellate powers over all the other tribunals in the district.

The whole system is one of appeals, and delay is the radical defect. There are no juries, and whether it be a civil suit or a criminal trial, the decision rests wholly with the single judge. In the infancy of these courts, it was wisely directed that all proceedings should be committed to writing; and the deposition of every witness, the lengthy questions put by the counsel on either side, and the equally verbose answers, all must be put on paper: and hence this grievous delay. Justice is up to the throat in records, and it is

only wonderful that her ponderous car travels as fast as it does, through such endless quicksands of written evidence.

It frequently happens that the examination of two or three witnesses occupies a whole day in civil suits; and to obviate the delay that this would inevitably occasion in the current business of the court, the judge is empowered to direct that the evidence of the several witnesses shall be taken in the presence of one of the subordinates. The judge thus loses the insight into the merits of each case, that can always be gained by a personal observation of the mode in which the witnesses give their evidence. And the evil does not rest here. These written depositions are laid by with the rest of the case, and from the changes which constantly take place, either on account of sickness or promotion, the decision may be eventually given by a third person. Till this time the parties to the suit are of course striving by every means, proper as well as improper, to induce the understrappers to bring the case before the judge for a final hearing; and the original decision, given perhaps the year after the last witness has been examined, and neither by the judge who presided over the original proceedings, nor the subordinates who examined the witnesses, is thus robbed of half its value. Till a radical change shall be made in the practice of the courts, such irregularities and delay are inevitable.

This is not only the case with the proceedings of the courts, but the same defect prevails alike in

the office of the collector-magistrates and their native subordinates. Such records have their use, but it may be doubted whether the course of justice should be retarded, to facilitate what is often the mere love of litigation. The judge's notes should be the record in each trial, and appeals might often with advantage involve the re-examination of the witnesses.

The decrees passed each month by the two upper courts in each district, are now regularly published. The publicity thus given, must be of the utmost advantage, and as the courts are gradually improved, Indian statesmen would do well to consider how far judicial officers may be safely relieved of the present all-in-writing clog on the rapid administration of the law. The examination of the parties themselves, according to the present law of England, would be highly advisable; and rendering summary decisions appealable only by way of a regular suit, might probably have an equally beneficial effect; whilst the original proceedings and execution of decrees are often subject to such gross delay, that here again there is ample scope for judicial reform. Quick justice is the great want of the country, and a short decision, given in a few plain words, is far better than the most elaborate judgment, delivered perhaps months after the last witness has been heard.

In addition to these paid dispensers of the law, it must not be forgotten that each village possesses an hereditary judge. The revenue and police

head of the village, it will be remembered, was also invested with judicial powers in 1816, and when exercising that authority is styled the village moonsif. These men are the great unpaid, and not a tithe of their operations are ever reported, though, from local experience, often most valuable. In the year in question only 254 suits are stated to have been so disposed of, for a total value of £143. 16s.

This must be considered ample provision for the due dispensation of civil justice. The ten paid judges, with their numerous and humble unpaid brethren of the village courts, disposed in 1850 of no less than 4,897 suits, amounting in their aggregate value to nearly two lacs and a half (£24,174. 12s.); and as the decrees passed that year affirmed the justice of the claims in no less than eighty-six per cent. of the suits decided, it may fairly be inferred that this large amount of litigated property is no fictitious value. It was spread over 4,897 suits, which number probably represents six times as many claimants. This fully proves not only the existence of wealth, but also what has been before asserted as one of the reasons that led to the downfall of the zemindarry system. There could not be, indeed, more convincing evidence, not only that wealth has been accumulated, but that it has not, cannot be, kept in the hands of a few. The general distribution of what property there may be in the country, is the inevitable result of the Hindoo law of inheritance: the most grievous inequality

of caste, the nearest approach to equality in wealth, are alike the great ends worked out by the laws of Menu.*

There has been a large increase in the population of the district, which has nearly doubled itself in the half-century; but changes in the boundaries of the district, which have been already described, render any very accurate comparison of such statistics difficult. The number of inhabitants (612,871) had however been calculated in 1800, by Colonel Read, with reference to the total area, and was then estimated at 93, whilst the census of 1850 gives 147½ souls as the average per-centage of each square mile. This is a gratifying and satisfactory increase, the whole of which has apparently taken place within the last thirty years. During the zemindarry scourge, the people did not multiply; indeed the accounts, on the contrary, would show a falling off; and since the population did begin to increase, the country has been blighted by the famine of 1833.

The district certainly throve wonderfully under the cowle system, when the ancient usage of "good and bad" was still a thing of futurity—was still hid in the brains of some revenue Solon; and the population, according to these statements, must have increased with a rapidity that would do justice to a new world. Thousands and thousands lost their lives in that terrible season of drought, and yet when the census was taken with great care, three years later, the population

* The great lawgiver of the Hindoos.

of the district as now constituted was found to b 905,190 souls.

There has since been a steady increase, and ir 1850, when, in accordance to special orders, equal if not more attention, was paid to the subject, th returns gave 1,195,367 as the population of th whole district; in which there is a slight pre ponderance of males. The present census i undoubtedly within the mark; but it is probabl that the returns given by the village servants in 1820 were not so accurate; and the same dependence cannot be placed on the returns obtained then as on those given in 1835 and 1850.

The accounts also show the number of houses, which is of course large, compared with other countries where there is more wealth, but building materials are dearer; and in this district the average gives a house to every $3\frac{1}{2}$ persons, a result not only favourable to morality, but accounting satisfactorily for the general healthiness of the country.

Numbers of these houses are perhaps not worth ten shillings at the most, and yet are well able to afford shelter against the monsoon rain, and a cool retreat from the burning sun of an Indian summer. Built with mud walls, and thatched, these cottages, when neatly kept, are remarkably pretty. There is the well, and hard by the tamarind-tree; and dearly does the mild Hindoo love his humble home. But there are again large towns, with substantial well-built streets, where the houses will average in value from £20 to

£100, and are chiefly built with bricks, and have good tiled roofs.

There has indeed been a great change since the time when Munro wrote, that, whatever a careful survey and fixed assessments might hereafter produce, there was now no wealth in the country, the land had no value, and the merchants were afraid to embark capital in agriculture, as their profits could not be so readily concealed.

The assessment may be high, and the revenue by-laws may be harsh and sometimes mean; but there are no arbitrary and despotic seizures now of the possessions of the subject, and life and property enjoy a security that was never known before. The same paramount power rules all India: her courts are closed to none. Great defects may exist, but the power to execute is there; and an impetus has been given to commerce, that can only spring from internal peace and legal security, however grievous may be the short-comings of this Indianized English law.

Now the land has acquired a value, and there is scarce a single merchant who does not employ a portion of his capital either in the direct cultivation of the soil, or in loans that are secured by mortgages on the land. Of the total property litigated in 1850, of course the greater portion was on simple bond debts (£12,231. 14s.), but no less than 447 suits were brought for lands and houses.

Though the amount of these suits, it is true, did not exceed £4,234. 12s., which is about the

average of the six years that have elapsed since the courts were remodelled, still this sum shows that the land does now possess some value in the eyes of the people as well as Government; and these suits had nothing to do with assessment. Arrears of revenue, which occupied so much of the court's attention at the beginning of the century, when the defaulting zemindars were not treated with sufficient rigour by the gaol officials, and ryots were ruined with wholesale rapidity, now form a far smaller item, which is kept distinct in the civil returns, and is entirely confined to the claims of zemindars and other renters. The arrears on the lands held direct of Government are collected by the sale of the defaulter's personal property, on the order of the collector, and if necessary, of his title to the land; but if that is not sufficient, the arrears still remaining are then written off. Confinement of the person for such debts is almost unknown: it would rarely be of any use, and is therefore never resorted to by the officers of Government.

The average value of the civil suits filed during the last six years for arrears of revenue, in which are included some claims not relating directly to the land, is £900, whilst the revenue paid by the zemindars to Government in 1850, as the total assessment on their estates, was £46,853. The assistance of the collector, under Regulation V. of 1822, was of course occasionally sufficient, where the ryots had forgotten to pay their rents, or to make due preparations for that important

and necessary ceremony; but generally speaking, landlords manage to collect their dues without having much recourse either to the collector or the civil courts. All the estates are saleable, and the only loss that can now be sustained, as regards that portion of the district which is still zemindarry, is in cases of minority. The zemindarry, or estate, is then taken charge of by the collector, under the order of his superiors, the members of the Revenue Board, as court of wards; managers are appointed; and such estates cannot be sold for any arrears of revenue.

£130,682. 8s. was the land revenue to be paid to the State by ryots holding direct of Government,—was the amount to be collected under the ryotwarry system; and the arrears on this large sum amounted only to $2\frac{1}{2}$ per cent. The revenue year does not close till the 11th July, though the crops are mostly all grown and harvested by the beginning of January on the "dry," as well as over much of the "wet" or irrigated lands; but time is allowed for the ryots to sell their produce; and the assessment on the land cultivated in 1850, paid by instalments, is not due in full till the middle of 1851.

Of the year's revenue in question, in two months more, that is by the end of September, £995 was all that still remained unpaid, which was a balance of considerably less than one per cent. on the total that had to be collected during the year, from 169,961 proprietors. And the means employed to effect operations so extensive,

and apparently complicated, are effective from their very simplicity: the statement of what lands were cultivated in the past, is always the basis on which the arrangements are made for the coming year. The law directs that all fields duly occupied hitherto, shall be considered as still in the possession of the same parties, should they neglect to make known their wishes to the contrary, and holds them responsible for the assessment fixed thereon. If a ryot, therefore, does not intend to cultivate the same fields as last year, he must have a formal document drawn out, resigning his claim to such as he does not want in future, which document must be duly tendered to and accepted by the proper authority, usually the tahsildar or head of the talook. He is then relieved of all responsibility on account of the assessment on such fields, and they are forthwith expunged from the statement showing the extent of land in occupation, and so paying revenue in each village. The ryot is, however, required to relinquish these lands, so as to allow of their being immediately cultivated by others; and the end of July has been fixed with reference to the sowing season, as the latest date to which documents of this nature will be received.

A great step has therefore been taken in the "settlement" for the coming year, before the first thirty days have elapsed. The minimum has been ascertained; and those arrangements of the past year which have not been altered by the changes in July, will stand good for the future; or, in

other words, all the holdings which have not then been relinquished will be included in and form the basis of the demand for the coming year. In 1850 it amounted to 95 per cent., and with perfect freedom would rarely, if ever, be less than four-fifths of the whole cultivation. The ryots never give up, if they can possibly help it, the home fields; and it is only in the outlying lands that changes to any extent would ever usually take place in the natural working of the ryotwarry system.

The method adopted to bring the additional cultivation into the accounts, is equally simple, although the sowing season continues till December; and during the whole of this time the ryots are at liberty to take up fresh lands, according as they are led by their means, or the weather, or any other causes, natural or supernatural.

In each village, besides the head man or moonsif, there is an accountant or curnum; and it is his duty to keep an accurate register of the cultivation as it goes on. All the fields are numbered; and as successively cultivated, they are duly entered in these accounts, which are regularly forwarded to the tahsildar's office. In each talook or subdivision, besides the tahsildar or head of police, there is similarly a head accountant or sheristadar, whose peculiar and especial duty it is to receive these cultivation-accounts, which are sent in regularly every month between August and December from each village within the limits of the talook.

The August accounts will state that so many fields, giving their village numbers, have been cultivated; each successive month it will be distinctly recorded that so many more fields have been brought under tillage since the date of the last report; the total number of fields cultivated at the time of writing being also distinctly entered; and thus the December report will of course show accurately the whole cultivation of the village.

All the curnums are now assembled; the accounts are carefully scrutinized, and on the above information the talook authorities set to work to make out the total demand for the current year. Taking the average of the district, generally in each village considerably more than three-quarters of the whole cultivation of the past year will remain, it has been seen, in the hands of the same men: all the fields are numbered, and if these three-quarters be compared with the cultivation of the present year, as shown by the monthly reports, all the fields that have been newly taken up must at once become known.

A statement is then drawn out, giving the name of each ryot who holds land in the village; the fields which remained in each ryot's possession on the 1st August, whether cultivated or not, and such fields as he may have since taken up. All these particulars are entered in this account opposite to the ryot's name, and with the assessment fixed on each field; and on these items of assessment being cast up, the total is of course the

amount to be paid by him to the State. The aggregate of all these totals, as they appear against each of the ryots, is the amount to be collected from that village; and when the total assessment of all the villages in that particular talook has been obtained, the total demand on account of the Government land revenue against that subdivision of the district has been also duly ascertained.

These operations may be brought to a close in three weeks; and puttahs, or the annual title-deeds, are then made out in the name of each ryot, showing the various particulars entered against his name in these accounts. These puttahs, signed by the collector, are subsequently distributed to the ryots, who, on their side, sign counter-agreements; and then the work of collecting the revenue commences, and is conducted much in the same fashion.

The tahsildar and the heads of villages, or village moonsifs, have been carefully watching and assisting in all these arrangements, which it will be their duty to carry into effect. The first instalment of the revenue falls due in November, and is collected by the village moonsif, who in this capacity is called the monegar or curredar. Receipts are duly given to each ryot by the village accountant, and the sum collected is finally forwarded to the tahsildar's treasury by the village watchmen, who have been also actively employed in the first part of this important process.

This instalment is only a very small portion of

the whole sum to be paid, and the proportion is gradually increased according to the seasons at which it is supposed that produce can generally be brought by the ryots to market and disposed of to the greatest advantage. On each occasion those most useful servants of the State, the village watchmen or toties, are the means employed by the village authorities for collecting and forwarding the Government revenue to the talook treasury; and by the beginning of July the whole amount of the annual settlement, thus collected from month to month, and thus forwarded, should have reached the head of the talook, and been carried to the account of Government. The revenue is forwarded thence at intervals to the collector's treasury, where accounts are of course kept with the same regularity as between the tahsildars and village authorities. The arrangements here are still the same, two high native officials being attached to the collector's establishment on purpose to superintend the accounts of the whole district; and these important officials, as in the talooks, are also called sheristadars.

There are of course numerous disputes each year regarding the occupation of land, the propriety of the assessment fixed on fields which, before cultivated, but subsequently abandoned by other ryots, have now again been brought under the plough, and assessed with reference to the old village accounts; again, regarding the rates fixed on lands which have never been before cultivated or surveyed; as well as claims to succeed to such

hereditary village offices as may have become vacant, or to puttahs for land transferred to the names of others, either by purchase or descent from father to son, or equal division amongst the brethren, under the Hindoo law of inheritance. All these matters, though reported and disposed of from time to time with the current magisterial business, are in many instances to be fully and satisfactorily settled only by a personal visit to each talook. And this also is a fit occasion for making suitable remissions in those cases where it would not be just or expedient to insist upon the payment in full of the original demand on account of the land revenue, either from want of water for irrigation, or other such natural causes, or from the private misfortunes of individual ryots.

Accordingly, once a year, all the subdivisions or talooks in the district are visited by the collector-magistrate, the sub-collector, or one of the assistants. The ryots are all assembled, each village headed by its moonsif and curnum; and thus, surrounded perhaps by a thousand people, every subject brought forward is discussed and disposed of by the European official, with a confidence that he can never possess in his distant cutcherry.

Publicity is the best security that authority can possess, in India as well as in England, against being led astray by interested parties; and that safeguard can only be obtained when the neighbours are standing by. They will be ready

to expose each departure from the truth, whether caused by zeal for the public gain or for less worthy ends, and they will be equally certain hereafter, in the village, to upbraid its utterance, should the falsehood have been told to do a brother ryot harm.

By a shady tope or grove, and it may be some gently-flowing river, the white tents are pitched; Vellallers and Pullers, Reddies and Pullies, all are there seated in circles, and many a portly Brahmin may be seen around the group, on which all eyes are fixed. There is the solitary European, and by his side the sheristadars, the head natives of the district, whilst scattered in every direction, are the several local authorities; and now the work commences in real earnest. Veerun* has been unlucky, his cattle have died, and the crop on his ill-cultivated fields has totally failed. The neighbours are appealed to in support of his statements, and Veerun's heart is gladdened, for a portion of his assessment has been remitted.

And here comes Lutchmee,—no young woman, to soften by her bright eyes the obdurate heart either of Mahratta Brahmin or European collector, but an old scold, the terror of her village. She could likely have paid her assessment months ago; but was she, that shrill-voiced and strong-lunged Vellallichy, to be dishonoured by giving the State her tribute without having a good talk about it? The "twice-born" know that argu-

* This and the following are proper names, common in this district.

ments here would be useless, and keep a wise silence. Her cows are all dead; she has made no ghee these twelve months; as for cotton, all her thread has been bought, but never paid for; she and her husband, and all the children, have had nothing to eat this year, and will have nothing next, unless—but the old lady has at last to take breath, and forthwith disappears in the crowd; some sturdy comfortable-looking ryot has usurped her place, and he is now explaining how last year, at his own expense, he dug a well upon his land, for which he claims the usual favourable terms; or, perchance, a batch of the most respectable men in the village are deeply engaged in proving that the tank or artificial reservoir, from which the rice-lands are irrigated, did not this season receive a fair supply of water, in consequence of which there has been no cultivation. They claim the favourable consideration of the Government, and their assessment must be remitted.

Day by day the work goes on, and the crowd gets gradually less and less. Here are two widows, —mother and daughter-in-law,—and fierce is the wordy strife. One has lost a son, the other a husband, and there is no grandchild. Who shall have the puttah? By the Hindoo law of inheritance, the mother's title passed away on the birth of her son,—the stream cannot flow back, and the daughter-in-law will win the day; but before the civil courts, to which tribunals such matters are almost invariably referred,—"Let the puttah remain in the name of the deceased, but

the assessment be collected from whosoever shall cultivate the lands, and let the women go to court," will probably be the collector's oracular response; and scarce are the words spoken, when decision must be given as to what shall be the increased assessment that Govindoo is in future to pay for his fields. From some tempting channel, Govindoo has led a fertilizing stream to his "dry" lands, which must henceforth be assessed as "wet;" and great is the discussion amongst the venerable elders of the village whether the proposed rate is or is not a fair measure.

Are the heads of villages not on good terms with their neighbours? Have they been wronging their ryot brethren? Now the latter have got their day; and before hundreds of the respectable inhabitants of the talook, the alleged oppressions, if true, will be boldly denounced, and probably proved. In the crowds that are standing round, there will be some few ready, as far as Hindoos dare be, to uphold the right; and on no other occasion can the collector obtain so much valuable evidence, or so true an idea of the real state of his district. The effect is general, and there are very many, besides the erring heads of villages, who have a wholesome fear of this annual meeting. Whilst lending a ready ear, as collector, to the tales of injuries received, as magistrate, the merited punishment may be at once inflicted. The powerful and the wealthy wrongdoer dreads the disgrace of such public inquiry, and all

offenders cannot help seeing, that at such a time they are more likely to feel the weight of those laws that they may have rashly set at naught. Combining the duties of collector and magistrate, is of course open to many serious drawbacks, but in the adoption of this custom of the country, there is so much to counterbalance these disadvantages, that it only remains to study how they may best be remedied. The great obstacle to the thorough efficiency of this office is over-work, and this difficulty can only be met by relieving the collector-magistrate of all that is not directly connected with the land revenue, or the police of his district. It might have been thought, that the Government would have been loth to encumber the free action of such an important office, but the necessities of the State have willed it otherwise, and it may be as well to mention now two or three distinct duties of which the collector-magistrate should be relieved as soon as possible.

The postal arrangements of the country have been lately the subject of inquiry. Reform is urgently needed in this department, and politic measures would doubtless swell the public revenue, as the native correspondence is very extensive; but the over-worked collector-magistrate is the post-master, and the first step must be to give so troublesome an office a separate and distinct supervision. The postal arrangements for 8,000 square miles may fairly demand an undivided attention. The mails, for instance, are carried on men's

heads, each man running from five to seven miles; and to be freed only from this single branch of those duties, from the responsibility and the trouble of overlooking so numerous an establishment as this, would itself be no small gain.

The collector-magistrate is not only the post-master, but he is made the servant of the travelling public, and much of his time is often devoted to "laying dawks," as it is called, or arranging that sets of bearers should be ready to take up the traveller's palunkeen at suitable distances.

The collector-magistrate is called on to preserve order and dispense justice, collect the Government revenue, arrange for the transit of the public correspondence, and carry the public themselves. But this is not near enough for an Indian official, and the collector-magistrate is the great contractor in the building department. There is a civil engineer, but he is merely the scientific member of the firm; and whether an hospital or a bridge is to be built, or a dam repaired, the collection of materials and workmen, and the whole execution of the work, are intrusted to the collector-magistrate.

It will be seen hereafter, whether this last arrangement adds to the efficiency of the civil engineer, or rather of the moiety of that officer possessed by Salem, his other half being the property of a neighbouring district. But it needs no

further consideration surely to decide that, as regards the collector-magistrate himself, the duties of those two offices are fully and more than enough for any one man.

CHAPTER XI.

THE REVENUE.

Extent of Ryotwarry Cultivation—Proportion of Irrigated to Unirrigated Lands, and Assessment thereon—Cocoa-nuts—Sugar—Rice—Well cultivation, its importance—General Sources of Irrigation—"Dry" Cultivation and its Assessment—Probable Growth of Cotton—Annual Fluctuations of Ryotwarry Revenue—The Details—Details might be much simplified—Other Taxes connected with Land—Village Watchmen—Assessment of the Hills, and their future Management—Advantages of Coffee Cultivation—Zemindarry Revenue—Other Sources of Revenue—Total Revenue—Voluntary Taxation for the Repair of the Roads.

Six hundred and ninety thousand one hundred and forty-four acres were cultivated under the ryotwarry system in the district of Salem during the year 1850. At the close of the last century one-fifteenth only of the land then occupied was irrigated, but now nearly one-seventh of this cultivated area has been brought more or less under the influence of irrigation. When the ryotwarry system was reverted to, these works were found to have been utterly neglected; and a vast amount of capital, public and private, must have been expended to produce this gratifying result, to have thus more than doubled the extent of irrigation.

Of these "wet" lands, 2,513 acres have been

planted with cocoa-nut trees, the arreca-palm, and other fruit-trees, and pay an assessment of £2,011. 18s. No more water is required for these gardens, indeed not so much, as if rice were grown; but the produce is more valuable, and therefore the assessment is raised over most of the district to twice the survey rate on the land so planted, and elsewhere to the highest rate of assessment under that particular tank or channel. This is purely a tax on the expenditure of the ryot's capital, which should be abolished; and is undoubtedly the cause of the limited extent to which this cultivation has been carried.

The cocoa-nut is all useful; the nuts of the slender and lofty arreca-palm, with the leaves from the betel-vine, are the Hindoos' simple luxuries; and the more such gardens there are, not only will the comforts of the people generally be increased, but the country will derive the various benefits which arise from planting in lands where now scarce a tree is to be seen. A great portion of the district is jungle; but in the cultivated hollows, where the "wet" lands are usually situated, all natural timber has long ago been cleared away; and these gardens, whilst themselves attracting moisture, are the only check to the violence of the wind.

Fifty-four thousand four hundred and fifty-five acres, assessed at £38,266. 8s., were cultivated chiefly with rice; in some places plantains would be grown, where the neighbourhood of towns afforded a sufficient market for this fruit,

on the cultivation of which, as well as that of the betel-vine, no additional assessment is levied in this district; and, similarly, the small-leafed mulberry-plant occasionally takes the place of rice, where Mussulmen are engaged in the silk trade; but this latter cultivation is very limited.

There are a great many varieties of rice, some of which are harvested in three, others in five, and some remain on the land as long as seven months. The ryot is guided in his choice as to which kind he shall sow, partly by the season, partly by the nature of the soil, and partly by the amount of cultivation which he can afford to bestow on his lands. The more valuable descriptions of this grain require to be well manured, and the soil must be ploughed deeply and repeatedly, whilst less attention is sufficient for the inferior qualities; and if there is enough water for the crop to remain seven months on the ground, the amount of actual produce raised will probably be much greater.

The labouring classes live chiefly on the "dry" grains; but amongst the higher orders, and all who can afford it, rice invariably forms a large portion of their daily food. All that is produced is consumed within the district, which also imports large quantities from the rice-growing countries on the opposite bank of the Cavery, and further down the river.

Sugar-cane is another "wet" crop, and 932 acres, at an average assessment of 16s. 0¾d. per acre, according to the cultivation reports, were thus

occupied in this year; 416 acres were also planted with this cane in the zemindarries, or estates still in the hands of the zemindars, the average rate being lower; and besides this, there would be a smaller quantity cultivated from private wells, which is not shown in the Government accounts. The Mauritius and China canes have been tried, but the natives are of opinion that they do not answer so well as the kinds found in the district. Their sugar-mills are simple, being merely two solid wooden cylinders, grooved like screws, and placed so as to work into each other. Between these rollers the cane is pressed; and the ryots assert that more saccharine matter is thus obtained from the indigenous than the foreign varieties.

The best sugar is grown in the low country round Salem, and especially near Razipoor; but the information as to the extent to which the cultivation is carried cannot be relied on with any confidence, and is probably far from accurate. At present no additional assessment is imposed, and when the Government commenced making inquiries on the former head, the village communities took the alarm. The Government might be seeking merely for statistical data, led by the pure love of knowledge; but Ramasammy thought otherwise, and did all he could to hide what progress he was making in the growth of the cane. This cultivation probably extends over much more than three thousand acres, the produce of which alone may be estimated at 7,500,000 lbs. of

jaggery, or coarse native sugar, about half of which would be exported.

The garden cultivation requires less water; and these lands, with a few exceptions, are irrigated almost exclusively from wells. Sometimes the water is raised by a pair of bullocks working down an inclined plain. A leathern bucket is then used, which, however, more resembles a poke-bag. The mouth is kept open by an iron ring, and the small end is fastened to a running guide-rope, so adjusted, that when the bucket is rising, this end, in which there is a hole, is always turned upwards, and when at the top is suddenly stretched out over a roller. The water thus raised is discharged through this hole into the irrigation-channel.

In other wells the contrivance is still more simple, and worked by men. An upright post is placed at the side, and across its top a horizontal beam is arranged so as to play up and down like a seesaw. These wells are generally built with a diameter of at least fifteen feet, and to the end of the cross beam, above the water, a long bamboo is tied, at the bottom of which is fastened a large iron pot. The other half of the cross beam is notched into steps, on which two or three men, according to its size, take their stand. A slight trellis-work of the ever-useful bamboo is raised as a balustrade at its side, by which they may steady themselves; and on these men running out to the outer end, holding on the while to this fragile support, the smooth half of the beam,

bamboo and bucket and all, is of course raised by their weight. The lithe, pendent bamboo has been accurately measured, so that the bucket thus raised needs but to be turned by a man stationed at the brink for the purpose, and the water of the well is at once transferred to the head of the channel, which again is shaped so as to avoid any wastage. The men then walk back to the centre, the motion is reversed, and the iron bucket goes down, to be filled and raised again in the same easy way. Singing some monotonous chant, generally as to the number of buckets they have raised, these men will keep at this labour for hours, and are so active and careful that accidents scarcely ever occur.

Whether worked by bullocks or by men, wells are constantly used also in the rice-lands as a resource, should there be a failure in the usual supply of water, whether drawn from tanks or river-channels; but it is only in the hot weather, when most of the rice has long ago been cut, when every tank in the country is but a hollow of sun-baked mud, and tiny streams trickle through deserts of sand, where mighty rivers a few months before rushed onwards to the sea; when all else around is parched and desolate, then, and then only, is the utility of these wells to be fully seen. The husbandman would in vain try with his wooden plough to turn up the "dry" lands, and when he must otherwise sit idle at home, around each well all is green. Labour is abundant, and in the cool morning, in the still

evening, far and wide sounds the monotonous chant, that industrious plaintive cry. Fathers, brothers, and sons, all are drawing water; and the vegetables thus raised in their gardens, will not only furnish an abundance of wholesome food, simple and suited to the climate, but, carried by the women to the weekly market, will give a profitable and certain return for the toil which has been undergone.

Chillies, onions, garlic, turmeric (which is of fine quality and largely exported), ginger, brinjalls, pumpkins, sweet potatoes, yams, and innumerable other vegetables, melons, and tobacco, are all grown without intermission; the ground is scarcely ever idle, needs but little rest; and as the supply of water in these wells rarely if ever wholly fails, here then the political economist has placed within his power the certain means of averting most surely that frightful calamity, an Indian famine. A long-continued drought, with empty tanks and dry rivers of sand, and the ryots can only look for their support to the hoarded grain of past seasons, which the poorer neither have themselves nor can buy from others, and to the produce of this garden cultivation, which extended this year over 18,745 acres, assessed at £8,676.

It does not need, therefore, any further argument to show, not only the expediency of encouraging this description of agriculture, but that it is the positive duty of a Christian Government to take every possible step in its power to spread far

and wide over the whole country what can so surely save the lives of thousands in time of distress. Nor has the ruling power failed either to see or to carry out this wise measure; and accordingly liberal terms are given to those ryots who lay out their capital in sinking wells. The general rule, that the assessment shall be raised if "dry" lands are irrigated, is here departed from, and the ryot is allowed to reap metaphorically, as well as in reality, the full fruits of his own industry and enterprise.

Three thousand nine hundred and forty-five acres, irrigated from nearly as many wells, were so cultivated in the year under review; and the assessment on this most valuable "free garden-land" scarcely exceeded four shillings an acre. It is, including the whole of this garden cultivation, both that which is assessed as such, and this latter, in which the rights of capital have been acknowledged and admitted by the State, that the irrigated lands form for Salem so high a proportion as a seventh of the whole area occupied for agricultural purposes; otherwise, were the calculations made merely on those lands which possess a sufficient supply of water for the cultivation of rice, the result would not be so favourable, though still far better than what it was at the introduction of the zemindarry system.

In former times pecuniary advances were made to the ryots to enable them even to cultivate their lands; there was no agricultural capital in the district, and of course, in those days, to dig a

well needed similar help. In A.D. 1800 a total advance was made under this latter head of £2,200; and as this was the annual practice, the extent of well-cultivation then rapidly increased, and paid to the State in that year, including Cungoondy, £11,444. 16s., which is in excess of the sum so collected at the present day in the ryotwarry portion of Salem.

But this is only three-quarters of what it then was; and that portion of it which still remains in the hands of the zemindars, would doubtless include, from the first, a greater number of wells, as the stability which these very wells give to agricultural operations would naturally render the owners of those estates on which they abounded less liable to the losses that other zemindars were exposed to from the fluctuations of seasons, and so better able to keep their zemindarries from returning to the ryotwarry tenure. The same reasoning would also show that, in all probability, on the lands which rapidly passed away from the zemindars, these artificial advantages were scarcer; whilst, under successive mismanagement, the wells that were there got utterly out of repair. And keeping in mind all these adverse circumstances, the spread of well-cultivation in these ryotwarry lands must be considered another proof that capital is now being laid out in agriculture. There are 3,726 private wells, which have been dug, it is estimated, at a cost of £26,194. 18s.; and the whole of this expenditure may be said, without fear of mistake, to have

been incurred within the last twenty-five years, and latterly at the sole risk of the ryots.

The system of giving pecuniary advances either for the common agricultural operations of the season, to dig wells, or for any other such works, was gradually discontinued, and has now been abandoned in Salem for many years. It was found that the ryot got but very little of what the Government gave,—the loan passed through too many hands; and for the little he did get, all that had been given by the State was to be paid back by the unhappy husbandman alone. This was not much help, and the Government was glad to abandon a course pregnant with so much evil, as soon as it could be shown that the circumstances of the ryots generally were so far improved as to render this aid not absolutely requisite. Formerly it was a necessary evil. When that necessity no longer exists, to continue advances, which tempt the ryots to extravagance, would be a gratuitous vitiation of the ryots and of revenue establishments alike.

Omitting the lands watered from these private wells, which are excluded from irrigated or "wet" lands, because not assessed as such by the revenue accounts of the district, it would appear that, in the season under review, 75,713 acres, assessed at £48,954. 6s., were cultivated with crops requiring more or less to be constantly irrigated, and the supply of water for this purpose was drawn from 3,243 tanks, 71 channels connected with large rivers, as well as 1,033 smaller

channels led from local drainage, and 37,674 wells; all of which were in working order. Where the river is large and wide, and there is a rapid fall in the bed, without going to the expense of constructing a regular dam from bank to bank, a copious supply of water is obtained by running the channel-head well out into the bed of the river. Constant attention is required to clear away the sand from the channel-mouth, and repair the damage done by floods to this partial dam, which thus projects into the stream, and is constructed of the most fragile though skilfully-put-together materials. But here again the ways and means of the ryots are shrewdly fitted to the true state of the country. Capital is scarce, and labour is abundant: a dam right across the river would undoubtedly throw water over many more miles of country; but this cunning contrivance is better than nothing, and answers the purpose for which it is required admirably well. Besides these make-shifts, there are 512 dams, built in the usual fashion from bank to bank.

Whether the supply of water be thus obtained, or the channel be merely fed by the former contrivance, lands so irrigated are always thought to be worth more than those dependent on tanks, as the river-water brings down in solution a greater quantity of silt and rich mud, which is of course finally deposited on the land irrigated. In the same way irrigation drawn from a tank is considered to enrich and fertilize the soil more than water that is raised from a well. And ample

provision has certainly been made for the due irrigation of a large portion of the district, by merely employing the works above enumerated; for it will be seen hereafter, that much of the best land under these various tanks and channels is at present unoccupied waste; but there are further 8,864 wells, 218 dams, 164 small channels, and 1,017 tanks, of which now no use whatever is made. Many of the last have been gradually filled up, and must be abandoned altogether for the purpose of irrigation; and several of the channels, though also entered in the accounts as merely out of order, would, on examination, probably be found, with many of the tanks, to be impracticable for the future, from changes in the levels and other natural causes. Not so the wells; a trifling outlay would speedily put them to rights, if the land around could be cultivated with profit; and it will be necessary hereafter to search elsewhere for the reason of the best lands being left waste under the tanks and channels now in use, where water could be readily got, or where the means of irrigation, as in wells, might so easily be restored; this, too, when the district not only consumes the whole of her own produce, but imports rice largely from neighbouring countries, and her population is rapidly increasing in wealth and numbers.

The "wet" lands are generally held by the middling and higher classes, who also cultivate a fair proportion of the "dry lands:" but the minute patches of property which must come into exist-

ence when every man that can borrow a pair of bullocks and a little seed-grain makes himself a proprietor, consist almost entirely of the latter,—of lands that are not irrigated, measuring in some cases merely a small fraction of an acre, and paying to the State perhaps four-pence yearly. Though less valuable, as being more liable to fluctuations, from the preponderance of this description of agriculture, the greater portion of the land revenue drawn from this source, and 614,430 acres, assessed at £83,356. 12s., was the extent of what is called the "dry" cultivation: in which is included the lands of those fortunate ryots who are possessed of private wells.

The "dry" grains are very numerous, and form the chief food of those classes that cannot afford to eat rice. Raggy (*Cynosurus coracinus*), jawarry (*Holcus saccharatus*), and bajerah (*Holcus spicatus*), are the three great crops, and these are all used with dholl, &c. for domestic consumption by the ryots. The various oil-plants, indigo and cotton, are raised for sale, and the first and last to a great extent.

On the "dry" lands the assessment is never altered with reference to the nature of the crop, and the ryots have therefore only to consider the market price in growing such productions; but the district is not apparently adapted to the cultivation of indigo. A small portion of this commodity, prepared on European principles, is exported, whilst the remainder, whether obtained from the leaves of the indigo-tree, found wild in

the jungles, or the regular cultivated plant, and made after the usual native fashion, is used chiefly for dyeing the coarse cloths worn by the women; yet for this purpose it is held inferior to the dye obtained to the eastward.

The oil-trade forms a large item of the Salem exports, and is chiefly in the hands of two particular castes; but the cotton that his fields produce, and the cultivation of which is equally extensive, the ryot's own family prepares for the market. The oil-crop is bought up by the "Gaundlavaundloo," which is the name of the caste whose hereditary trade it is to work at the oil-mills; and it is in the sale of this article of merchandise that the second caste, the Lubbies, a spurious and enterprising sect of Mahomedans, have become their formidable rivals.

There are two varieties of cotton, one of which yields for three years, the second crop being the most productive; and the other is an annual. American cotton is grown, but to a very limited extent; whilst the cultivation of the indigenous may be roughly calculated at 20,000 acres. In some parts of the district it is raised by itself, but elsewhere it is invariably planted, like dholl, in ridges with other grains; and on this account it is difficult to obtain any accurate information as to the number of acres cultivated with this crop; but the above is probably near the mark, including the zemindarries; and the raw produce may be estimated at 2,500,000 lbs.

The ryots consider that cleaning reduces this

quantity somewhat more than half, and by the time it has been made into thread, the weight will not be more than two-fifths of what it was in the pod. There has been an increase in the number of looms, and the consumption of the district itself must be much greater than it was before; but a large quantity of cotton is still exported.

In the south it is usually bought up through the zemindars, whose position enables them to carry out such operations with greater certainty than other people amongst the ryots generally, and more especially with those that may hold lands in their own estates. It is bought up either in the pod, or as cotton, or made into thread; and as it is exported largely to the cotton-growing countries of Coimbatore and Madura, it is probable that much of the Salem cotton finds its way to more distant markets under the better-known names of these two adjacent districts. The total export of cotton is probably half the produce; and making the calculation as if it were wholly carried on in the rough state just cleaned from the pod, the export may be estimated at 625,000 lbs.

A brief description has now been given of the four great classes into which the cultivation of the district is divided, and ninety-five per cent. of the revenue collected on this cultivation, it has been already stated, was the assessment on lands which had been also cultivated in 1849-50, and had remained on the 1st of August of the latter year in the hands of the same individuals; that

is to say, the ryots had only relinquished five per cent. of what they had cultivated in the previous year: and in this small per-centage is doubtless included the assessment on much land that never was in good truth given up. In reviewing the revenue by-laws, which have been passed from time to time, it will be seen that the policy of later days has saddled the ryot with a variety of checks, besides that ingenious Mahratta device of "good and bad," which equally affect the accuracy of all agricultural returns.

If, prudent and careful, he should sink his savings in digging a private well, or obtain lands on "cowle," the extent of his holding cannot be reduced without forfeiture of these privileges. Nearly a quarter of what had been relinquished by the 31st July, 1850, was immediately taken up again. Though, generally speaking, the soil has been thoroughly worked out before the thrifty ryot makes up his mind to persuade those above him he really does not want the lands, and can fairly claim, under these wise by-laws, to be absolved of so much of his territorial possessions or liabilities; still this season more than a fifth was at once re-occupied, and had in fact never been relinquished. This was the good land which the ryots had been compelled to give up with the bad.

It may be fully believed that this portion had for the greater part been taken up at once in the name of some friend or relative,—had in fact been made over temporarily in their names, by

dint of bribing the native authorities, and would still in reality remain in the actual possession of the former occupant. "Good and bad," and such-like expedients, according to the returns, had been duly enforced; bribery and corruption were the only gainers. "Cowle" has been greatly restricted within the last twenty years, and there are now only some 15,000 acres held under this tenure, at a total reduction of £1,200 odd; but the annual changes on such lands, though comparatively small, still serve to swell revenue details; and there are other items, arising from "dry" lands being temporarily irrigated, corrections of measurement, and consequently assessment, which further affect, though only to a trifling extent, the total settlement.

£124,885. 18s. was the amount of assessment for the past year, and lands to the value of five per cent., or £6,473. 12s., had been relinquished, —part, there can be no doubt only nominally, and part in reality. Be this as it may, the whole must be deducted; and £118,412. 5s. was the assessment on lands that remained in the hands of the same ryots, which therefore became the basis of the settlement for 1850-51. £618. 2s. was the assessment on "cowle" lands, which were now transferred and absorbed in the regularly-assessed lands, as the favourable tenure had come to a close; and £714. 4s. was the amount of additional assessment that had been previously imposed on lands temporarily irrigated, but was now remitted, as the lands had been this year

again cultivated with "dry" crops, or, instead of rice, had this year been watered only for vegegetables, such as chillies, &c. £1. 6s. was remitted to Brahmins who had taken up fields previously occupied by the ryot class. Munro, fifty years ago, denounced the absurdity of allowing either Brahmins or Mussulmen to claim any such indulgence in virtue of their caste, but the practice is still continued, though it will be seen that, taking even the whole district into account, the extent to which this remission has been allowed is very trifling. £11. 10s. was remitted for the irregularities found to exist in the measurement of various fields; and £1,796. 15s. shows the amount in which the settlement was modified in favour of the ryots by the collector and his assistants at the jummahbundy. These further changes, therefore, in the agricultural statistics of the preceding year amounted to £3,141. 19s., which must also be deducted, and leaves a balance of £115,270. 5s. as the minimum of the demand for 1850-51.

The preceding changes all tended to reduce the revenue; and the causes which gave an opposite result will now be set forth as concisely. In the first place, £1,335. 12s. was the assessment on those lands nominally relinquished, but which, it has been already stated, there is every reason to believe never did virtually change hands, and which, having been cultivated as usual, were again included in the settlement accounts. The agriculture of 1849-50 had been checked by a severe

drought, as scarcely any rain fell from November till the 4th July; but this season of 1850-51 was more favourable, and £10,705. 12s. was the sum to be added as the amount of assessment, on consequent increase of ryotwarry cultivation. £618. 2s. has appeared amongst the items of decrease, because cowle tenures to that amount had come to a close; and the same sum is accordingly shown, with the other causes of increase, as "the assessment on cowle lands becoming liable to the full rate." Whilst £485. 19s. was the result of various other fluctuations connected with "cowle." Its progressive increase on lands recently so given, lapses from the deaths of those who obtained this boon during the reign of "cowle" thirty years ago, and cases in which its privileges had been forfeited from the ryots neglecting to cultivate the whole of their less-favoured fields, &c.

There had also been a considerable extent of "dry" lands temporarily irrigated, the assessment on which, viz. £1,019. 11s., much exceeded the sum that, as has been already seen, was remitted this year on similar lands which had returned to their original state, and which had again been cultivated with "dry" crops. The changes connected with irrigation did not stop here, and £3. 14s. was the increased assessment levied on lands which had been previously watered from a well, but this season had obtained their supply from running streams; and £28. 17s. was a similar increase of assessment, though collected under a different head. The lands in question

usually produced only one crop of rice, but from abundance of water this year, there had been two crops; and according to the custom prevailing in the neighbouring districts to the southward and eastward, a corresponding change was made in the assessment. The village where they were situated was the only one in the Salem district in which this is the usage, and it has since been transferred to the collectorate of Trichinopoly, with which country, from its natural position, as well as customs, it is more closely connected.

There were also errors in the accounts, as to the measurement and assessment, to be corrected in favour of Government; and this sum (£18. 1s.) must be added to the gross increase of revenue, as similar alterations made in favour of the ryots were placed on the opposite side of the sheet; and it now only remains to notice one more item of increase, which was not to a very large amount, nor could possibly have served to swell these details, had Munro's advice been taken. It is another result of the unwise and unnecessary distinction as to the caste of the cultivator; and in accounts to the amount of nearly £200,000, there is a grave entry of 18s. 1 $\frac{5}{12}$ d. as the increased assessment collected from a Sudra who had cultivated lands previously rated for the favoured dignity of a Brahmin. There was therefore a gross increase of £14,216. 9s., and this, added to £115,270. 4s., the minimum already obtained by deducting the gross decrease from the original basis, gave £129,486. 15s. as the total amount of assessment to be collected on all the lands cultivated

in 1850-51 under the ryotwarry system. And these fluctuations could easily be reduced to nearly half what they were in this year.

When the ryots really were so poor that "cowle" was absolutely requisite, even then its disadvantages were so great as to counterbalance, in the eyes of those well qualified to judge, the benefits which result from this system legitimately applied. But that necessity no longer exists, and not one single valid reason can be urged for the further continuance of a tenure, every condition of which is a direct temptation to falsehood and deceit. The system of "cowle," therefore, might be wholly swept away, to the great advantage both of the Government and the ryots; and the accounts would no longer be lumbered with calculations that afford a wide opening for peculation, but do not now, in the end, improve the condition either of the cultivator or the land. And the same may be said with equal confidence of another large item in these accounts. Temporary irrigation might at first sight seem to be worthy of encouragement; but in reality the changes in the accounts to which it gives rise are most noxious, and where the result is good, the fruits of their industry could be given to the ryots by a more enlightened policy, without such alterations in the assessment. If the supply of water be taken from tanks or channels, it is generally to the detriment of those lands to which these sources of irrigation have been specially portioned out, and has probably been obtained by village

intrigue or more powerful but equally corrupted influences.

Very likely the cultivation has been carried on surreptitiously for a year or two, and yet the gains, if accurately counted over by the ryots, would be found to have passed chiefly into other pockets than their own. When any of the survey-assessed lands under such tanks or channels are waste, a prohibitory tax is levied on the irrigation of other fields, the assessment being fixed at the highest survey rate to be found on the best of those "wet" lands; but this rule might with advantage be made more general; this prohibitory duty ought to be extended to all cases of temporary irrigation, whether the whole of the survey-assessed lands be cultivated or not.

Should improvements or natural causes have so increased the supply of water as to allow of more land being fully and regularly irrigated than was contemplated at the survey, then let the matter be brought formally to the notice of the revenue authorities, and if the assertion, on minute inquiry, be found correct, then let the lands be assessed at a suitable rate, but for good, and without reference to the crop. Where, on the other hand, the ryot draws water from a well, whether dug by himself or by others, or avails himself of natural advantages, and does not interfere with the vested rights of his neighbours, there, surely, it would be a wiser policy to give to the individual ryot the whole of what he can so justly claim as all his own. The yearly

changes might be confined almost entirely to the occupation of new and the relinquishment of old lands; and deducting that portion of the latter class which resulted from a vicious system, the whole fluctuation in the ryotwarry assessment would not thus have been more than £15,000.

In addition to the revenue collected on the cultivation of land, £3,418. 8s. was paid by the parties who rented from Government the palmyra and date topes, and the exclusive right of gathering the wild fruits to be found in the various jungles throughout the district, which consist chiefly of tamarinds and mangoes. The sandal-wood forests in the north-west of the district are also usually farmed out, but at the present time are enjoying a respite, to allow the young timber to grow up. These trees, it may be here mentioned, are not found in masses, but widely scattered through the jungles, and are of course difficult to preserve.

£410. 9s. was the amount collected by a tax on cattle, for the grazing of certain jungle-lands, and in some portions of the district, of the village waste, as well as under other heads; but the assessment on the cultivated land is surely a sufficient sum to collect from the ryots, and the revenue in reality would gain by the loss of this vexatious impost. It is argued, that cattle are bred for sale; but is it wise for the Government of India to impede in the slightest degree the production of agricultural stock? A Mahratta freebooter, owner of a rock and a jungle, might

levy black mail on the herdsmen who were rash enough to seek the sweet grasses of the forest glade; but does it matter to the ruling powers of the present day whether the cattle that are bred in the Cavery jungles drag the plough of the Baramahl, or toil on the fertile plains of Madura? The tax should be done away with.

Classed with these items of revenue is a sum of £1,341. 5s., which is the amount of quit-rent on land held by individuals for particular purposes under grants from former powers on favourable terms, and also includes collections on certain service-lands given by this Government and similarly considered in the light of a quit-rent. When it was determined, in 1816, to endow everywhere the office of village watchman with such lands, it was found difficult in all cases to give these men fields the assessment on which exactly corresponded with the pay that they were entitled to; and to meet this difficulty, it was necessary in many cases to allot lands the assessment of which was a larger sum; and this balance, it was then ordered, should annually be paid to Government.

This arrangement is, however, very faulty, and the village watchmen often find their free service-lands a drag upon them instead of a recompense for the valuable services which they render to the State. If irrigated, it has been a constant custom, in seasons when the supply of rain had failed, and the assessment on the other fields has been remitted from want of water, to make these hard-

used and faithful servants of the State pay, nevertheless, the balance due on their lands, as if it were in reality a quit-rent.

Again, a hundred causes may prevent the cultivation of the "dry" lands. The village watchman is perhaps witness in a case of murder or gang-robbery, and, just when the ground should be turned up, or the crop reaped, he is following the case, up to the Sessions Court, through those numerous tests which the law has so cunningly devised for the protection of crime. His duties constantly call him from his village, and, like the rest of mankind, the poor village watchman is liable to be deceived by those to whom he is so often compelled to intrust his interests. In the "dry" lands the balance must invariably be paid, whether the fields were cultivated or not; and the services of this class of men, which may be made invaluable whenever experience holds the helm of the district, would long ago have been altogether lost, had they not possessed other sources of remuneration.

Every village has its own customs, but everywhere these men are entitled to fees from the ryots, paid in kind on each acre of grain, and in various other ways; which usage, with all its drawbacks, has many advantages over a payment made in full by the Government; as the inhabitants thus hold the pursestrings, and the village watchman has a direct inducement to do what he can to please all and each of his numerous masters. The watchman cannot well starve, for by

the immemorial village law, at the first sound of his well-known shout, the householder is bound to set before him a platter full of food, and thus he might support himself day by day, from door to door. But the duties of this office cannot be performed by one man, and though he is spoken of individually, this is merely official language; and there would in reality be found in each village, according to its size, five, ten, or twenty of these men, with their wives and families, all holding a share in the dignity and responsibilities of the office which they represent by turns, year by year, and value as their life.

It is the interest of Government to avoid any measure likely to alienate such a body of men; and the payment of this balance, which can never, with any fairness, be exacted as a quit-rent, is often a great hardship. The lands should be settled as near the amount of their pay as may be, and what assessment is over should be given into the bargain. There are thousands of acres lying waste, and the plot of land thus given outright to such good purpose, would not interfere with the cultivation of the village.

A further small sum of £74. 6s. comprises the quit-rent on certain Government grants, and ready-money payments on water supplied under particular circumstances for the purpose of irrigation; and £2,982. 12s., the assessment collected on hill-cultivation, closes the gross total of the ryotwarry revenue at £137,713. 17s. The hills are not included in the ryotwarry land revenue which

has been already given, because most are rented; and the deadly fever of the jungles having effectually prevented, everywhere, any field survey, such as was made on the plains, this cultivation is assessed on totally different, and indeed, of necessity, the rudest principles. On the Shevaroys an attempt has been made to assimilate the system below and above, but in reality the assessment is everywhere fixed, not on the land, but on the supposed substance of the Mallyally or hill ryot who cultivates it.

In these hill accounts, one man is entered as possessing a plough; another perhaps is put down, as passing rich, the owner of two; whilst a third is merely estimated at a hoe. The plough and the hoe have each various rates, according to the hills where the village is situated; but as regards any real action they have in fixing the amount of the assessment, they may be looked on much in the same light as the Richard Roe and John Doe of the old English law.

The late changes on the Shevaroys are another mistake, arising from the English love of assimilation. The ryotwarry system answered in the plains; and without thinking for a moment whether it is equally suited to the people of the hills, a spurious counterfeit has been thrust down their throats. If the expenditure of so many surveyors did produce a regular survey, and their fields should be, with a similar loss of life, duly assessed, what would be the result? The villagers are one family, and if the heads did not approve of the

official labours in their behalf, next year the village would be five or ten miles from its old site. There are thousands of acres of fine lands with pleasant streams; the Mallyally thinks nothing of moving his home, if the site should be declared unlucky, the village should have suffered from small-pox, or the murrain should have got amongst his cattle; and at the bidding of their elders, if displeased with the survey, as they assuredly would be sooner or later, every man, woman, and child, would flit as one family, which they in reality are.

But this very peculiarity of the Mallyally communities would seem clearly to point out the system under which the assessment on their cultivation should be settled. Let each village be given to the several cultivating inhabitants for a fixed sum and on a joint tenure, in the shape of a lease for a period of at least five years; and the timid Mallyallies settling among themselves the share that each should pay, would not only thus be freed from the constant and harassing interference to which they are now exposed at the will of every petty native officer, but they would in all probability double their cultivation and agricultural stock, under this village system; for the carrying out of which the patriarchal constitution of their tribes is so remarkably well suited.

In addition to the usual "dry" grains of the district, some of which grow with greater luxuriance on the hills at certain elevations, wheat

also is produced in considerable quantities and of a fine quality. Were free play given, under the village system, the cultivation of wheat would be greatly increased, as there is a steady demand for this grain, and it cannot be raised in the low country of this district. The difficulty of carriage from the scattered villages, through dense jungles and down the precipitous mountain-sides, must always keep up the price; yet, with all these disadvantages, the merchants of the plains climb the hills to purchase the Mallyally's crop, and Salem wheat is exported to all the neighbouring districts.

The cultivation of coffee has however given a value to the hills of Salem, which they did not possess before. The plant grows freely at a height of 3,000 feet; but this elevation, where there is much jungle, is within fever-range, which, in such places, may be generally calculated at 4,000 feet; and it is those hills that possess favourable slopes for cultivation, averaging between 4,000 and 5,000 feet above the sea, that are best adapted for coffee. Above that height, the plants suffer from the extreme cold, and below 4,000 feet, bamboo jungle is generally found; fever, as a matter of course, abounds, and those who tend the garden are as little able, as regards Europeans, in this latter, as the coffee in the former instance, to strive against nature.

No agricultural speculation in this district offers a better and more certain return for the outlay of capital than coffee; but the present

system of revenue management must be materially altered before commercial capital will flow freely in this direction. The hill estates, or zemindarries, it has been mentioned, found no purchasers, notwithstanding the utmost efforts of those who succeeded in selling the rest of the district to the highest bidders, in the beginning of the century. The Shevaroys were then necessarily rented out to one of the Mallyallies themselves, as nobody else would have them as tenants at any price; but this was not the village system now proposed, and the farm was done away with in 1843. It was found inconvenient, when Europeans commenced taking up land to any extent for coffee cultivation, so the Government determined to bring the hills under their own immediate management, but, as usual, without considering much, if at all, what would be the best system for the future, with reference to the particular habits and circumstances of the people to be legislated for. The Mallyallies have been placed under the ryotwarry system, which, it has been shown, cannot be carried out on the hills with any fairness; and the policy regarding the new cultivation has been no better.

The zemindar received from the legislature a right over all the waste within the limits of his zemindarry or estate, and it was apparently considered that his substitute, this Mallyally renter, thereby became possessed of the same privileges on the hills. When the renting system was abandoned, this authority, apparently without

any valid reason whatsoever, was transferred to the Mallyallies in general; and if land be now required for a coffee-plantation, though virgin forest, it is necessary to ask the leave of the hill people. Here, in the beginning, is an obstacle that materially retards the occupation of land, with the consequent expenditure of capital; but there is no regulation on which this right can be founded, and its continuance is a measure of neither expediency, necessity, nor justice.

The Mallyallies, assessed as at present, or jointly under the proposed village system, have simply a right to the lands they themselves can keep in cultivation, the boundaries of which should be strictly defined; and nothing should be left undone that could in any way facilitate the planting of coffee on the rest of the hills over the thousands and thousands of acres so admirably suited for its growth. The assessment on these lands has been fixed at two shillings an acre, which is its full value if planted with the "dry" grains of the country, the ordinary productions, with reference to which alone the assessment should always be fixed; and to increase this rate when planted with coffee, because it gives a better return, though it requires a large outlay, and yields nothing for the first two years, is obviously to tax capital.

The rent has not been raised as yet on these plantations, but the puttahs or annual title-deeds have now been made out in the shape of a lease, for a term of twenty-one years; which is not the

fixity of tenure that gives confidence to capitalists, and is an alteration naturally looked on with distrust by men thinking of entering into such speculations. Colonel Read, in the true spirit of political wisdom, formally declared to the people of Salem, that so long as the fixed assessment should be paid, the land was theirs,—theirs for ever, no matter how much they should improve it; and all puttahs are so given in the low country to this day. Why change? To alter this tenure on the hills now, in the middle of the nineteenth century, is surely a grievous falling off. The liberal views of Colonel Read encouraged the outlay of capital; the policy of the present day has the opposite effect.

This, however, is not all; for repeated efforts have been made to put a price upon the land, to make the coffee-planters pay for their lease; and of course, so long as this rule lasted, there was no increase in the extent of this cultivation. When agricultural operations are slack in the plains, work is then going on vigorously in the coffee-plantations. At the very time when most needed, here is an annual demand for the Indian superabundance of labour. The revenue collected on the coffee lands, if its actual amount be merely considered, is trifling in the extreme; but nothing could be better for the district than the activity which must be given to the commercial as well as agricultural interests generally by the outlay of European capital on these central hills, from which this cultivation would assuredly spread to

the other mountain ranges. And to what end has been the policy of Government as yet?

Including the assessment collected on the various hills throughout the district, the rents obtained by farming out the palmyra-topes and wild fruit-trees, and taxes collected on grazing, &c., £137,713. 17s. was found to be the gross ryotwarry demand, from which must be subtracted £9,172. 11s. as the expense of the village establishment; £59. 2s., the result of further changes in irrigation; £1,515. 3s., the proportion of assessment payable to the shareholders of certain Brahminical villages founded by former sovereigns; and £87. 14s., the total remission of the survey assessment made over the whole district, on the score that the holder was either a Brahmin or a Mussulman. It has been already stated that this last sum was not very large; and whether this custom be continued or not, is of little moment as regards the pecuniary interest of the Government; but there is nothing to recommend this practice being kept up any longer; indeed, for many obvious reasons, its immediate abolition is desirable; and the indulgence should be done away with, if for no other reason, as needlessly swelling accounts.

The largest sum in these deductions was money well laid out, for it was the per-centage on the collections allowed to the village accountants and moonsifs, who are termed in their revenue capacity monegars or curredars. Sometimes the monegar is not the moonsif; but this is an irre-

gularity that has crept into the district; is directly opposed to the letter of the law, as well as the spirit in which this office was created in 1816; and should be at once put to rights, as depriving the moonsifs, or heads of villages, of the only pecuniary recompense provided for the discharge of their police duties.

These deductions amounted to £10,834. 2s., and this sum, subtracted from £137,713. 17s., leaves £126,879. 14s. as the net ryotwarry revenue payable to the State for 1850-51.

It has always been the custom with the various ruling powers in India, to give away tracts of country from time to time, either as a mere matter of favour, or for services rendered, or for the sake of religion, the Government revenue on which lands was remitted either wholly or in part; but in Salem, the lands that come under these heads are not probably so extensive as elsewhere, though the item is considerably increased by the territorial possessions of three polligars on the borders of Mysore.

When the country was wild and unsettled, these hill chieftains kept the passes open, and the British Government has therefore continued the favourable terms which natural advantages had often enabled the ancestors of these men to wring from its less powerful predecessors, even when not so justly merited. Some lands pay no tribute whatsoever to the State, and therefore do not appear in the account at all; whilst there are Brahminical villages that have similarly received

from former native Governments tracts of country, though on a smaller scale, for which they also pay only a trifling quit-rent, without reference to the extent of cultivation. This has no connection with the per-centage reduction made in the assessment of individual holdings in the hands of the favoured classes, and differs considerably from the system pursued in other Brahminical villages, where the amount of assessment remitted to the community varies with the extent of the lands that may be occupied each particular year.

Including the assessment on these villages and the tribute on lands granted to hill chiefs, men of rank, or for service rendered, the total amount collected under this head of quit-rent, though by very many different names, and under various tenures, was £3,802. 14s. The "permanent assessment" on so much of the district as remained in the hands of the zemindars, or, in other words, was still cultivated under the zemindarry system, was £46,853; and adding these two last items, the net land revenue of the district of Salem amounted therefore to £177,535. 9s.

The other sources from which the Government derives any advantage are few and of little value. The sale of stamps in this year produced £2,291. 7s.; but licenses for the sale of arrack and spirituous liquors brought in about four times as much. These licenses are looked on too much as a mere matter of revenue, and the rigid scrutiny which preserves order, to a certain extent, in the public-houses of England, is almost

wholly wanting in an Indian collectorate. Every gang-robbery is invariably connected, some way or another, with the arrack-shop: the looseness of the arrangements in this department is a crying evil; and yet reform, from the peculiarities of the country, is a matter of great difficulty. The whole district is rented out for £8,650, and the three or four merchants who hold this farm, sub-rent and sub-rent the privilege of making the Hindoos drunk, till every petty hamlet has its arrack-seller; and the first step towards improvement would be the defining, on the part of Government, with the utmost exactness, where, and where only, these shops should be kept. £870. 19s. was the amount collected on various small farms, such as fisheries, &c.; and finally £7,345. 13s. was the sum collected as Moturpha.

Moturpha is a name that covers a multitude of sins; is a tax that is probably doubled by bribery. It is difficult to describe minutely, as it differs in every town; but briefly, it is impolitic where not unjust. When the State has so very many square miles waste, it is the interest surely of this landlord of India to foster the manufacturing and commercial classes. To give the ryots a better market, is simply, in Salem, to increase the extent of cultivation, and consequently of revenue. The merchant is successful, his shop has got a good name, and he drives a brisk trade; cotton could be grown to any extent; there are thousands of acres for sugar-cane; the oil-trade could be trebled, quadrupled; and agriculture, stagnating

for want of commercial capital, would be at once stimulated by the merchant's prosperity.

Then how does the Moturpha-tax act? For three or four years the head-men are bribed; but if the merchant, notwithstanding this, should still prosper, why, then a higher rate will finally be levied on account of Government, to the direct discouragement from the first of commercial enterprise and improvement. Let another case be taken. The Hindoo has the will to be a keen trader; he opens a second warehouse, where the country is fertile, to buy up agricultural produce; and it will be a hard fight if the village accountant does not get him rated there also for Moturpha. This is not helping the free flow of capital into agricultural operations. To expose every trader who is a good man of business to be annually bullied for this very reason, will not quicken the increase of capital, the very want of which is the blight on the otherwise unbounded resources of this country.

The weavers of the district are skilful, and the Salem cloths find their way by land to the countries on the Kistna and Godavery, whilst they are bought up by the merchants of the western coast for exportation to Bombay and other parts of India, as far to the north of that, it is said, as Sind. These are chiefly the coarse blue cloths worn by women, which are dyed after passing into the hand of the merchant. From Salem they are forwarded for this purpose to the Coromandel coast, as the dye given there is thought

to stand better, and thence these cloths are brought back through Salem, to be shipped from Calicut and other western ports.

Here is manufacturing industry capable of bringing a considerable amount of capital into the district; but in 1821 a loom-tax was imposed, and, everywhere varying in its amount, this tax was fitly included under the head of Moturpha. It had been formerly levied by Tippoo, and, following his policy, the weaving trade has been thus repressed in Salem for the last thirty years. The number of looms has nevertheless increased since the survey was made; but how different would have been the result had a sounder policy been pursued, and what a market would be given now to the ryots, were this loom-tax abolished. The impetus which might be thus given to the trade would be immense; and where there is so much waste, the result on agriculture must be an extension of cultivation, with consequent increase of revenue, and this too without diminishing the quantity of cotton exported, which has been estimated at half the annual produce.

The prosperity of the weavers would necessarily have a favourable influence on all the other commercial classes, and through them, again, on the agricultural interests; as the market for cotton would not only be increased, but the population would grow with manufacturing prosperity, and the demand for grain and garden vegetables must increase in proportion. The Government would thus exchange a revenue, the

collection of which is open to so much abuse, for, in all probability, a larger sum, drawn through the regular channel of a direct land revenue.

Amongst the items of Moturpha there was one which showed with much more clearness its purely Indian origin. Licenses were granted, the holders of which had the exclusive privilege of tracing out and bringing to light all cases of improper intimacy. Whether such a tax was altogether proper, whether the profits arose from the penalties inflicted on convictions of adultery and fornication, or from the sums that the licensed informers could extort from innocent parties to escape such charges, native Governments did not trouble themselves to inquire; it was remunerative, and that was enough; but this source of revenue has now been abandoned for some years. The evil influence of this Moturpha-tax moreover directly retards, and to a very great extent, the agricultural prosperity of the country. Nothing can be more advantageous than the rapid increase of agricultural stock; and to secure this end, it is absolutely necessary that the ryots should have all possible facilities for the disposal of such cattle as may be bred in excess of what happens to be the demand in their immediate neighbourhood. It is much better that the ryot should attend to his lands, instead of visiting himself the distant markets; but here again Moturpha steps in, and, after the usual amount of bribery, those who assist the cultivators in the sale of their young stock fare no better

than the weavers and merchants,—they too in the end are taxed.

In the all-important garden cultivation, this odious Moturpha can be clearly seen, the worm in the root stinting and blighting what otherwise would have such fair proportions. Much of this produce must be sold at the weekly bazars; and for this purpose especially, the services of petty traders are of the utmost importance. The ryot's own family may often not be able to attend to these duties, and without such small traders to go between the producer and consumer, the ryot must be a loser.

But even the old woman who sells the vegetables of her neighbour's garden is taxed by Moturpha as a shopkeeper, and all others who thus directly assist the ryots are equally brought within the scope of this unwise assessment. Again, the labourer who joins in the cultivation of land, but holds none in his own name, he also is included in Moturpha, and pays what is called a chimney-tax. But why recapitulate any further the particulars of Moturpha, which, acting against all agricultural improvement both directly and indirectly, is in reality as unprofitable as it is, for the greater part, grossly oppressive. Let the Moturpha-tax be abolished, and the result may be predicated, from what has followed the relinquishment of the transit-duties.

The total land revenue was £177,535. 9s.; and these four sources of extra revenue,—licenses, small farms, stamps, and Moturpha,—gave altogether

£19,157. 19s., which made the total revenue of the district of Salem for the year under review, £196,693. 9s. The district thus paid to the State in A.D. 1850-51 about half a lac (£4,906. 10s.) in excess of what it yielded in 1805-6, as will be seen by the table opposite.

At that time the zemindars had temporarily appropriated the Moturpha, though all such taxes had been explicitly reserved for the Government in the very regulations by which the zemindars were themselves created; and the stamps also then formed no portion of the Salem revenue, as the stamp regulation was not passed till three years later.

Considering the amount of revenue, the way in which the greater portion is collected, and the changes through which this district has passed, it is wonderful that the fluctuations have not been greater. It is also well worthy of remark, and fit subject for reflection, that the total revenue was greatest in 1820-21, the very time at which it has been shown that remissions had been made in the assessment to a large extent, and a loose system of "cowle" was gradually coming in, as those remissions were revised and annulled. In both cases a wide opening had been given for fraud, but in both cases the land assessment had been lightened. The revenue fell in 1822-23; but as soon as "cowle" came fairly into play, it rose again, and averaged about the same sum whilst these favourable terms were freely granted and the assessment virtually lowered; though it

must be remembered that, from the poverty of the ryots, and the lax state of the district, the balance of revenue then remaining uncollected at the close of each year was very considerable.

There has been an increase on the stamps, which is satisfactory, as evincing greater commercial activity; but as stamps are closely connected in this country with litigation, and any enactment as to the stamped paper on which pleadings shall be written in the several courts of law, will materially affect their sale, much dependence cannot be placed on this head of revenue as an index to the true state of the country. The licenses also show a great increase. Nearly twice as much is given now as was paid in 1820 for the exclusive right of distilling and selling spirituous liquors; and this cannot either be considered as altogether a proof of the people being more demoralized or more addicted to drunkenness, when it is called to mind that the population has doubled itself within the last fifty years.

One large source of revenue has been wholly abandoned, and if the Government had never done aught else that could claim the gratitude of its subjects, to have given up for ever, of its own free will and accord, the lucrative transit-duties, is enough to fix its name for all time to come in the kindly recollection of the millions that people Hindostan. These duties were worse, if possible, than the Moturpha, for they were a daily, hourly curse. The merchant who took his goods along the road, and the women who brought

their vegetables to market, every wayfarer who carried a bundle,—all were to be searched and taxed. To sweep away such a blight as this was really a noble work, that any Government might well be proud of; and the revenue of the State, in the end, it will be seen, has suffered no loss by this wise measure. Fifteen years ago these duties gave a revenue of £17,255. 10s. They were abolished in 1844, and the total revenue is now again only £443. 6s. less than what it then was, whilst the land revenue shows an increase of £13,064. 1s. In 1835 the country was recovering from the famine, which of course makes the comparison more favourable; but of the future results of this most judicious reform there surely cannot be a doubt. The collection of these duties from the timid Hindoo was made the ready means of carrying out the most grievous oppression and bribery. The country was relieved of this intolerable burden; and if the Moturpha were also swept away, may it not be fairly thought that the results would be the same?

Such, then, are the sources from which the total revenue of the district is drawn, and there now remains to be noticed only one more tax, which is voluntary, and paid partly in money, partly in labour. But before proceeding further, it would be better to call attention here to a mistake that is frequently made in considering the state of an Indian district. "The Government must be ruining the country, for the revenue is no better than it was fifty years ago," is a common

remark. Now, with a fixed tenure it is easy to show the fallacy of such reasoning. Neither the amount of land revenue, nor the actual extent of land under cultivation, can be taken as an infallible guide. If retrogression should have taken place to any considerable extent in the condition of the people, a serious falling off in the revenue would be the result; but the reverse will not hold equally good; the ryots may have made great progress, though the revenue remains stationary. There may be a vast increase of agricultural capital, yet it will be sunk in the land, and years may elapse before a corresponding change is shown in the amount of the land revenue.

The Salem roads have long been celebrated; much attention was paid to the means of communication even in the days of Colonel Read; and in 1802 the commissioner for carrying out the zemindarry system reported that a hundred and fifty-six miles had been laid down round Salem, and avenues planted for the whole of that distance. During the next thirty years it does not appear that much was done either to preserve the improvements that had been made, or to open out fresh lines; but whilst John Orr was collector, between 1830 and 1838, trunk-roads with fine avenues were constructed throughout the whole district, that might fairly have vied with the highways of England. The people of Salem could justly claim such assistance from the Government, but the money was expended almost wholly on the collector's own responsibility; and no better

proof could be given of his success than the estimation in which his work was held by the natives, who voluntarily agreed to tax themselves for the maintenance of these roads.

An assessment of two shillings yearly has been paid on each cart from that time, and the villages in the neighbourhood of the roads were annually to contribute a sufficient amount of labour for their ordinary repair. This cart-tax is preferable to tolls, the introduction of which would be hailed with delight by those who now sigh for the opportunities which they lost of pillaging the weak when the transit-duties were abolished. The natives would rather submit to any amount of oppression than make a formal complaint, perhaps to distant authorities. The stoppages and overcharges would of course be less frequent at those toll-gates which were in the immediate neighbourhood of the collector or his subordinates; but whether far away or near at home, so long as the native character remains unchanged, it might be safely asserted that the toll collected in behalf of Government would invariably be doubled by the private collections on the toll-keeper's own account. Neither is it liable to the abuses practised in the assessment of Moturpha, for it is easy to ascertain how many carts are kept, though somewhat beyond the power of the smartest collector to decide, on Indian evidence, whether Vencata Chetty's trade in grain or oil may fairly be assessed at five shillings or six and sixpence.

As regards voluntary labour, the question is more difficult. The original expenditure was finally sanctioned; but the contributions received from the Government since then have been so small, that the roads have again deteriorated. Ordinary repairs can be effected by the people themselves, but occasionally the damage sustained from natural causes is beyond their means, and the roads here and there become so broken up, that voluntary labour and the cart-tax combined are insufficient, and the assistance of Government is absolutely requisite. That assistance has been withheld; and many who, under any circumstances, would probably give their help unwillingly, have now drawn back altogether, and refuse this voluntary assistance, which the collector-magistrate has not the power to compel. These men have, however, good grounds for complaint; their example is spreading, and their opinions will continue to spread more and more rapidly. Either the requisite power must be given to the collector-magistrate, or else the roads must be kept up at the expense of the State.

Labour is cheaper than money, for the agricultural population has much idle time, and three-fourths of the ryots would sooner give a week's work, than pay a shilling as a road-tax; and yet it is a matter for doubt how far "forced labour" could wisely be legalized even for this purpose, as its enforcement is open to the greatest abuses, and might give rise to the most intense irritation.

Neither course could be pursued to its full extent. It would be as unjust to expect the ryots to meet the wear and tear on the great lines of communication, as it would be impolitic that the State should construct and keep in repair the local cross-roads that are used almost exclusively by the resident population. The Government must provide for the safe and easy transit of the general commerce of the country; and the householders of the neighbouring villages and towns may fairly be required to make and maintain those shorter channels of communication that are almost exclusively for their own benefit. Some of the present trunk-lines would come under this latter head, but in either case the whole of the works should be under the immediate superintendence of the engineer of the district; and the present system, as regards the working of that officer's department, should be forthwith abandoned. Reasons have been already given for relieving the collector-magistrate as much as possible from all duties that do not directly appertain to those offices; and their cogency will be equally evident from a short consideration of the results of such a measure in the case in point.

At present, if a bridge or any other public work has to be built, the engineer forms an estimate, which is sent up to Government, sanctioned, perhaps, in the course of a year or two, and returned for execution. If the project is of sufficient magnitude, the engineer, or one of his assistants,

will endeavour to give occasionally his personal superintendence; but in every instance the actual execution of the work is intrusted to the native revenue officials and other subordinates in the collector's department. They engage the workmen, they pay the workmen, and if the engineer, as it often happens, should be occupied elsewhere, they must get the work done as they best can.

Not unfrequently the estimate of one engineer is executed whilst another holds that important office, and the work when done will be reported on perhaps by a third. If the result should be utter failure, is it to be wondered at? The engineer pleads to the estimate, but "the workmanship was so bad, any child might see it must fall to pieces." The collector's establishment vow by all their gods, that the lime was of the best quality, and the execution first-rate; "but with such a plan what else could be expected?" Neither can be blamed, for the system is in fault, and the Government must silently pocket the loss. As more intimately connected with the agriculture and general commerce of the district, it should rest with the collector-magistrate to point out where roads are required, or should be repaired, or bridges built, or works of irrigation attended to; and the estimates, with such remarks as the engineer might make, should pass through his office to the Government. At this step much time might be gained, were a certain sum set

apart for such works, and the engineer empowered, should he not hear to the contrary, to proceed at once, so long as the total of such estimates shall fall within the limits of the fixed annual expenditure on this account, and a certain time, to be also determined, shall have elapsed from the first sending in of the estimate. The work done, it would be better that the accounts also should pass to the higher authorities through the collector's office; but here, the duties of that functionary should cease. To secure any approach to efficiency, the entire execution of every work must be given to the engineer: having formed the estimate, he must engage and pay the workmen, purchase the materials, and build the bridge. He may work by contract or not, as he chooses. The money must be laid out on his sole responsibility, and the engineer must be answerable alike for the design and its due execution.

The maintenance of the trunk-lines may be best considered hereafter; it is the construction and repair of the equally important cross-roads that will be the subject of the present remarks. Tamarind-trees form a large portion of the avenues; and as the produce of these, and all other fruit-trees which line the road within their range, are gathered by the villagers, they do not altogether work for nothing. This system might be introduced on the cross-roads; and the execution of such small masonry-works on these roads as should be required, might be met by the cart-tax,

which ought, however, to be laid out invariably with reference to where the largest sums are collected under this head. The bulk of these undertakings must, and may most justly, be laid on the resident population. The work annually required on each cross-road should be estimated by the engineer, and his estimate made known through the collector-magistrate, to the inhabitants of the several towns or villages concerned. It might be left to their option whether the work in hand should be carried out by their forced labour, or the pecuniary amount required should be raised amongst themselves, and the necessary labour obtained through the instrumentality of the engineer. But all option should stop there; and the share of each village in such works should be defined by the collector-magistrate, to whom must necessarily be intrusted the due enforcement of such a system.

When the villagers shall see the great high-roads of the country kept in good repair by the Government, the experience of the past surely shows that they will not be backward in contributing to the efficiency of a system that so immediately benefits themselves. But doubtless there will be opposition occasionally, and the collector-magistrate must be legally empowered, in all such cases, to apportion and collect the sum required from the several householders, in the same manner as arrears of revenue are recovered. The sum thus obtained would be duly expended by the engineer who made the estimate; and the

accounts in every instance should be submitted, on the completion of the work, for the information of the inhabitants.

The voluntary tax has introduced the subject of roads in a chapter devoted to the consideration of the revenue of Salem; but had no such tax existed, the question of their future maintenance could not be considered irrelevant or out of place. The prompt and certain realization of the Government demand on the land is intimately connected with the state of the internal communications of the district, and the easy and rapid transit of the commerce of the country is as beneficial to the interests of Government as of the people generally.

There are nearly eight hundred miles of road, the state of which, under the present system, will be yearly worse and worse; something must be done, and the Government, if it were only to save the money that has been spent, must now legalize forced labour, either as a general measure or to a limited extent, or else make a suitable and fixed allowance for the due maintenance of public works, which so directly benefit both the State and the people. Lost the original outlay cannot be, for its value has been returned to the State over and over again. Extension of irrigation, and expenditure of capital in the cultivation of more valuable crops, would have been of little avail, if distant markets had not been thus brought within reach; but assuredly any further

improvement is as hopeless as it would be useless, if the Government is still unable to make more liberal arrangements for the future repair and maintenance of the roads of Southern India.

CHAPTER XII.

THE SURVEY ASSESSMENT AND PRESENT POLICY.

Progress where the Zemindarry System was never introduced —Changes there in the Survey-assessed Lands—Assessment calculated for a Ryotwarry not Zemindarry Settlement—Corresponding Results under both Systems—Great Fall in the Price of Grain — Proportion of Survey-assessed Lands thrown out by High Assessment—Its immediate Reduction on those Lands advisable—Fiscal Code of 1844—Intricate and opposed to the Outlay of Capital—Frequent changes—Advantage of a Legislative Enactment—Cowle and all Distinctions of Caste to be abolished—Increased growth of more valuable Crops only to be obtained by relinquishing the Moturpha-tax — Division of the Land into two great classes—Outlay of Capital to be promoted by abandoning all Assessment on the Produce—Improvement of Cultivation gives real stability to the Land Revenue—Under the present System a Tahsildar's annual interference a necessary evil—Attention to the Seasons as necessary on the part of Government as of the Ryots—Cross-roads and Bridges—Lightness of Assessment on the Dry Lands in Cultivation—General Improvement in the State of the Country.

SURVEYED, assessed, and settled with extreme care; for twenty years ground to the dust by errors as truly English as well meant; for a like period nursed with "cowle;" and for the last ten years subjected to the rule of "good and bad;" in 1850 the district of Salem, notwithstanding all these changes, promises well for the future; and the circumstances of the bulk of the

people are now assuredly very different to those of the poverty-stricken race transferred to the British Government by Tippoo.

Had the district even remained always under the same system, great alterations would doubtless still have been found to have taken place, which must have similarly affected an assessment fixed fifty years ago; and it will be seen that there is a marked correspondence between the fluctuations under the zemindarry system, and the changes exhibited in those lands now again held on the ryotwarry tenure. But when the policy of the district has been radically changed no less than four times in sixty years, it would assuredly be as idle to expect that the survey of 1796 now needs no revision, as to think that great changes having taken place is either a proof of its general incorrectness, or that the district of Salem cannot therefore be looked on as at present in a prosperous state. The changes, whether of policy or in the occupation of lands, have been checks, they have retarded her progress, but they cannot be considered as evidence of retrogression.

The Ballaghaut having been ceded only in 1799, had not been surveyed and assessed when the zemindarry system was introduced, and consequently escaped the "permanent settlement." It is divided into the two talooks of Oossoor and Denkanicotta, and at first was rented out to two natives, who each held a talook; but in the second year, according to the custom of that

part of the country, the Government, setting aside these large renters, entered into agreements for the collection of the revenue with the heads of the several villages, who again, in their turn, made the best arrangement they could with the ryots of those villages. The collector of the district, however, recommended strongly a regular survey, which was shortly afterwards commenced, and concluded in 1804.

On three-quarters of the "dry" land a money rent had been long fixed, which was a great assistance, and the assessment on the remainder of the land was calculated always with reference to the experience of former years. There has been a steady increase in the extent of cultivation in these talooks, and the results of the survey being almost identical in both, shows that it was made there with considerable judgment, and that the welfare of the ryots had not been lost sight of, whilst securing the due rights of Government. The Ballaghaut is on the level of the Mysore country, nearly three thousand feet above the sea, and certainly possesses a fine soil, a good climate, plenty of water, an unlimited supply of wood, an independent hard-working population, and good markets. A few miles off is the large military station of Bangalore; and the stud from which all the cavalry regiments in the Madras Presidency are supplied is situated in the Oossoor talook.

In 1802 the assessment of both talooks amounted to £17,462. 18s., which at the survey,

two years later, was reduced to somewhat less than £15,000; and to good purpose, for in 1827 the collector, when reporting that each field had been numbered, remarks on the flourishing state of this Ballaghaut; and in 1840 there had been an increase on the total of its survey assessment of £1,900, which sum, however, it will be seen hereafter, cannot be taken by any means as the measure of the ryots' prosperity.

Another small portion of the district, the revenue of which goes to one of the members of the Carnatic family, and which is known by the name of Mullapaddy, was also on this account retained under the direct management of Government; and the prosperity of this little tract of country is another proof of the effects of the zemindarry system in Salem. Its assessment was fixed by one of Colonel Read's assistants at £777. 8s.; but in 1840 Mullapaddy gave a revenue of £1,273. 10s., and it has since doubled the original sum.

Both here and in the Ballaghaut, the accounts show that only a certain proportion of the survey-assessed lands are now retained in cultivation, the remainder having been exchanged for lands which were then waste. In the Ballaghaut this proportion is almost identical in the two talooks; and the amount retained in both may be set down at sixty-four per cent. Again, Mullapaddy and the adjacent talook of Kistnagerry were surveyed and assessed at the same time and by the same officer, and he, being one of Colonel Read's

assistants, it might have been expected that the results here also would have been alike; but the latter had been included in the zemindarry settlement, and whilst seventy-three per cent. of the survey-assessed lands in Mullapaddy have been retained under cultivation, in the latter this proportion is only sixty-five per cent.

Setting aside, however, the considerations that arise from thus comparing the effects of precisely similar arrangements, as developed under the ryotwarry and the zemindarry tenure in Salem, these results, it must be admitted, show clearly that some changes in its agricultural world are inevitable. The Ballaghaut and Mullapaddy have steadily improved; yet the ryots have transferred their labour; they have relinquished in the one thirty-six, and in the other twenty-seven per cent. of the survey-assessed fields; and the conclusion is manifest. The value of the land is ever liable to change, and alterations in the fiscal policy are no evidence either way. Though the country is flourishing and favourably situated, the survey rates must be modified from time to time.

The assessment had been calculated by Colonel Read and his assistants so as to give to the Government all that could possibly be taken from the land, and yet leave enough for its cultivation and the creation of such small capital as would be requisite to meet agricultural losses and the fluctuation of seasons; but on the supposition that the soil was to be held by small ryot proprietors, who then possessed the power of suit-

ing the holding to their means, and of throwing up such fields as they did not require. When the country was parcelled out into estates, the extent of which could not be changed save under particular circumstances, and the proprietors of which were bound to pay, year after year, the same amount of assessment, though half a dozen bad seasons should have followed in quick succession, this survey assessment had manifestly been put to a very severe test.

If capital had been embarked in the enterprise, the experiment would have been less trying; but this was not the case. A per-centage reduction, it is true, was made when the estates were handed over to the regulation-born squirearchy; but this, again, was not to any great amount, and the natural characteristics of the soil not having been taken into account, it might be expected, under these circumstances, that the Salem zemindars would muster the strongest where the land was least dependent on the seasons; and if failures did take place, that they would be most extensive where the country was most dependent on such fickle influences.

In Namcul, Purramutty, part of Trichengode, Razipoor, and the talook of Salem, the soil is a rich black earth, for the "dry" crops on which a large supply of rain is not absolutely necessary; whilst in the remaining talooks below the ghaut, Ahtoor, Womaloor, and Senkrydroog, the soil is generally light,—it is a mixture of red earth and sand, which comparatively requires much more

rain; and this would of necessity tell severely against a permanent settlement, where the proprietors had no large capital to meet a run of bad seasons. Over the Baramahl, also, it is generally a red gravelly soil, and, like those talooks last mentioned below the ghauts, the light lands of Tengricottah, Darumpoory, Kistnagerry, and Tripatoor, which are the subdivisions of this portion of the district, not only require for the "dry" crops a large fall of rain, but that the showers should also come seasonably.

The results which followed the introduction of the zemindarry settlement fully bear out this description of the district; and if Tripatoor and Kistnagerry are exceptions, it must be ascribed to the matured wisdom of Colonel Read, who himself conducted the survey in a part of Tripatoor, and over those operations in the remainder of that talook, and the adjacent one of Kistnagerry, doubtless exercised a closer and more effective supervision than he could exert for the benefit of the more distant portions of the district. He has also been aided by the markets; and the soil is somewhat more favourable in Tripatoor, which lies lower than the other three talooks; whilst Captain Graham, his assistant there, seems to have given the ryots a larger share of the produce than was allowed to them by the other two assistants, who settled the remainder of the district.

In 1820 nearly two-thirds of the district of Salem had reverted to the ryotwarry system, and

fifteen years afterwards further changes had taken place; but it will be observed from the following table, that these latter changes did not alter materially the relative position of the several talooks, as they would have been fixed by the first returns. In some the zemindars went at once; and this was especially the case in the Baramahl, where the nature of the soil was most against a permanent settlement; whilst in others which were more favourably situated, the change had not been so rapid, and the downward progress of the zemindars had been continued through the latter period, though by slower steps :—

No.	Names of the Talooks.	Per-centage of Land still in the Hands of the Zemindars in 1820 and 1835.	
1	Namcul	65	60
2	Trichengode	65	49
3	Tripatoor	41	40
4	Purramutty	52	37
5	Kistnagerry	37	37
6	Salem.....	31	30
7	Darumpoory	28	27
8	Senkrydroog	34	23
9	Tengricottah	20	20
10	Razipoor	29	10
11	Womaloor.....	11	5
12	Ahtoor	...	...

In Darumpoory and Tengricottah, the zemindars, it will be seen, had not succeeded over well;

and the adventurers who crowded the estate sales at the beginning of the century had evidently shrewd ideas of the real value of the speculation in those parts. The collector attributed their reluctance to the introduction of the judicial system, and the protection that it gave the ryots against their new masters; which doubtless was partly the cause; but the assessment had also much to do with their feelings on the subject; and those estates there that still remain in the hands of the proprietors are situated chiefly in the immediate neighbourhood of the mountains and large jungles, where there is much waste land, which was given into the bargain when the estates were first formed. Below the ghauts the failures were most extensive in Womaloor and Ahtoor. The whole talook of Ahtoor had reverted to Government some four years before the first returns were made out; and the dreadful state of misery to which its inhabitants had then been reduced has already been described. No per-centage could therefore be given for this talook, and the small fraction of Womaloor which still remained under the zemindarry system, shows with equal clearness that the assessment had been calculated so closely that the seasons at once told against the stability of the new system.

It might be argued, that the assessment on the land had nothing to do with these changes; that all the men of capital had been used up when Namcul and Trichengode were disposed of, and the failures elsewhere were simply because the

purchasers were men of no private means, and too often totally devoid of principle. The whole of Ahtoor might have been bought by needy adventurers; nine-tenths of Womaloor, and three-quarters of Tengricottah might have been equally unlucky; and the other changes throughout the district might also have been the result of mere accident: but in that case, when the land again came under the ryotwarry system, these differences should cease, and the success of the survey assessment should everywhere be nearly alike. In 1848 the agricultural statistics of the district were examined with the greatest care, and the information then obtained regarding the ryotwarry cultivation leads to very different conclusions.

Tables were then drawn up from the accounts of the several talooks, showing how much land in each, exclusive of the estates still in the hands of the zemindars, had been assessed at the survey, and how much subsequently, and how much of each class was at that time under cultivation. The proportion of survey-assessed lands cultivated in each on the ryotwarry tenure corresponds with the results of the zemindarry experiment in a way which proves beyond a doubt, not only that the assessment was too high where the zemindars failed, had been everywhere fixed unequally, as might have been expected, and the over-assessment greatest where those failures were most extensive; but that the survey assessment on much of the land is still too high, and is more now than can be paid even under the ryotwarry

system. The proportion retained in cultivation under this latter tenure is greatest where the least land reverted to Government under the former arrangement. And the talooks are placed in the annexed table with reference to this proportion; whilst their position, as fixed in the former table, according to the success of the zemindarry experiment in each, is also given in the second line of figures.

No. in this Table.	No. in the Zemindarry Table.	Names of the Talooks.	Per-centage of survey-assessed Lands under Ryotwarry Cultivation.	Officers by whom surveyed and assessed.
1	3	Tripatoor	75	Read
2	1	Namcul	69	Macleod
3	5	Kistnagerry	65	Graham
4	9	Tengricottah	63	Munro
5	2	Trichengode	60	Munro
6	4	Purramutty	60	Macleod
7	6	Salem	60	Macleod
8	7	Darumpoory	60	Munro
9	10	Razipoor	59	Macleod
10	8	Senkrydroog	55	Munro
11	12	Ahtoor	53	Macleod
12	11	Womaloor	50	Munro

Tengricottah is the only talook in the above table in the position of which there is any considerable change. When the estates were formed, this was a wild and jungly country without a single road, infested by wild animals, that robbed

the cultivator of half his crops, and by gangs of robbers, who were far worse than the wild beasts. The zemindarry system was not calculated to make head against a state of things like this. The talook remained thus disorganized for many years; and it will be seen that those estates which succeeded in weathering the first eighteen years' trial have remained unchanged: twenty per cent. of the talook was zemindarry in 1820, and twenty per cent. of the talook was zemindarry in 1835; but in the mean time there had been a great change in the position of Tengricottah for the better. When the roads of the district were made by John Orr, a trunk-line was carried through this talook, which, situated on the extreme east of the district, was further opened out by several cross-roads to the westward; and the ryots of Tengricottah being thus brought within comparatively easy reach of the Salem market to the south, and the populous towns on the Madras road to the north, have prospered accordingly.

Ahtoor and Womaloor have changed places, but they still remain at the bottom of the list. In the one, the zemindarry system failed entirely; in the other, it did succeed in retaining its hold for thirty years on a twentieth part of the talook: and when it is observed that, under the ryotwarry system, only half the survey-assessed lands can now be cultivated, there surely will be no doubt as to the cause which has led in both cases to the relinquishment of those lands.

In Ahtoor the proportion is a little more than

half, and in Senkrydroog it exceeds that by five per cent.; but it may be said that a half of the best lands in these three talooks has been thrown out of cultivation, because the assessment is too high. In Senkrydroog, Munro was probably misled by the markets. At the time of the survey, this was the western frontier of the Madras Presidency; Senkrydroog itself, where there is now a decayed native town, annually wasted by fever, was then held by a large garrison; detached outposts were scattered in every direction; the country teemed with troops; and there was consequently a demand for agricultural produce, and a vigour given to such operations, that would naturally induce Munro to impose an assessment, which the country could not possibly pay when deprived of these adventitious aids.

In each of the talooks, much of the survey-assessed land has been abandoned; in some instances the value of the land may have changed, in others the assessment has been originally too high; but if further proof be required that it is over-assessment which now everywhere keeps these lands out of cultivation, it was given by the collector in his report of 1839, which has been already quoted. He then proved distinctly, by the agricultural returns of the district, that some survey-assessed lands, if held on the favourable tenure of "cowle," were invariably relinquished when that tenure came to a close; and thence argued, most justly, that the reason for this could only be that the ryots found it impossible to cul-

tivate those lands at the survey rates. Great abundance of waste may occasionally tempt the ryots away from the survey-assessed "dry" lands, but the rate must be very unfavourable before they make up their minds to abandon the fields which are close to their village for the cultivation of those at a distance; and this can be the only reason, generally speaking, in the case of the "wet" lands, where ground immediately under the tank, that of necessity receives the first and larger supply of water, is left waste for years.

Those who conduct the survey and assessment of a country, undertake indeed a heavy responsibility; and on their skill and judgment how completely dependent is the future happiness and prosperity of an Indian district! Who could calculate the misery endured before these old home-lands were relinquished? Who will pretend to estimate the progress that Salem would have made had the labour of the people been always exerted where the land was most productive? In Ahtoor especially, and in the other talooks also, it is by no means uncommon to see the best lands, in the centre of the rice-cultivation, covered with rank grass, whilst golden crops are waving all around; and it does seem strange that this should go on from year to year,—that nothing should be done to let the ryot, at all events, again drive the plough where his forefathers tilled the fruitful soil in bygone times.

There is of course only one way by which this

can be done, and it would not, in all probability, entail, even in the first instance, any loss of revenue; indeed its effects might be the reverse. The ryots have not only relinquished a large proportion of those lands which have been selected for ages as best fitted for cultivation, but the annexed table will show that the average per acre is higher on what has been given up than on that kept; or, in other words, of the land so selected, they have abandoned the more fertile—the more valuable fields, which were accordingly rated the highest at the survey. This assessment could therefore be reduced without lowering the general rate of the district, or the total amount of land revenue. It would be simply bringing down to the present average a scale of assessment that cannot now be maintained: and this measure, whilst based on the soundest principles as regards the productive powers of the country, could not possibly have an injurious effect in a financial point of view. There is every reason to believe that the rates on the unoccupied lands, if thoroughly revised, would not fall below the average on the survey-assessed lands at present cultivated; and therefore from these changes there could neither be a decrease in the comparative assessment to be fixed on the future occupation of real waste, nor could there be a loss of present revenue, because the ryot transferred his stock from fifty acres of poor to fifty acres of good land, the total assessment on which, thus reduced, would still be of the same amount.

No.	Names of the Talooks.	Lands surveyed and assessed.											
		Dry cultivation.						Wet cultivation.					
		Average per acre on the lands now cultivated.			Average per acre on the unoccupied lands.			Average per acre on the lands now cultivated.			Average per acre on the unoccupied lands.		
		£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.
1	Tripatoor	0	2	$5\frac{5}{8}$	0	3	$4\frac{5}{8}$	0	14	$3\frac{5}{8}$	0	14	9
2	Namcul	0	2	$9\frac{3}{8}$	0	4	0	1	0	$9\frac{5}{8}$	1	1	$9\frac{3}{4}$
3	Kistnagerry	0	1	$10\frac{1}{4}$	0	2	$2\frac{1}{2}$	0	11	$4\frac{1}{8}$	0	12	$9\frac{1}{2}$
4	Tengricottah ...	0	2	$1\frac{1}{8}$	0	2	$6\frac{1}{2}$	0	8	$10\frac{3}{4}$	0	10	$3\frac{1}{2}$
5	Trichengode	0	3	$3\frac{5}{8}$	0	3	$6\frac{7}{8}$	0	15	$3\frac{1}{4}$	0	15	$0\frac{3}{4}$
6	Purramutty ...	0	2	$9\frac{1}{8}$	0	3	$1\frac{5}{8}$	1	7	$3\frac{1}{8}$	0	19	$6\frac{5}{8}$
7	Salem	0	3	$9\frac{7}{8}$	0	3	$8\frac{7}{8}$	0	16	7	0	18	5
8	Darumpoory....	0	1	$9\frac{1}{4}$	0	1	$8\frac{3}{4}$	0	10	$6\frac{7}{8}$	0	11	$5\frac{3}{8}$
9	Razipoor	0	4	$6\frac{5}{8}$	0	5	$5\frac{1}{8}$	0	14	$11\frac{1}{4}$	0	17	$10\frac{7}{8}$
10	Senkrydroog ...	0	3	$4\frac{7}{8}$	0	3	$5\frac{5}{8}$	0	17	$8\frac{1}{8}$	0	16	$8\frac{3}{8}$
11	Ahtoor	0	3	$9\frac{1}{8}$	0	4	$3\frac{3}{8}$	1	1	$6\frac{1}{8}$	1	8	9
12	Womaloor.....	0	3	$5\frac{3}{4}$	0	3	$7\frac{3}{4}$	0	12	$4\frac{1}{8}$	0	13	$2\frac{1}{4}$
13	Oossoor	0	3	3	0	2	$11\frac{5}{8}$	0	11	$8\frac{1}{8}$	0	11	$6\frac{3}{4}$
14	Denkanicotta...	0	3	$0\frac{7}{8}$	0	2	$1\frac{1}{8}$	0	10	$11\frac{3}{4}$	0	11	$4\frac{3}{4}$
15	Mullapaddy ...	0	2	$0\frac{1}{8}$	0	2	1	0	10	$7\frac{1}{8}$	0	12	$5\frac{5}{8}$

The lands are now lying waste, and, by reducing the survey assessment, they would again be brought under cultivation, would give larger returns, and, thus swelling the ryots' capital, would in the end extend cultivation and increase the land revenue materially. High assessment must be the general cause of 8,864 wells being out of repair, and the ryots unwilling to cultivate the lands which they would water. And this would doubtless be found to be the reason also, in not a few instances, why there are at present

1,017 tanks, 164 channels, and 218 dams, that are left unheeded to go to decay. Natural causes have, however, considerable influence in throwing works of irrigation out of repair; and some of these "wet" lands may have been abandoned perhaps for other reasons than high assessment; but this could only have a limited application, and cannot be said of the "dry" lands which have been given up: and a consideration of the changed circumstances of the district leaves it only a matter of surprise that the ryots have been able to pay the assessment on so much of the survey land as they now do. At the time of the survey, the prices of grain had fluctuated considerably; but towards the close of those operations, when the assessment was finally fixed, they had remained tolerably steady: and it will be remembered that Munro then expressed his belief that there would be but little change for the future, in this most important respect. It will also be remembered, how closely that assessment had been of necessity calculated. Whilst the following table will show that, so far from prices remaining stationary, as expected by Munro, there has been a general and regular decrease, and the prices of some grains have fallen to nearly half what they originally were!!

Item per garee.	Average from 1793 to 1796.			Average from 1836 to 1840.			Decrease per cent.	Price in 1849 and 1850.			Price in 1850 and 1851.			Decrease per cent. in 1851 on the averages from 1793 to 1796.
	£.	s.	d.	£.	s.	d.		£.	s.	d.	£.	s.	d.	
Rice in the husk, 1st sort ...	13	12	0	9	9	10½	30½	8	13	4½	7	14	6	43⅙
Raggy	11	18	0	8	15	6	26½	7	18	0	6	12	9	44⅕
Bajerah	11	12	0	8	13	4½	25½	7	16	7½	6	12	0	43 1/10
Jawarry	14	12	0	9	15	0	33⅔	8	14	1½	7	7	0	49½
Wheat	35	18	0	31	7	6	12⅔	26	16	9	28	1	4½	22
Dholl	21	12	0	18	7	6	15	16	18	4½	16	17	0	22
Gram	15	8	0	10	9	3	32⅛	8	15	7½	8	8	9	45⅕
Bengal Gram	31	2	0	25	2	6	19⅓	21	19	1½	24	1	0	22½
Ooloondoo	22	16	0	17	9	6	23½	12	16	9	12	19	9	43
Pessaloo	22	10	0	16	7	3	27¼	16	4	0	15	5	1½	32⅙
Buller	15	12	0	11	13	1½	25⅓	12	11	1½	12	14	6	18⅖

A fall like this in the price of grain has pressed heavily on the ryots, and doubtless has been the cause of relinquishment over a great portion of the survey-assessed lands which have been from time to time thrown out of cultivation. Cheap food would increase the population and demand, and would of course cheapen markets generally; but the Indian ryot lives almost entirely on the produce of his own fields. The cost of the few articles which he might buy during the year would undoubtedly be less, but such gains could not be of much assistance towards paying an assessment calculated at the old rate of agricultural profits, fixed in fact in 1796, when his crops were sold for nearly double what can be got now.

With thousands of acres that have never been occupied, there is no possibility of prices rising under a wise revenue system; and these lands can only, therefore, be brought under cultivation by revising and reducing the assessment, which should be done at once. This measure will probably in the first instance have the effect of merely transferring labour from the less productive lands under cultivation to the more fertile, at present unoccupied; the immediate result of which would be, that the ryot, paying the same amount of assessment, and giving only the same labour, will gather much larger crops; but the capital will be again sunk in the land, and the next step inevitably must be the extension of cultivation and consequent increase of revenue.

As regards the propriety of a general revision and reduction of the assessment where requisite, whether the lands are occupied or not, the question is more difficult, and requires that other subjects should be first considered.

The assessment of 1796 was tried by the zemindarry system, and has again been severely tested by this fall in prices; but the present fiscal code is worse than either. When the father of the ryotwarry system had assessed the land, he wrote to his loving friends the ryots of Salem to the following effect:—"The assessment of every individual field is fixed for ever; that is to say, the Government is never to require more, or receive less, nor you to pay less or more, than the present rate; unless when those fields, actually 'dry,' shall hereafter be converted into 'wet,' by the constructing of tanks, cutting of canals, or other means that may hereafter be undertaken at your desire, or with your consent, but at the expense of Government; when the rates will be proportionally raised, according to the consequent increase of the produce, and in like manner fixed for ever. But if you carry on such works at your own expense; plant topes of palmyras, cocoa-nut, tamarind, mango, orange, lime, or plantain-trees, gardens of betel-nut, betel-leaf, sugar-cane, or any other such production, on which a high rent has been formerly exacted, you may depend on receiving the advantages accruing from these, and from every other improvement of your lands, while you continue to pay the established rates:"

those constituting, except in the cases above mentioned, the annual demand upon them on the part of the Government for ever.

The ryots were thus directly invited by Colonel Read to expend their capital in the improvement of the land; and far different would have been the results of the present day, if the ryotwarry rules had been again modelled on this wise and liberal policy when the zemindarry system was finally abandoned. But a brief outline will show clearly enough how different is the spirit of those now in force, which were introduced first in 1833, and reproduced in 1844, with the notable addition of that most injurious antidote known by the name of "good and bad." Colonel Read would tie the ryot to his land by its being a valuable property to him; the statesmen of latter days would bind him to the soil by harassing conditions, that the rich can easily evade; would force him to labour on bad land, for the fear of losing whatever else he had that was good.

The fiscal code of 1844 consists of seventy-one rules, of which number no less than twenty are given to describing, with Mahratta minuteness, the fractional reductions in the assessment of the land that may be temporarily made under the head of "cowle;" and these are kept distinct, and go by the name of the "cowlenamah." Of the other fifty-one rules, five refer to lands held on favourable tenure, which it is declared shall remain as fixed at the survey, notwithstanding any changes that may have been since made by

the zemindars; shall be entered in the annual accounts; and shall be forfeited to Government in certain cases, if the quit-rent thereon shall be in arrears for more than a year. It is also provided, that individual Brahmins or Mussulmen shall in future only obtain land at more favourable rates than other men, when they may have brought immemorial waste under cultivation, though £1. 6s. 6d., it has been seen, in the last chapter, was entered as the amount of remission to Brahmins who had taken up fields previously occupied by the ryot class; and the fifth rule, similarly with the first, repudiates any changes in the village service-lands that may have been made whilst the country was in the hands of the zemindars.

The renting of fruit-trees on waste lands, of palmyra and date topes, and of the right to fish those tanks for which an annual sum exceeding £2 may be offered on this account, is defined in other three rules; and in two more it is enacted that a professional tax or Moturpha shall everywhere be levied, according to the custom of the country, as well as a house-tax, to which the ryots shall be subject, should they not hold lands, the assessment on which is double what they would be liable for under this head. Each ryot in the village is entitled to half a rood of freehold about his house, and the thatching-grass, that is to be found in the beds of tanks, it is declared shall be divided amongst the inhabitants in proportion to the extent of their holdings;

whilst sundry directions, in the event of houses being built on lands reserved for cultivation, whether occupied at the time for that purpose or not, complete four rules on this subject.

The remaining thirty-seven rules are devoted to the ryotwarry cultivation, and may be conveniently divided into five heads, which declare, first, the nature of the tenure; secondly, variations in the assessment, with reference to irrigation, the nature and value of the produce; thirdly, the restrictions under which the twenty rules regarding "cowle" may be made use of; fourthly, the rules to be observed in the measurement of land; and fifthly, the conditions by which the collector is to be guided with reference to such remissions of assessment as may be annually claimed.

The following is a brief abstract of the various rules included under these several heads; and the seven first also illustrate the spirit and tendency of the present policy.

1st. The ryot is entitled to hold possession of the land which he cultivates, so long as the Government assessment thereon is duly paid; and he shall yearly receive puttahs or annual title-deeds for all such lands. The said lands are transferable under the restrictions by which he himself is bound, but his title is forfeited by one year's nonpayment of the assessment.

2nd. No changes are to be made in this assessment when once fixed, whether at the survey or subsequently, except in those cases where irriga-

tion is concerned, *or the assessment varies with the produce.*

3rd. In the case of *fruit-trees* that have been planted before the survey was made, no assessment shall be levied, *unless the land should at any time lapse to Government.*

4th. If any portion of a field is cultivated, the assessment for the whole field shall invariably be demanded.

5th. Vacant lands may be taken up at any time of the year, but the full assessment must nevertheless be paid.

6th. If the lands were occupied the previous year, and have not been formally given up, though left uncultivated, any party occupying the same, only possesses a right for that year, but he will subsequently receive the usual puttah, should the former occupant fail to reclaim the lands within that period: and,

7th. When lands may be taken up that have never been before cultivated and assessed, the rate is to be determined with reference to that fixed on neighbouring fields of a similar quality.

It is difficult to separate the rules which refer to the irrigation of fresh lands from some of those that regulate the assessment to be fixed on the customary "wet," according to the nature and value of the produce; but the first five of the following rules may be said to have reference to the former subject only.

1st. If lands originally assessed as "dry"

should be irrigated, and the whole of the regular wet lands under that tank or channel are cultivated, comparative assessment will be levied; otherwise this additional assessment will be fixed by way of a penalty, at the highest rate to be paid on the best of those lands.

2nd. If a portion of a field be irrigated, the additional assessment is to be levied for that extent only; and no alteration is to be made in the assessment on the remainder.

3rd. If the land should be irrigated only for a day, the additional assessment shall nevertheless be imposed.

4th. If the water be obtained from an old well, which the ryot has repaired substantially at his own expense, a suitable, but only temporary, reduction is to be made in the assessment.

5th. If the well has been sunk at the ryot's own expense, no additional assessment is to be levied on such irrigation, so long as he retains in his possession all the other fields for which he may have then been paying assessment, and provided that there are no Government tanks or channels in its immediate neighbourhood, no old well in the field in question, and that the cost has exceeded £2, and the collector's sanction for the outlay has been previously obtained.

6th. If on fields originally assessed as "dry" lands, garden produce should be grown, or on either of the above descriptions, "wet" crops, such as rice, should be cultivated, and irrigated from rivers or Government tanks, channels, or

wells, the assessment will be fixed with reference to the rate paid by the adjacent proprietors under similar circumstances.

7th. If cocoa-nut-trees and betel-nut, or, in other words, the arreca-palms, be planted and irrigated, till the trees shall come into bearing, the land is to be only assessed as if rice, &c. were grown; but when these "wet" gardens, as they are called, become productive, that assessment shall be doubled; except in the Ballaghaut, where it is then to be fixed at the highest rate on the best of the rice-lands under that particular tank or channel.

8th. The "wet" garden assessment shall not be levied, should the trees cease to bear; but the land will be re-assessed according to its capabilities.

9th. The cultivation of sugar-cane, and of the vine from which betel-leaf is obtained, is not liable to this additional rate; but the lands will be assessed as if rice were grown.

10th. "Wet" lands, used as nurseries for transplanting rice, are to be held free.

11th. Scattered fruit-trees shall be assessed, if the amount of such assessment exceed a fifth of that fixed on the land.

12th. When "dry" land may be occupied for grazing, the usual assessment is not to be levied; and where a grazing rate has not been fixed, the ryot shall only pay a quarter of the assessment for which he would have been liable if the land had been cultivated with grain.

Five rules contain the restrictions under which the twenty rules regarding "cowle" may be made use of; and it is therein declared, first, that the village authorities shall on no account grant cowle; secondly, that if lands entitled thereto should be cultivated without leave being duly obtained, the full assessment shall be collected; thirdly, that such lands, if required, may be given at once at the full assessment; fourthly, that if cowle be given, the land must be paid for during the whole period, whether cultivated or not,—the tenure, it is further ordered, not being transferable, save in case of deaths; and fifthly, that this last indulgence shall not be extended to such as hold the fixed cowles, which were granted when the country returned to the ryotwarry system.

The instructions to be observed with reference to the measurement of land are very simple, and are contained in three rules. All interference on this account, if the lands be occupied, is much deprecated; but if there should be good reason to suspect that errors do exist, the land is to be measured, and the accounts are to be corrected whenever the variation either way may exceed ten per cent. of the assessment. When waste lands are taken up for cultivation, they are to be duly measured out; and it is strictly ordered, that care shall then be exercised that the quantity given is never less than what can be cultivated with a single plough, which is calculated at five, three, and two acres, according as "dry" crops, garden, or "wet" crops, are grown; and thirdly,

it is directed that, where encroachments have been made, the offending party shall invariably pay the assessment of the whole field, or if it be waste land that he has been appropriating, however small may be the quantity taken, he shall be held liable in the above proportions of five, three, and two acres, according to the nature of his cultivation, and provided that there is a sufficient extent of waste.

Amongst the ten rules to be given under the last head of remissions, three have been included which have reference to the whole system generally, and are simply to the effect that the annual accounts shall be made out according to such forms as the collector may order from time to time; that the tahsildars shall see to those of each village being kept in good order; and that rewards will be paid, according to certain provisions laid down, for any information regarding frauds that may have been committed in these accounts. But the other seven rules may be considered to refer strictly to the subject under which they have been classed.

1st. On dry lands, whether cultivated or not, the assessment is to be collected so long as they are retained in the ryot's possession, unless the peculiar circumstances of the case should render the collector of opinion that remission may be justly claimed in this particular instance.

2nd. On irrigated lands, if cultivated, any remission of the assessment is never to be allowed on the score of bad crops.

3rd. If lands assessed as "wet" be left uncultivated for want of water, the assessment is to be remitted, without prejudice to the occupant's title.

4th. The assessment on crops which, grown in the beds of tanks, may have been destroyed by inundations, is also to be remitted.

5th. Should any land be swept away or injured by floods, the assessment is similarly to be remitted in proportion to the extent of the injury.

6th. If a ryot, having duly given up the lands which he held direct of Government, should transfer his labour to enams, or those held by others on favourable tenure, he is nevertheless to be considered liable for the assessment on the lands relinquished, unless they may have been cultivated by a third party: and,

7th. The ryot is only to be permitted to relinquish such of his fields as he may not require, on the conditions that the situation is such that they may be conveniently cultivated by another, and that he give up good and bad together in fair proportions. Whilst the same rule further directs that the tahsildars shall annually draw up an agreement at the commencement of the season, by which the ryots of each village may know how much they have to cultivate.

It has been laid down, that capital will seldom be forthcoming unless those who have it know clearly the conditions under which it will be employed. There may be rash speculation, but sound progress will rarely be found where that

security is wanting; and, alas! it must be confessed that this all-important certainty does not indeed exist in the ryotwarry code of 1844, of which the above sketch is a mere outline. Without an attempt at arrangement, the rules are jumbled together in admirable confusion, and each rule is laden with clauses and explanations. Itself a translation from Mahratta, if there are translations of this impolitic code in the several languages spoken in the district, they are accessible only to such as have friends amongst those in office. The rules, such as they are, have been changed three times since 1820, and for all that the native capitalist knows to the contrary, may be revised three times more within the next ten years; and whilst there is no security for the continuance of these rules in their present shape, the whole code is singularly deficient in those sound principles that would invite even a temporary outlay of capital.

A state of uncertainty like this effectually clogs any attempt to develop the resources of the country; and the first step towards improvement must be the formal definition of the ryotwarry tenure by a legislative act. The ryotwarry system was based on the ryots enjoying perfect freedom and full security for all possible outlay of their limited resources. The ryots must be invited to sink their profits in the land with the same confidence that they take up fresh fields, the provisions being such that they may be certain, in the one case, that they will receive the

whole returns of the investment, without reference to the nature of the produce, and in the other, that they will not be compelled to retain what they find unprofitable. If the value of the land be thus increased by the free outlay of the ryots' resources, its occupation becomes a matter of certainty; and thus, and thus only, a lasting stability is given to the land revenue.

In Salem the improvement of the land is chiefly effected by irrigation; but this code does not offer much encouragement under that head; and a large proportion of the various rules that it does contain, provide for those fluctuations in the occupation of the land, the prevention of which should be the chief object in legislating for such a system; whilst the declaration that the ryots must learn from the tahsildars how much they have to cultivate, is essentially and diametrically opposed not only to all political economy, but to the principle on which the ryotwarry system is founded.

The limits of this tenure, and its liabilities, must be clearly pointed out; all alterations or modifications of these rights, save by a similar legislative enactment, must be directly forbidden; and then, and then only, will capital flow freely in agricultural operations. A sound system, embodied in a few brief rules, that shall secure to the ryots the whole of the profits that may arise from the outlay of their capital, and, as a legislative enactment, shall give a legal right and confidence to the capitalist; the improvement of

markets by the removal of all restrictions on trade; and good roads, — these are the crying wants of the district; and any general reduction of the assessment, without these measures being first carried out, is simply providing for a greater growth of such crops as are mere articles of food, to increase and support a degraded population, that will probably be decimated by the next bad season.

So much has been already written on the subject of "cowle," that it is needless now to recapitulate the arguments against a system which Munro condemned for its intrinsic deficiencies, when the inhabitants really wanted assistance. The numerous rules regarding "cowle," and those which describe the conditions under which it may be granted, should be abolished; and thus an end would be put to a tenure that now merely unsettles agriculture and increases fraud. Of the five rules regarding favourable tenures, two that repudiate changes made by the zemindars, being part of the regulations, are unnecessary; and that which relates to the distinction of caste in the cultivator, had best, for the future, be placed on the shelf, by the side of "cowles." There should be no difference, whether the land is tilled by a Mussulman, or a Brahmin, or a Sudr; and the abolition of this indulgence in future would be neither an injustice nor impolitic, if coupled with the proposed alterations.

The nature of "Moturpha" has been also already described. The collector cannot possibly

prevent this tax being made the fruitful source of oppression and corruption; and if it is desired that the position of the ryots and the character of their cultivation should be raised, the markets throughout the district must first be freed of this intolerable nuisance. There would be an apparent loss, including the house-tax, which is mixed up with Moturpha, and has a like effect, of somewhat more than £7,300; but there would be inevitably an improvement in agriculture, and an ultimate increase in the land revenue; and another wide door would be closed against bribery and fraud.

When the trading community shall have been thus stimulated, the ryot will have an immensely increased home-market for the more valuable productions of the soil; and the ryotwarry rules must be framed so as to secure that high culture without which these products cannot be grown, and with which, assuredly, the ryotwarry tenure will naturally become a "permanent settlement." Men do not willingly give up the land on which they have expended their substance; and there would be yearly less and less of a reckless hand-to-mouth cultivation. The ryots must have full power to do what they like with their land, so long as the rights of others are duly respected; and they must clearly see that, however much the value of the land be increased, there is no fear that an additional assessment will be imposed. Where irrigation is not concerned, this principle, with two exceptions, has been fully carried out; and what is the result? The population, it is

known, has doubled since 1800. There must therefore be twice the demand for food; and as its price has fallen nearly half, from the very cheapness of the supply, the present consumption will inevitably bear a much larger proportion to the extent of the population than at the beginning of the century; and when it is remembered, that this supply, at the very least twofold, is raised on less land now than then, as measured by the land revenue, there can be no doubt as to the means by which it has been effected.

The encouragement held out to the ryots to improve their cultivation has been to good purpose. Having sunk their little capital, they gather crops a hundred-fold more abundant; such cultivators, in consequence, can afford to sell at half price; and the prosperity of the people in general is the result of the only instance in which a fair encouragement has been given to the ryots to improve their lands. The exceptions to this rule are dissimilar. On the one hand, it is provided that the assessment shall be raised if there are fruit-trees, and if the assessment that would be leviable on those trees should exceed in value a fifth of that fixed on the land; in which case it is to be added to the original assessment; and on the other hand, the ryots are permitted to retain their fields for grazing purposes at a quarter of the real assessment.

This description of tree-tax contributes only a small sum to revenue, but, like many other petty items, it gives a wide scope to the official under-

lings for troubling and annoying the ryots. Ramasammy has a field assessed at eight shillings, and adorned by sundry tamarind or mango-trees. It may be a pleasing, and most likely a lucrative amusement, for the native authorities above him to calculate whether the tree-tax here, as exceeding a fifth of the land assessment, shall be carried to the account of Government, or, as being just below the mark, shall be thrown into the bargain, the tree-rates varying, be it remembered, with the supposed value of produce; but assuredly it is little satisfaction to the ryot: and the interests of Government would best be consulted, by making the land over to the cultivator outright; and in this, as in every other instance, limiting the demand strictly to the assessment fixed on it at the survey.

Neither does it seem necessary that any remission should be made because the land is merely grazed. If the exclusive occupation is retained, the full assessment should be paid; and in doing away with this grazing item, which is only a sacrifice of £410. 8s., another obnoxious tax, which forms a large part of that sum, would also be swept away.

To accelerate the creation of agricultural stock, it has been recommended that no rent should be demanded even for the pasturage of the jungles; but in some parts of the district to the south, where cultivation bears a large proportion to the extent of waste, it is the custom to levy a tax on all the cattle in the village, without reference to

where they graze; and it is difficult to understand how a custom so opposed to the creation of agricultural stock could possibly have been retained to the present day. The Mahratta Brahmin, however, shakes his head, and says that the tax is just. "Those ryots won't cultivate more land, for fear there should not be enough left for the cattle. Good: they are cunning fellows; but, tax the cattle, and there shall be a due increase in the revenue of the State, in spite of their cunning." This Brahminical policy does not increase the resources of the ryots, whose capital, according to the laws of caste and the immemorial customs of the country, will invariably be expended on the land; and these solitary exceptions to the general rule regarding the "dry" cultivation, had best be abolished.

It is therefore in matters connected with irrigation that reform is now most urgently needed. The Hindoo dearly loves to lay out his money in such works; and whether he builds a tank or digs a well, he is equally pleased. In either case the fertility, the beauty of the country, is increased a hundred-fold, and in either case the present policy is diametrically opposed to the spirit of the people.

The results of the present system are illustrated most strikingly in the cultivation of the cocoa-nut and arreca-palms, or "wet" gardens. If a ryot plants a cocoa-nut-tope, the land may be looked on as permanently occupied for at least a generation. The various other local advantages to be

derived from these gardens have been already described; and when every encouragement should be given, on these grounds, for the necessary outlay of capital, what is the course prescribed? Below the ghauts, and in the Baramahl, the assessment is doubled! No more water is required, and the occupation of the land is more certain than if rice were cultivated; but the crop is more valuable, and the State most unwisely insists on sharing in the profits. The assessment on the irrigated lands below the ghaut is much higher than in the Baramahl; and doubling the rate there, has been a prohibitory duty,—has in fact stopped the cultivation; and whilst 380 odd acres are planted in the Baramahl, there are not 150 acres so occupied in the low country.

In the Ballaghaut, where the assessment is much the same as in the Baramahl, the rule is different. There the cocoa-nut and the arreca-palm are subject to increased rates, but the assessment is not doubled, it is merely fixed at the highest under that particular tank or channel, which is often little or no enhancement of rates, as the best lands are usually chosen for this purpose. And mark the result. In the low country and the Baramahl, together, this cultivation scarcely exceeds 500 acres; in the Ballaghaut there are nearly 2,000 acres planted with cocoa-nut and arreca-palm. In the two talooks of the Ballaghaut, greater encouragement for the outlay of capital has secured the permanent occupation for this salutary purpose, of four times as much

land as in the whole of the rest of the district put together.

The climate and the soil may be more favourable for the growth of the arreca-palm, but there is no such difference either of soil or of climate between this corner of the district and the rest of Salem, as would account at all satisfactorily for this humiliating result of an unwise policy. The revenue does not lose by the low assessment of the Ballaghaut; on the contrary, the low rates increase the cultivation, and the 2,000 acres cultivated there, pay much more than is collected from the petty gardens to which this cultivation has elsewhere been confined by an exorbitant demand; whilst the imposing of any check whatsoever on this outlay of the ryots' capital not only tells against the comforts of the people generally, but effectually prevents the cultivator from seeking to raise other and more valuable productions than mere articles of food, such as rice, and is always opposed to the permanent occupation of the land. There is, therefore, every reason to urge the abandonment of this tax on the capital; and, under the present prohibition system, the annual loss could not possibly exceed £400.

The "dry" garden cultivation is not so simple. In some parts, if only chillies or other garden productions are grown, the land is entered as such, though the water is obtained from tanks or channels, while elsewhere this assessment is strictly confined to land that is irrigated solely from wells. There is nothing to recommend the

former system; it is merely an opening for fraud; and the assessment in such cases should invariably be fixed for good, with reference, not to the produce, but to the quantity of water that can be obtained on an average for that particular field; and as to the latter case, if the ryot is to be made the master of his own fields, and is to be encouraged in the free outlay of his capital, the tax on well-cultivation must be given up entirely.

From the mixed nature of this cultivation, it is impossible to calculate with any accuracy, save on a close examination of the village accounts, what would be the consequent loss of revenue; but the wells have been sunk at the ryots' expense; the wells are kept in repair with the ryots' own money; and the Government does not lay out a shilling towards the improved cultivation so far as these wells go.

Again, so much minute interference and supervision is required to carry out this "dry" garden assessment, and the checks that are absolutely necessary for this purpose interfere so constantly and so directly with that freedom of cultivation which is essential to the outlay of capital, that such an unfair system of taxation must be abandoned, if on this last account only; the ryot must be put in possession of his land, with full power to make use of such wells as he may be fortunate enough to find there, and to dig as many more as he likes; to build a tank if he chooses, and to do all this without any change being made in the assessment.

The wells in unoccupied lands are considered the property of Government; but from the assessment there being too high, or other causes, there can be but little property at issue, in the true sense of the word, or else the last occupant would have been able to sell his right of occupancy.

In abandoning this nominal title, the Government does not actually sustain any real loss, whilst the impetus thus given to cultivation will amply make up, in a few years, whatever deficiency the measure may occasion in the first instance; and having in this manner given full play to the interests of the ryots, the Government may then fairly claim, and will best provide for the protection of its own in such matters, by strictly prohibiting all temporary irrigation from the public tanks and channels, for the repair of which the State has annually to make a large outlay.

There should be, as regards the State, but two classes of land—the dry lands, and those that are irrigated at the public expense; and all temporary changes between these two great classes should be strictly forbidden.

It has been seen that in 1850-51 there was a fluctuating demand under this head of £1,733. 14s., the upshot of which was an ultimate increase of £305. 6s. over what would have been collected without this temporary irrigation; and some of the abuses to which this system is liable were then pointed out. Scattered over eight thousand square miles, all information on a

subject like this must manifestly be derived entirely from the village authorities; for who else can form an idea whether Ramasammy planted chillies or rice, or irrigated half or three-quarters of an acre this particular year?

And when such is the actual basis on which this fluctuating demand must be calculated, and it is remembered how frail is the integrity of these functionaries, if the revenue accounts are concerned, it cannot surely be deemed wise to give them so wide a field for peculation. Seated with the elders of the village to dispose of some petty breach of the peace, or to investigate a civil suit between two of his fellow-villagers, is a very different matter in the eyes of the Hindoo, from drawing up the revenue accounts; and it is in vain for the Government to think that heads of villages, as revenue servants, will ever deal by the State with that good faith and justice which may be surely reckoned on with certainty when these very men are seated as judges amongst their fellow-ryots. £305. 6s. are carried to the profit of Government; but who can calculate the real loss, from the utter impossibility of exercising an efficient check on such accounts?

If the supply of water has been so increased that more lands can be irrigated permanently, an application should be made, as when unassessed waste is taken up, and a suitable assessment should be fixed for good. Were this policy carried out, the twelve rules with reference to irrigation and value of the produce, would no longer

be needed: there would be no raising the assessment because cocoa-nuts were grown; no remission because the land was merely used for chillies, for grazing, or a nursery: the system would be simplified a hundred-fold; fraud would lose, but the ryots and Government would be huge gainers.

The present policy in matters connected with irrigation has been the growth of circumstances. When the country passed into the hands of the Company, its inhabitants were poverty-stricken, and the Government was obliged to carry out all such works at its own expense. The rules which have been now described were gradually introduced, to secure the full return of the capital thus laid out; and the water privileges have in consequence become, in this part of India, a strict monopoly. The profits have been immense. Each work of irrigation has returned its original outlay cent. per cent. Now the times are altered; a prolonged peace has produced its inevitable results, and there is a general diffusion of agricultural capital, which may fairly demand a share in these profits, and is fully equal to carry on all the minor works of irrigation, as well as many of those more important undertakings of this nature, for which formerly the means of Government were alone adequate. Government was then the sole capitalist. But for the money so wisely laid out, the returns have been ample; and the interests of the State will best be secured, for the future, by allowing free play to the capital that its subjects

have amassed under the fostering influences of a prolonged peace and a Christian Government.

It now only remains to notice the two last rules given under the head of remissions, to which subject they most strictly belong, inasmuch that the ryot can only get rid of his liability for what land he does not want, or, in other words, have the assessment thereon remitted in accordance to the provisions contained in these rules. There does not appear to be much necessity for imposing a penalty on the transfer of labour to lands held on favourable tenure, as the substantial ryots whom it is desirable to keep, will prefer, with a liberal revenue system, to cultivate lands held in their own name, rather than sink their capital where the title is another's; and as regards hired labour, any attempt at interference to such ends, on the part of Government, is as unavailing as pernicious.

The last rule, it has been stated, was modified in 1850, and the ryots are now allowed to throw up at pleasure all such fields as they may have taken at one time; but otherwise "good and bad" must still be enforced, and the ryots must still learn each year from the tahsildar "how much they have to cultivate." Here is the root of all that is vicious in the system; and till the ryot is allowed to know his own mind; till the ryot is left to judge for himself how much land he will cultivate, there can be no sound land revenue,—the agricultural returns must always be looked on with suspicion; and, to retrieve this first error, there must be a succession of minute

and vexatious interferences with that freedom of cultivation which is the soul of agricultural prosperity. Each tahsildar annually makes the round of his talook at the commencement of the season; the ryots learn from him how much of their old lands they must retain, and his advice is given as to how much new land they had better bring under cultivation for the coming year! A flaming report is then drawn up, showing how the tahsildar has laboured for the increase of the Government revenue, "and the glory of his father and mother, the most illustrious the then collector;" and in a few months more, when the test is applied, these returns are annually found to be so much harm done to the country.

After the first two or three instalments have been paid, towards the beginning of February, it is at present the custom for the collector to proceed on his "jummahbundy;" and half his time is taken up in putting to rights what would never have been wrong, had the people been left to themselves. Some of the ryots declare that they have not the means to cultivate the land which this wise rule of "good and bad," duly enforced by the tahsildar, had compelled them to retain; and even in its modified shape, how is the ignorant ryot to prove "what lands were taken up at one time," should the village authorities refuse him their help? Whilst others assert that they never engaged to cultivate more land, or if they admit that they did sign the tahsildar's cultivation agreement, it is urged with

irresistible force, that they did so simply because the tahsildar told them to do so. When he asked, how could they say no? and with equal truth, how could they plough the land, or justly be held liable for the assessment, when they had neither the will nor the means? The tahsildar's increase of cultivation melts away like a fall of snow, that has not, however, as in colder climates, protected a young crop from the inclement seasons; and the ground, once more left bare, shows only the plentiful growth of fraud and vice that such a system must engender.

The accounts sent in by the fourteen tahsildars in the year reviewed, exhibited an increase of £6,166. 12s., and by the time the collector and his assistants had revised these operations, of the above sum nearly half (£2,383. 12s.) had been struck off. But the collector himself has to visit at least some eight talooks: this revision or jummahbundy does not close till within a week or two of the time when the last instalment falls due; and those who know the natives of India can readily imagine how much will have been paid before then, in the way of bribes, to stave off the collection of these disputed sums, which are thus, year after year, finally remitted.

This also is necessarily the time, in these days, for the distribution of puttahs, those annual title-deeds, which even in 1802 were declared to be necessary, "that the cultivators may have the benefit and protection of determinate agreements," that they may know for what they are

liable; and thus these puttahs, without which the ryot is helpless, are given now, when half the assessment has perhaps been paid, and in some parts of the district when the last instalment alone remains to be collected.

The puttahs were given before this, in the days of Munro; and like many other changes from the original system as proposed and introduced by Colonel Read, this arbitrary interference and this official neglect of the seasons work ill for both the ryots and Government; and the interests of all will best be secured by abandoning as soon as may be these pernicious innovations. So long as the present restrictions are maintained, the tahsildar's tour is a necessity—a necessary evil, and the puttah must still be forced on the ryots when half the season is over; but if those who are in authority shall ever be pleased to determine that the ryots are to be really free, and the outlay of capital shall not hereafter be taxed, then this evil necessity will cease.

They have not of course before them the affairs of one district only, and their deliberations must be influenced by the effects which any order may have on all; and reasons may arise with reference to existing circumstances elsewhere, which would forbid the erection of a particular system in a particular district, though there highly advisable; and these causes can be known only to those whose official position gives this general view; but assuredly the past history of the district shows clearly what is now required to develop

the resources of Salem, and secure the future prosperity of her inhabitants.

If private capital is permitted to share in the profits of irrigation, and the ryots are encouraged in every other respect to lay out their capital freely, no general reduction probably would ever have to be made in the assessment on the "dry" lands at present occupied; but a general revision is decidedly advisable, to remedy such errors as may exist; and undoubtedly the changes for the better that must ensue in the character of this cultivation will have a great effect on the value of the customary "wet" lands; and from time to time, perhaps once in each generation, as the mass of the country is improved, the assessment in these particular situations must be further lowered.

When the value of nine out of ten fields has been improved a hundred-fold, and their occupation and assessment made a consequent certainty, can any possible reduction in the assessment fixed on the tenth be considered a loss? And yet this is no exaggeration of what must be the result when, with the consequently increased extent of cultivation, 614,430 acres are allowed to receive the benefits which must arise from the full outlay of capital, and 75,713 acres is the whole extent of the lands on which the higher rate is now charged.

When the June and July rain shall have fallen, and the glad earth is ready for the cultivator, the collector and his assistants should pass through

the district in every direction, and all disputes regarding the occupation of the land should be at once and finally settled; whilst the tahsildars, without interfering in the affairs of the ryots, will have full employment for themselves and their subordinates in seeing that the village servants do their duty, and that the whole cultivation is duly entered in the village registers.

So long as the cultivation season lasts, they must be always on the watch,—they must traverse their talooks in every direction; and if they give sufficient attention to the cultivation reports of the past and the current year, it is impossible that fraud can be carried on to any extent without being eventually, nay speedily, discovered. But on the other hand, it must be remembered that when freedom has been thus given to the ryots, it will be necessary to insist rigorously on their strict adherence to the single rule regarding the relinquishment of land, which demands that they shall give up such lands as they do not require by the 11th July, the close of the revenue year; and that this relinquishment should be committed to writing and duly indorsed. The puttah is for the benefit of the ryot; but here is the Government's true security. It is the ryot's occupation of the land in the first instance that must be considered as constituting him legally liable to the State for its assessment till such act of his, or his application to that effect, be rendered null and void by a formal and accepted renunciation of his right of occupancy.

It will also be necessary that all applications for immemorial waste, and for alterations connected with irrigation, should invariably be made on or before the 12th of July, the commencement of the year, so that all such arrangements could be finally settled by the collector when he visits the various talooks in the beginning of the season, before any labour has been expended on the land. The rule might be inconvenient to a few of those whose means are not calculated to meet the additional expense, should the season turn out unfavourable, but it would never deter the substantial ryots, who have determined on increasing the extent of their holding, after a due consideration of their stock and pecuniary resources. Were the objections more serious, they cannot be allowed much weight, when it is remembered how small is the proportion of these fluctuations to the bulk of the cultivation, and still less on considering the effect of the present system, according to which the collector does not visit any of his talooks till after the whole cultivation has come to a close; and that the assessment may then be fixed at a rate at which the ryot would never have consented to occupy the land, but will nevertheless be bound to pay for the current year, at all events.

It has been before stated that the monthly cultivation accounts are continued till December, when the village accountants are collected and puttahs prepared, the mode in which this is done being also then described; but this operation

should be carried out a month earlier, that the puttahs may be ready before the first instalment of revenue is collected. The puttahs and the accounts, prepared on the responsibility of the proper party, — the tahsildars of the talooks, should be sent to the collector's cutcherry, and the entries in the puttahs having been there duly compared with the several accounts, these puttahs should be signed by the collector and sent back to the talooks, to be delivered to the ryots by the heads of their respective villages. With this document in their hands, the ryots would know exactly how much they had to pay; they would have the benefit and protection of determinate agreements, when really of use, before the terms of those agreements had been carried out; and on the back of these all-important puttahs, the village authorities should be compelled to give the ryot his receipt for each instalment when paid.

Here again there will be inconvenience to a few; for in very favourable seasons some crops are sown as late as December, and the cultivation accounts being closed earlier would tell against fresh lands being then taken up for this purpose; but is this hand-to-mouth cultivation to be desired, and should there be any hesitation regarding a measure that would benefit all, in order that a few additional fields may be brought under the plough?

The present system is one of accounts; and all is to be sacrificed, that the Mahratta statements

may be drawn up with a Revenue Board minuteness. Can anything be conceived more truly absurd than a collector seated at his jummahbundy in the month of May? The ryots are perhaps ploughing the land for the coming year, that is to begin on the 12th of the next month but one, and he, good man, is endeavouring to settle on Indian evidence what is the rate that should be paid for land that was cultivated in all probability twelve months ago; he is settling the affairs of the year that is going out, when his attention should be given to the year that is coming in; he is trying to decide on the past, when the cultivator should be busy with the future: and all this time there are perhaps around him one, two, or three thousand ryots, waiting for their puttahs, which would have been of use if given in November, but now are a mockery and absurdity, as regards the original and chief use to which it was intended that these documents should be put.

This system should be abandoned, and the seasons must be attended to by the Government as well as by the cultivator. But whilst thus studying their convenience, and giving the ryots perfect freedom as regards the right to judge for themselves, it will be no less the duty of Government to take such steps as will prevent that freedom becoming a source of confusion and subsequent wrong. The ryot, let it again be repeated, ought invariably to be compelled to adhere most strictly to the two rules laid down for the relin-

quishment and occupation of fresh land, and where these rules are infringed, a penalty may be justly inflicted. In the latter case, the highest assessment on such lands in the village in question might be imposed for that year, and, if the permanent occupation of the land were intended, the current rate could be accertained and finally fixed, as well as all other penalties reviewed, when the jummahbundy was made by the collector at the commencement of the following season.

The ryot having thus been made the undisputed master of his own fields, with full power to increase their value to any extent, without interference on the part of Government, so long as the improvements are confined within his own bounds and do not injure his neighbours, and the local markets having been invigorated by the removal of Moturpha, whilst a healthy tone shall have been restored to the official arrangements of the district generally, there must ensue a great increase in the amount of produce; but unless the surplus travels freely, unless the communications of the country are put in thorough order, unless the agricultural population is linked to the trunk-lines of the district by a network of cross-roads, there can be no free circulation, no steady pulse, and the apparent prosperity of the district must ever want the muscle and energy of that wealth which is created by the free exchange of all productions, be they natural or more exclusively the work of man. These cross-roads are altogether wanting, and the trunk-lines far from being in so good a state as they were fourteen years ago.

In times to come the district will perhaps be linked to the neighbouring countries, and to the coast, by an iron chain—by the railways of the Western World; but at present even the trunk-roads, so far as they go, are no clear lines of communication, and beyond the boundaries to the southward and eastward, have yet to be made. They are broken everywhere by rivers, which in the monsoons often bar all transit for days, and in the dry weather present beds of sand, through which it is a sad sight to see the trade of the country labouring on in 1850, when the district has been sixty years under the British rule. These trunk-roads may be improved to any extent, and yet it will be of little avail to the country generally, unless the towns and villages on either side are brought within reach by the equally indispensable cross-roads, and all natural obstacles to traffic spanned by the skill of the engineer. When merchandise is to be transported, the load must now be calculated with reference to the rivers to be crossed, to the local difficulties that here and there have to be overcome; the general goodness of the trunk-road is of no use; and these occasional obstacles put therefore the same narrow limits to the commerce of the country, that the modern revenue system has imposed upon agriculture.

Agricultural labour has been transferred, in a greater or less extent all over the district, to lands which were not assessed at the survey, and the rates in such cases were fixed for some time at the average of the survey lands then cultivated in the

village, but latterly, in comparison with those on neighbouring fields of a similar description, and then under cultivation. The assessment has been therefore fixed on the lands now occupied, either at the survey or on the average of those rates that had stood the test of time, or comparatively; and the following table will show the average assessment, in each talook or subdivision of the district, on all the lands cultivated under each of these heads. A reduction of the Government demand, if compatible with a sound state of the public finances, must always help the ryots; but it will be seen that this measure is not half so important at present as the abolition of Moturpha and the system of considering the value of the produce as a source of assessment. Under the native rule, the ryots were bound to their field as serfs; and this, it has been seen, was much the case for the first two or three years of the survey; but they are now free agents, and real stability of revenue can only be obtained by doing away with all restrictions on the free outlay of the cultivator's capital. Good roads would be a greater assistance than any general reduction that the State could now in all probability afford to make; and £5,000 spent annually in bridging the rivers and improving the means of communication, would be far better than four times that sum dribbled away to 169,961 ryots; and thus spent, would benefit the whole population,—the quarter of the district still held on the zemindarry tenure, as well as the three-quarters that are now ryotwarry. The merchant as well as the ryots, the labourer as

well as the zemindar, all would gain by this liberal and wise measure, by the expenditure of the public money on the improvement of the public roads. The sum of £5,000 has been fixed upon for this purpose at a rough guess. As yet the district affords no data from which might be calculated the cost of this annual repair; but when the traffic of the country is concentrated, the wear and tear is very considerable, as may be seen from the expenditure on the great "Western Road" to Madras. Here the iron resistance of the railway will not only be a large saving to the State, but, if carried far enough to make it worth the merchant's while to give up existing arrangements, must be a source of considerable profit. A branch line passing through the town of Vaniumbady, and so on to Salem, under the western slope of the Shevaroys, would be an immense assistance to the markets of the south, and would undoubtedly enjoy a large carrying trade. Some of the present trunk-roads in the district might be considered in future as strictly lines of internal communication, and so reparable by the inhabitants themselves, under the arrangements described in the preceding chapter; and when the extent of the lines essential to the general traffic of the country shall have been thus diminished, it may be expected that the annual outlay of this sum of £5,000 would not only keep the real trunk-lines in fair repair, but might be extended to works on the cross-roads, such as bridges, &c., which could not at present be fairly carried out at the cost of the inhabitants alone.

AVERAGE per Acre on the irrigated and the "dry" Lands at present cultivated, whether assessed at the survey, or subsequently; and in the latter case, either on the average of the lands then cultivated in the village, or according to the present rule, in comparison with that fixed on adjacent and similar fields.

No.	Names of the Talooks.	Dry lands.									Irrigated lands.								
		Survey Assessment.			Average Assessment.			Comparative Assessment.			Survey Assessment.			Average Assessment.			Comparative Assessment.		
		£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.
1	Tripatoor	0	2	5 5/8	0	2	3 1/8	0	2	2 3/8	0	14	3 5/8	0	11	5 5/8	0	11	2 1/2
2	Namcul	0	2	9 3/8	0	2	8 5/8	0	2	3 5/8	1	0	9 5/8	0	18	7 3/4	0	14	7 1/2
3	Kistnagerry	0	1	10 1/4	0	1	6	0	1	4 1/2	0	11	4 1/2	0	8	3	0	8	3 3/8
4	Tengricottah	0	2	1 1/8	0	1	11 5/8	0	1	6 1/4	0	8	10 3/4	0	7	11 5/8	0	6	10 1/8
5	Trichengode	0	3	3 5/8	0	3	3 1/8	0	3	0	0	15	3 1/4	0	13	4 5/8	0	13	0 5/8
6	Purramutty	0	2	9 1/8	0	2	7	0	2	9	1	7	3 1/8	0	18	11 1/4	0	16	7 1/2
7	Salem	0	3	9 7/8	0	3	3 1/2	0	3	0	0	16	7	0	12	6 1/8	0	12	8 3/8
8	Darumpoory	0	1	9 1/4	0	1	6 7/8	0	1	11 7/8	0	10	6 7/8	0	9	11 1/2	0	8	4 1/4
9	Razipoor	0	4	6 5/8	0	4	0 1/2	0	2	10 1/8	0	14	11 1/4	0	9	11 1/2	0	13	0 3/8
10	Senkrydroog	0	3	4 7/8	0	3	5 1/8	0	3	5 1/8	0	17	8 1/8	0	12	11	0	10	10 3/4
11	Ahtoor	0	3	9 1/8	0	4	0	0	2	9 1/8	1	1	6 1/8	1	3	11 1/4	0	19	8 1/4
12	Womaloor	0	3	5 3/4	0	3	0 3/4	0	2	9 1/2	0	12	4 1/8	0	9	0 1/4	0	9	5 3/4
13	Oossoor	0	2	0	0	2	9	0	1	8 1/2	0	11	8 1/8	0	10	7 1/2	0	8	8 1/2
14	Denkanicotta	0	3	0 7/8	0	2	5 5/8	0	2	1 7/8	0	10	11 3/4	0	9	3 3/8	0	7	8 1/8
15	Mullapaddy	0	2	0 1/8	0	1	7 7/8	0	1	7 3/4	0	10	7 1/8	0	9	2	0	9	2 3/8

There were 614,430 acres cultivated in 1850-51 with dry grains, the assessment being fixed as in this table; and the revenue collected under this head being £83,356. 12s., the average on the whole was only 2s. 8d. per acre. Agricultural labour can readily be obtained for 1s. 3d. a week, the articles of daily consumption being cheap in the extreme; and the Government demand for an acre of dry land scarcely therefore exceeds what a common labourer can earn in a fortnight; about which amount of labour, it may be also here observed, will find him with an ample supply of salt for the whole year. The present assessment on the dry cultivation is as light as it well could be; and in considering that fixed on the irrigated lands, it must be remembered that the Government has annually to make a large outlay for the repair of the tanks and channels, without which "wet crops" cannot be grown in the Salem district. The general average on such cultivation is fourteen shillings; but it will be observed that this rate is considerably exceeded in the survey-assessed lands of Purramutty, Namcul, and Ahtoor. The two former talooks derive their supply from the Cavery, and can afford a high assessment; but even there it requires considerable reductions, whilst in that unfortunate country of Ahtoor, the first to fall under the weight of the zemindarry system, it is needless to look for any improvement in the "wet cultivation," unless a very great reduction is made in the existing rates on such lands.

The whole table shows that the ryots, notwithstanding all precautions and modern restrictions, are gradually getting land at a lower rate than that fixed at the survey, the lightest being of course on the fields comparatively assessed subsequent to 1833; and the only way to put an effectual check to this, it must again be repeated, is to encourage the outlay of the ryot's capital by securing to him the full returns of his investment. These averages are of course below what the survey rates would have given when the zemindarry system was first introduced; and the present assessment is therefore considerably lighter than that which proved a death-blow to three-fourths of the "permanent settlement." It must also be considered as much more favourable to the ryots of the present day than it was to their fathers thirty years ago, when the ryotwarry system was reverted to; for the agricultural classes, it has been proved by the increased productiveness of the soil, are now in possession of considerable stock; and this subsequently acquired capital, it surely is not necessary to prove, must enable them to meet with ease a demand which was before paid with the utmost difficulty.

Finally, the land on which the survey assessment could neither be paid in the first instance nor in later days, when the improved condition of the ryots renders that assessment comparatively light, does not now press on the ryots' resources. It has been got rid of by one means or another; and the great question as to the reduction of

assessment may briefly be summed up thus:—It were better that the most fertile lands of the district were once again brought under cultivation, and it were better that the assessment should be lowered on the lands at present occupied, where the rates are excessive; but neither of these measures could be effected without incurring the immediate loss of a general revision; and all-important as these matters may be, it would be far, far better for the country, that they should be postponed, nay, given up entirely, than that the chief reforms which have been proposed should be withheld for a single day.

To reduce the assessment in particular cases, without reviewing the rates on the remaining lands, would without fail produce the most dangerous confusion; but unless actual and recent frauds shall have been proved, in no case should the assessment be raised, as such a course would assuredly disturb the public confidence. A general revision would therefore be absolutely requisite, whilst its result must be an immediate loss; and should the resources of the State be inadequate to meet such annual though temporary losses, as well as those which would be occasioned by the various other measures of reform, there can be no hesitation as to which course should be pursued.

Agricultural capital must be set free, the Moturpha tax must be abandoned, and the roads of the country must be put in an efficient state of repair. Once and for all, it must be again urged,

these are the crying wants of the country. It may be argued, that it is unfair to the ryots to deny them any reduction of the assessment on the land, and yet remove all restrictions on trade. But the state of the district under native rulers is a full answer to this charge. The past history of Salem shows clearly and distinctly that no rights of the cultivating classes have been invaded by the present authorities; and each measure of reform that has been proposed for their benefit, is a striking contrast to the revenue system of Tippoo. Neither can it be alleged that the commercial classes are altogether freed from contributing to the support of the Government of the country. The share of the produce taken for the public treasury, constitutes the State, to a certain extent, the landlord of all India; and whilst it is the interest of this great landowner to improve by all possible means the various markets immediately available for the several productions of the soil, it may with equal certainty be declared, that such consumers, indirectly, if not directly, must always bear their share in the ryot's burden, and contribute to the maintenance of Government in proportion to the extent of their trading operations.

Wealth has been gradually accumulated over the whole district. There is not the show that in former years surrounded a few sensual and ignorant rajahs; there is not the pomp that dazzled the European eye,—the barbaric splendour that gave an idea of real prosperity which never existed; and though a few jaghiredars or zemindars may

not now lavish the revenue which they had wrung from an enslaved population, assuredly capital is growing quickly in the hands of the many; without doubt the millions are happier, not with the childish gaiety of an enslaved race for a moment freed from their bonds, but from the sound satisfaction possessed by those who enjoy for the first time security of life and property; and as surely a vast change for the better is now going on throughout the length and breadth of India generally, though a survey assessment, a fixed demand, will have marked these signs of improvement with a firmer and stronger hand in the Salem district than where such help is wanting.

In the olden times, those who sat in the high places were despots, had an unbounded command of labour; they worked with Titanic masses of rock, cut as precious stones, fitted like mosaic; they raised large tank-banks; they dammed rivers a quarter or half a mile broad; they had but to feed the human machine,—time was the only limit; and looking merely to these marks of barbaric power, men are wont to enlarge on the great falling off to be seen in the agricultural aspect of the present day. They forget the misery that every stone in such works could tell of; they think not of who reaped in those times, or of how much the labourer gathered in of what had been won by the sweat of his own brow; but they still sing the old cry, "There are not works like these done now-a-days—the country is going fast to ruin."

Rather more than a hundred years back, the Rajah of Mysore ordered that a dam should be built across the Cavery at Nerrinjapet, in the talook of Senkrydroog. It is a dry land there, and such irrigation was a great blessing to the people. The revenue of the five neighbouring talooks was devoted to this work for three years; the labourers were fed with the grain that they themselves had grown, and the dam was built as the pyramids of Egypt had been raised. In the troubled times which succeeded that period, this noble work of irrigation was probably neglected; it was breached, and has never yet been repaired; which is a matter for regret, as the whole of Senkrydroog would derive the greatest benefit from repairs that might be easily effected in a year. But it were better that it should be never done, than that the wrongs and oppression by which the dam was raised, should for any cause, however good, be perpetrated again under English rule.

The fallacy of taking the amount of land revenue as a guide in India to the prosperity of the ryots, has been already exposed; and it needs but to scan the country with a careless eye to see signs of real wealth and general improvement, which only require to be developed by wise laws; and this generation shall boast of works as great as those, but blessed by justice and good faith.*

The signs of improvement cannot be mistaken.

* Proposals have been made for the repair of this great work by private capital.

When the people throw down the walls of their villages and towns; when the cottage shines out amongst the distant fields; when the children drive the cattle to pasture, and troops of women pass fearlessly along the public roads, seeking the neighbouring markets, these surely are different times to those that saw the ryot go to the plough with his spear or the matchlock in his hand; when the trade of the country, carried on bullocks, straggled from village to village, guarded ever by armed men, and the merchants feared to engage in cultivation, because such gains could not be hid with sufficient ease.

The greatly increased fertility of the soil, the increasing traffic, the improved bazars, the value that land, even under the present system, is everywhere acquiring, all show clearly that capital is accumulating, that the condition of the people is better than it was; and if the past history of Salem, as traced in these pages, by recording former errors, shall be a help to those whose lot it may be to shape her future fate, shall serve in any way to advance her prosperity, — her happiness, then this work has been to a good end, and the hours, that were devoted to a careful study of the mouldering manuscripts, have not been spent in vain.

THE END.